

11/02/2006

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

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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

Rights 75-14007 and 75-14009 are used for mitigation purposes for Right 75-14062 under Transfer approval 69672. The irrigation and mitigation uses described under these mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer.

Year 1 and beyond the diversion and use of water under the rights are limited to 0.48 cfs, 42.0 afa and 12.0 acres (1 acre left unirrigated).

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. 75D.

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



Idaho Department of Water Resources

SRBA Claim:
75-14007

Legend

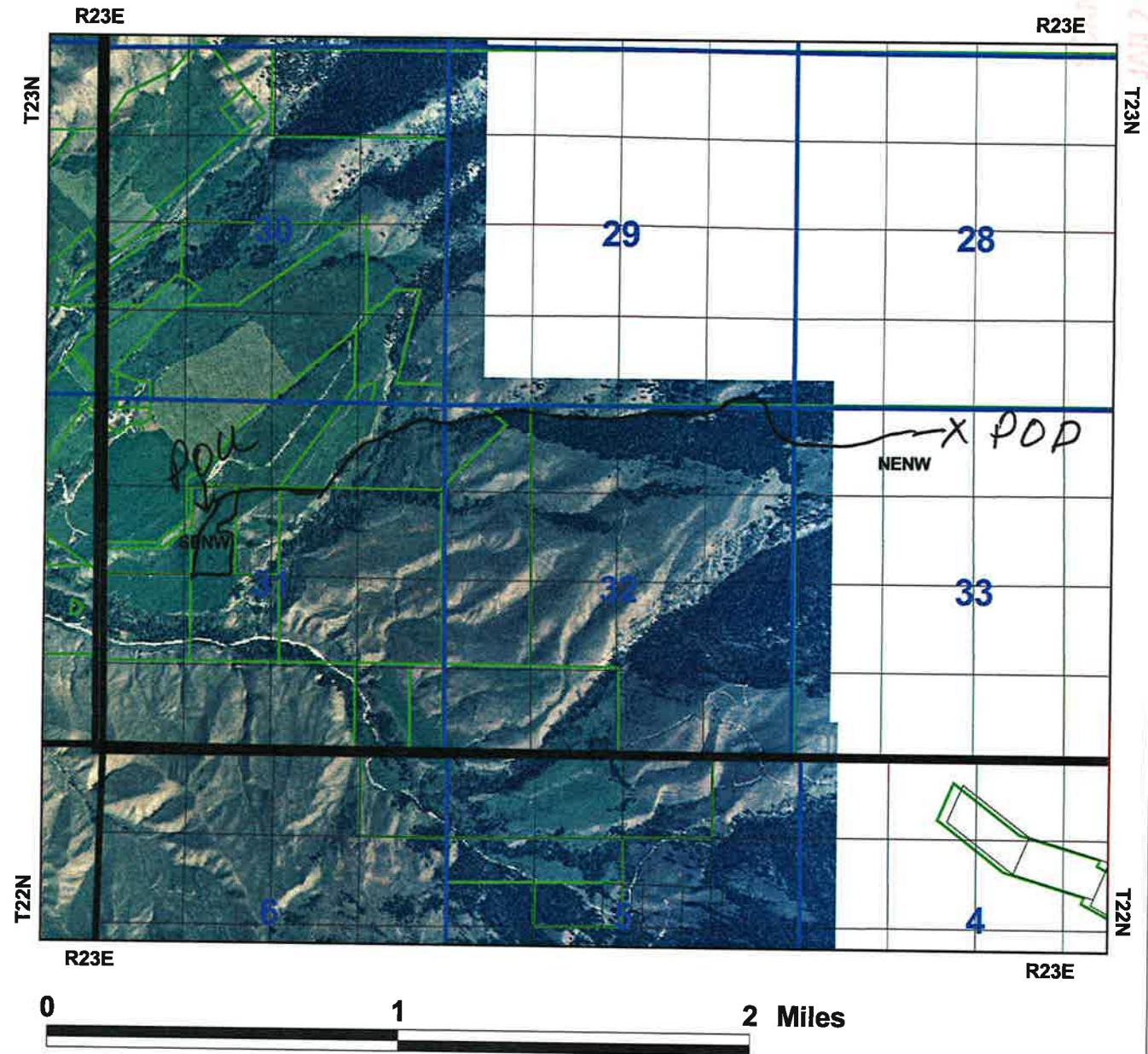
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Friday, May 19, 2006
1987/88 Aerial Photography



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69672

This is to certify that: JAMES B BROWNLEE Or
MARY ANGELIA BROWNLEE
PO BOX 195
CARMEN ID 83262
(208)756-2362

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>
75-14007	AJC/License	10/02/1960	0.26 cfs	52.17 af	N/A	13.0	GOLWAY GULCH CREEK
75-14009	AJC/License	09/07/1940	0.26 cfs	32.49 af	N/A	13.0	SMOUT CREEK

Purpose of Transfer (Changes Proposed)

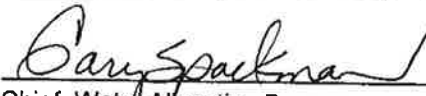
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-14007	NO	NO	YES	NO	NO	YES
75-14009	NO	NO	YES	NO	NO	YES

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>
75-14007	75-14007	0.26 cfs	45.5 af	N/A	12.0		N/A	N/A	N/A	N/A
75-14009	75-14009	0.26 cfs	45.5 af	N/A	12.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.52 cfs	45.5 af	12.0	12.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of November, 2003


Chief, Water Allocation Bureau

SCANNED
JAN 25 2003

WATER RIGHT NO. 75-14009
As Modified by Transfer No. 69672

In accordance with the approval of Transfer No. 69672, Water Right No. 75-14009 is now described as follows.

Right Holder: JAMES B BROWNLEE And
 MARY ANGELIA BROWNLEE
 PO BOX 195
 CARMEN ID 83262

Priority Date: September 07, 1940

Source: SMOUT CREEK

Tributary: FREEMAN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	0.24 CFS	42.0 AF
MITIGATION	04/01 to	11/01	0.02 CFS	3.5 AF
			0.26 CFS	45.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SMOUT CREEK SWNENE Sec. 31 Twp 23N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
23N 23E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	12.0
								12.0									12.0

Total Acres: 12

CONDITIONS OF APPROVAL

1. Rights 75-14007 and 75-14009 are used for mitigation purposes for Right 75-14062 under Transfer approval 69672. The irrigation and mitigation uses described under these mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer.

