

11/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-31B
NAME AND ADDRESS: ALANNA K JOHNSON
RT 1 BOX 144-1
S ST CHARLES ST
SALMON ID 83467

MARK E JOHNSON
RT 1 BOX 144-1
S ST CHARLES
SALMON ID 83467

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.140 CFS
PRIORITY DATE: 04/01/1894
POINT OF DIVERSION: T20N R22E S5 NWSWNW Within LEMHI County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.140 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T22N R22E S19 NWNE	3.50	
	3.5 ACRES TOTAL		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
Water is delivered through the Minzer-Runsten Ditch.

SCANNED

FEB 23 2008



Idaho Department of Water Resources

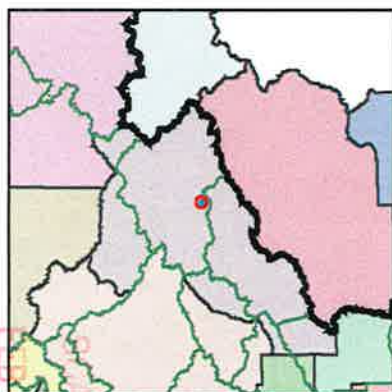
SRBA Recommendation:

75-31B

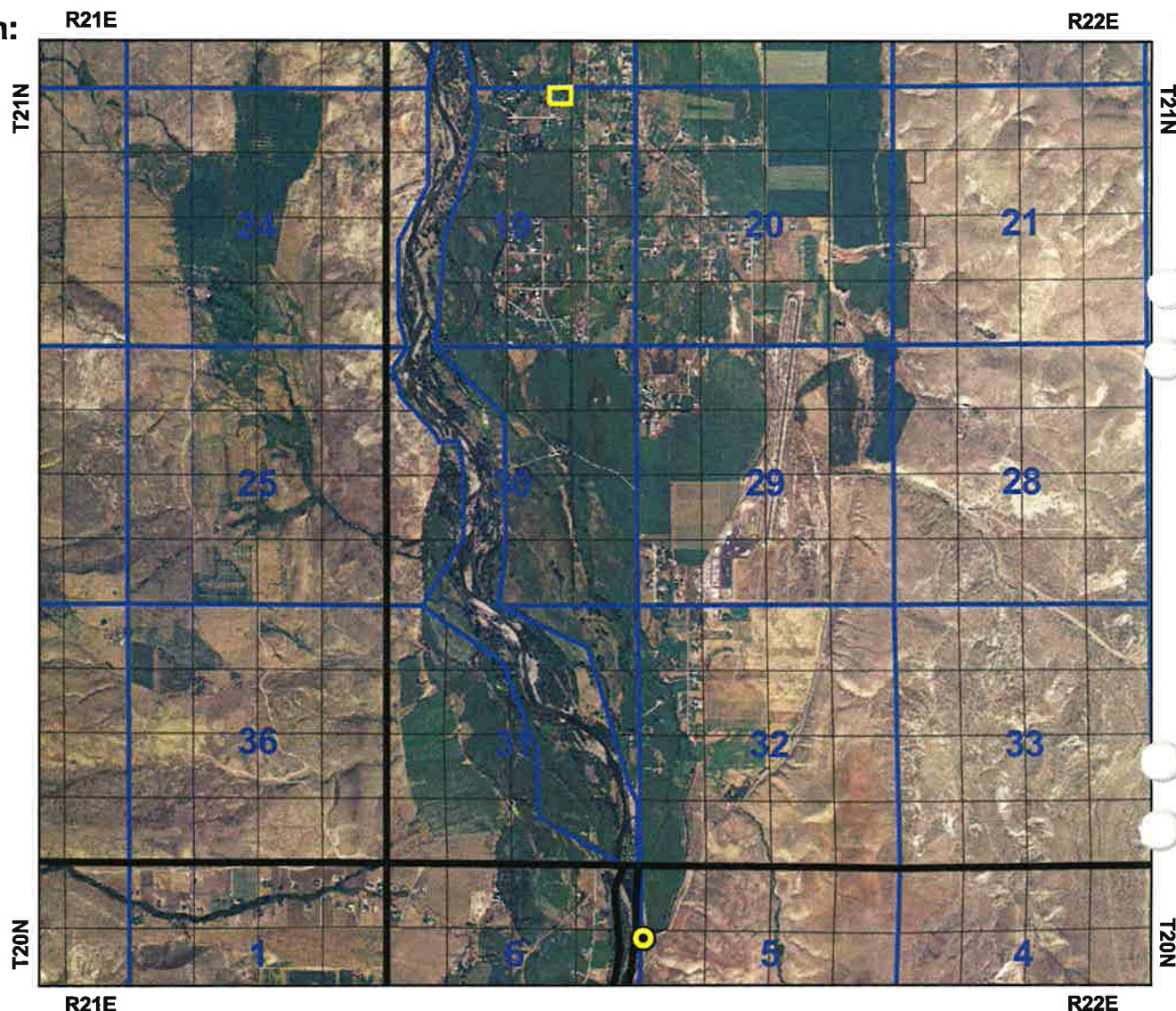
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



