

200 JUN 23 PM 1: 56

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Right 36-00034F

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 36-00034F

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
6/20/2000

36-00034F

PAGE 1

From (Claimant/Seller):

Name of Claimant: GAIL LEE DAVIS
MARDELL RADTKE
Address: 2810 S 850 E
HAGERMAN ID 83332
Phone: (208) 837-9020

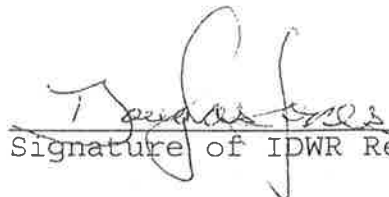
To (Claimant/Purchaser):

Name of Claimant: SHERRI MARTINAT
RICK L MARTINAT
Address: 2810 S 850 E
HAGERMAN ID 83332
Phone: (208) 837-6080

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 6/22/00



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/23/2000 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

GAIL LEE DAVIS
MARDELL RADTKE
2810 S 850 E
HAGERMAN ID 83332
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

SHERRI MARTINAT
RICK L MARTINAT
2810 S 850 E
HAGERMAN ID 83332
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: JUN-21-2000
PAGE: A-7

RIGHT NUMBER: 36-00034F

NAME & ADDRESS: SHERRI MARTINAT
RICK L MARTINAT
2810 S 850 E
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.06 CFS

PRIORITY DATE: 03/30/1884

POINT OF DIVERSION: T07S R13E S11 NWSENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	02-15 11-30	0.06 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S27 NWNE 1.5
1.5 ACRES TOTAL

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
WATER IS DELIVERED THROUGH THE BELL DITCH.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICK MARTINAT
SHERRI MARTINAT
2810 S 850 E
HAGERMAN ID 83332

RE: SRBA Claim(s) 36-00034F
Decreed Water Right 36-10207B

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding claim 36-00034F. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Enclosed you will also find a printout of decreed water right 36-00034F showing you as current owner. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Gail Lee and Mardell Davis

RECEIVED

OCT 08 1999

Department of Water Resources
Southern RegionSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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).: 36-0034F/36-10207B
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 for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Gail Lee Davis and Mardell Davis
2810 S 850 E, Hagerman, ID 83332
4. New Owner/Claimant(s) Rick L. and Sherri Martinat
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 2810 South 850 East, Hagerman, ID 83332
City, State and ZIP Code _____
New Telephone Number () 837-6080
5. Date you acquired the property 10-6-99
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
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.
7. Signature of New Owner or Claimant(s) Rick L. Martinat
Sherri Martinat
(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..

AJ5809NP
No. 36-102078

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/06/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GAIL LEE DAVIS	01/16/1973	DOMESTIC	01-01 12-31	0.020 CFS	
C	MARDELL RADTKE 2810 S 850 E HAGERMAN ID 83332 (208) 837-9020					
TOTAL DIVERSION:					0.020 CFS	

D COVEY HERITAGE
PO BOX 636
HAGERMAN ID 83332

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07S R13E S27

NWNNW

GOODING County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac								
07S	13E	27	: D	:	:	:	:	:	:	:	:	:	:	:	

POU County: GOODING

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP 07S13E270800.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 36A

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. 36-00034F

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/06/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GAIL LEE DAVIS	03/30/1884	IRRIGATION	03-15 11-15	0.060 CFS	
C	MARDELL RADTKE 2810S 850E HAGERMAN ID 83332 (208) 837-9020			TOTAL DIVERSION: CONSUMPTIVE USE:	0.060 CFS	4.50 AFA

D COVEY HERITAGE
PO BOX 636
HAGERMAN ID 83332

Water Source: BILLINGSLEY CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T07S R13E S11

NWSENE

GOODING County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		NE	NW	SW	SE	:	NE	NW	SW	SE	:	SUM		
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	
07s	13E	27	:	01	:	:	:	:	:	:	:	:	:	:	1.5	
														TOTAL ACRES	1.5	

POU County: GOODING

Other Rights: 36-00035F

Remarks: GEN

WATER IS DELIVERED THROUGH THE BELL DITCH.

0.03 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 36A

Field Inspection Flag:

Presumption Flag:

Bell Ditch

WARRANTY DEED

For Value Received

**Gail Lee Davis And Mardell Davis,
Husband And Wife.**

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

**Rick L. Martinat And Sherri Martinat,
Husband And Wife.**

the grantee(s), whose current address is

2810 SOUTH 850 EAST, HAGERMAN, ID 83332

the following described premises, to-wit:

See Attached Exhibit "A"

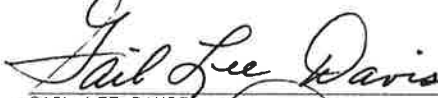
TOGETHER WITH water right numbers #36-00034F and 36-10207B.