 Year 1 and beyond the diversion and use of water under the rights are limited to 0.48 cfs, 42.0 afa and 12.0 acres (1 acre left unirrigated).
2. 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. 75D.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

SCANNED

JAN 25 2000

WATER RIGHT NO. 75-14009
As Modified by Transfer No. 69672

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 November, 2003


Chief, Water Allocation Bureau

SCANNED

JAN 25 2003

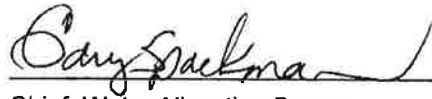
WATER RIGHT NO. 75-14007
As Modified by Transfer No. 69672

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 04/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 05/01 and after 09/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 November, 2003



Chief, Water Allocation Bureau

SCANNED

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

CLAIM NO(s). A75 14007

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:

A0014995 GPS 042
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 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 _____	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

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name
Jack F. Ellis
Signature

Rights associated with approved Transfer 69672

<u>Source Table</u>	<u>Basin</u>	<u>Sequence</u>	<u>Version</u>	<u>Basis</u>	<u>Status</u>	<u>Right ID</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>
Claim	75	14007		License	Active	557799	GOLWAY GULCH CR	IRRIGATION, MITIGATION	BROWNLEE, JAMES B
Claim	75	14009		License	Active	557796	SMOUT CREEK	IRRIGATION, MITIGATION	BROWNLEE, JAMES B
Recommendation	75	14007	1	License	Active	574475	GOLWAY GULCH CR	IRRIGATION, MITIGATION	BROWNLEE, JAMES B
Recommendation	75	14009	1	License	Active	574476	SMOUT CREEK	IRRIGATION, MITIGATION	BROWNLEE, JAMES B
xrFromAdjClaimList	75	14007			Closed	555395	GOLWAY GULCH CR	IRRIGATION	
xrToAdjClaimList	75	14007			Closed	557799	GOLWAY GULCH CR	IRRIGATION, MITIGATION	
xrFromAdjClaimList	75	14009			Closed	555398	SMOUT CREEK	IRRIGATION	
xrToAdjClaimList	75	14009			Closed	557796	SMOUT CREEK	IRRIGATION, MITIGATION	

SCANNED
 JUL 25 2003

EAST AS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69672

This is to certify that: JAMES B BROWNLEE Or
 MARY ANGELIA BROWNLEE
 PO BOX 195
 CARMEN ID 83262
 (208)756-2362

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>
75-14007	AJC/License	10/02/1960	0.26 cfs	52.17 af	N/A	13.0	GOLWAY GULCH CREEK
75-14009	AJC/License	09/07/1940	0.26 cfs	32.49 af	N/A	13.0	SMOUT CREEK

Purpose of Transfer (Changes Proposed)

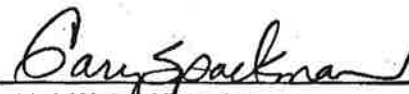
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-14007	NO	NO	YES	NO	NO	YES
75-14009	NO	NO	YES	NO	NO	YES

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>
75-14007	75-14007	0.26 cfs	45.5 af	N/A	12.0		N/A	N/A	N/A	N/A
75-14009	75-14009	0.26 cfs	45.5 af	N/A	12.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.52 cfs	45.5 af	12.0	12.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of November, 2003


 Chief, Water Allocation Bureau

WATER RIGHT NO. 75-14009
As Modified by Transfer No. 69672

In accordance with the approval of Transfer No. 69672, Water Right No. 75-14009 is now described as follows.

Right Holder: JAMES B BROWNLEE And
 MARY ANGELIA BROWNLEE
 PO BOX 195
 CARMEN ID 83262

Priority Date: September 07, 1940

Source: SMOUT CREEK

Tributary: FREEMAN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.24 CFS	42.0 AF
MITIGATION	04/01	to 11/01	0.02 CFS	3.5 AF
			0.26 CFS	45.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SMOUT CREEK SWNENE Sec. 31 Twp 23N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
23N 23E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	12.0

Total Acres: 12

CONDITIONS OF APPROVAL

1. Rights 75-14007 and 75-14009 are used for mitigation purposes for Right 75-14062 under Transfer approval 69672. The irrigation and mitigation uses described under these mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer.

 Year 1 and beyond the diversion and use of water under the rights are limited to 0.48 cfs, 42.0 afa and 12.0 acres (1 acre left unirrigated).
2. 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. 75D.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

SCANNED

JAN 25 2003

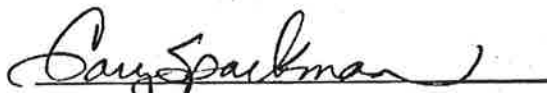
WATER RIGHT NO. 75-14009
As Modified by Transfer No. 69672

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 November, 2003


Chief, Water Allocation Bureau

SCANNER

JAN 21 2004

WATER RIGHT NO. 75-14007
As Modified by Transfer No. 69672

In accordance with the approval of Transfer No. 69672, Water Right No. 75-14007 is now described as follows.

Right Holder: JAMES B BROWNLEE And
 MARY ANGELIA BROWNLEE
 PO BOX 195
 CARMEN ID 83262

Priority Date: October 02, 1960

Source: GOLWAY GULCH CREEK **Tributary:** FREEMAN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MITIGATION	05/01	to 09/01	0.02 CFS	3.5 AF
IRRIGATION	05/01	to 09/01	0.24 CFS	42.0 AF
			0.26 CFS	45.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GOLWAY GULCH CREEK NENENW Sec. 33 Twp 23N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
23N 23E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	12.0
								12.0									12.0

Total Acres: 12

CONDITIONS OF APPROVAL

1. Rights 75-14007 and 75-14009 are used for mitigation purposes for Right 75-14062 under Transfer approval 69672. The irrigation and mitigation uses described under these mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer.

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2. 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. 75D.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

JAN 25 2003

WATER RIGHT NO. 75-14007
As Modified by Transfer No. 69672

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 04/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 05/01 and after 09/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 November, 20 03


Chief, Water Allocation Bureau

JAN 25 2003

E-45

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69672

This is to certify that: JAMES B BROWNLEE Or
MARY ANGELIA BROWNLEE
PO BOX 195
CARMEN ID 83262
(208)756-2362

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Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
75-14007	AJC/License	10/02/1960	0.26 cfs	52.17 af	N/A	13.0	GOLWAY GULCH CREEK
75-14009	AJC/License	08/07/1940	0.26 cfs	32.49 af	N/A	13.0	SMOUT CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
75-14007	NO	NO	YES	NO	NO	YES
75-14009	NO	NO	YES	NO	NO	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
75-14007	75-14007	0.26 cfs	45.5 af	N/A	12.0		N/A	N/A	N/A	N/A
75-14009	75-14009	0.26 cfs	45.5 af	N/A	12.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.52 cfs	45.5 af	12.0	12.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of November, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 75-14009
As Modified by Transfer No. 69672

In accordance with the approval of Transfer No. 69672, Water Right No. 75-14009 is now described as follows.

