

01/03/2007

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

RIGHT NUMBER: 75-14280

NAME AND ADDRESS: JAMES W LULL
4568 KUKUI ST
KAPAA HI 96746

SOURCE: TOWER CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.470 CFS

PRIORITY DATE: 06/28/1899

POINT OF DIVERSION:

T23N R22E S18 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.470 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T23N R22E S18 Lot 4 SENW

3.00

T23N R22E S18 Lot 5 NESW

16.00

19 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

This right is a split from former right 75-4099A.

11/10/2006

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

RIGHT NUMBER: 75-14280

NAME AND ADDRESS: JAMES W LULL
4568 KUKUI ST
KAPAA HI 96746

SOURCE: TOWER CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.470 CFS

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION:

T23N R22E S18 NWSE Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.470 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T23N R22E S18 Lot 4 SENW 3.00

T23N R22E S18 Lot 5 NESW 16.00

19 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

This right is a split from former right 75-4099A.

05/17/2006

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

RIGHT NUMBER: 75-14280

NAME AND ADDRESS: JAMES W LULL
4568 KUKUI ST
KAPAA HI 96746

SOURCE: TOWER CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.470 CFS

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION:

T23N R22E S18 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.470 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T23N R22E S18 Lot 4 SENW 2.90

T23N R22E S18 Lot 5 NESW 16.00

18.9 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

This right is a split from former right 75-4099A.

02/08/2006

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

RIGHT NUMBER: 75-4099A
NAME AND ADDRESS: BETH DILLON
STAR RT BOX 29
CARMEN ID 83462

GEORGE S ARTEMIS
986 HWY 93 N
CARMEN ID 83462

JOY M ARTEMIS
986 HWY 93 N
CARMEN ID 83462

SOURCE: TOWER CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.490 CFS
PRIORITY DATE: 04/01/1912
POINT OF DIVERSION:

T23N R22E S18 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.490 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T23N R22E S18 Lot 4 SENW	2.90	T23N R22E S18 Lot 5 NESW	17.00
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19.9 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

SRBA Recommendation:

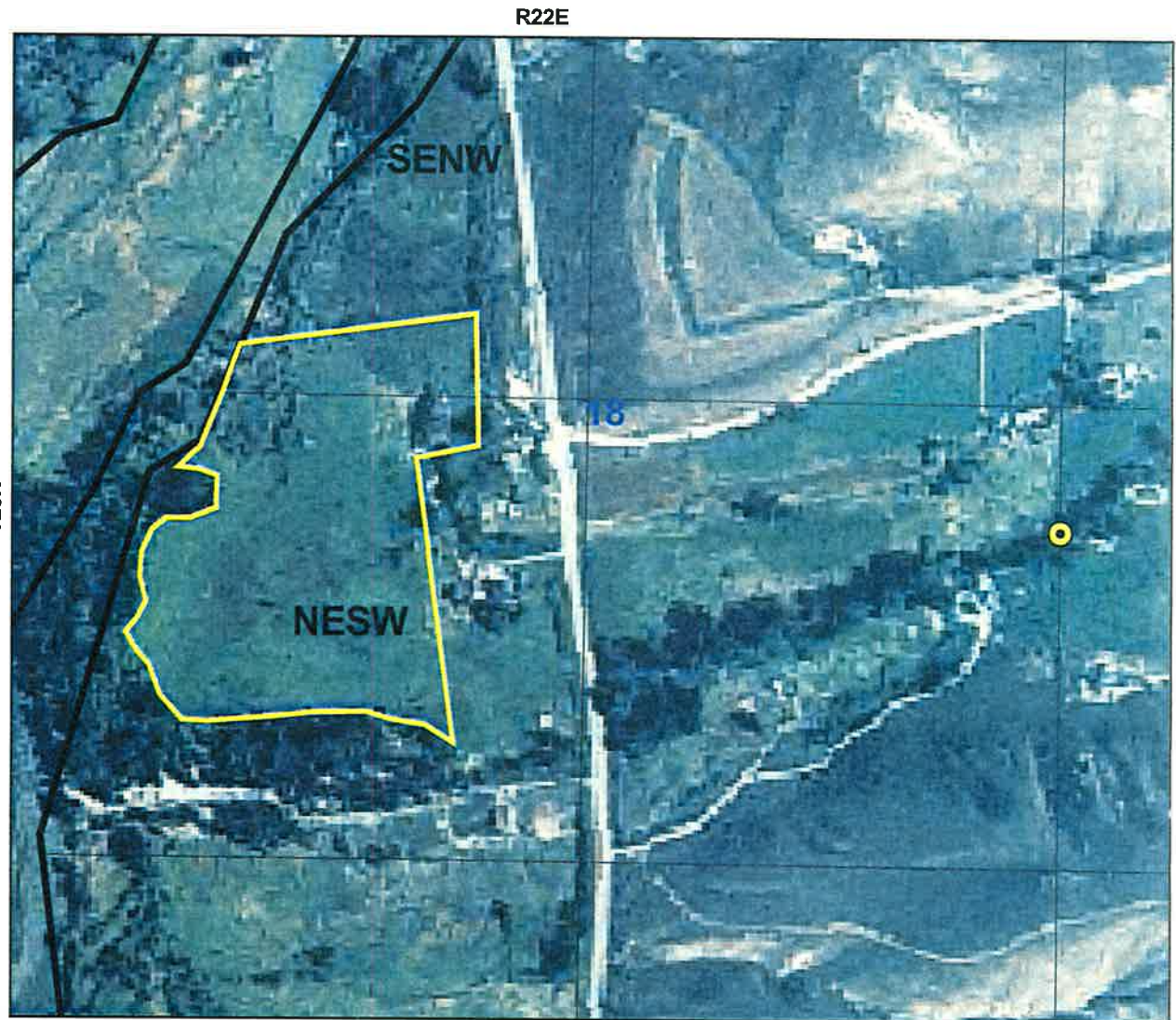
75-14280

Legend

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



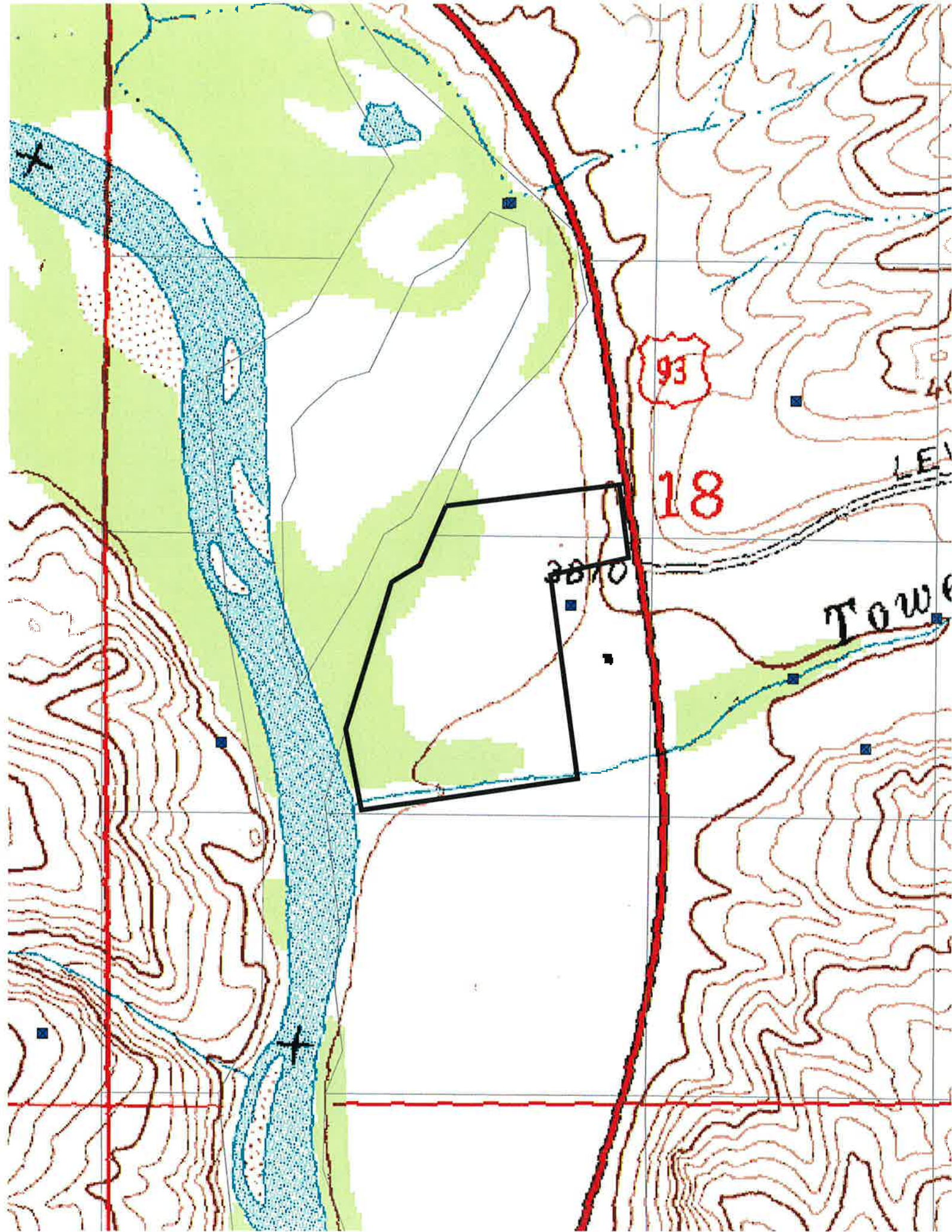
Lemhi County
IDWR Basin 75



0 0.2 0.4 Miles



Prepared by R. Brown
On Wednesday, May 17, 2006
1987/88 Aerial Photography



93

18

2870

Town

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 75-4099

WATER RIGHT NUMBER: 75-4099

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BETH DILLON STAR RT BOX 29 CARMEN, ID 83462 (208)756-3066

Priority Date: 04/01/1890

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
TOWER CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.560 CFS	
<u>Total Diversion:</u>		1.560 CFS	

