

05/17/2006

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

RIGHT NUMBER: 75-4365A

NAME AND ADDRESS: DAVID W AUSTIN
4920 N. BRUCE ST
LAS VEGAS NV 89081

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.030 CFS

PRIORITY DATE: 05/02/1967

POINT OF DIVERSION:

T23N R17E S21 NWNENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.030 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T23N R17E S21

NENE

0.50

T23N R17E S21

NWNE

0.20

0.7 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.

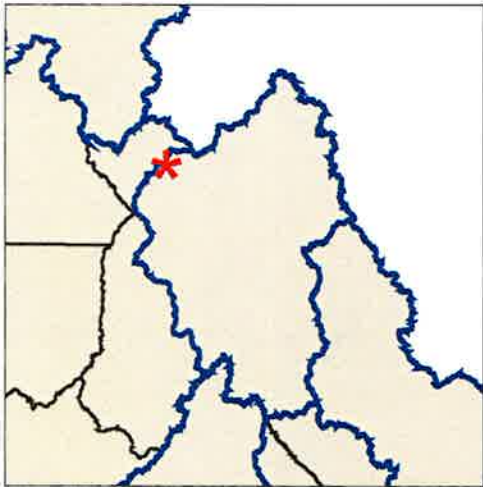
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources



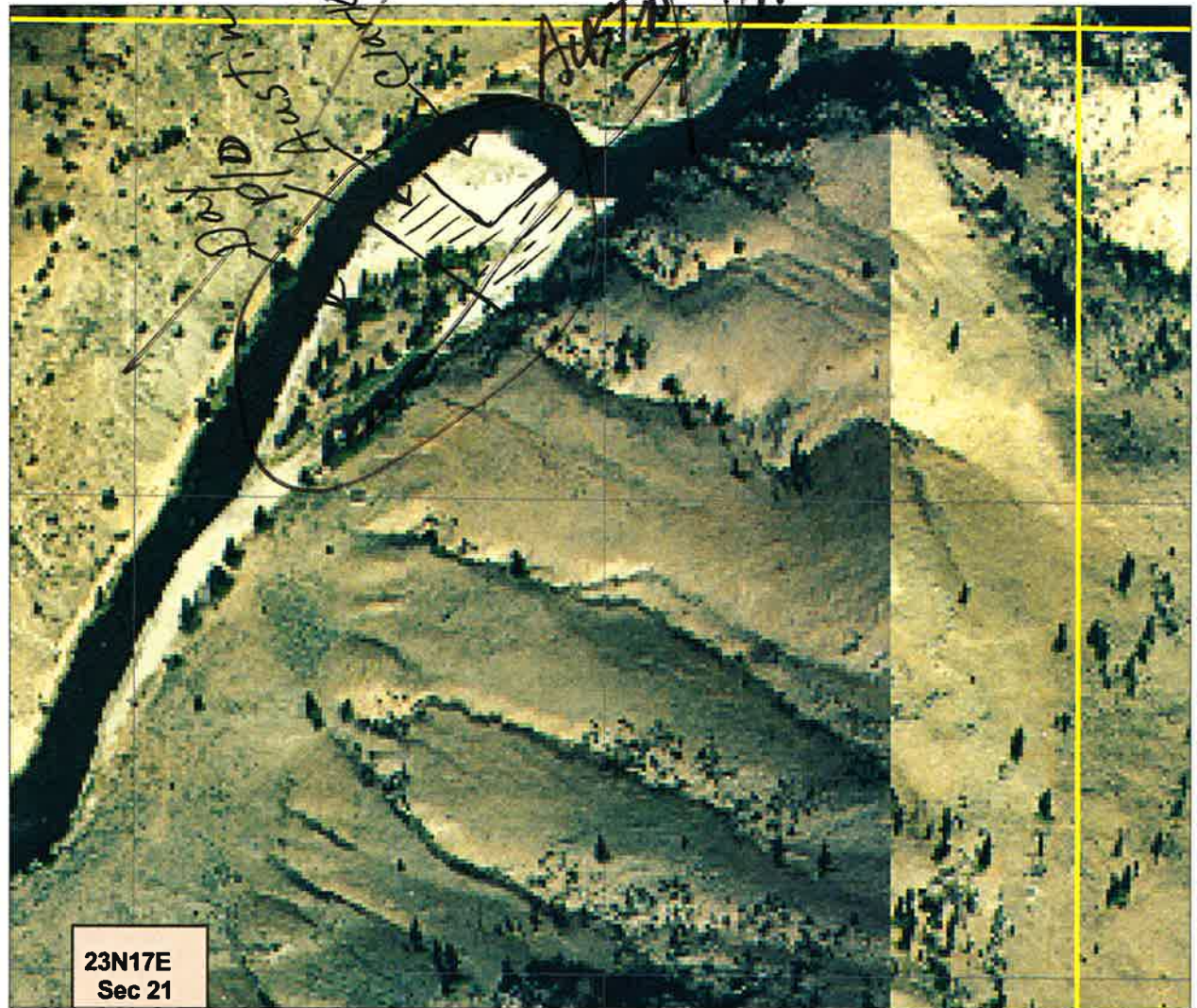
Adjudication Claim Number:

Cuark
AUSTIN
75-4365 A



Legend

-  Section Lines
-  23N17E GCDB



0 0.2 0.4 Miles



Prepared by M. Van Bussum
On Wednesday, May 11, 2005
1991 Aerial Photography

11/20/2006

**NOTICE OF ERROR
REPLY**

DEC 13 2006
DEPARTMENT OF
WATER RESOURCES

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: 75-4365A

DAVID W AUSTIN
4920 N. BRUCE ST
LAS VEGAS NV 89081

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: 12-5-06

SIGNATURE: David W. Austin

Please print your name: David W. Austin

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

SCANNED ✓
DEC 13 2006

11/20/2006

**NOTICE OF ERROR
REPLY**

DEC 14 2006
DEPARTMENT OF
WATER RESOURCES

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: 75-4365A

DAVID W AUSTIN
4920 N. BRUCE ST
LAS VEGAS NV 89081

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: 12-15-06

SIGNATURE: David W. Austin

Please print your name: David W. Austin

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

SCANNED
DEC 14 2006

15-4365A

RECEIVED
JAN 18 2006
DEPARTMENT OF
WATER RESOURCES

To Whom It may Concern

Hopefully this will
take care the David W. Austin -
and Harry E Clark properties.

Enclosed is the necessary
Voucher that was ask for -

Thank you for your patience

David W Austin

4920-N-Browne St.

N-Las Vegas, N, V.

89081

702-657-1928

1-800-574-2036

SCANNED
JAN 24 2006

Priority Date

May - 2 - 1967

Claim no. - A-75-04365A

RECEIVED

DEPARTMENT OF
WATER RESOURCES

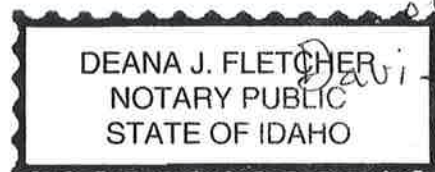
I Dave Austin - W.D. Austin

Verify - that I installed the Pump
in the Salmon River at the Mouth
of Skull Gulch. To irrigate the
Property, Consisting of Approximately
2 Acre -

The pump which one half is owned
by Harry Clark - formerly owned by
Dave & Diane Austin - which was purchased
from Jim & Sandra Bills
William David Austin

State of Idaho	}	CS
County of Lemhi		
On this <u>4th</u> day of <u>August</u> , 2005, before me <u>Deana J. Fletcher</u> , a Notary Public in and for said county and state, personally appeared <u>William David Austin</u> known or proved to me to be the person(s) who executed the foregoing instrument, and acknowledged to me that he executed the same.		
<u>Deana J. Fletcher</u> Notary Public for Idaho		
Residing at <u>Salmon Falls</u>		
Commission term <u>7-26-2010</u>		

Dave Austin
or
W D Austin



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JAN 24 2006

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JAN 24 2006



AUSTIN, DAVID W

CLARK, HARRY E

DAY, E RONALD & MERLENE TRUST

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

RECEIVED
 AUG 18 2005
 DEPARTMENT OF
 WATER RESOURCES

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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 usually attached to your deed or on file with the county).