Right Holder: JAMES B BROWNLEE And
 MARY ANGELIA BROWNLEE
 PO BOX 195
 CARMEN ID 83262

Priority Date: September 07, 1940

Source: SMOUT CREEK

Tributary: FREEMAN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	0.24 CFS	42.0 AF
MITIGATION	04/01 to	11/01	0.02 CFS	3.5 AF
			0.26 CFS	45.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SMOUT CREEK SWNENE Sec. 31 Twp 23N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
23N	23E	31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	12.0
																			12.0

Total Acres: 12

CONDITIONS OF APPROVAL

1. Rights 75-14007 and 75-14009 are used for mitigation purposes for Right 75-14062 under Transfer approval 69672. The irrigation and mitigation uses described under these mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer.

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3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

SCANNED

JAN 25 2003

WATER RIGHT NO. 75-14009
As Modified by Transfer No. 69672

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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Chief, Water Allocation Bureau

SCANNED

JAN 25 2003

WATER RIGHT NO. 75-14007
As Modified by Transfer No. 69672

In accordance with the approval of Transfer No. 69672, Water Right No. 75-14007 is now described as follows.

Right Holder: JAMES B BROWNLEE And
 MARY ANGELIA BROWNLEE
 PO BOX 195
 CARMEN ID 83262

Priority Date: October 02, 1960

Source: GOLWAY GULCH CREEK **Tributary:** FREEMAN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MITIGATION	05/01	to 09/01	0.02 CFS	3.5 AF
IRRIGATION	05/01	to 09/01	0.24 CFS	42.0 AF
			0.26 CFS	45.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GOLWAY GULCH CREEK NENENW Sec. 33 Twp 23N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N 23E 31								12.0									12.0

Total Acres: 12

CONDITIONS OF APPROVAL

1. Rights 75-14007 and 75-14009 are used for mitigation purposes for Right 75-14062 under Transfer approval 69672. The irrigation and mitigation uses described under these mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer.

 Year 1 and beyond the diversion and use of water under the rights are limited to 0.48 cfs, 42.0 afa and 12.0 acres (1 acre left unirrigated).
2. 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. 75D.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

SCANNED

JAN 25 2003

WATER RIGHT NO. 75-14007
As Modified by Transfer No. 69672

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 04/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 05/01 and after 09/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 November, 2003



Chief, Water Allocation Bureau

SCANNED

JAN 25 2003

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant JAMES B. or MARY A. BROWNLEE Phone 205-978-6835
Post Office address 2457 SAUCY St Birmingham, Alabama 35226

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use

- ☒ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes We want to dry up one acre of
irrigation + build a one acre pond in its place.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number (75-2097 PART)	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
75-14009	9/07/1940	0.24 cfs	Irrigation	4/01 to 11/01
		0.02 cfs	Recreation	" to "
75-14007	10/02/1960	0.24 cfs	Irrigation	5/01 to 9/01
75-2140		0.02 cfs	Recreation	" to "

2. Total amount of water being transferred 0.52 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Smout Creek tributary to Freeman Creek } immature

4. Point(s) of Diversion: Golway Gulch Creek Freeman Creek S
unnamed stream Freeman Creek - Pond

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 12

PART 1

6. General Information:

a. Description of diversion system THE POND WILL BE CREATED BY PLACING A SMALL DAM
ACROSS AN UNNAMED CREEK, TRIBUTARY TO FREEMAN CREEK.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
THE LAND IS CURRENTLY USED FOR GRAZING, AND IS TYPICALLY NOT
IRRIGATED, THEREFORE THE CHANGE WILL HAVE NO AFFECT.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 75-2097 (PART OF) issued by the Idaho Department of Water Resources.
- c. Claim No. 75-14009 (75-2097) PART on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Smoot Creek tributary to Freeman Creek**4. Date or priority** 9/07/1940**5. Water is used for the following purpose:**

amount 0.26 cfs for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.26 cubic feet per second and/or _____ acre-feet per annum.**7. Point(s) of Diversion:**

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	NE	31	23N	23E	Lemhi	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
23N	23E	31								13									13

Total acres 13**9. Describe any other water rights used for the same purpose as described above** _____75-14007

SCANNED

JAN 25 2021

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

SCANNED
JAN 25 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED
1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 75-2140 (PART OF) issued by the Idaho Department of Water Resources.
- c. Claim No. 75-14007 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

- ☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Galway Gulch Creek tributary to Freeman Creek
4. Date or priority 10/02/1960
5. Water is used for the following purpose:

- amount 0.26 cfs for Irrigation purposes from 5/01 to 9/01 WR License
(cfs/ac-ft)
amount _____ for _____ purposes from 4/01 to 10/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.26 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	NW	33	23N	23E	Lemhi	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
23N	23E	31								13									13

Total acres 13
9. Describe any other water rights used for the same purpose as described above
75-14009