Location of Point(s) of Diversion

TOWER CREEK	NE1/4SE1/4	Sec. 18, Twp 23N, Rge 22E, B.M.
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	22E	18									20.0	6.0							26.0

Total Acres: 26

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 75-4099

Licensed Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

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

**RECEIVED
MAR 13 2007
IDWR/North**

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, 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
75-14280					

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

A. ~~The appropriate FIDR-3-122. 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.**

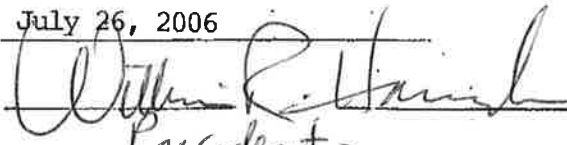
C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are 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 W. LULL
4568 Kukui St., Kapaa, HI 96746
4. New Owner/Claimant(s) KAPAA 382, LLC c/o WILLIAM R. HANCOCK
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
4569 Kukui St., Suite 200
New Mailing Address
City, State and ZIP Code Kapaa, HI 96746
New Telephone Number (808) 652-4383
5. Date you acquired the property July 26, 2006

Signature of New Owner(s) or Claimant(s)
(include title if applicable)


President -
Kanai Lease & Loan, Ltd.
Managing Member

RECEIVED
MAR 13 2007
IDWR/North

269359

State of Idaho
County of Lemhi

SS No.

This instrument was filed for record at the request

of William R. Hancock

at 12:50 o'clock P.M. on 10-18 2006

and duly indexed and entered in the records of Lemhi

County

Terry J. Wooten

Ex-Officio Recorder

By Cynthia Cardia Deputy

Fee 90

Return to William R. Hancock

This document prepared by (and after recording
return to):

Name: William R. Hancock

Firm/Company: Kapaa 382, LLC

Address: 4569 Kukui Street

Address 2: Suite 200

City, State, Zip: Kapaa, Hawaii 96746

Phone: 808-652-4383

-----Above This Line Reserved For Official Use Only-----

WARRANTY DEED
(Individual to LLC)

KNOW ALL MEN BY THESE PRESENTS THAT:

FOR VALUABLE CONSIDERATION OF TEN DOLLARS (\$10.00), and other good and valuable consideration, cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, James W. Lull, hereinafter referred to as "Grantor", does hereby grant, bargain, sell, convey, and warrant unto Kapaa 382, LLC, a Limited Liability Company organized under the laws of the state of Hawaii, hereinafter "Grantee", the following lands and property, together with all improvements located thereon, lying in the County of Lemhi, State of Idaho, to-wit:

Describe Property of State "SEE DESCRIPTION ATTACHED"

Prior instrument reference: Document No. 256013, recorded September 18, 2003, in the land records of the Recorder of Lemhi County, Idaho.

LESS AND EXCEPT all oil, gas and minerals, on and under the above described property owned by Grantor, if any, which are reserved by Grantor.

SUBJECT to all easements, rights-of-way, protective covenants and mineral reservations of record, if any. Subject further to a first mortgage in the original amount of \$200,000.00 dated September 4, 2003 payable to George and Joy Artemis.

TO HAVE AND TO HOLD same unto Grantee, and unto Grantee's assigns forever, with all appurtenances thereunto belonging.

GRANTOR does for Grantor and Grantor's heirs, personal representatives, executors and assigns forever hereby covenant with GRANTEE that Grantor is lawfully seized in fee simple of said premises; that the premises are free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid; and to forever warrant and defend the title to the said lands against all claims whatever.

Taxes for tax year 2006 shall be paid by Grantor.

The property herein conveyed is not a part of the homestead of Grantor.

269359

PROPERTY DESCRIPTION

That property in the County of Lemhi, State of Idaho, described as follows and containing not more than 40 acres:

RECEIVED

MAR 13 2007

IDWR/North

PARCEL I:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOTS 4 AND 5, SECTION 18, T. 23 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE C 1/4 CORNER OF SAID SECTION 18 FROM WHICH THE C-S 1/16 CORNER OF SAID SECTION 18 BEARS S. 00° 02' 30" E. A DISTANCE OF 1308.82 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 89° 52' 46" W. ALONG THE EAST-WEST CENTERLINE OF SAID SECTION AND THE SOUTHERLY BOUNDARY OF GOVERNMENT LOT 4 A DISTANCE OF 138.24 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93; THENCE S. 08° 35' 26" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 98.57 FT. TO THE POINT OF BEGINNING;

THENCE S. 77° 33' 11" W. A DISTANCE OF 365.59 FT.;

THENCE S. 08° 35' 27" E. ALONG THE WESTERLY BOUNDARY OF L.S.P. INST. NO. 247055 FILED IN THE LEMHI COUNTY COURTHOUSE A DISTANCE OF 970.91 FT.;

THENCE S. 80° 14' 18" W. A DISTANCE OF 414.70 FT. TO THE NE CORNER OF R.O.S. INST. NO. 234539 FILED IN THE LEMHI COUNTY COURTHOUSE;

THENCE S. 81° 22' 22" W. ALONG THE NORTHERLY BOUNDARY OF SAID R.O.S. A DISTANCE OF 619.49 FT. (MORE OR LESS) TO THE BANK OF THE SALMON RIVER;