AND

TOGETHER WITH 12 shares of Buckeye ditch water.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: October 6, 1999



GAIL LEE DAVIS


MARDELL DAVIS

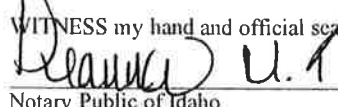
STATE OF IDAHO

SS

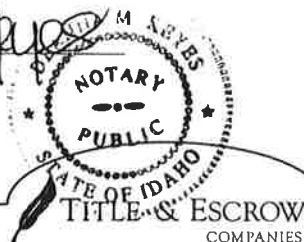
COUNTY OF GOODING

On This 6th day of OCTOBER, in the year 1999, before me, a Notary Public in and for said State, personally appeared **Gail Lee Davis And Mardell Davis**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.



Notary Public of Idaho
Residing at WENDELL, Idaho
Commission Expires: 03/22/02



G990452

EXHIBIT "A"

Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho

Section 27: A parcel of land located in the NW1/4NE1/4,
more particularly described as follows:

Commencing at the North Quarter corner of said Section 27;
Thence South $0^{\circ}55'18''$ West along the West boundary of the Northwest
Quarter of the Northeast Quarter of Section 27, for a distance of
403.52 feet to the TRUE POINT OF BEGINNING;
Thence South $89^{\circ}57'22''$ East for a distance of 222.63 feet;
Thence South $85^{\circ}30'03''$ East for a distance of 140.41 feet;
Thence South $89^{\circ}19'13''$ East for a distance of 378.76 feet to a point on
the East bank of Bell Irrigation Ditch;
Thence along the East bank of Bell Irrigation Ditch on the following courses:
South $50^{\circ}19'02''$ West, 32.85 feet;
South $71^{\circ}31'56''$ West, 26.94 feet;
South $56^{\circ}14'22''$ West, 108.36 feet;
Thence leaving the East bank of Bell Irrigation Ditch, South $89^{\circ}16'33''$
West for a distance of 277.18 feet;
Thence South $0^{\circ}55'18''$ West parallel with the West boundary of the
Northwest Quarter of the Northeast Quarter for a distance of 8.57
feet;
Thence North $89^{\circ}38'42''$ West for a distance of 325.0 feet to a point on
the West boundary of the Northwest Quarter of the Northeast
Quarter;
Thence North $0^{\circ}55'18''$ East along the West boundary of the Northwest
Quarter of the Northeast Quarter of Section 27 for a distance of
115.48 feet to the TRUE POINT OF BEGINNING.

182772

STATE OF IDAHO COUNTY OF GOODING
GOODING TITLE & ESCROW

Filed for record at the request of _____
45 min. past 4 o'clock P.m. this 16th
of October 1999 6:00
By Penny Archuleta Deputy



October 7, 1999

RECEIVED
OCT 08 1999
Department of Water Resources
Southern Region

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: 36-0034F
36-10207B

Dear Sir or Madame:

Enclosed please find a Notice of Change of Water Right Ownership to be filed with your office. Also enclosed is a copy of the recorded Warranty Deed for your reference.

If you have any questions or need anything further to complete this transfer, please do not hesitate to contact our office.

Sincerely,

GOODING TITLE & ESCROW CO.

DeNene M. Dixon
Escrow Assisant

/dmd
Encl.

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: **A36-00034F**

Date Received: 7/13/1988

Receipt No: X999999

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GAIL LEE DAVIS 208-837-9020
Address: 2810S 850E
HAGERMAN ID 83332

AND/OR

Name: MARDELL RADTKE 208-837-9020
Address: 2810S 850E
HAGERMAN ID 83332

2. Date of Priority: MAR 30, 1884

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	13E	11	SE	NE			GOODING

5. Description of diverting works:
VIA BELL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		

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

8. Total consumptive use is 4.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	27	NW	NE		IRR	1.5

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.5
					Total Acres	1.5

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A36-00035F

14. Remarks:

CHANGE OF OWNERSHIP 9-17-90.

CHANGE OF OWNERSHIP 4/14/94 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/22/1932

NEW INTERNATIONAL MORTGAGE BA
Decree Plaintiff

IDAHO POWER COMPANY
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 11 1994.