JAN 25 2003

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

SCANNED
JAN 25 2003

Microsoft TerraServer

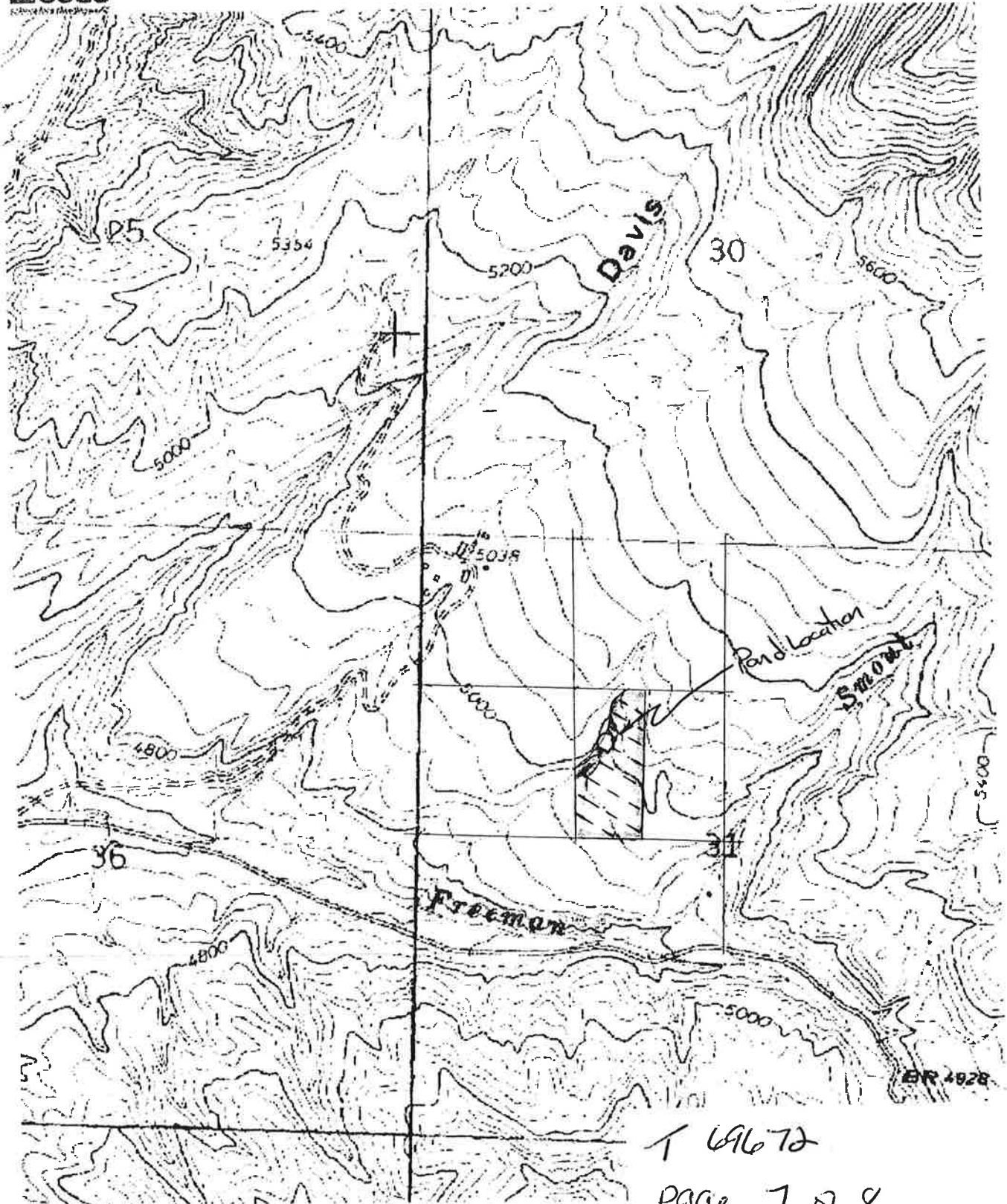
Display Image

USGS Topo Map

15 km NE of Salmon, Idaho, United States 01 Jul 1966



T 23N R 23E
BM 1341100 10



T 69672

page 7 of 8

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

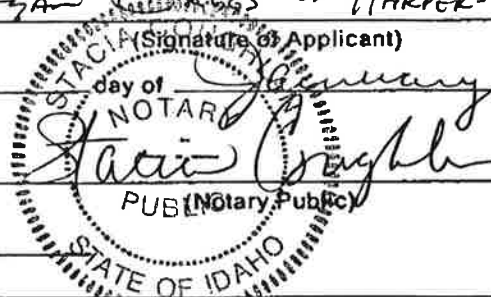
3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

D. Ryan Briggs of HARPER-LEAVITT ENGINEERING
(Signature of Applicant)

Subscribed and sworn to before me this 30th day of January, 2002



My commission expires 9/2007

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 5 attachments

Received by HWS Date 1-31-02 Protest filed by _____

Prelim. check by _____ Fee \$250.00 _____

Receipted by HWS #EG27410 Date 1-31-02 _____

Published in Recorder Herald Copies of protest forwarded by _____

Pub. dates Feb 14 & 21 2002 Hearing held by _____ Date _____

Watermaster recommendation requested on 2/6/2002 Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 5, 2001

JAMES BARBIN & MARY ANELIA BROWNLEE
2457 SAVOY ST
BIRMINGHAM AL 35226

RE: CHANGE IN OWNERSHIP FOR A75-2140, A75-2097 AND A75-13961

Dear Mr. & Mrs. Brownlee:

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

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

75-2140 as follows:

75-14006: 0.91 CFS, 136.83 AFA, 34.1 ACRES, ELLIS

75-14007: 0.35 CFS, 52.17 AFA, 13 ACRES, BROWNLEE

75-2097 as follows:

75-14008: 0.67 CFS, 85.21 AFA, 34.1 ACRES, ELLIS

75-14009: 0.25 CFS, 32.49 AFA, 130ACRES, BROWNLEE

75-13961 as follows:

75-14010: 1.79 CFS, 42.1 ACRES, ELLIS

75-14011: 0.55 CFS, 13 ACRES, BROWNLEE

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

SCANNED
JAN 25 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 24, 2001

JAMES B & MARY A BROWNLEE
2457 SAVOY ST
BIRMINGHAM AL 35226

RE: OWNERSHIP CHANGE FOR 75-2097 & 75-2140 (ELLIS-BROWNLEE)

Dear Mr. & Mrs. Brownlee:

On August 6, 2001, I received the above referenced ownership change. The enclosed photo shows the number of irrigated acres within the property you purchased. I intend to give you a proportionate share of both water rights based on these acres. You will receive .25 cfs & 32.40 af of 75-2097 and .35 cfs & 52.17 af of 75-2140.

If you have questions or disagree with my calculations, please contact Water Rights Supervisor Ernest Carlsen by Friday October 5th. I will proceed with this change after that date.

Sincerely,

Jennifer Crabtree
Technical Records Specialist

Enclosure

SCANNED
JAN 25 2003

WARRANTY DEED

For Value Received JACK F. ELLIS AND DIANE L. ELLIS, HUSBAND AND WIFE.

the grantors, do hereby grant, bargain, sell and convey unto JAMES BARBIN BROWNLEE AND MARY ANGELIA BROWNLEE, HUSBAND AND WIFE.
2457 SAVOY STREET
BIRMINGHAM, AL. 35226
the grantee s, the following described premises, in LEMHI County Idaho, towit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: JULY 11, 2001

Jack F. Ellis
JACK F. ELLIS

Diane L. Ellis
DIANE L. ELLIS

STATE OF IDAHO, COUNTY OF LEMHI
On this 11th day of JULY 2001
before me, a notary public in and for said State, personally appeared JACK F. ELLIS AND DIANE L. ELLIS

known to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public
Idaho

Residing at SALMON
Comm. Expires 11/01/04

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of Lemhi Title

at 33 minutes past 3:00 o'clock P m.,
this 18th day of July
\$2,500. in my office, and duly recorded in Book
of Deeds at page

Terri J. Morton
Ex-Officio Recorder

By K. Baumer

Deputy.