THENCE (MORE OR LESS) N. 10° 26' 10" W. ALONG SAID BANK A DISTANCE OF 382.51 FT. TO A POINT ON THE EASTERLY BANK OF AN OLD MEANDERING CHANNEL OF THE SALMON RIVER;

THENCE THE FOLLOWING COURSES AND DISTANCES (MORE OR LESS) ALONG SAID BANK:

N. 15° 29' 26" E., 370.46 FT.; N. 15° 59' 26" E., 353.10 FT.;

N. 57° 22' 26" E., 165.66 FT.; N. 21° 31' 26" E., 295.87 FT.;

THENCE N. 81° 46' 00" E. A DISTANCE OF 813.41 FT. (MORE OR LESS) TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;

THENCE S. 08° 35' 26" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 355.60 FT. TO THE POINT OF BEGINNING.

PARCEL II:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 9, SECTION 18, T. 23 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE C 1/4 CORNER OF SAID SECTION 18 FROM WHICH THE C-S 1/16 CORNER OF SAID SECTION 18 BEARS S. 00° 02' 30" E. A DISTANCE OF 1308.82 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 89° 52' 46" W. ALONG THE EAST-WEST CENTERLINE OF SAID SECTION AND THE SOUTHERLY BOUNDARY OF GOVERNMENT LOT 4 A DISTANCE OF 1257.81 FT. (MORE OR LESS) TO A POINT ON THE WESTERLY BANK OF AN OLD MEANDERING CHANNEL OF THE SALMON RIVER;

THENCE THE FOLLOWING COURSES AND DISTANCES (MORE OR LESS) ALONG SAID BANK:

S. 24° 16' 46" W., 297.00 FT.; S. 30° 16' 46" W., 521.40 FT. TO THE EASTERLY BANK OF MEANDERING HIGHWATER CHANNELS OF THE SALMON RIVER;

THENCE THE FOLLOWING COURSES AND DISTANCES (MORE OR LESS) ALONG SAID BANK:

N. 12° 43' 14" W., 66.00 FT.; N. 21° 43' 14" W., 158.40 FT.;

N. 02° 20' 50" W., 510.54 FT. TO A POINT ON THE EAST-WEST CENTERLINE OF SECTION 18 AND THE SOUTHERLY BOUNDARY OF GOVERNMENT LOT 4; N. 01° 43' 14" W., 31.62 FT.;

THENCE N. 81° 46' 00" E. A DISTANCE OF 636.26 FT. (MORE OR LESS) TO THE WESTERLY BANK OF AN OLD MEANDERING CHANNEL OF THE SALMON RIVER;

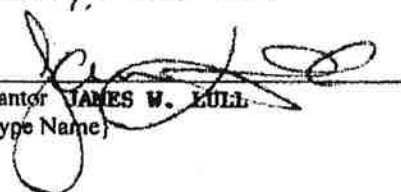
THENCE THE FOLLOWING COURSES AND DISTANCES (MORE OR LESS) ALONG SAID BANK:

S. 27° 16' 46" W., 47.12 FT.; S. 57° 31' 46" W., 151.80 FT. TO THE POINT OF BEGINNING.

RECEIVED
MAR 13 2007
IDWR/North

269359

WITNESS Grantor(s) hand(s) this the 26 day of July, 2006.

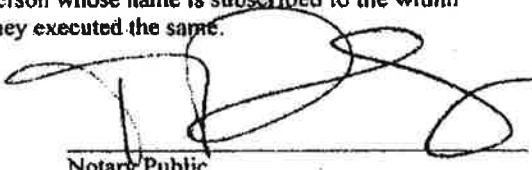

Grantor JAMES W. LULL
(Type Name)

STATE OF Hawaii
COUNTY OF Kauai

On this 26 day of July, in the year of 2006, before me,
Tricia A. Castillo-DeForge, a Notary Public, personally appeared
James W. Lull, known or identified to me (or proved to me on the oath of
(), to be the person whose name is subscribed to the within
instrument, and acknowledged to me that he/she/they executed the same.

(Seal)




Notary Public

Tricia A. Castillo-DeForge
Printed Name

My Commission Expires:
05/01/2009

Grantor(s) Name, Address, phone:
James W. Lull
4569 Kukui Street
Kapaa, Hawaii 96746
808-822-4423

Grantee(s) Name, Address, phone:
William R. Hancock
Kapaa 382, LLC
4569 Kukui Street
Suite 200
Kapaa, Hawaii 96746
808-652-4383
SEND TAX STATEMENTS TO GRANTEE

Certificate of Good Standing - Netscape

File Edit View Go Bookmarks Tools Window Help

http://hbe.hawaii.gov/cogs/details.html?c=MSTR&n=2743+C5

Search

Mail Home Radio Netscape Search Bookmarks

hawaii.gov *Business Name Search and COGS*
Dept. of Commerce and Consumer Affairs

Certificate of Good Standing

- Login
- Search
- Shopping Cart
- Authenticate a COGS

NOTE

If you want to purchase a Certificate of Good Standing, search for the company using the search page. Once you locate the company, view the company details. If the company/entity is in good standing, you will be able to purchase the COGS on that page.