MICROFILMED
OCT 11 1994

Water Right Number - 36-00034F Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***

DAVIS GAIL LEE 1 - 2810S 850E
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-9020

RADTKE MARDELL 1 - 2810S 850E
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-9020

*** D - DIR RPT OWNER ***

COVEY HERITAGE 1 - PO BOX 636
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

03/30/1884 ERROR IN REGION D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

BILLINGSLEY CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +

TwN	Rng	Sec	Tract	Lot	RFlg	County
07S	13E	11	NW SE NE		(47)	GOODING

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	0.060	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +

0.060 4.5

+ - - - - Place of Use - - - - - +

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	13E	27	NW NE		1.5	01	IRRIGATION	(47) GOODING

Total Acres: 1.5

+ - - Diversion Means - VIA BELL DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-00035F

Prefix Translation: WATER RIGHT

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X999999	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

14-Apr-1994

CLIFF JENSEN
JENSEN REAL ESTATE
PO BOX 201
HAGERMAN ID 83332

RE: ADJUDICATION CLAIM(s) 36-10207B & 36-00034F - COVEY
HERITAGE to GAIL LEE DAVIS AND/or MARDELL RADTKE

Dear Mr. Jensen:

Pursuant to the notification that you are representing the new owners on the above-referenced Adjudication Claim(s), I am sending you copies of the profile reports showing you what is on our computer records. I could not remember whether we had discussed the issue of the Standard Form 3 that needs to be filled out according to the mailing instructions in the back. Please note that the Report for Basin 36 has been filed with the court and the recommendations for the above-listed right(s) remain listed in the former owners name.

If you have not already filed the Standard Form #No 3 (form enclosed) with the Adjudication Court here in Twin Falls, you will need to do so. Should you have any questions concerning Standard Form No 3, you can contact either this office or:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
Phone Number - 736-3011

Cordially,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg
Enclosures

MICROFILMED

OCT 11 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

MAR 30 1994

DATE OF CLOSING: 3-14-94

Department of Water Resources
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township 7 South Range 13 East, Boise Meridian

Section 27, NW 1/4 of NE 1/4 of 1/4, Govt. Lot N/A, BM.

Lot N/A, Block, N/A, Subdivision/Townsite N/A.

If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR: #A36-10207B and #A36-00034F

☒ Name and Address of Former Owner/Claimant(s)(Seller): Covey Heritage %Wanda Arford
P. O. Box #636

☒ New Owner/Claimant (Purchaser): Hagerman, Idaho 83332
Gail Lee Davis and/or Mardell Radtke

☐ New Mailing Address: 2810 South 850 East
Hagerman, Idaho 83332

☒ New Telephone Number: (208) 837 - 9020

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: Copy of the recorded Warranty Deed & copy of recommended water right
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Gail Lee Davis Date 3-28-94

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4/12/94 By: JS

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 4/12/94 By: JS

Claim Numbers of Split, if any:

MICROFILMED

OCT 11 1994

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



WARRANTY DEED

For Value Received

Bernadeen Headrick, a single woman,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Gail Lee Davis, a single man and Mardell Radtke, a single woman,
hereinafter referred to as Grantee, whose current address is

2810 South 850 East, Hagerman, ID 83332
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER with water right A36-10207B and A36-00034F.

156157
STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of FIRST AMERICAN TITLE
23 min. past 4 o'clock p.m. this 16
of March, 1994 b.d.
JOHN A. MYERS Recorder
By Julia Sch Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: March 12, 1994.

Bernadeen Headrick by Wanda Arford
Bernadeen Headrick, by Wanda Arford, her attorney-in-fact

STATE OF IDAHO)
: ss
COUNTY OF Twin Falls)

On This 12th day of March, in the year 1994, before me, a Notary Public in and for said State, personally appeared Wanda Arford, known or identified to me to be the person whose name is subscribed to the within Instrument as the attorney-in-fact of Bernadeen Headrick, and acknowledged to me that she subscribed the name of Bernadeen Headrick thereto as principal and her own name as attorney-in-fact.

SAN L. BENC

Susan L. Burch
Notary Public of Idaho

MICROFILMED
OCT 11 1994

QUITCLAIM DEED

For Value Received

Ten dollars

Covey Heritage

does (do) hereby convey, release, remise and forever quit claim
unto

Bernadeen Headrick

whose address is; 616 Blue Lakes Blvd. N. #166

the following described premises, to-wit:

Twin Falls, Idaho 83301

COPY

RECEIVED

APR 01 1994

Department of Water Resources
Southern Region Office

A parcel of land located in the
Northwest Quarter of the North-
east Quarter of Section 27,
Township 7 South, Range 13
East, Boise Meridian, Good-
ing County, Idaho.
See attached Exhibit A for
legal description;

together with their appurtenances.

Dated:

X

Ernest Covey

Wanda Covey

State of Idaho, County of Gooding
On this 28 day of Dec. 1993
before me a Notary Public in and
for said State personally appear-
ed Ernest Covey

known to me to be the Person(s)
whose name is subscribed to the
within instrument and acknowledged
to me that he she executed the
same.