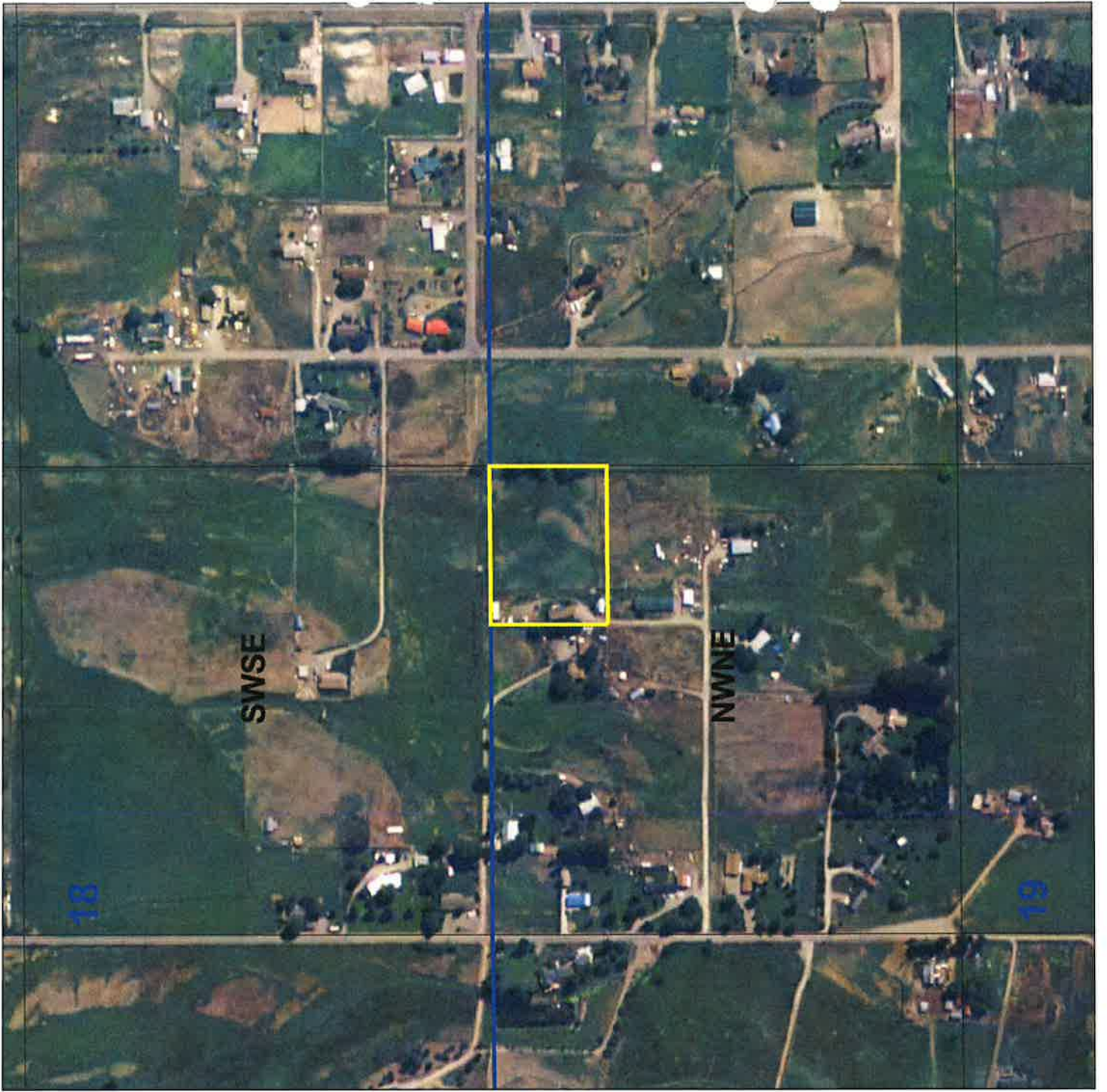
Lemhi County
IDWR Basin 75



0 1 2 Miles

Prepared by M. Ciscell
On Sunday, November 19, 2006
2004 Aerial Photography

75-31B



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 75-00031B

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

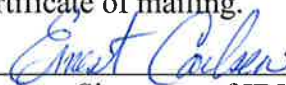
- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer

