

07/29/2006

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

RIGHT NUMBER: 75-45A

NAME AND ADDRESS: DALE K WOLFLEY
15 SUMMER MEADOW LN
SALMON ID 83467

MARILYN F WOLFLEY
15 SUMMER MEADOW LN
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.060 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

0.060 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T21N R22E S19 NWNE 1.50

1.5 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.

03/06/2008

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

RIGHT NUMBER: 75-45A

NAME AND ADDRESS: WAYNE C DAVIS
209 N 3800 E
RIGBY ID 83442

DELOIS DAVIS
209 N 3800 E
RIGBY ID 83442

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

Prior to the diversion and use of water under transfer 74164, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 0.060 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	0.060 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S19 NWNE 1.50

1.5 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 74164 is cause for the Director to rescind approval of the transfer.

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 74164 by January 18, 2009.

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

Water is delivered through the Runsten Mintzer Ditch.

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.



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 5, 2008

Wayne and Delois Davis
209 N. 3800 E.
Rigby, Idaho 83442

RE: Transfer #74164 for water right(s) 75-00045A and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Davis:

On January 18, 2008, the Idaho Department of Water Resources (IDWR) approved Transfer #74164, 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

SCANNED
MAR 07 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: 75-00045A

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 7, 2008*

Signature of IDWR Representative

SCANNED
MAR 07 2003

CERTIFICATE OF MAILING

I certify that on March 7, 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:
Wayne C. Davis
Delois Davis
209 N 3800 E
Rigby, Idaho 83442

3. One copy to:

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

4. One copy to:

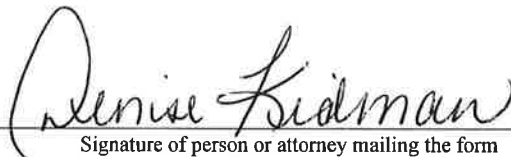
Each party in the subcase, or attorney of record

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

SCANNED
MAR 07 2008

03/06/2008

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

RIGHT NUMBER: 75-45A

NAME AND ADDRESS: WAYNE C DAVIS
209 N 3800 E
RIGBY ID 83442

DELOIS DAVIS
209 N 3800 E
RIGBY ID 83442

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

Prior to the diversion and use of water under transfer 74164, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 0.060 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	0.060 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S19 NWNE 1.50

1.5 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 74164 is cause for the Director to rescind approval of the transfer.

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 74164 by January 18, 2009.

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

Water is delivered through the Runsten Mintzer Ditch.

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.

SCANNED
MAR 07 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74164

This is to certify that: WAYNE C DAVIS And/Or
 DELOIS DAVIS
 209 N 3800 E
 RIGBY ID 83442
 (208)709-7646

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>
75-45A	AJC/Decreed	04/01/1894	0.06 cfs	N/A	N/A	1.5	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>
75-45A	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>
75-45A	75-45A	0.06 cfs	N/A	N/A	1.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.06 cfs	N/A	N/A	1.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of January, 2008

 Chief, Water Allocation Bureau

WATER RIGHT NO. 75-45A
As Modified by Transfer No. 74164

In accordance with the approval of Transfer No. 74164, Water Right No. 75-45A is now described as follows.

Right Holder: WAYNE C DAVIS And/Or
DELOIS DAVIS
209 N 3800 E
RIGBY ID 83442

Priority Date: April 01, 1894

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	0.06 CFS
			0.06 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	NE	NW	SW	SE	NE	NW	SW	SE	Totals
21N	22E	19													1.5

Total Acres: 1.5

WATER RIGHT NO. 75-45A
As Modified by Transfer No. 74164

CONDITIONS OF APPROVAL

Exp 12/15/08 ✓
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.

Exp 12/15/08 ✓
2. 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.

Exp 12/15/08 ✓
3. 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 12/15/08 ✓
4. 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.

Exp 12/15/08 ✓
5. This right does not grant any right-of-way or easement across the land of another.

Exp 12/15/08 ✓
6. Water is delivered through the Runsten Mintzer Ditch.