Shelli Rae Mason
Notary Public

Residing at Gooding, Id
Com. Exp. 6-24-95

Fees \$

Mail Tax Notice to:

Name Bernadeen Headrick

Address 616 Blue Lakes Blvd N. #166

City and State Twin Falls, Idaho 83301

Mail deed to:

Same as above

State of Idaho, County of
On this 30th day of December 1993,
before me a Notary Public in and
for said State personally appear-
ed Wanda Covey
known to me to be the Person
whose name is subscribed to the
within instrument and acknowledg-
ed to me that he she executed the

Kim-Rogers
Notary Public

Residing at Jerome, ID
Com. Exp. 02/08/97

State of Idaho, County of

I hereby certify that this instru-
ment was filed for record at the
request of

at minutes past o'clock

m. this day of
1993 in my office, and duly recorded
in Book of Deeds at page

MICROFILMED
OCT 11 1994

Ex-Officio, Recorder

SD-0601-2 Last Name: COVEY

STATE

SE L	First Name	OW N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc

COVEY HERITAGE							
		C	A36-07437B	01/20/1974	GROUNDWATER	0.015	43 DOMEST
		✓C	36-00034F	03/30/1884	BILLINGSLEY	0.060	01 IRR
		C	36-10207B	01/16/1973	GROUNDWATER	0.020	43 DOMEST
		C	A36-00034F	03/30/1884	BILLINGSLEY	0.060	01 IRR
		C	A36-00035F	03/08/1902	WEATHERBY S	0.060	01 IRR
		✓C	A36-10207B	01/16/1973	GROUNDWATER	0.020	43 DOMEST
		C	36-07437B	01/20/1974	GROUNDWATER	0.015	43 DOMEST
		C	36-00035F	09/10/1884	BILLINGSLEY	0.030	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

OCT 11 1994



837-6116- *four*
BOX 201
HAGERMAN, ID
83332

RECEIVED

MAR 30 1994

Department of Water Resources
Southern Region Office

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

222 SHOSHONE STREET EAST

TWIN FALLS, IDAHO 83301

SDSN
MICROFILMED
837-6116

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: A36-00034F
Date Received: 7/13/1988
Receipt No: X999999
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: COVEY HERITAGE
Address: PO BOX 636
HAGERMAN ID

83332

2. Date of Priority: MAR 30, 1884

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	13E	11	SE	NE			GOODING

5. Description of diverting works:
VIA BELL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		

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

8. Total consumptive use is 4.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	27	NW	NE		IRR	1.5

Section Acres 1.5

Total Acres 1.5

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A36-00035F

14. Remarks:
CHANGE OF OWNERSHIP 9-17-90.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/22/1932

NEW INTERNATIONAL MORTGAGE BA
Decree Plaintiff

IDAHO POWER COMPANY
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
Organization and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

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

DATE OF CLOSING: July 2nd, 1991

AUG 11 1992

LEGAL DESCRIPTION OF PROPERTY: Township 07S Range 13E Department of Water Resources
Section 27, Part NW 1/4 of NE 1/4 of XXXXXXX 1/4, Govt. Lot BM Southern Region Office
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A36-00034F, A36-00035F, A36-10207 B
A36-07437 B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): James Fox
Fern 241 E Avenue A Wendell, Id. 83355
- ☐ New Owner/Claimant (Purchaser): Covey Heritage
- ☐ New Mailing Address: P.O. Box 636
Hagerman, Idaho 83332
- ☐ New Telephone Number: () -
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached:
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Covey Heritage Date 8/7/92
[Signature] Date
- ☐ Signature of Former Owner/Claimant(s): James Fox Date 8-7-92
[Signature] Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8-11-92 By: 3a

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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

MICROFILMED

JAN 21 1993

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: A36-00034F
Date Received: 7/13/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES FOX 208-837-0000
Address: P.O. BOX 636
2810 S. 850 E.
HAGERMAN, ID 83332

2. Date of Priority: MAR 30, 1884

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	13E	11	SE	NE			GOODING

5. Description of diverting works:
VIA BELL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		

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

8. Total consumptive use is 4.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	27	NW	NE		IRR	1.5

Section Acres 1.5

10. Place of Use: Continued

Total Acres 1.5

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A36-00035F

14. Remarks:
CHANGE OF OWNERSHIP 9-17-90.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/22/1932

NEW INTERNATIONAL MORTGAGE BAN
Decree Plaintiff

vs

IDAHO POWER COMPANY
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[] Water Right Number(s): A36-00034A, -00035D, A36-10207

[] Name and Address of
Former Claimant: Harold W. Smith and Wilma A. Smith
2810 South 850 East
Hagerman, Idaho 83332

[] New Claimant(s): James Fox

[] New Mailing Address: P. O. Box #636
2810 South 850 East, Route #1
Hagerman, Idaho 83332

New Telephone Number: (208) 837 -

[] Does the change in ownership result in a splitting of the
water right claimed? X yes no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

0.10 cfs from the Buckeye Ditch is to be transferred to the new owner.