- ☒ point of diversion
- ☐ place of use
- ☐ period of use
- ☐ nature of use
- ☐ split of water right
- ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 27, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on _____, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Rebecka A Coffey
5 Bart Lane
Salmon, Idaho 83467

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Signature of person or attorney mailing the form

SRBA

SUBCASE SUMMARY REPORT 75-00031B

[Return to SRBA Home Page](#)

SRBA
03-27-2008

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 75-00031B FILE#: 00447
CLAIMANT: COFFEY, REBECKA A
5 BART LN

SALMON ID 83467
STATUS: ADMIN PROCEED CMPLT SPECIAL MASTER: MELANSON, JOHN M
WATER SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

****** PARTIES INVOLVED ******

REBECKA A COFFEY C PRO SE

****** ROA ENTRIES ******

02-22-2008	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING	02-22-2008
02-22-2008	AMENDED DIRECTOR'S REPORT	
	SUBSTITUTE PARTY - COFFEY FOR JOHNSON	

[Return to SRBA Home Page](#)

03/27/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-31B

NAME AND ADDRESS: REBECCA A COFFEY
5 BART LN
SALMON ID 83467

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

Prior to the diversion and use of water under transfer 74174, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 0.140 CFS

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/01/1894

POINT OF
DIVERSION:

T20N R22E S6 SESE Lot 14 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.140 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S19 NWNE 3.50

3.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Failure of the right holder to comply with the conditions of transfer 74174 is cause for the Director to rescind approval of the transfer.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

The right holder shall accomplish the change authorized by transfer 74174 by February 13, 2009.

Water is delivered through the Minzer-Runsten Ditch.

This right does not grant any right-of-way or easement across the land of another.

March 27, 2008

Rebecka Coffey
5 Bart Lane
Salmon, Idaho 83467

RE: Transfer #74174 for water right(s) 75-00031B and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On February 13, 2008, the Idaho Department of Water Resources (IDWR) approved Transfer #74174, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Denise Kidman
Water Resource Agent

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74174

This is to certify that: JASON L BOWEN Or
REBECCA A BOWEN
5 BART LN
SALMON ID 83467
(208)756-3156

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
75-31B	AJC/Decreed	04/01/1894	0.14 cfs	N/A	N/A	3.5	SALMON RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-31B	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
75-31B	75-31B	0.14 cfs	N/A	N/A	3.5		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.14 cfs	N/A	N/A	3.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of February, 20 08

Chief, Water Allocation Bureau

WATER RIGHT NO. 75-31B
As Modified by Transfer No. 74174

In accordance with the approval of Transfer No. 74174, Water Right No. 75-31B is now described as follows.

Right Holder: JASON L BOWEN Or
 REBECCA A BOWEN
 5 BART LN
 SALMON ID 83467

Priority Date: April 01, 1894

Source: SALMON RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

0.14 CFS

0.14 CFS

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER L14 (SESE) Sec. 6 Twp 20N Rge 22E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
21N	22E	19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	3.5

Total Acres: 3.5

CONDITIONS OF APPROVAL

- Exp 005 1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.
- Qty RS 2. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- Exp 004 3. This right does not grant any right-of-way or easement across the land of another.
- Exp F01 4. Water is delivered through the Runsten Mintzer Ditch.
- T07 Exp 5. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval. *by Feb 13, 2009.*
- Exp T08 6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

74174

74174

OKID 473972 437972

WATER RIGHT NO. 75-31B
As Modified by Transfer No. 74174

CONDITIONS OF APPROVAL

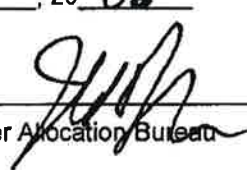
✓ 7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

source 029 ✓ 8. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

702 ✓ 9. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

EHP RLB This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 13th day of February, 20 08



Chief, Water Allocation Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

February 20, 2008

REBECKA A COFFEY
5 BART LN
SALMON ID 83467

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RE: Notice of Change of Water Right Ownership (NCO) for 75-31B and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jonie Barg
Office Specialist II

Enclosure

CC: Alanna & Mark Johnson

SCANNED
FEB 25 2008

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 75-31B

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

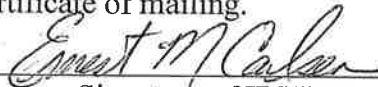
- ☐ Address change
- ☒ Substitution of Party JOHNSON-COFFEY
- ☐ I.C. § 42-222 transfer

- ☐ point of diversion ☐ place of use
- ☐ period of use ☐ nature of use
- ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Feb 20, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 21, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Alanna Johnson
Mark Johnson
Rt 1 Box 144-1
S St Charles
Salmon ID 83467
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
Rebecka A Coffey
5 Bart Ln
Salmon ID 83467
4. One copy to:
Each party in the subcase, or attorney of record
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