Fees \$ 6.00

Mail to: Land delivered

INSTRUMENT NO. 247650

LEMHI TITLE & ABSTRACT - SALMON, IDAHO

EXHIBIT "A"
PARCEL "D"

A portion of the SE1/4NW1/4, Section 31, T. 23 N., R. 23 E., Boise Meridian, Lemhi County, Idaho more particularly described as follows:

Commencing at the West 1/4 Corner of said Section 31 from which the NW Corner of said Section 31 bears N00°02'25"W, the BASIS OF BEARING of this description; Thence S89°58'37"E, 1282.23 feet to the SW Corner of said SE1/4NW1/4, Section 31 said point also being the POINT OF BEGINNING;

Thence N00°16'07"W, 1305.95 feet to the NW Corner of said SE1/4NW1/4, Section 31;

Thence S89°59'14"E along the north line of said SE1/4NW1/4, Section 31; 667.70 feet;

Thence S00°12'50"E, 1306.06 feet to the intersection with the south line of said SE1/4NW1/4, Section 31;

Thence N89°58'37"W, 666.45 feet to the POINT OF BEGINNING.

Together with and subject to an ingress and egress easement filed as Instrument No. 244871, dated 7/27/00, records of Lemhi County, Idaho.

Also subject to and together with a perpetual right-of-way for an existing road over and across a strip of land 60 feet wide for public access and use known as Freeman Creek Road.

Also subject to and together with a strip of land 10 feet wide for the maintenance and use of existing power and phone lines.

Also together with a strip of land for the installation, maintenance and use of power and phone lines 10 feet wide, 5.00 feet on both sides of the following described centerline:

Commencing at the South 1/4 Corner of said Section 31, from which the SE Corner of said Section 31 bears N89°24'36"E; Thence N00°12'50"W, 2614.76 feet to the Center 1/4 of said Section 31; Thence N89°58'37"W along the north line of the NE1/4SW1/4 of said Section 31, 489.12 feet; Thence S21°10'51"W, 431.23 feet; Thence N64°12'06"W, 368.66 feet; Thence N64°11'39"W, 568.03 feet to an existing utility pole said point also being the POINT OF BEGINNING;

Thence N27°30'20"E, 350.03 feet said point being the point of terminus.

The sidelines of said easements shall be prolonged or shortened to conform with the Grantor's and Grantee's boundary lines.

Zero (0) lot splits remain.

Parcel contains 20.00 acres more or less.

TOGETHER WITH RIGHT OF INGRESS AND EGRESS ON THE EXISTING ROADWAY LOCATED ON PARCEL "E"; BUYERS WILL EXTEND THE ROAD TO THEIR PARCEL FROM THE GRAVEL PIT TO THEIR EAST BOUNDARY, AT THEIR EXPENSE.

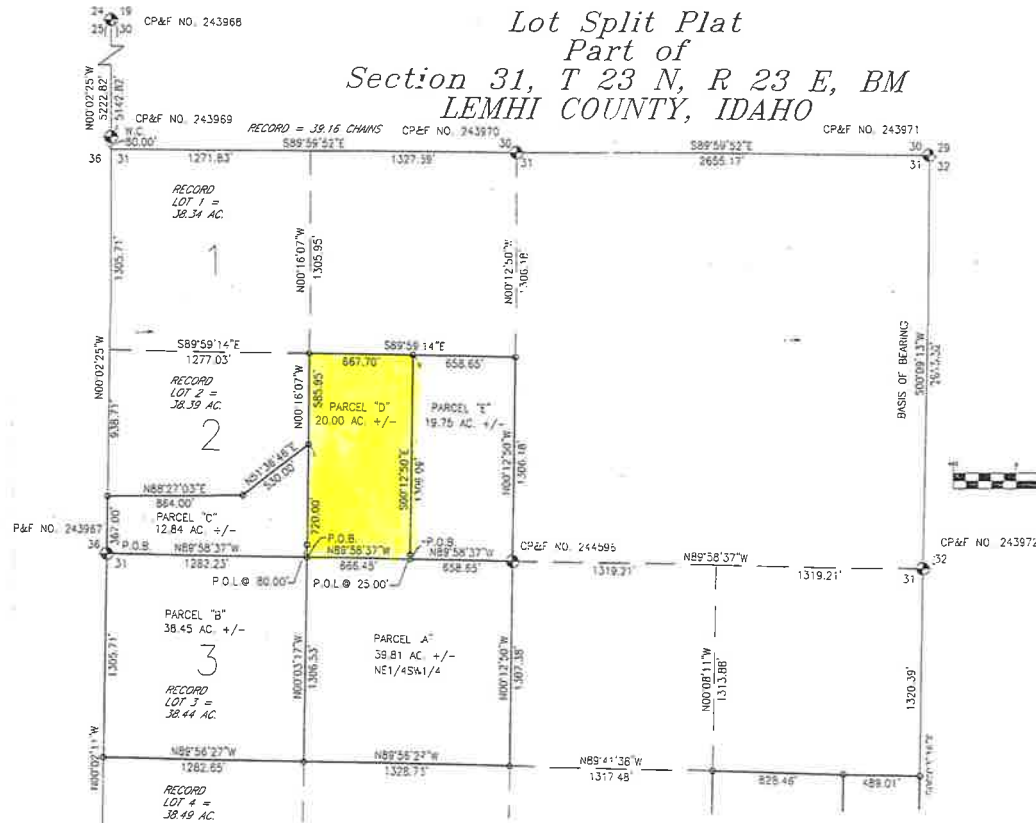
County _____ State IDAHO Date 3-79
Approximate scale 8" = 1 MILE
Conservation District _____
Photo number EGK-7JJ-33
ANE USDA Soil Conservation Service

15.00 +
8.95 +
10.50 +
10.00 +
C

16.0 ÷
70.7 =
0.23 *



Lot Split Plat
Part of
Section 31, T 23 N, R 23 E, BM
LEMHI COUNTY, IDAHO



RECORDERS CERTIFICATE

Submitted to: 243972
 Date of Rec: 8/27/20
 Date: 8/27/20 2020 8/27/20
 Recorded in Lemhi County, Idaho
 Lewis J. Matheson, Jr. Recorder

SURVEYORS CERTIFICATE

I, Thomas Taylor, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plat is an accurate representation of the survey conducted under my supervision.
 Thomas Taylor, Registered Professional Land Surveyor
 Date: 8/27/20