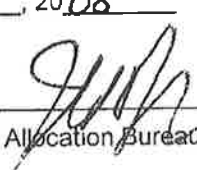
Exp 12/15/08 ✓
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval. *by Jan 18, 2009* 74164

Exp 12/15/08 ✓
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

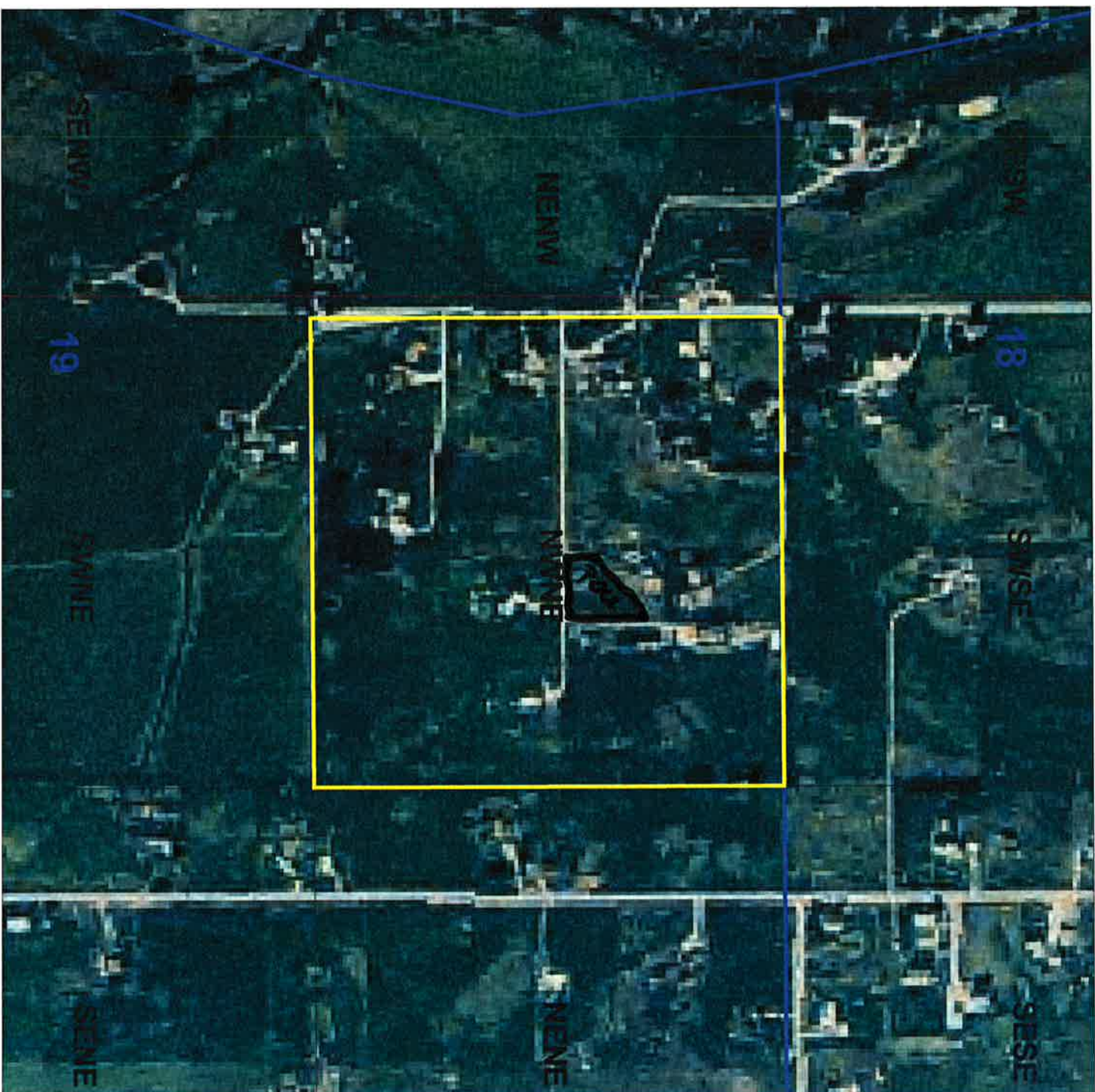
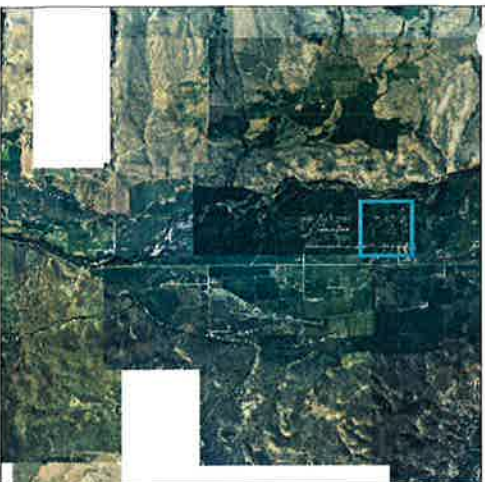
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry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