02/20/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-31B

NAME AND ADDRESS: REBECCA A COFFEY
5 BART LN
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 04/01/1894

POINT OF

DIVERSION: T20N R22E S5 NWSWN Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.140 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S19

NWNE

3.50

3.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through the Minzer-Runsten Ditch.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
75-31B	Adj				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Jason L. Bowen
 Rebecca A. Bowen

4. New Owner/Claimant(s)

Rebecca Ann Coffey
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

5 Bart Lane

City, State and ZIP Code

Salmon, Id. 83467

New Telephone Number

(208) 756-3156

Email: becky2@salmoninternet.com

RECEIVED
 JAN 09 2008
 Department of Water Resources
 Eastern Region

SCANNED
 FEB 25 2003

5. Date you acquired the property

1-18-06

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Reberka Ann Coffey

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

Regarding Application for transfer No. 117

Water Right No. 75-31B

requested information included for change of ownership

Thank you,

Becky Coffey

RECEIVED

JAN 28 2008

Department of Water Resources
Eastern Region

SCANNED

FEB 25 2008

LEMHI COUNTY DISTRICT COURT
FILED 1-18-06
TIME 4:00 PM
LEMHI COUNTY CLERK
BY [Signature] DEPUTY

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

REBECKA A. BOWEN,

Plaintiff,

vs.

JASON LEE BOWEN,

Defendant.

CASE NO. CV-05-10

DECREE OF DIVORCE

This cause came on regularly for trial before this Court sitting without a jury on December 19, 2005, Jordan P. Smith appearing as attorney for Plaintiff, and Kent E. Whittington appearing as attorney for Defendant. The Court heard the testimony and examined the proof offered by the respective parties. The Court made its findings of fact and conclusions of law on the record, and directed that judgment be entered in accordance therewith.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That Plaintiff and Defendant have been and are residents of Lemhi County, Idaho, making Idaho a proper forum for this action.
2. The Plaintiff is awarded a divorce from the Defendant on the grounds of adultery. I.C. § 32-604.

STATE OF IDAHO
COUNTY OF LEMHI
I, TERRI J. MORTON, CLERK OF THE DISTRICT COURT
OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF LEMHI DO HEREBY
CERTIFY THAT THE PROCEEDING IS A TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.
IN WITNESS WHEREOF I HAVE HERE UNTO SET MY HAND
AND AFFIXED MY OFFICIAL SEAL THIS 18th DAY
OF January 2006 YEAR
TERRI J. MORTON, CLERK
BY [Signature] DEPUTY

column "To Wife." Defendant is awarded the items of property as set forth on Exhibit "A," under the column "To Husband."

Plaintiff shall receive in trust for the parties' minor children the donkey of the parties.

8. The parties shall divide the personal property between them as detailed in Exhibit "A" by January 19, 2006. The time and place for delivery of such personal property shall be by agreement of the respective attorneys for the parties. In the event of a dispute between the parties over ownership of any item, such item shall remain with the party in possession thereof until settled by agreement of counsel or by the Court.

9. Plaintiff is awarded the residence and surrounding acreage of the parties (which the Court finds to have a value of \$120,000), located in Lemhi County, Idaho, and more particularly described on Exhibit "B," attached hereto and by reference incorporated herein, subject to the condition that Plaintiff pay, in their entirety, those certain community debts identified in paragraph 11 below (including the mortgage and any and all arrearages on the home) within thirty (30) days from entry of this judgment.

10. The parties shall file joint federal and state income tax returns for the year 2005, with expected tax refunds to be divided equally between them, upon receipt.

CONFIRMATION OF SEPARATE PROPERTY

11. The following items are confirmed to Defendant as his separate property:

**LEGAL DESCRIPTION
EXHIBIT "B"**

PARCEL I

A PORTION OF SECTION 19, TOWNSHIP 21 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHERLY $\frac{1}{4}$ CORNER OF SAID SECTION 19, RUN THENCE EAST ALONG THE SECTION LINE A DISTANCE OF 872.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING EAST A DISTANCE OF 448.0 FEET TO THE NORTHEASTERLY CORNER OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, THENCE SOUTH A DISTANCE 330.0 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE WEST A DISTANCE OF 448.0 FEET; THENCE NORTH A DISTANCE OF 330.0 FEET TO THE POINT OF BEGINNING.

PARCEL II

ALSO: A RIGHT-OF-WAY EASEMENT FOR PURPOSES OF INGRESS AND EGRESS TO SAID LANDS, WHICH RIGHT OF-WAY IS 30 FEET IN WIDTH AND LIES ALONG THE SOUTHERLY BOUNDARY OF THE N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 19, BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ AND EXTENDING EAST FOR A DISTANCE OF 872.0 FEET.