LIVE HELP
 Click Live Help icon to begin chat

Business Information

Purchase a Certificate of Good Standing for this business:

Electronic COGS **\$7.50**
 Print unlimited copies using your computer.

Printed COGS **\$7.50 each**
 Mailed to you or available for pickup

General Information		Annual Filings	
Master Name	KAPAA 382, LLC	Filing Year	Status
Business Type	Domestic Limited Liability Company (LLC)	2008	Processed
File Number	2743 C5	2005	Processed
Status	Active	2004	Processed
Place Incorporated	Hawaii UNITED STATES	2003	Processed
Registration Date	Apr 7, 1999	2002	Not Required
Mailing Address	4569 KUKUI ST STE 200 KAPAA Hawaii 96746 United States of America	2001	Processed
Partner Terms	AT-WILL	2000	Processed
Managed By	MANAGER(S)	1999	Processed
Agent Name	WILLIAM R. HANCOCK		
Agent Address	4569 KUKUI ST STE 200 KAPAA Hawaii 96746 United States of America		

Trade Names, Trademarks and Service Marks

[View Trade Names, Trademarks and Service Marks for KAPAA 382, LLC](#)

Documents: Done (0.561 secs)

Start | [Icons] | 1:06 PM



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 14, 2007

SCANNED

FEB 14 2007

KAPAA 382 LLC
C/O William R. Hancock
4569 Kukui St. Ste. 200
Kapaa, HI 96746

Re: 75-14280

Dear Mr. Hancock

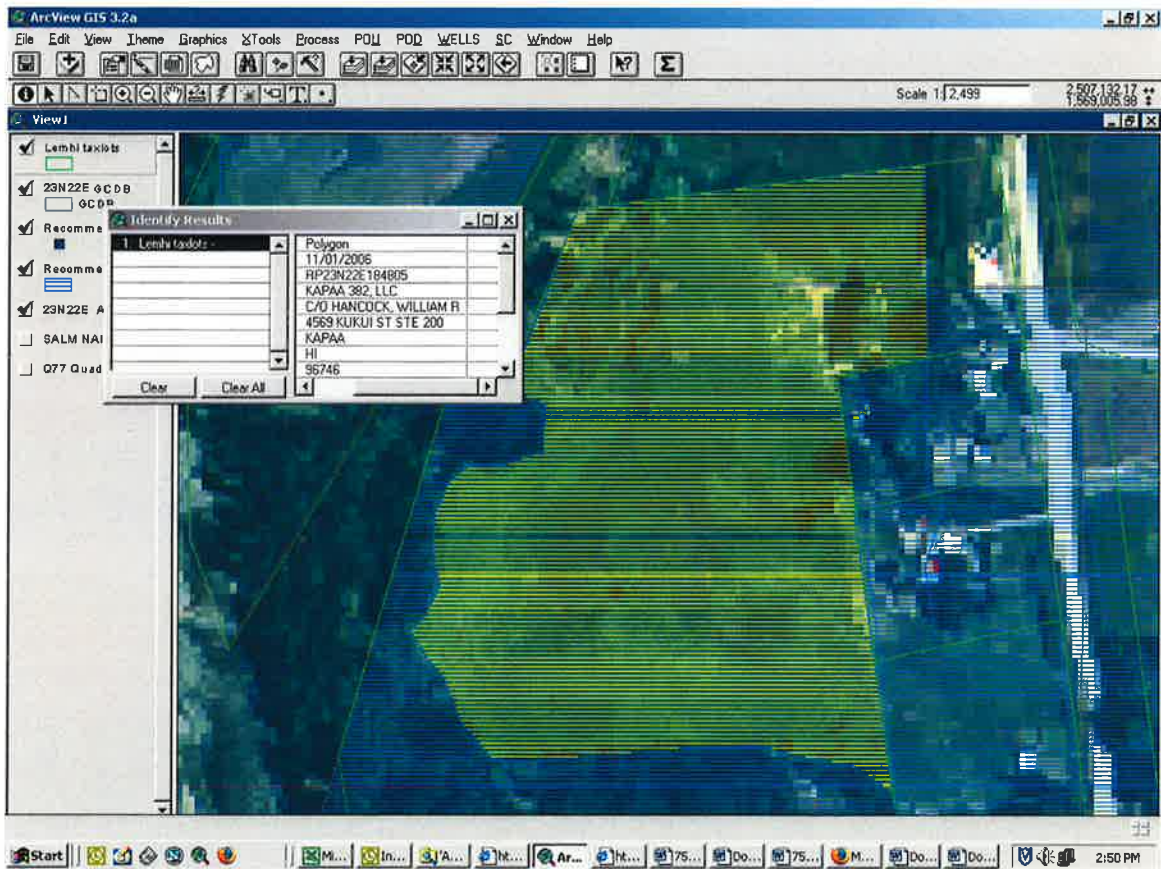
We have sent to the Snake River Basin Adjudication Court our recommendation of the enclosed water right. We have received information that you may now own the property and the associated water right. If you do own the property, then you need to file a change in water right ownership form and mail it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

Sincerely,

Kenneth Knoblock
Water Rights Supervisor

KK: cm

Encl.