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 18th day of January, 2008


Chief, Water Allocation Bureau

75-45A





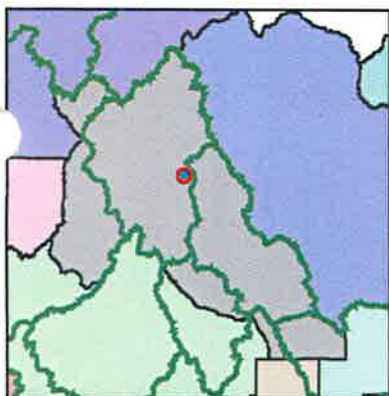
Idaho Department of Water Resources

SRBA Claim:

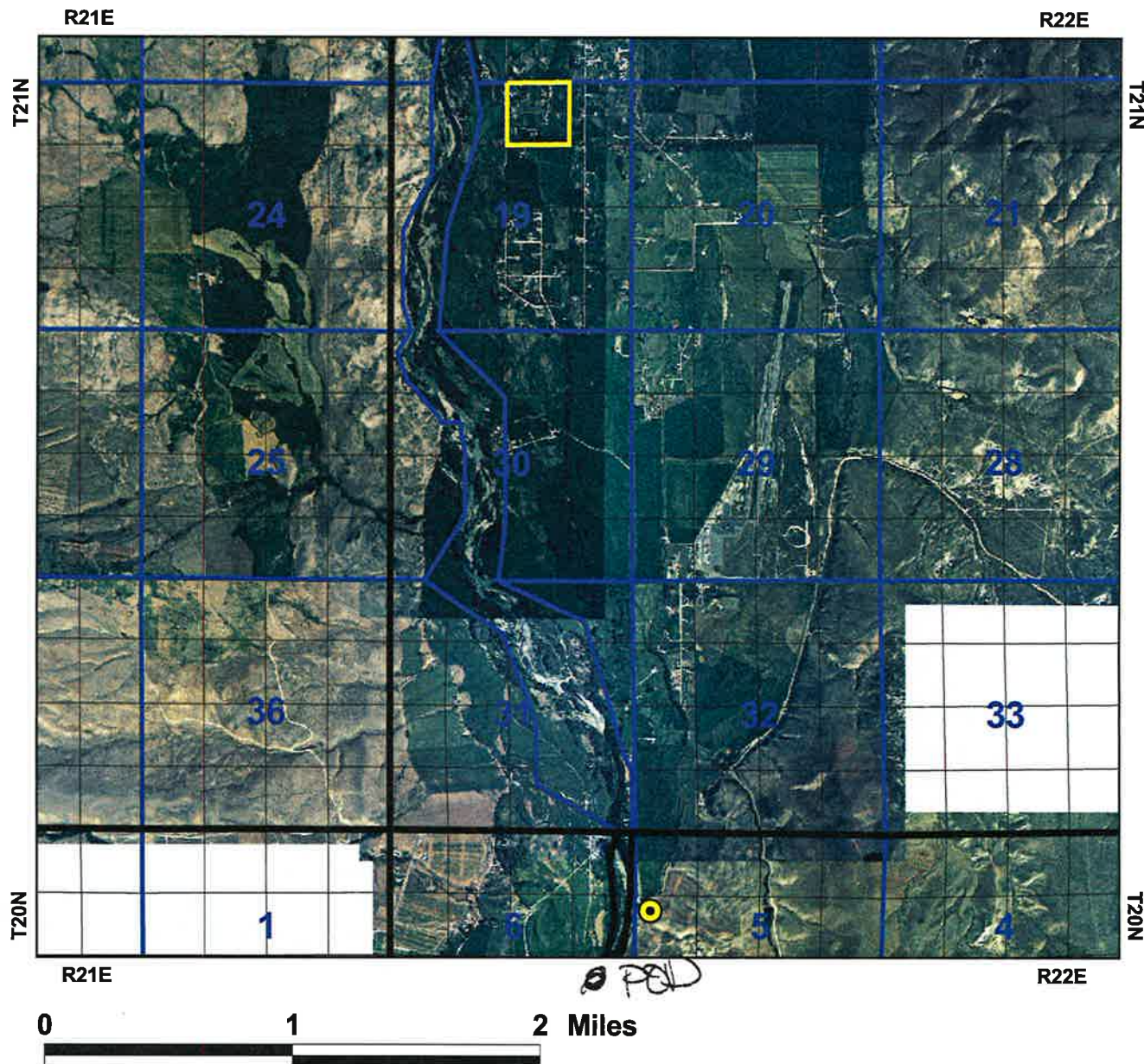
75-45A

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

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

CLAIM NO(s). 75-45A

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

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 6 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: 06-28-00

FIELD EXAMINER:

Asher Barton

Print Name

Asher Barton

Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

RECEIVED

MAR 15 2006

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 1, 2006

DALE AND MARILYN WOLFLEY
15 SUMMER MEADOW LN
SALMON ID 83467-5243

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #74-15206 and 75-45A and
Decree 75-10353

cc: WRA. →

*Records Modified; NCAP prepared.
3-16-06*

Dear Claimant:

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by March 20, 2006. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim(s) referenced above, please call this office toll-free at 1/800-451-4129 so we can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Dale Wolfley
Water Right Holder's Signature

208-756-3854
Telephone No.