ALSO: A RIGHT-OF-WAY EASEMENT FOR PURPOSES OF INGRESS AND EGRESS 20 FEET WIDE ALONG THE EXISTING ROAD RUNNING NORTHERLY FROM THE SOUTHERLY BOUNDARY TO THE NORTHERLY BOUNDARY OF THE FOLLOWING LANDS, TO-WIT:

TOWNSHIP 21 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, SECTION 19:

COMMENCING AT THE NORTHERLY $\frac{1}{4}$ CORNER OF SAID SECTION 19, RUN THENCE EAST ALONG THE SECTION LINE A DISTANCE OF 1320.0 FEET TO THE NORTHEASTERLY CORNER OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE SOUTH A DISTANCE OF 330.0 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ AND THE POINT OF BEGINNING; THENCE CONTINUING SOUTH A DISTANCE OF 330.0 FEET TO THE SOUTHEASTERLY CORNER OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE WEST ALONG THE SOUTHERLY BOUNDARY OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE OF 448.0 FEET; THENCE NORTH A DISTANCE OF 330.0 FEET; THENCE EAST A DISTANCE OF 448.0 FEET TO THE POINT OF BEGINNING.

SCANNED

FEB 25 2008

ATTORNEY FEES

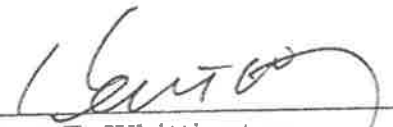
14. The Defendant shall be responsible for his own attorney fees and costs. Defendant shall pay to the Plaintiff the sum of \$8,000 for her attorney fees. I.C. § 32-704, 32-705; Stephens v. Stephens, 138 Idaho 195, 61 P.3d 63 (2002).

DATED: 1/18, 2006.



Keith M. Walker
Magistrate Judge

APPROVED AS TO FORM:



Kent E. Whittington
Attorney for Defendant

(Use Typewriter and/or Black Ink)

Vital Statistics
P.O. Box 83720
Boise, Idaho 83720-0036

State of Idaho

County File No. **617**

County of **Lemhi**

Marriage License

Instrument No. **271779**

KNOW ALL PERSONS BY THIS CERTIFICATE: That any regularly ordained minister of the Gospel, authorized by the rites and usages of the church or denomination of Christians, Hebrews, or religious body which said minister is a member, or any judge or magistrate, or competent officer to whom this may come, not knowing of any lawful impediments thereto, is hereby authorized and empowered to solemnize the rites of Matrimony between:

Groom

and

Bride

1. Full Name **CHRISTOPHER KNIGHT COFFEY**

9. Full Name **REBECCA ANN BOWEN**

2. Address **SALMON LEMHI IDAHO**
City County State

10. Address **SALMON LEMHI IDAHO**
City County State

3. Age **38** 4. Race **WHITE** Single ☐ 6. Widowed ☐ 7. Divorced ☒ X

11. Age **32** 12. Race **WHITE** Single ☐ 14. Widowed ☐ 15. Divorced ☒ X

8. Birthplace: City **PHOENIX** State **ARIZONA**

16. Maiden name if previously married **SOUTHWELL**

Groom's Birthdate **3-02-1969**

Bride's Birthdate **5-18-1975**

17. Birthplace: City **BATTLE CREEK** State **MICHIGAN**

And to certify the same to said parties, or either of them under the signature and seal, of said minister or official capacity, and thereupon is required to deliver the original to the parties so married.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal.

at **Salmon Lemhi** County, Idaho

This **30 th** day of **May** A.D. 20 **07**

Jeri J Morton
Recorder
Eyrica Cardin
Deputy

Marriage Certificate

I, **MICHAEL L. ZANKUTZ**, a **RESIDENT** residing in the City of **SALMON**, in the County of **LEMHI**, in the State of Idaho do certify that, in accordance with the authority on me conferred by the above license, I did on this **2ND** day of **JUNE** in the year A.D. 20 **07** in the city of **SALMON** in the County of **LEMHI**, in the State of Idaho, solemnize the rites of matrimony between **CHRISTOPHER KNIGHT COFFEY** of **SALMON** in the County of **LEMHI** and **REBECCA ANN BOWEN** of **SALMON** in the County of **LEMHI**, of the State of **IDAHO**, in the presence of **DAVID LARSON** and **CHRISTOPHER LARSON**.
WITNESS My Hand at the County aforesaid, this **2ND** day of **JUNE** A.D. 20 **07**
In the presence of:

[Signature]
and *[Signature]*

Officiant's Signature

Mailing Address

PO BOX CHEROKEE RD.
SALMON, ID 83407

(This copy for the Bride and Groom)

11/20/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-31B

ALANNA K JOHNSON
RT 1 BOX 144-1
S ST CHARLES ST
SALMON ID 83467
Telephone Number: (208)756-3427

MARK E JOHNSON
RT 1 BOX 144-1
S ST CHARLES
SALMON ID 83467
Telephone Number: (208)756-3427

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED
FEB 25 2008

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s).