75-14280



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 11, 2007

JAMES W LULL
4568 KUKUI ST
KAPAA HI 96746

Re: Tower Creek Adjudication Recommendation

Dear Mr. Lull:

Enclosed is a spreadsheet that summarizes recommendations filed with the SRBA court for claims for water from Tower Creek for properties that were settled in the 1890's or early 1900's. The claims had a wide array of priority dates and evidence in support of those priority dates was received. Some of you filed a Notice of Error in response to the Recommended Findings that were mailed out to claimants in November 2006. Some of you may have already received a response from us regarding your Notice of Error.

After looking at each right separately, we concluded that a more systematic approach to how recommendations were made was required. It seemed to us that it made sense to have the same priority date recommended for all of the property that was originally part of a single homestead. To that end we evaluated the Evidence of Priority information that was submitted and used the earliest date that we felt could be verified. In some cases documents were submitted that may reference dates earlier than what we have recommended, but the extent of development was not quantified. The spreadsheet lists the various water rights and the basis for the selection of the date used. Please note that you still have the option of filing an objection with the court if you disagree with these recommendations

If you have any questions please don't hesitate to contact us.

Sincerely

Robert G. Haynes P.E.
Regional Manager

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

CLAIM NO(s). 75-4099A

1. ☒ No Change NAME IS SAME George S. Arden
☒ NEW OWNER: JAMES W. Lull
☐ No Change ADDRESS
☐ NEW ADDRESS: 4568 KUKUI ST. KAPAA HI 96746
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0015045 GPS FILE * T061422A

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:

diversion in creek, ditch to place of use, ditch at
about 1/3 capacity

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: 1/4 _____	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

75-4099A Needs to be split, Cull purchased 35 acres
and Artemis retained 5 acres see map

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 6-14-05

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

```
filename: c:\docs\forms\ditch flow computations upgraded.xls
```