0.06 cfs from the Bell Ditch is to be transferred to the new owner.

One-Half interest in the domestic well water rights.

[] Attach proof of ownership Copy of the recorded Warranty Deed & copy of
Describe proof attached: of the Domestic Well Agreement

[] Signature of New Claimant(s): James Fox

Date: September 17, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

MICROFILMED

JAN 21 1993



WARRANTY DEED

For Value Received

Harold W. Smith and Wilma A. Smith, husband and wife,
 hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto
 James Fox, a single man,
 hereinafter referred to as Grantee, whose current address is
 P.O. Box 636, Hagerman, ID, 83332

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together with 5 shares of water from Buckeye Ditch and 3 shares of
 water from Bell Ditch.

142284

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

26 min. past 3 o'clock P M. this 17
 of Sept, 19 90. Fee 4.80

JOHN A. MYERS, Recorder

By Nelson K. Pratt Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
 Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant
 to and with the said Grantee, that Grantor is the owner in fee simple of said
 premises; that said premises are free from all encumbrances except current years
 taxes, levies, and assessments, and except U. S. Patent reservations, restrictions,
 easements of record, and easements visible upon the premises, and that Grantor will
 warrant and defend the same from all claims whatsoever.

Dated: September 17th, 1990.

Harold W. Smith
 Harold W. Smith

Wilma A. Smith
 Wilma A. Smith

STATE OF IDAHO)
) ss
 COUNTY OF Gooding)

On This 17th day of September, in the year 1990, before me, a Notary Public
 in and for said State, personally appeared Harold W. Smith and Wilma A. Smith, known
 or identified to me to be the persons whose names are subscribed to the within
 Instrument, and acknowledged to me that they executed the same.



Susan M. Belton
 Notary Public for Idaho
 Residing at Gooding, Idaho
 Commission Expires: 10-16-92

First American Title Company of Idaho

EXHIBIT "A"

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 27, Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the North Quarter corner of said Section 27,
Thence South 0°55'18" West along the West boundary of the
Northwest Quarter of the Northeast Quarter of Section 27,
for a distance of 403.52 feet to the TRUE POINT OF
BEGINNING;

Thence South 89°57'22" East for a distance of 222.63 feet;
Thence South 85°30'03" East for a distance of 140.41 feet;
Thence South 89°19'13" East for a distance of 378.76 feet to
a point on the East bank of Bell Irrigation Ditch;

Thence along the East bank of Bell Irrigation Ditch on the
following courses:

South 50°19'02" West, 32.85 feet;

South 71°31'56" West, 26.94 feet;

South 56°14'22" West, 108.36 feet;

Thence leaving the East bank of Bell Irrigation Ditch,
South 89°16'33" West for a distance of 277.18 feet;

Thence South 0°55'18" West parallel with the West boundary of
the Northwest Quarter of the Northeast Quarter for a
distance of 8.57 feet;

Thence North 89°38'42" West for a distance of 325.0 feet to a
point on the West boundary of the Northwest Quarter of
the Northeast Quarter;

Thence North 0°55'18" East along the West boundary of the
Northwest Quarter of the Northeast Quarter of Section
27 for a distance of 115.48 feet to the TRUE POINT OF
BEGINNING.

Handwritten initials: HWS, MAS

MICROFILMED

JAN 21 1993

DOMESTIC WELL AGREEMENT

This Agreement is made and entered into this 17th, day of September, 1990, by and between Harold W. Smith and Wilma A. Smith, husband and wife, hereinafter referred to as "Smiths," and James Fox, a single man, hereinafter referred to as "Fox."

RECITALS:

1. Smiths own a domestic well, said well being located upon the South two acres of certain real property located in Gooding County, Idaho, described on Exhibit "A" which is attached hereto and by this reference made a part hereof. Said property is hereinafter referred to as "Parcel A."

2. Smiths are conveying to Fox said two acres and desire to reserve an undivided one-half interest in the domestic well located thereon for use upon the real property described on Exhibit "B" which is attached hereto and by this reference made a part hereof. Said property is hereinafter referred to as "Parcel B."

NOW, THEREFORE, the parties agree as follows:

1. Smiths shall retain and Fox grants to Smiths an undivided one-half interest in a domestic well and 50% of all water produced by the well located on Parcel A.

2. Smiths shall retain and Fox grants to Smiths a pipe line right of way along the existing pipe line from the well on Parcel A to the boundary of Parcel B, said right of way being seven and one-half feet on each side of said pipe line. Smiths shall be responsible for the maintenance and repair of said pipe line.

3. Any expenses incurred in the repair and maintenance of said well, pipes or appurtenances and building constructed in conjunction with the use of said well and the water it produces will be paid by one-half by the Smiths and one-half by Fox.