75-31B

1. ☐ No Change NAME IS SAME

☒ NEW OWNER:

Jasen Bower

☐ No Change ADDRESS

☒ NEW ADDRESS:

5 Bart Ln. Salmon, ID 83467

c/o letter sent 7-28-06 JTB

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION

☒ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0015026

Township 20 N Range 22 E Section 16 1/4 NW 1/4 SE 1/4 SE
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

Concrete structure w/ adjustable headgate

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

Water Delivered through the Minzer - Runsten
Ditch (S14).

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: Dec-26-06

FIELD EXAMINER: Asher Barton

Print Name

Asher Barton
Signature

07/28/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-31B

NAME AND ADDRESS: ALANNA K JOHNSON
RT 1 BOX 144-1
S ST CHARLES ST
SALMON ID 83467

MARK E JOHNSON
RT 1 BOX 144-1
S ST CHARLES
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION:

T20N R22E S5 NWSWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.140 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T22N R22E S19 NWNE 3.50

3.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

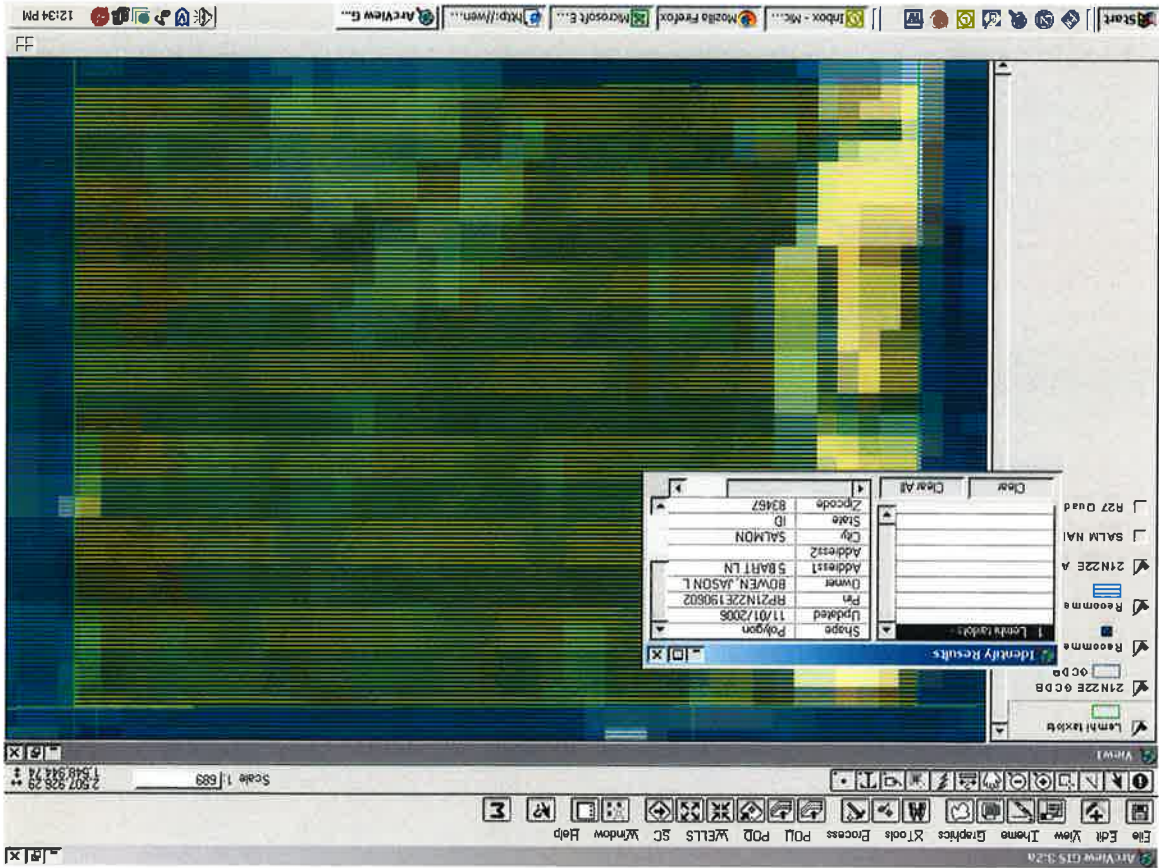
Water is delivered through the Minzer-Runsten Ditch.