GRAPHIC SCALE



SURVEYOR NOTES

1) THE SURVEYED PARCELS SHOWN ON THIS SURVEY ARE SUBJECT TO A PERPETUAL RIGHT-OF-WAY FOR AN EXISTING ROAD OVER AND ACROSS A STRIP OF LAND 60 FEET WIDE FOR PUBLIC USE.
 S&D ROAD WAS NOT SURVEYED AND THEREFOR NOT SHOWN ON THIS SURVEY AT THE OWNERS REQUEST

LEGEND

Symbol for boundary line

WARRANTY DEED

For Value Received JAMES BARBIN BROWNLEE AND MARY ANGELIA BROWNLEE, HUSBAND AND WIFE

the grantor s , do hereby grant, bargain, sell and convey unto JEROLD W. WALLACE AND BETH ANNE O'CONNOR WALLACE, HUSBAND AND WIFE 11920 NARCISSUS ROAD, JACKSON, CALIFORNIA 95642

the grantee s , the following described premises, in Lemhi County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees , that they are the owner s in fee simple of said premises; that they are free from all encumbrances.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: JANUARY 3, 2005

James Barbin Brownlee
JAMES BARBIN BROWNLEE

Mary Angelia Brownlee
MARY ANGELIA BROWNLEE

STATE OF IDAHO, COUNTY OF LEMHI

On this 12 Day of JANUARY , 20 06
before me, a notary public in and for said State, personally
appeared JAMES BARBIN BROWNLEE AND MARY
ANGELIA BROWNLEE

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Daniela Slavin
Notary Public
Residing at Salmon Idaho
Comm. Expires: 11-13-11



INSTRUMENT NO: 2005 2501

STATE OF IDAHO, COUNTY OF LEMHI
I hereby certify that this instrument was filed
for record at the request of Lemhi Attu

at 55 minutes past 2 o'clock p.m.
this 13 day of January
2006, in my office, and duly recorded in Book
of Deeds in Lemhi County.

Jerold W. Wallace
Ex-Officio Recorder

By *Brenda Cullion*
Deputy

Fees \$ 6.00
Mail to: LT

SCANNED

JAN 26 2006

OK 8C 10/5/01
RECEIVED

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

AUG 21 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): LICENSED PERMIT NO'S: 75-2097 & 75-2140 (THE INTENT IS TO
TRANSFER 22.63% OF THE ABOVE PERMITS) and 75-13961
Adjudication Claim No(s): _____

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 claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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 JACK F. ELLIS AND DIANE L. ELLIS
P.O. BOX 301, SALMON, IDAHO 83467
4. New Owner/Claimant(s) JAMES BARBIN BROWNLEE & MARY ANGELIA BROWNLEE
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 2457 SAVOY STREET
City, State and ZIP Code BIRMINGHAM, AL 35226
New Telephone Number (205) 978-6835
5. Date you acquired the property JULY 20, 2001

6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.**

Number of acres you irrigate with this water right 16 Number and type of stock 4 HORSES

Diversion rate in CFS .6789 Number of homes you acquired 0 Other uses _____

7. Signature of New Owner(s) James Barbin Brownlee
or Claimant(s) Mary Angelia Brownlee

Corporations or other organizations must submit a 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.

SCANNED
JAN 25 2003

WARRANTY DEED

For Value Received JACK F. ELLIS AND DIANE L. ELLIS, HUSBAND
AND WIFE.

the grantors , do hereby grant, bargain, sell and convey unto JAMES BARBIN BROWNLEE
AND MARY ANGELIA BROWNLEE, HUSBAND AND WIFE.
2457 SAVOY STREET
BIRMINGHAM, AL. 35226
the grantee s, the following described premises, in LEMHI County Idaho, towit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,
their heirs and assigns forever. And the said Grantors do hereby covenant to
and with the said Grantee s, that they are the owners in fee simple of said premises; that they
are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: JULY 11, 2001

Jack F. Ellis
JACK F. ELLIS

Diane L. Ellis
DIANE L. ELLIS

STATE OF IDAHO, COUNTY OF LEMHI

On this 11th day of JULY 2001
before me, a notary public in and for said State, personal-
ly appeared JACK F. ELLIS AND DIANE L. ELLIS

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Notary Public

Residing at SALMON

, Idaho

Comm. Expires 4/10/04

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for re-
cord at the request of Lemhi Title

at 13 minutes past 3:00 o'clock p m.,
this 13th day of July
\$10.00 in my office, and duly recorded in Book
of Deeds at page

Terri J. Morton
Ex-Officio Recorder

By *K. Baumer*

Deputy.

Fees \$ 6.00

Mail to: Land delivered

INSTRUMENT NO.

247650

LEMHI TITLE & ABSTRACT — SALMON, IDAHO

SCANNED

JAN 25 2003

247650

EXHIBIT "A"
PARCEL "D"

A portion of the SE1/4NW1/4, Section 31, T. 23 N., R. 23 E., Boise Meridian, Lemhi County, Idaho more particularly described as follows:

Commencing at the West 1/4 Corner of said Section 31 from which the NW Corner of said Section 31 bears N00°02'25"W, the BASIS OF BEARING of this description; Thence S89°58'37"E, 1282.23 feet to the SW Corner of said SE1/4NW1/4, Section 31 said point also being the POINT OF BEGINNING;

Thence N00°16'07"W, 1305.95 feet to the NW Corner of said SE1/4NW1/4, Section 31;

Thence S89°59'14"E along the north line of said SE1/4NW1/4, Section 31; 667.70 feet;

Thence S00°12'50"E, 1306.06 feet to the intersection with the south line of said SE1/4NW1/4, Section 31;

Thence N89°58'37"W, 666.45 feet to the POINT OF BEGINNING.

Together with and subject to an ingress and egress easement filed as Instrument No. 244871, dated 7/27/00, records of Lemhi County, Idaho.

Also subject to and together with a perpetual right-of-way for an existing road over and across a strip of land 60 feet wide for public access and use known as Freeman Creek Road.

Also subject to and together with a strip of land 10 feet wide for the maintenance and use of existing power and phone lines.

Also together with a strip of land for the installation, maintenance and use of power and phone lines 10 feet wide, 5.00 feet on both sides of the following described centerline:

Commencing at the South 1/4 Corner of said Section 31, from which the SE Corner of said Section 31 bears N89°24'36"E; Thence N00°12'50"W, 2614.76 feet to the Center 1/4 of said Section 31; Thence N89°58'37"W along the north line of the NE1/4SW1/4 of said Section 31, 489.12 feet; Thence S21°10'51"W, 431.23 feet; Thence N64°12'06"W, 368.66 feet; Thence N64°11'39"W, 568.03 feet to an existing utility pole said point also being the POINT OF BEGINNING;

Thence N27°30'20"E, 350.03 feet said point being the point of terminus.