4. The well water will only be used by the parties for domestic household use and livestock watering. No water shall be used for irrigation purposes.

5. The electric pump is on Fox's electric meter. Smiths will pay to Fox the sum of \$5.00 per month for

1 electric power. If it is determined by the parties that the
2 cost of the electric power is less than or exceeds the sum of
\$5.00 per month, said monthly power payment will be adjusted
accordingly.

3 6. The rights to said well, water permit and pipe
4 line easement which are granted herein shall run with and
become an appurtenance to Parcel B.

5 7. The parties agree that this Agreement will be
binding upon their heirs and assigns.

6 IN WITNESS WHEREOF, the parties have signed this
7 Agreement the dates set forth opposite their respective
signature lines.

8 Dated: 89-17, 1990

Harold W. Smith
Harold W. Smith

9 Dated: 9-17, 1990

Wilma A. Smith
Wilma A. Smith

"Smiths"

10 Dated: Sept. 17, 1990

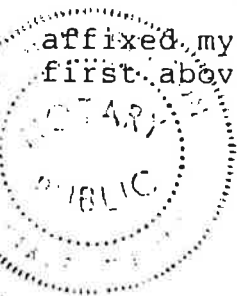
James Fox
James Fox

"Fox"

11 STATE OF IDAHO)
12) ss
13 County of Gooding)

14 On this 17th day of September, 1990, before
15 me, the undersigned, a Notary Public in and for said County
16 and State, personally appeared Harold W. Smith and Wilma A.
17 Smith, husband and wife, known to me to be the persons whose
18 names are subscribed to the foregoing instrument, and
19 acknowledged to me that they executed the same.

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



23 James M. Ballou
NOTARY PUBLIC FOR IDAHO
Residing at: Gooding ID
My Commission Expires: 10-16-92

MICROFILMED

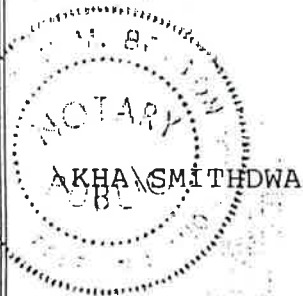
JAN 21 1993

1 STATE OF IDAHO)
2 County of Gooding) ss

3 On this 17th day of September, 1990, before
4 me, the undersigned, a Notary Public in and for said County
5 and State, personally appeared James Fox, known to me to be
6 the person whose name is subscribed to the foregoing
7 instrument, and acknowledged to me that he executed the
8 same.

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

12 Diana M. Holtz
13 NOTARY PUBLIC FOR IDAHO
14 Residing at: Gooding, Id
15 My Commission Expires: 10/16/92



16 142286

17 STATE OF IDAHO, COUNTY OF GOODING
18 Filed for record at the request of FIRST AMERICAN TITLE

19 29 min. past 3 o'clock P M. this 17
20 of Sept, 19 90. Fee \$21.00

21 JOHN A. MYERS, Recorder

22 By Nelson K. Pratt Deputy

EXHIBIT "A"

PARCEL A (Koopman)

Township 7 South, Range 13 East of the Boise Meridian

Section 27: Part of the NW 1/4 NE 1/4, described as follows:

Beginning at the Southwest corner of said NW 1/4 NE 1/4;

Thence N 0°24'E, 771.9 feet along the West line of said NW 1/4 NE 1/4 to the True Point of Beginning;

Thence N 89°50'E, 584.47 feet to the East bank of Bell Irrigation Ditch;

Thence along the East bank of said Bell Irrigation ditch the following courses and distances;

Thence N 55°31'E, 263.3 feet;

Thence N 22°59'E, 85.25 feet;

Thence N 56°09'E, 91.67 feet;

Thence N 18°59'E, 75.9 feet;

Thence N 36°06'E, 207.3 feet to the North line of said NW 1/4 NE 1/4;

Thence S 89°52'W, 1053.25 feet to the North quarter corner of said Section 27;

Thence S 0°24'W, along the West line of NW 1/4 NE 1/4, 516.5 feet to the point of beginning.

IN THE COUNTY OF GOODING, STATE OF IDAHO

Together with 12 shares of water in the Buckeye Ditch.

MICROFILMED

JAN 21 1993

EXHIBIT "B"

PARCEL B (Grace)

Township 7 South, Range 13 East of the Boise Meridian

Section 27: Part of the NW 1/4 NE 1/4 described as follows:

Beginning at a point on the West line of said NW 1/4 NE 1/4, from which the SW Corner of said NW 1/4 NE 1/4 bears S 0°24'W, 552.96 feet;

Thence N 89°50'E, 456.20 feet to a point on the East bank of the Bell Irrigation ditch;

Thence along said East bank the following courses and distances:

N 54°23'E, 68.04 feet;

N 14°03'E, 114.66 feet;

N 34°16'E, 82.85 feet;

Thence leaving said East Bank S 89°50'W, 584.47 feet to the West line of said NW 1/4 NE 1/4;

Thence S 0°24'W, 218.94 feet to the Point of Beginning

together with two shares of water from the Buckeye Ditch and eight inches of water from the Bell Ditch as decreed in 1884.