Measurement done by: B. Foster

Date if measurment: 6/14/2005

REW value: 1.00

LEW value: 4.00

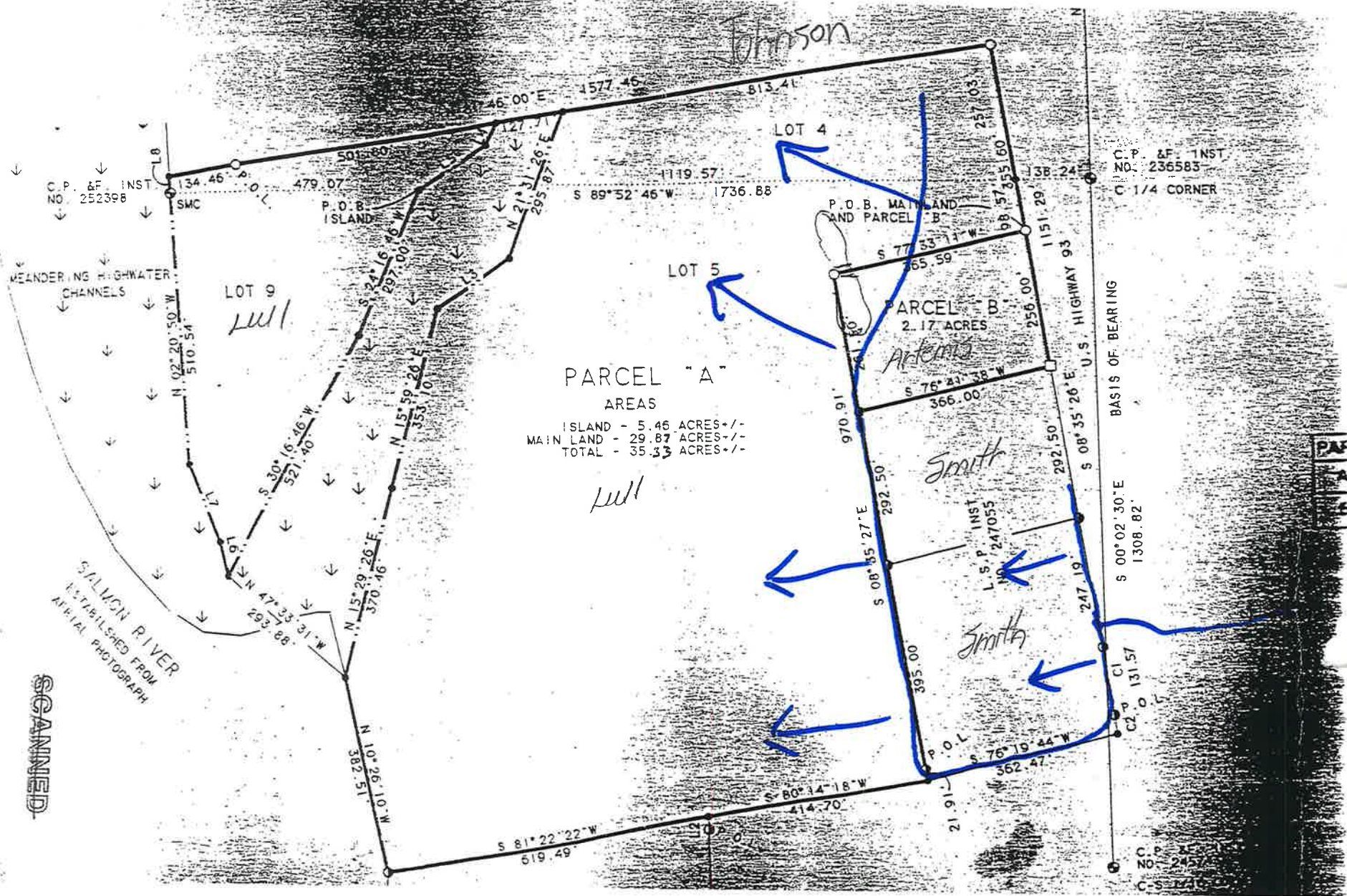
readings (ft): **0.50**

Make entries in cells without shading.

[illegible]

Diagram of delivery ditch
per Bob Foster 2/18/06

SCANNED



23N21E 23N22E

13

75-4099A



0.1 0 0.1 0.2 0.3 Miles

LEGEND

Leasehold lots

Township/Range

Sections

QQ

1993 11 11

Prepared By: Danielle Faurieu, G1305, 1800/1800/1

Split Analysis

Water Right Number: **75-4099A**

Diversion Rate: **0.49 CFS**

Reviewer Name: _____ R. Brown

Date: 5/17/2006

Acreage Analysis

[illegible]

Water Right Number: 75-4099A
 Diversion Rate: 0.49 CFS
 Reviewer Name: R. Brown
 Date: 38854

Split Tree

	75-14280 (18.9 ac & 0.47 cfs)
	75-14281 (1.0 ac & 0.02 cfs)
75-4099A (19.9 ac & 0.49 cfs)	

Summary

Right No:	Diversion Rate	Irrigated Acres	CFS / Acre
75-4099A	0.49	19.9	0.025
75-14280	0.47	18.9	0.025
75-14281	0.02	1	0.025

Bill Allen Escrow

P.O. BOX 1227
533 MAIN STREET
SALMON, ID 83467

TELEPHONE 208-756-2714
TELEPHONE 208-756-2720
FAX 208-756-2714

April 18, 2006

Roxanne Brown
Department of Water Resources
PO Box 83720
Boise ID 83720-0098

RECEIVED

APR 20 2006
DEPARTMENT OF
WATER RESOURCES

Re James W. Lull Water Transfer

James Lull has requested that we mail the enclosed information to you in connection with the change of water right ownership on his property.

Enclosed is a Notice of Change of Water Right Ownership which has been completed and signed by Mr. Lull. Also enclosed is a copy of the Warranty Deed showing the date when the property was transferred to Mr. Lull from Mr. and Mrs. Artemis.

If you need anything further please let me know.

Sincerely yours,


DIZ ALLEN

SCANNED

APR 21 2006

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

RECEIVED
 APR 20 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
#75-4099-A					

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) George and Joy Artemis
986 Highway 93 N., Carmen Id 83462
4. New Owner/Claimant(s) JAMES W. LULL
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 4568 Kukui St., Kapaa HI 96746
- City, State and ZIP Code _____
- New Telephone Number 808-822-4423
5. Date you acquired the property 9/18/2003

SCANNED

APR 21 2006

WARRANTY DEED

256013

RECEIVED

APR 20 2006

DEPARTMENT OF
WATER RESOURCES

Order No.:J07031915L-D

FOR VALUE RECEIVED

George Artemis and Jay Artemis, husband and wife

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

James W. Lull, a married man dealing with his sole and separate property

whose current address is

4568 Kulcui St. Kapun, HI 96746

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

PARCEL I:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOTS 4 AND 5, SECTION 18, T. 23 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE C ¼ CORNER OF SAID SECTION 18 FROM WHICH THE C-S 1/16 CORNER OF SAID SECTION 18 BEARS S. 00° 02' 30" E. A DISTANCE OF 1308.82 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 89° 52' 46" W. ALONG THE EAST-WEST CENTERLINE OF SAID SECTION AND THE SOUTHERLY BOUNDARY OF GOVERNMENT LOT 4 A DISTANCE OF 138.24 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93; THENCE S. 08° 35' 26" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 98.57 FT. TO THE POINT OF BEGINNING;

THENCE S. 77° 33' 11" W. A DISTANCE OF 365.59 FT.;

THENCE S. 08° 35' 27" E. ALONG THE WESTERLY BOUNDARY OF L.S.P. INST. NO. 247055 FILED IN THE LEMHI COUNTY COURTHOUSE A DISTANCE OF 970.91 FT.;

THENCE S. 80° 14' 18" W. A DISTANCE OF 414.70 FT. TO THE NE CORNER OF R.O.S. INST. NO. 234539 FILED IN THE LEMHI COUNTY COURTHOUSE;

THENCE S. 81° 22' 22" W. ALONG THE NORTHERLY BOUNDARY OF SAID R.O.S. A DISTANCE OF 619.49 FT. (MORE OR LESS) TO THE BANK OF THE SALMON RIVER;