OR

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 **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)

Jim + Sandra Bill
Box 640 Salmon Idaho

4. New Owner/Claimant(s)

Dave W + Diane Austin

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

4920 - N - Bruce St.

City, State and ZIP Code

N - Las Vegas, N.V., 89081

New Telephone Number

() _____

5. Date you acquired the property

Date of priority May 2 - 1967
Claim No - A75 - 04365A

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JAN 24 2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

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

7. Signature of New Owner(s) or Claimant(s) David W. Austin - Diane Austin
(include title if applicable)

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.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

JAN 24 2006

QUITCLAIM DEED

For Value Received, RICHARD J. BILLS AND SANDRA BILLS, husband and wife, do hereby convey, release, remise and forever quit claim unto DAVID W. AUSTIN AND DIANE AUSTIN, husband and wife, whose current address is P. O. Box 1089, Salmon, Idaho 83467, those premises in Lemhi County Idaho, more particularly described on Exhibit "A" annexed hereto and by this reference made a part hereof, together with their appurtenances.

DATED: May 22, 1996.

Richard J. Bills
Richard J. Bills

Sandra Bills
Sandra Bills

STATE OF IDAHO)
:ss.
County of Lemhi)

On this 22nd day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD J. BILLS and SANDRA BILLS, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

State of Idaho) SS No. 230014
County of Lemhi)
This instrument was filed for record at the request of Sherman F. Fry III
at 11:43 o'clock Am 5-23, 1996
and duly filed and indexed in the records of Lemhi County

Alberta Wiederrick
Ex-Officio Recorder
By Lerni J. Morton Deputy
Fee 6.00
Return to _____

[Signature]
Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 3-4-97

SCANNED

JAN 24 2006

A fraction of Tract 37 located in unsurveyed Section 16 and 21, T. 23 N., R. 19 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at AP-3 (Angle Point) of said Tract 37, run thence N. 53° 48' 24" E. a distance of 133.60 ft. to AP-2;

Thence N. 65° 29' 09" E. along Line 2-1 a distance of 151.97 ft.;

Thence S. 07° 12' 52" W. a distance of 234.44 ft.;

Thence N. 79° 37' 06" W. a distance of 123.27 ft.;

Thence N. 54° 17' 36" W. a distance of 117.36 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 0.73 ACRES

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO OR USED IN CONNECTION THEREWITH

EXHIBIT "A"

SCANNED

JAN 24 2006

QUITCLAIM DEED

For Value Received, RIVCO, an Idaho Partnership comprised of RICHARD J. BILLS and DAVID W. AUSTIN, does hereby convey, release, remise and forever quit claim unto DAVID W. AUSTIN AND DIANE AUSTIN, husband and wife, whose current address is P. O. Box 1089, Salmon, Idaho 83467, and RICHARD J. BILLS AND SANDRA BILLS, husband and wife, whose current address is P.O. Box 640, Salmon, Idaho 83467, those premises in Lemhi County Idaho, more particularly described on Exhibit "A" annexed hereto and by this reference made a part hereof, together with their appurtenances.

DATED: May 22, 1996.

RIVCO, an Idaho Partnership

By: Richard J. Bills
Richard J. Bills, Partner

By: David W. Austin
David W. Austin, Partner

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 22nd day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD J. BILLS and DAVID W. AUSTIN, known to me to be the partners in the partnership of RIVCO, an Idaho Partnership, and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

[Signature]
Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires:

State of Idaho) SS No. 230012
County of Lemhi)
This instrument was filed for record at the request of Richard J. Bills
at 11:44 o'clock A.M. 5-23-96
and duly filmed and indexed in the records of Lemhi County
Alberta Winderrick
Ex. Office Recorder
Leri J. Morton Deputy
Folio 602

SCANNED

JAN 24 2000

PARCEL "A"

A fraction of Tract 37 located in unsurveyed Section 16 and 21, T. 23 N., R. 19 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at AP-3 (Angle Point) of said Tract 37, run thence N. 53° 48' 24" E. a distance of 133.60 ft. to AP-2;