EXCEPTING THEREFROM:

That part of the NW 1/4 NE 1/4, described as follows:

Thence South 00°55'18" West, 638.44 feet to the REAL POINT OF BEGINNING, said point lies North 00°55'18" East, 4613.22 feet, from the South quarter corner of said Section, and North 00°55'18" East, 649.96 feet from Southwest corner of N 1/2 NE 1/4 of said Section;

Thence South $89^{\circ}38'42''$ East, 325.00 feet;
Thence South $00^{\circ}55'18''$ West, 97.00 feet;
Thence North $89^{\circ}38'42''$ West, 325.00 feet;
Thence North $00^{\circ}55'18''$ East, 97.00 feet,
to the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM:

That part of the NW 1/4 NE 1/4, described
as follows:

Commencing at the North quarter corner of
said Section 27;

Thence South $0^{\circ}55'18''$ West along the West
boundary of the of the NW 1/4 NE 1/4,
516.50 feet, said point lies North
 $0^{\circ}55'18''$ East, 4735.16 feet from the South
quarter corner of said Section 27;

Thence South $89^{\circ}38'42''$ East, 325.00 feet
to THE TRUE POINT OF BEGINNING;

Thence South $89^{\circ}38'42''$ East, 259.47 feet
to a point on the East bank of the Bell
Irrigation Ditch;

Thence along said East bank the following
courses and distances;

Thence South $34^{\circ}47'18''$ West, 82.85 feet;
Thence South $14^{\circ}34'18''$ West, 114.66 feet;
Thence South $54^{\circ}54'18''$ West, 68.01 feet;
Thence leaving said East bank North
 $89^{\circ}38'42''$ West, 131.22 feet to a point
that lies South $89^{\circ}38'42''$ East, 325.00
feet from the West boundary of said NW 1/4
NE 1/4;

Thence North $0^{\circ}55'18''$ East, 218.94 feet to
THE TRUE POINT OF BEGINNING.

TOGETHER WITH an easement for ingress and
egress described as follows:

Commencing at the North quarter corner of
said Section 27;

MICROFILMED
JAN 21 1993

Thence south $0^{\circ}55'18''$ West along the West boundary of the NW $1/4$ NE $1/4$, 613.44 feet to a point that lies North $0^{\circ}55'18''$ East, 4638.22 feet from the South quarter corner of said Section which point shall be known as THE TRUE POINT OF BEGINNING;

Thence South $89^{\circ}38'42''$ East, 325.00 feet to a point on the West boundary of the above described property;

Thence South $0^{\circ}55'18''$ West along the West boundary of the above described property 25.00 feet;

Thence North $89^{\circ}38'42''$ West, 325.00 feet to a point on the West boundary of said NW $1/4$ NE $1/4$;

Thence North $0^{\circ}55'18''$ East along the West boundary of said NW $1/4$ NE $1/4$, 25.00 feet to THE TRUE POINT OF BEGINNING.

MICROFILMED
JAN 21 1993

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

SPLIT CLAIM

Ident. Number: A36-00034A

Date Received: 7/13/1988

Receipt No: S000912

Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD W. SMITH 208-837-6537
Address: RT. 1, BOX 34
HAGERMAN, ID 83332

OR

Name: WILMA A. SMITH 208-837-6537
Address: RT. 1, BOX 34
HAGERMAN, ID 83332

2. Date of Priority: MAR 30, 1884

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	13E	11	SE	NE			GOODING

5. Description of diverting works:
VIA BELL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	13E	27	NW NE		IRR	10.0
Section Acres						10.0
Total Acres						10.0

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A36-00033A

14. Remarks:
TOTAL CONSUMPTIVE USE IS ON ABOVE WR. THIS WR AS CLAIMED ON
THE WARRANTY DEED IS PROBABLY BASED ON WR #36-00024. THIS
IS BELEIVED TO BE IN ERROR; WRONG POU. CORRECT POU LISTED
THE ABOVE WR# AS THE TRUE WR.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 3/22/1932

NEW INTERNATIONAL MORTGAGE BAN
Decree Plaintiff

IDAHO POWER COMPANY
Decree Defendant

vs

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 X do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Herold W. Smith Date: 07-13-1988
_____ Date: _____

