

12/11/2001

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

RIGHT NUMBER: 35-13349
NAME AND ADDRESS: JOHN L MILLER
PO BOX 2260
NAPA CA 94558

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.670 CFS
133.60 AFY

PRIORITY DATE: 04/08/1970

POINT OF
DIVERSION: T04S R32E S24 SWSESE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/01	0.670 CFS 133.60 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BINGHAM County

T04S R32E S25	NENW	16.0	T04S R32E S25	NWNW	10.0
T04S R32E S25	SWNW	3.4	T04S R32E S25	SENE	4.0

33.4 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 - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 35-7141.

A3513349



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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: 35-7141

SPLIT INTO 35-13349 & 35-13350

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (SPLIT) MILLER – MILLER & CAPITAL LENDING
- ☐ 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: Dec 14, 2001

Ernest Carlson

Signature of IDWR Representative

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CERTIFICATE OF MAILING

I certify that on 12/14/01, 2001, 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:
JOHN MILLER
PO BOX 2260
NAPA CA 94558

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
JOHN MILLER
PO BOX 2260
NAPA CA 94558

CAPITAL LENDING INC
1475 TERMINAL WAY STE E
RENO NV 89502

4. One copy to:

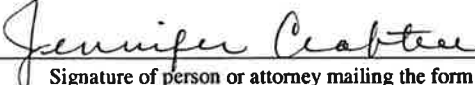
Each party in the subcase, or attorney of record
N/A

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

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JK JC + EC
12/7/01

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED**AUG 01 2001**Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): 35-7, 35-47, 35-2014, 35-2016, 35-7138, 35-7141, 35-7142, 35-11390, 35-4271, 35-8635, 35-8782, 35-8679, 35-11392 and 35-11393

Adjudication Claim No(s): same as above

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water rights or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with 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 Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints

50 E. North Temple Street, Salt Lake City, UT 84150

4. New Owner/Claimant(s) Capital Lending, Inc.

Name connector (check one): ☐ and ☐ or, ☐ and/or

New Mailing Address 1475 Terminal Way, Suite E

City, State and ZIP Code Reno, NV 89502

New Telephone Number (805) 683-0303

Fees paid
5225 - E 027178
10-11-01 JC

5. Date you acquired the property June 28, 2001

6. Capital Lending, Inc., is the owner of the real property described in the attached Deed and depicted on map "A" as Parcels 1 and 2. Parcel 1 is shown in yellow and Parcel 2 in green. Map "A" and all of the other maps are copies of maps prepared by Harper Leavitt Engineering and "B" through "P" were prepared specifically for the purposes of understanding the points of diversion and places of use of each of the water rights. There is a separate map attached for each of the water rights listed herein and on each we have depicted Parcel 1 in yellow and Parcel 2 in green so that the relationship of the land acquired by Capital Lending to the points of diversion and places of use can be readily observed. In some cases all of the water right was acquired but in other cases only a portion of the water right. Following is a list of the water rights with a reference to the appropriate map and a brief statement regarding the portion of such right acquired by Capital Lending, Inc.

Water Right ID Number	Map Designation	Description of Portion of Water Right Acquired by Capital Lending
35-7	Map "B"	All
35-47	Map "C"	If there is .5 cfs for 311 acres Capital Lending has acquired all but about 3 or 4 acres (approximately 99%) and the proportionate amount of .5 cfs.
35-2014	Map "D"	All
35-2016	Map "E"	All

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35-7138	Map "F"	All
35-7141	Map "G"	Approximately 206 of the 240 acre place of use is on lands acquired by Capital Lending, Inc. If that number is accurate, then the proportionate amount of the water acquired by Capital Lending would be some 4.12 cfs.
35-7142	Map "H"	All
35-11390	Map "I"	Two of the three points of diversion and two of the five places of use are on Parcels 1 and 2.
35-4271	Map "J"	Most of the proposed well sites and several of the places of use are on Parcels 1 and 2.
35-8635	Map "K"	Most of the proposed well sites and several of the places of use are on Parcels 1 and 2.
35-8782	Map "L"	Both points of diversion and many of the places of use are on Parcels 1 and 2.
35-8679	Map "N"	It appears that some of the places of use are within Parcels 1 and 2.
35-11392	Map "O"	The point of diversion and place of use for this domestic right appears to be within Parcel 2.
35-11393	Map "P"	The point of diversion and place of use for this domestic right appears to be within Parcel 2.

7.

Signature of New Owner(s)
Or Claimant(s)


president - Capital Lending Inc.

Corporations or other organizations must submit list of directors and/or officers demonstrating authority to sign form.

8.

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

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