SCANNED

MAR 16 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES.
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

Rec 74-15206
dm 75-45A

75-10853 P.D.

MARILYN F WOLFLEY

DALE K WOLFLEY
5 KELLY RD
SALMON ID 83467

1446JUN 15 83467

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
FITNEY BOWES
02 1A
0004396312
\$ 00.29³
FEB 02 2006
MAILED FROM ZIP CODE 83702

RECEIVED
FEB 09 2006
DEPARTMENT OF
WATER RESOURCES

WOLF005 834672013 1A05 17 02/09/06
RETURN TO SENDER
WOLFLEY
15 SUMMER MEADOW LN
SALMON ID 83467-5243
RETURN TO SENDER



SCANNED
MAR 16 2006



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 20, 2007

WAYNE & DELOIS DAVIS
468 N 3800 E
RIGBY ID 83442

RECEIVED
SEP 07 2007
IDWR/North

RE: Notice of Change of Water Right Ownership (NCO) for 75-45A and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On June 5, 2007 the Idaho Department of Water Resources (IDWR) received 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: DALE & MARILYN WOLFLEY

SCANNED

AUG 03 2007

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: 75-45A

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
☒ Substitution of Party WOLFLEY-DAVIS

- ☐ 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: July 26, 2007

Ernest Calfee
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 3, 2007, 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:
Dale & Marilyn Wolfley
15 Summer Meadow Ln
Salmon ID 83467

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Wayne C & Delois Davis
468 N 3800 E
Rigby ID 83442

4. One copy to:

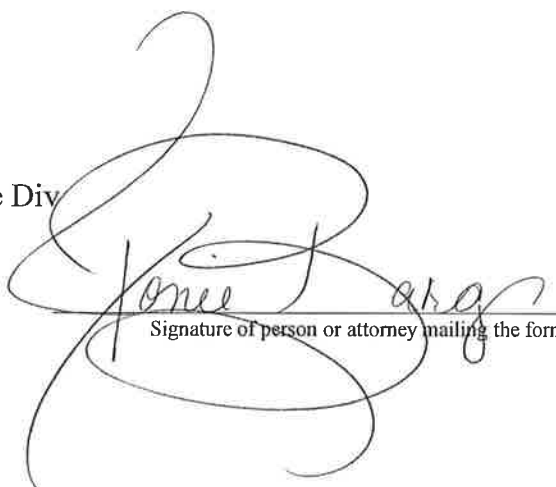
Each party in the subcase, or attorney of record

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

07/20/2007

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

RIGHT NUMBER: 75-45A
NAME AND ADDRESS: WAYNE C DAVIS
468 N 3800 E
RIGBY ID 83442

DELOIS DAVIS
468 N 3800 E
RIGBY ID 83442

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.060 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	0.060 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S19 NWNE 1.50

1.5 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

AUG 03 2007

RECEIVED
6-4-07
P. Foster

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)
NCAP 75-45A					

RECEIVED

JUN 05 2007

Department of Water Resources
Eastern Region

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)	Dale + Marilyn Wolfley Salma ID 83467
4. New Owner/Claimant(s)	Wayne + or Delois Davis Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	468N 3800 E.
City, State and ZIP Code	Rgby ID 83442
New Telephone Number	(208) 709-7645

SCANNED

AUG 03 2007

5. Date you acquired the property

4-11-07

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)

He Louis Harris

(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 _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

C.D.
D.D.

279.238

WARRANTY DEED

Order No.:3070704151L-G

FOR VALUE RECEIVED

Dale Wolfley and Marilyn Wolfley, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Wayne Davis and Delois Davis, Husband and Wife

whose current address is

468 N. 3800 E. Rigby, ID 83442

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

State of Idaho)
County of Lemhi) SS No. _____
This instrument was filed for record at the request
of Allegance Title
at 2:21 o'clock P.m. 4-11 2007
and duly filmed and indexed in the records of Lemhi
County
Terri J. Morton
Ex-Officio Recorder
By Anna Eagle Deputy
Fee 6-
Return to A.T.