THENCE (MORE OR LESS) N. 10° 26' 10" W. ALONG SAID BANK A DISTANCE OF 382.51 FT. TO A POINT ON THE EASTERLY BANK OF AN OLD MEANDERING CHANNEL OF THE SALMON RIVER; THENCE THE FOLLOWING COURSES AND DISTANCES (MORE OR LESS) ALONG SAID BANK:

N. 15° 29' 26" E., 370.46 FT.; N. 15° 59' 26" E., 353.10 FT.;

N. 57° 22' 26" E., 165.66 FT.; N. 21° 31' 16" E., 295.87 FT.;

THENCE N. 81° 46' 00" E. A DISTANCE OF 813.41 FT. (MORE OR LESS) TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;

THENCE S. 08° 35' 26" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 355.60 FT. TO THE POINT OF BEGINNING.

PARCEL II:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 9, SECTION 18, T. 23 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE C ¼ CORNER OF SAID SECTION 18 FROM WHICH THE C-S 1/16 CORNER OF SAID SECTION 18 BEARS S. 00° 02' 30" E. A DISTANCE OF 1308.82 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 89° 52' 46" W. ALONG THE EAST-WEST CENTERLINE OF SAID SECTION AND THE SOUTHERLY BOUNDARY OF GOVERNMENT LOT 4 A DISTANCE OF 1257.81

SCANNED

APR 21 2006

FT. (MORE OR LESS) TO A POINT ON THE WESTERLY BANK OF AN OLD MEANDERING CHANNEL OF THE SALMON RIVER; THENCE THE FOLLOWING COURSES AND DISTANCES (MORE OR LESS) ALONG SAID BANK;

S. 24° 16' 46" W., 297.00 FT.; S. 30° 16' 46" W., 521.40 FT. TO THE EASTERLY BANK OF MEANDERING HIGHWATER CHANNELS OF THE SALMON RIVER; THENCE THE FOLLOWING COURSES AND DISTANCES (MORE OR LESS) ALONG SAID BANK:

N. 12° 43' 14" W., 66.00 FT.; N. 21° 43' 14" W., 158.40 FT.;

N. 02° 20' 50" W., 510.54 FT. TO A POINT ON THE EAST-WEST CENTERLINE OF SECTION 18 AND THE SOUTHERLY BOUNDARY OF GOVERNMENT LOT 4; N. 01° 43' 14" W. 31.62 FT.;

THENCE N. 81° 46' 00" E. A DISTANCE OF 636.26 FT. (MORE OR LESS) TO THE WESTERLY BANK OF AN OLD MEANDERING CHANNEL OF THE SALMON RIVER; THENCE THE FOLLOWING COURSES AND DISTANCES (MORE OR LESS) ALONG SAID BANK:

S. 27° 16' 46" W., 47.12 FT.; S. 57° 31' 46" W., 151.80 FT. TO THE POINT OF BEGINNING.

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

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

Dated: 09/12/03

George Artemis
George Artemis

Joy Artemis
Joy Artemis

State of Idaho)

County of Lemhi) ss.

On this September 12, 2003, before me, a Notary Public in and for said state, personally appeared George Artemis and Joy Artemis

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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



Sheri Phillips
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 4/24/09

State of Idaho) 256013
County of Lemhi) SS No. _____
This instrument was filed for record at the request of Alliance Title
at 1:20 o'clock P.M. on 9-18 2003
and duly filed and indexed in the records of Lemhi County
Terry J. Morton
Deputy Recorder
By Shirley L. Morton Deputy
Fee 1.00
Return to AT

SCANNED

APR 21 2006



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

February 8, 2006

JAMES W LULL
4528 KUKUI ST
KAPAA HI 96746

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #75-4099A

Dear Claimant:

We have been notified you may be the current owner of part of the property and water right claim referenced above. Before we can change our records to reflect your ownership, we require the enclosed Notice of Change in Water Right Ownership form to be completed and returned.

Since this claim is still pending before the SRBA Court, there is no fee to change the ownership.

Please send your ownership change to the attention of **Roxanne Brown** at this address. Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:duplex
Enclosure:

Notice of Change in Water Right Ownership Form

SCANNED

FEB - 8 2006

WARRANTY DEED

256013

Order No.:3070319151.-D

COPY

FOR VALUE RECEIVED

George Artemis and Joy Artemis, Husband and Wife

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

James W. Lull, a married man dealing with his sole and separate property

whose current address is

4568 Kukui St. Kapaa, HI 96746

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

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SCANNED

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

Dated:

09/12/03

George Artemis
George Artemis

Joy Artemis
Joy Artemis

State of Idaho

}
} ss.

County of Lemhi

On this September 12, 2003, before me, a Notary Public in and for said state, personally appeared George Artemis and Joy Artemis

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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



Sheri Phillips
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 4/24/09

State of Idaho) SS No. 256013
County of Lemhi)
This instrument was filed for record at the request
of Alliana J. Riddle
at 3:08 o'clock P.m. 9-18-2003
and duly filmed and indexed in the records of Lemhi
County. Terri J. Morton
Ex-Officio Recorder
By Shonda A. King Deputy
Fee 60
Return to AT

SCANNED

[illegible]

.....

SCANNED