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Thence S. 07° 12' 52" W. a distance of 234.44 ft.;

Thence N. 79° 37' 06" W. a distance of 123.27 ft.;

Thence N. 54° 17' 36" W. a distance of 117.36 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 0.73 ACRES

PARCEL "B"

A fraction of Tract 37 located in unsurveyed Section 16 and 21, T. 23 N., R. 19 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at AP-3 (Angle Point) of said Tract 37, run thence N. 53° 48' 24" E. a distance of 133.60 ft. to AP-2;

Thence N. 65° 29' 09" E., along Line 2-1, a distance of 151.97 ft. to the POINT OF BEGINNING;

Thence N. 65° 29' 09" E. a distance of 76.22 ft.;

Thence S. 26° 34' 40" E. a distance of 259.79 ft.;

Thence S. 38° 22' 54" W. a distance of 23.26 ft.;

Thence S. 78° 11' 24" W. a distance of 131.22 ft.;

Thence N. 79° 37' 06" W. a distance of 73.34 ft.;

Thence N. 07° 12' 52" E. a distance of 234.44 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 0.87 ACRES

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO OR USED IN CONNECTION THEREWITH

EXHIBIT A

SCANNED

JAN 24 2006

QUITCLAIM DEED

For Value Received, **BILLS-AUSTIN ENTERPRISES, INC.**, an Idaho Corporation, does hereby convey, release, remise and forever quit claim unto **RIVCO, INC.**, an Idaho Partnership comprised of **RICHARD J. BILLS** and **DAVID W. AUSTIN**, whose current address is P. O. Box 640, Salmon, Idaho 83467, those premises in Lemhi County Idaho, more particularly described on Exhibit "A" annexed hereto and by this reference made a part hereof, together with their appurtenances.

DATED: May 22, 1996.

AUSTIN-BILLS ENTERPRISES, INC.,
an Idaho Corporation

By: *Richard J. Bills*
Richard J. Bills, President

ATTEST:

Diane Austin
Diane Austin, Secretary

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 22nd day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared **RICHARD J. BILLS** and **DIANE AUSTIN**, known to me to be the President and Secretary, respectively, of **BILLS-AUSTIN ENTERPRISES, INC.**, the corporation that executed the above instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

[Signature]
Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 5/14/97

SCANNED

JAN 24 2006

A fraction of Tract 37 located in unsurveyed Section 16 and 21, T. 23 N., R. 19 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at AP-3 (Angle Point) of said Tract 37, run thence N. 53° 48' 24" E. a distance of 133.60 ft. to AP-2;

Thence N. 65° 29' 09" E. along Line 2-1 a distance of 151.97 ft.;

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Thence N. 79° 37' 06" W. a distance of 123.27 ft.;

Thence N. 54° 17' 36" W. a distance of 117.36 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 0.73 ACRES

PARCEL "B"

A fraction of Tract 37 located in unsurveyed Section 16 and 21, T. 23 N., R. 19 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at AP-3 (Angle Point) of said Tract 37, run thence N. 53° 48' 24" E. a distance of 133.60 ft. to AP-2;

Thence N. 65° 29' 09" E., along Line 2-1, a distance of 151.97 ft. to the POINT OF BEGINNING;

Thence N. 65° 29' 09" E. a distance of 76.22 ft.;

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Thence S. 38° 22' 54" W. a distance of 23.26 ft.;

Thence S. 78° 11' 24" W. a distance of 131.22 ft.;

Thence N. 79° 37' 06" W. a distance of 73.34 ft.;

Thence N. 07° 12' 52" E. a distance of 234.44 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 0.87 ACRES

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO OR USED IN CONNECTION THEREWITH

EXHIBIT "A"

State of Idaho)
County of Lemhi) SS No. 230011
This instrument was filed for record at the request of Shannon & Turley III
at 11:40 o'clock A. M. 5-23 1996
and duly filed and indexed in the records of Lemhi County.