The sidelines of said easements shall be prolonged or shortened to conform with the Grantor's and Grantee's boundary lines.

Zero (0) lot splits remain.

Parcel contains 20.00 acres more or less.

TOGETHER WITH RIGHT OF INGRESS AND EGRESS ON THE EXISTING ROADWAY LOCATED ON PARCEL "E"; BUYERS WILL EXTEND THE ROAD TO THEIR PARCEL FROM THE GRAVEL PIT TO THEIR EAST BOUNDARY, AT THEIR EXPENSE.

SCANNED

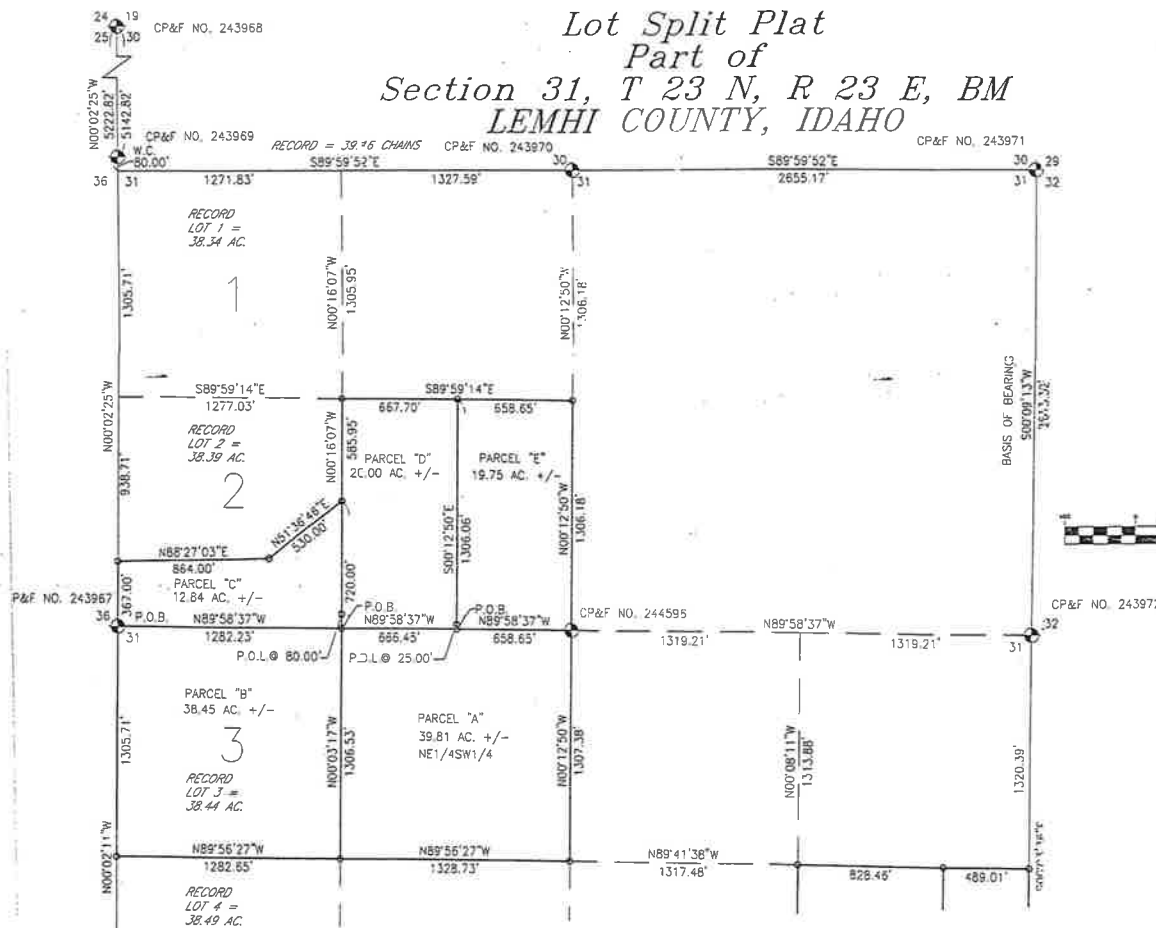
JAN 25 2003

$$\begin{array}{r} 16 \cdot \\ 70 \cdot 7 \\ 0 \cdot 23 \end{array} \begin{array}{l} \div \\ = \\ * \end{array}$$


Instrument No. 245325
Time of Day 7:45 AM
Date 9-12-60 Page 7 Page 26
Recorded in Linn County, Iowa

I, Thomas Taylor, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

 Festive orange ribbon





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.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 5, 2006

JEROLD AND BETH ANNE O'CONNER WALLACE
11920 NARCISSUS RD
JACKSON CA 95642

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #75-14007, 75-14009 and 75-14011

Dear Claimants:

We have processed your change in ownership of the Notices of Claim referenced above. Thank you for your patience.

Enclosed are copies of the Notices of Claim for your file. Please refer to these record numbers in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claims.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:region
Enclosures:

Copies of Notices of Claim Referenced Above

SCANNED

APR - 5 2006

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



RECEIVED
JAN 26 2006
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
75--14009					
75-14007	) R. Brown				
75-14011					

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) James B and Mary Angelia Brownlee
P.O. Box 195 Carmen, ID 83262
4. New Owner/Claimant(s) Jerold W. Wallace and Beth Anne O'Conner Wallace
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 11920 Narcissus Road
- City, State and ZIP Code Jackson, CA 95642
- New Telephone Number () 209 - 296-3601
5. Date you acquired the property 1-12-2006

*O.K. to process
 3/29/06 R. Brown*

SCANNED
APR - 5 2006

*Paul
 Lew*

SCANNED
JAN 26 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)
(include title if applicable)

James W. Wallace
Bethanne Wallace

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 _____
 Received by _____ Date _____ Receipt No. _____
 Processed by *AD* AJ Date *4-5-06* WR _____ Date _____

SCANNED

APR - 5 2006

SCANNED

JAN 7 6 2006

225754

EXHIBIT "A"

PARCEL "D"

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JB

SCANNED
JAN 26 2006

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 75-14007
Date Received: 10/5/2001
Receipt No:
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

JAMES BARBIN BROWNLEE Phone: (205) 978-6835

2457 SAVOY ST
BIRMINGHAM AL USA 35226

MARY ANGELIA BROWNLEE Phone: (205) 978-6835

2457 SAVOY ST
BIRMINGHAM AL USA 35226

2. Date of Priority: 10/02/1960

3. Source: GOLWAY GULCH CREEK Trib. to: FREEMAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	23E	33	NE NE NW	LEMHI	

5. Description of diverting works:

HEADGATES/DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/01	0.26	52.17

7. Total Quantity Appropriated is:
0.26 C.F.S. and/or 52.17 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
23N	23E	31	SE NW	IRRIGATION	13
Section Acres					13
Total Acres					13

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:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-2140.