SCANNED

FEB 2008

FEB 25 2007

SCANNED





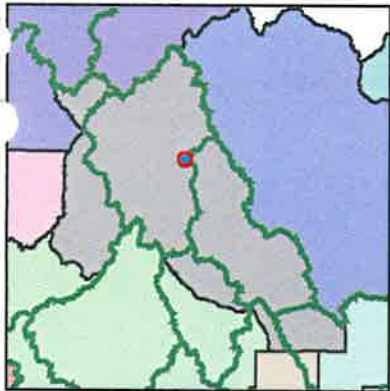
Idaho Department of Water Resources

SRBA Claim:

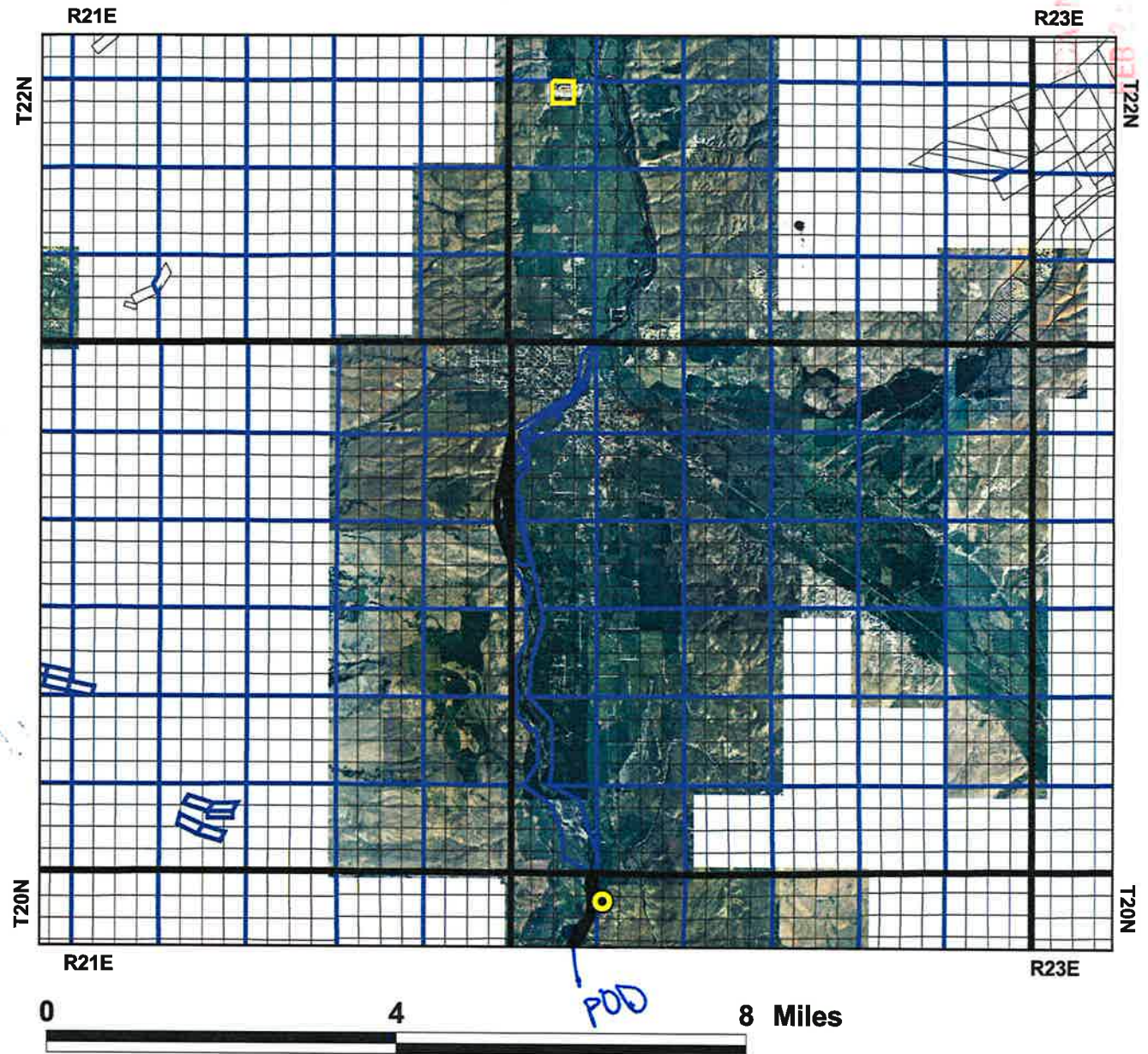
75-31B

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

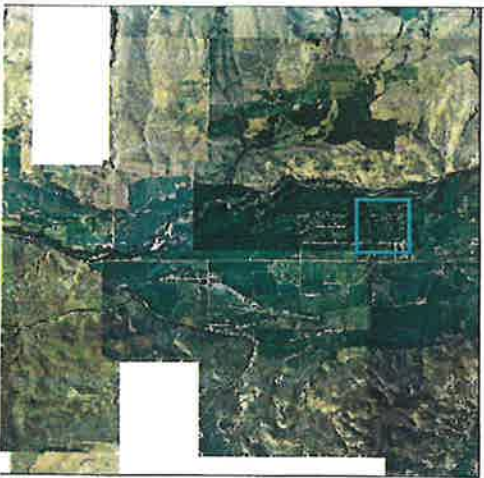


Lemhi County
IDWR Basin 75



Prepared by D. Favreau
On Tuesday, May 2, 2006
1987/88 Aerial Photography

75-31A





State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 16, 2007

Jason L. Bowen
5 Bart Lane
Salmon, ID 83467

SCANNED

MAR 16 2007

Re: 75-31B

Dear Jason:

We have sent to the Snake River Basin Adjudication Court our recommendation of the enclosed water right. We have received information that you may now own the property and the associated water right. If you do own the property, then you need to file a change in water right ownership form and mail it to this office. Be sure to include a copy of the warranty deed or other document as described in item 2. B.

Sincerely,

Kenneth Knoblock
Water Rights Supervisor

SCANNED

OCT 0 2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-00031B
Date Received: 5/03/1990
Receipt No: E014106
Received By: DE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK E. JOHNSON 208-756-3427
Address: RT 1 BOX 144-1
S. ST. CHARLES
SALMON, ID 83467

OR

Name: ALANNA K. JOHNSON 208-756-3427
Address: RT 1 BOX 144-1
S. ST. CHARLES
SALMON, ID 83467

2. Date of Priority: APR 01, 1894

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
20N	22E	5	NW	SW	NW		LEMHI

5. Description of diverting works:
ROCK WING/ CONCRETE HEADGATE TO DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.140		

7. Total Quantity Appropriated is:
0.140 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 8.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A75-00031B

Page 1

Date: 05/24/90

SCANNED

FEB 25 2003

MICROFILMED

DEC 15 1992

A7500031B



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	22E	19	NW NE		IRR	3.5
Section Acres						3.5
Total Acres						3.5

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
FLOWS CARRIED BY MINZER - RUNSTEN DITCH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

H. V. FERGUSON ET AL
Decree Plaintiff

vs T. FERGUSON
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A75-00031B

Date Received