PARCEL I:

**A FRACTION OF THE NORTHEAST QUARTER NORTHWEST QUARTER
NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 21 NORTH, RANGE 22 EAST,
BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:**

**COMMENCING AT THE SOUTHWESTERLY CORNER OF THE SAID NORTHEAST
QUARTER NORTHWEST QUARTER NORTHEAST QUARTER OF SECTION 19,
RUN THENCE NORTH ALONG THE WESTERLY BOUNDARY OF THE
NORTHEAST QUARTER NORTHWEST QUARTER NORTHEAST QUARTER OF
SECTION 19 A DISTANCE OF 30.0 FEET TO THE POINT OF BEGINNING, AND THE
SOUTHWESTERLY CORNER OF THE TRACT OF LAND HEREIN DESCRIBED;
CONTINUING THENCE NORTH 260.0 FEET; THENCE EAST 212.0 FEET; THENCE
SOUTH 260.0 FEET; THENCE WEST 212.0 FEET TO THE POINT OF BEGINNING.**

PARCEL II:

**A RIGHT OF WAY EASEMENT FOR PURPOSES OF INGRESS AND EGRESS 30.0
FEET WIDE, ALONG THE SOUTHERLY BOUNDARY OF THE NORTH HALF
NORTHWEST QUARTER NORTHEAST QUARTER OF SECTION 19, BEGINNING
AT THE SOUTHWESTERLY CORNER OF THE NORTH HALF NORTHWEST
QUARTER NORTHEAST QUARTER OF SECTION 19, AND EXTENDING EAST FOR
A DISTANCE OF 872.0 FEET.**

EXCEPTING THEREFROM A 12X40 BUDDY MOBILE HOME.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

SCANNED

AUG 03 2007

Dated: 4/11/07

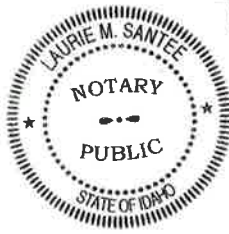
Dale Wolfley
Dale Wolfley

Marilyn Wolfley
Marilyn Wolfley

State of Idaho)
County of Lemhi) ss.

On this 11th day of April, in the year 2007, before me, a Notary Public in and for said state, personally appeared Dale Wolfley and Marilyn Wolfley known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Laurie M. Santee
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 6-19-2007

SCANNED

AUG 03 2007

SCANNED

OCT 03 2001

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: A75-00045A
Date Received: 4/30/1990
Receipt No: E013909
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE WOLFLEY 208-756-3854
Address: RT 1 BOX 107
SALMON, ID 83467

AND/OR

Name: MARILYN WOLFLEY 208-756-3854
Address: RT 1 BOX 107
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:
CONCRETE HEADGATE/ DITCHES 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	0.060		

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

8. Total consumptive use is 3.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A75-00045A

Page 1

Date: 05/22/90

A7500045A



MICROFILMED

DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	22E	19	NW NE		IRR	1.5

Section Acres 1.5

Total Acres 1.5

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 ET AL
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

7500045A

Date Received

4/30/90

Receipt Number

E013909

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 30 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Dale and/or Marilyn Wolfley Phone (208) 756-3854

Mailing Address Rt-I-Box 107

Zip 83467

2. Date of Priority (Only one (1) per claim) April 1, 1894

3. Source of water supply (a) SALMON R

which is tributary to (b) SNAKE R

4. 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 Lemhi

Additional 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

MICROFILMED

DEC 15 1992

15. Basis of Claim (check one) Beneficial Use ☒ Decree ☐ Posted Notice ☐ License ☐ Permit ☐

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date June 24, 1915

Plaintiff vs Defendant H.V. Ferguson et al v.s. T. Ferguson

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 Dale F. Wolfley Date 4-20-90

x Marilyn F. Wolfley Date 4-20-90

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

of _____ Title _____, that I have signed the foregoing

document in the space below as _____ of _____

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 Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 27th day of April 19 90

SEAL

Notary Public Marilyn F. Wolfley

Residing at Salmon, Idaho

My Commission Expires 8-16-1991

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 Wolfley Ident. Number 75 000 45

MICROFILMED

DEC 15 1992

Copies White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from APR 11 to NOV 1 amount 0.06 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.06 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 3.75 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	
<u>21N</u>	<u>22E</u>	<u>19</u>		<u>1.5</u>															<u>1.5</u>

Total number of acres irrigated 1.5

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

12. Do you own the property listed above as place of use? Yes ☒ 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
RAINSTEN DITCH

MICROFILMED

DEC 15 1992

Last Name Wolfley

Ident No. 7500045

Copies: White -State, Yellow-Claimant

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918 E H

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7-11-54

N.L.T.
41

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Dec 11

2011