15. Basis of Claim: License

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): James B Brownlee Date: 1/23/02
Angelina A Brownlee Date: 1/23/02

State of ALABAMA

County of JEFFERSON

SS.

Subscribed and sworn (or affirmed) before me this

of January 23 2002

[Signature]
Notary Public

Residing at _____

My commission Expires MY COMMISSION EXPIRES JANUARY 31, 2004

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 75-14007
Date Received: 10/5/2001
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ACQUIRED UNDER STATE LAW**

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2457 SAVOY ST
BIRMINGHAM AL USA 35226

MARY ANGELIA BROWNLEE Phone: (205) 978-6835

2457 SAVOY ST
BIRMINGHAM AL USA 35226

2. Date of Priority: 10/02/1960

3. Source: GOLWAY GULCH CREEK Trib. to: FREEMAN CREEK

4. Point of Diversion:

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IRRIGATION	04/01	10/01	0.35	52.17

7. Total Quantity Appropriated is:
0.35 C.F.S. and/or 52.17 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

A7514007



Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	23E	31	SE	NW	IRRIGATION	13
					Section Acres	13
					Total Acres	13

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:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-2140.

15. Basis of Claim: License

BROWNLEE
13 ACRES

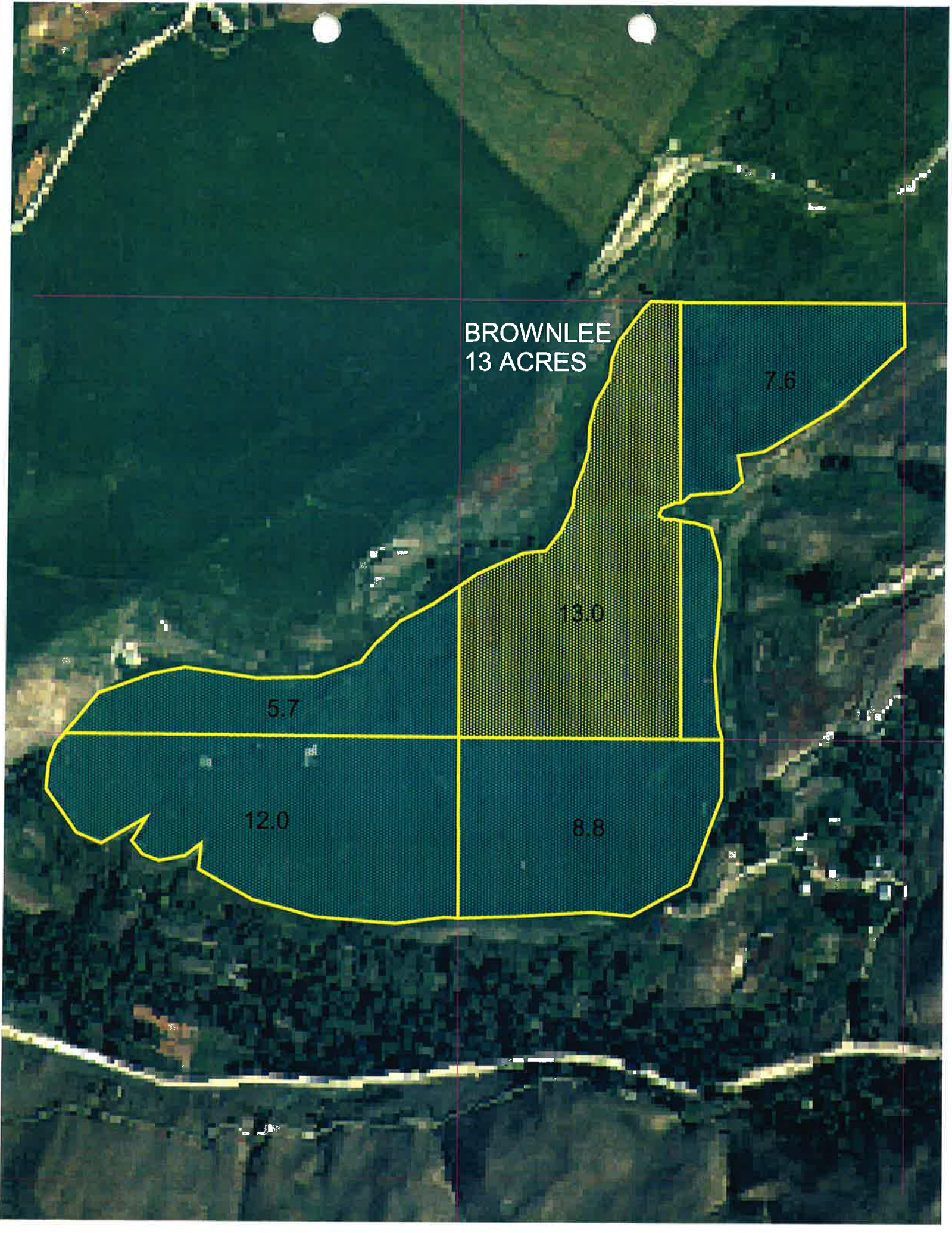
7.6

13.0

5.7

12.0

8.8



11/02/2006

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

RIGHT NUMBER: 75-14007

NAME AND ADDRESS: BETH ANNE O CONNER WALLACE
11920 NARCISSUS RD
JACKSON CA 95642

JEROLD W WALLACE
11920 NARCISSUS RD
JACKSON CA 95642

SOURCE: GOLWAY GULCH CREEK

TRIBUTARY: FREEMAN CREEK

QUANTITY: 0.260 CFS
45.500 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

PRIORITY DATE: 10/02/1960

POINT OF DIVERSION:

T23N R23E S33 NENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	05/01 09/01	0.020 CFS 3.50 AFY
IRRIGATION	05/01 09/01	0.240 CFS 42.00 AFY

irrigation

The period of use for the irrigation described in this approval may be extended to a beginning date of 04/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 05/01 and after 09/01 is subordinate to all water rights having no subordinated early or late

use and a priority date earlier than the date of this approval.

PLACE OF USE: IRRIGATION in LEMHI County

T23N R23E S31 SENW 12.00

MITIGATION same as IRRIGATION

12 ACRES TOTAL

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