5-2-90

Receipt Number

EO14106

CK#210 \$350 & 78.50
P. M. May 1/88

RECEIVED

MAY - 2 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) MARK E. OR ALANNA K. JOHNSON Phone (208) 756-3428Mailing Address RT 1 - BOX 144-1 S. ST. CHARLES SALMON ID Zip 834672. Date of Priority (Only one (1) per claim) April 1, 19843. Source of water supply (a) SALMON RIVER
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 20N Range 22E Section 5,
NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of LEMHIAdditional points of diversion if any: NONE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.ROCK WING TO CONCRETE HEADGATE TO DITCH TO
FLOOD IRRIGATION

SCANNED MICROFILMED

JUN 15 2003

DEC 15 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from April 1 to April 1 amount .14 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.14 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 8.75 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
22N	22E	19					3.5												3.5

Total number of acres irrigated 3.5

11. In which county (ies) are lands listed above as place of use located? LEMH

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (✓)

14. Remarks: FLows CARRIED BY MINZER-RUNSTEN PITCH

Last Name JOHNSON Ident No. 75 000 31

Copies: White - State, Yellow - Claimant

SCANNED
FEB 23 2001 MICROFILMED

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 75-00031

Court _____ Case Number _____ Decree Date JUNE 24, 1915

Plaintiff vs Defendant HU FERGUSON et.al. vs. T. FERGUSON et.al.

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments one

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) x Mark E. Johnson Date 4/19/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____ Organization _____, that I have signed the foregoing

document in the space below as _____ Title _____ of _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Lewiston) SS.

Subscribed and sworn (or affirmed) before me this 19 day of April 19 90

SEAL

Notary Public Shirley Parmenter

Residing at Salmon Idaho

My Commission Expires 10 March 1992

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name JOHNSON Ident. Number 7500031

SCANNED
FEB 25 2008
MICROFILMED
DEC 15 1992
Copies White-State, Yellow-Claimant

ATTACHMENT 1
JOHNSON, MARK E
T22N, R22E

3.5 AC

THE