Alberta W. Henderson
Recorder
By Shannon & Turley III County

Filed 5-23
Return to _____

SCANNED

JAN 24 2006

AFFIDAVIT TO CORRECT LEGAL DESCRIPTION

The undersigned hereby state that they were Grantors in certain Deeds and Grants of Easement recorded on May 23, 1996 as follows:

Quitclaim Deed from Bills-Austin Enterprises, Inc., an Idaho Corporation, Grantor, to Rivco, an Idaho Partnership comprised of Richard J. Bills and David W. Austin, Grantee, as Instrument No. 230011

Quitclaim Deed from Rivco, an Idaho Partnership comprised of Richard J. Bills and David W. Austin, Grantor, to Dave W. Austin and Diane Austin, husband and wife, and Richard J. Bills and Sandra Bills, husband and wife, Grantees, as Instrument No. 230012

Quitclaim Deed from David W. Austin and Diane Austin, husband and wife, Grantors, to Richard J. Bills and Sandra Bills, husband and wife, Grantees, as Instrument No. 230013

Quitclaim Deed from Richard J. Bills and Sandra Bills, husband and wife, Grantors, to David W. Austin and Diane Austin, Grantees, as Instrument No. 230014

Grant of Easement from David W. Austin and Diane Austin, husband and wife, Grantors, to Richard J. Bills and Sandra Bills, husband and wife, Grantees, as Instrument No. 230015

Grant of Easement from Richard J. Bills and Sandra Bills, husband and wife, to David W. Austin and Diane Austin, husband and wife, Grantees, as Instrument No. 230016

The legal descriptions in such Deeds and Grants of Easements contain a typographical error due to an error in the legal description as more fully appears from Affidavit to Correct Legal Description which was recorded by Laurence J. Wade on June 4, 1996 as Instrument No. 230152 in

SCANNED

JAN 24 2006

that the range in all of said Deeds and Grants of Easements should read 17 instead of 19.

DATED: June 24, 1996

AUSTIN-BILLS ENTERPRISES, INC,
an Idaho Corporation

By: Richard J. Bills
Richard J. Bills, President

ATTEST:

Diane Austin
Diane Austin, Secretary

KIVCO, an Idaho Partnership

By: Richard J. Bills
Richard J. Bills, Partner

By: David W. Austin
David W. Austin, Partner

State of Idaho)
County of Lemhi) SS No. 230333
This instrument was filed for record at the request
of Richard J. Bills
at 11:36 o'clock A.M. June 25, 1996
and duly filmed and indexed in the records of Lemhi
County
Alberta Wiederrick
Ex-Officio Recorder
By Jason Wiederrick Deputy
Fee 12.00
Return to 1-1

Richard J. Bills
Richard J. Bills

Sandra Bills
Sandra Bills

David W. Austin
David W. Austin

Diane Austin
Diane Austin

AFFIDAVIT TO CORRECT LEGAL DESCRIPTION, Page 2

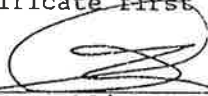
SCANNED

JAN 24 2006

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 24th day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD J. BILLS and DIANE AUSTIN, known to me to be the President and Secretary, respectively, of BILLS-AUSTIN ENTERPRISES, INC., the corporation that executed the above instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 3/14/97

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 24th day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD J. BILLS and DAVID W. AUSTIN, known to me to be the partners in the partnership of RIVCO, an Idaho Partnership, and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 3/14/97

AFFIDAVIT TO CORRECT LEGAL DESCRIPTION, Page 3

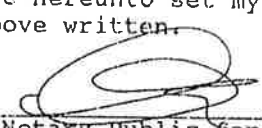
SCANNED

JAN 24 2006

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 24 day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD J. BILLS and SANDRA BILLS, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

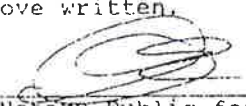
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.


Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 3/14/97

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 24 day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared DAVID W. AUSTIN and DIANE AUSTIN, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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


Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 3/14/97

AFFIDAVIT TO CORRECT LEGAL DESCRIPTION, Page 4

SCANNED

JAN 24 2006

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

CLAIM NO(s). A75-04365A

1. ☐ No Change NAME IS SAME
☐ NEW OWNER: Dave & Diane Austin 702-657-1928
☐ No Change ADDRESS
☐ NEW ADDRESS: 4920 N. Bruce St. North Las Vegas, NV 89081
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 GPS 044
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0014924

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:
- _____
- _____

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 <u>23N</u>	Range <u>17E</u>	Section <u>21</u>	<u>1/4 NW</u>	<u>1/4 NE</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>

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

Change of ownership coming
Rhonda Austin and Jim Bills are brother
and sister

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack F. Ellis

Signature

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

AUG 08 2005

Department of Water Resources
Adjudication Bureau

Claim Number(s):

^{P.O.} 75-4371, 4371A, 4371B, 75-4365
^{P.O.} 75-10013, 75-10014, 75-4316

Previous Mailing Address:

11561 NW 21st Ct
Plantation, FL 33323

26851 Igawa Ave

and PO Box 789

Lakeville, MN 55044

Salmon ID 83467

New Mailing Address:

Road Merlene Day
3064 Salmon River Rd
Shoup, ID 83469

Telephone Number:

(210) 383 5604

Signature of Claimant(s):



Please return this completed form to:

cc: W.A. 8-24-05

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: *AKM*

SCANNED

AUG 08 2005

Date: 8-11-05



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

DECEMBER 4, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID W AUSTIN
PO BOX 1089
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-04365

Dear Mr. Austin:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the rights were split as follows:

A75-04365B, AUSTIN, 0.03 CFS, .70 ACRES
A75-04365A, BILLS, 0.03 CFS, .70 ACRES

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: BILLS/copy letter/copy claim



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUL 03 1996

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 23N Range 17E ~~xxx~~ Department of Water Resources
Section 16, 21 1/4 of 1/4 of 1/4 Govt. Lot _____, Eastern District Office
Lot _____, Block _____, Subdivision/Townsite _____, BM. _____

If you have additional legal descriptions, please attach separate sheet. See Exhibit "A" annexed hereto.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A (Bills)
175-04365 B (Austin)
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): BILLS-AUSTIN ENTERPRISES, INC. and/or RIVCO, an Idaho Partnership
P.O. Box 640
Salmon, ID 83467
- ☐ New Owner/Claimant (Purchaser): David W. Austin & Diane Austin Richard J. Bills & Sandra Bills
- ☐ New Mailing Address: P.O. Box 1089 P.O. Box 640
Salmon, ID 83467 Salmon, ID 83467
- ☐ New Telephone Number: (208) 756-2866 (208) 756-3415
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? xx yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
One-half of the water rights appurtenant to the real estate shall go to Richard J. Bills & Sandra Bills to be used in connection with their property described on Exhibit "B" annexed hereto and one-half of the water rights appurtenant to the real estate shall go to David W. Austin & Diane Austin to be used in connection with their
☐ Attach proof of ownership, describe property described on Exhibit "C" annexed hereto.
proof attached: See annexed copies of Quitclaim Deeds, Affidavit to Correct Legal Description
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): David W. Austin Diane Austin Date _____
Richard J. Bills Sandra Bills Date _____

☐ Signature of Former Owner/Claimant(s): David W. Austin Diane Austin Date _____
Richard J. Bills Sandra Bills Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

OCT 10 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: A75-04365A

Date Received: 4/27/1990

Receipt No: X777777

Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RICHARD J BILLS
Address: PO BOX 640
SALMON ID

208-756-3415

83467

AND/OR

Name: SANDRA BILLS
Address: PO BOX 640
SALMON ID

208-756-3415

83467

2. Date of Priority: MAY 2, 1967

3. Source: SALMON RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	17E	21		NW	NE		LEMHI

5. Description of diverting works:
10 HP PUMP IN RIVER WITH FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.030		

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

A.F.A.

8. Total consumptive use is 1.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	17E	21		NE	NE	IRR	0.7

A7504365A



10. Place of Use: Continued

Section Acres 0.7

Total Acres 0.7

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:

14. Remarks:

CHANGE IN OWNERSHIP 12-3-96 GJT
NO MAP AVAILABLE.

15. Basis of Claim: BENEFICIAL USE