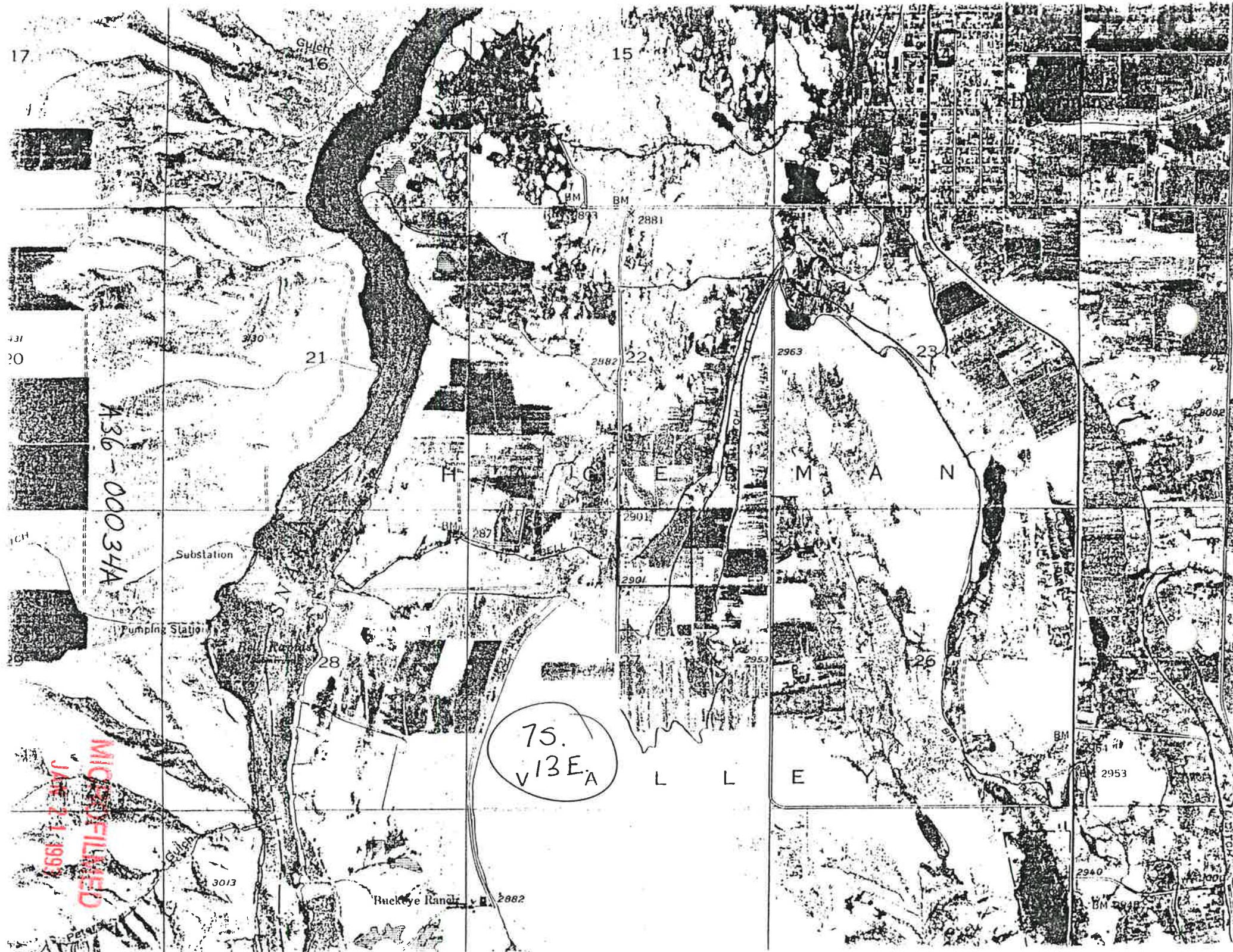
State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of July 19 88 Lan White
Notary Public

Seal

Residing at T.F.

My Commission Expires 5/95



A36-00034A

75.
V13E_A

MODIFIED
JAN 21 1993

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[☒] Water Right Number(s): A36-07437, A36-00034A, -00035D

[☒] Name and Address of Former Claimant: Harold W. Smith and Wilma A. Smith
2810 South 850 East
Hagerman, Idaho 83332

[☒] New Claimant(s): Lloyd Brown or Kathleen Brown

[☒] New Mailing Address: 2802 South 850 East
Hagerman, Idaho 83332

New Telephone Number: (208) 837 - 6101

[☒] Does the change in ownership result in a splitting of the water right claimed? X yes no

If yes, then describe the portion of the water right that is now claimed by the new owner:

0.24 ~~0.28~~ cfs from the Buckeye Ditch is to be transferred to the new owner.

* per phone call 0.10 cfs from the Bell Ditch is to be transferred to the new owner.

w/ Cliff Jensen. One-Half interest in domestic water right #36-07437

[☒] Attach proof of ownership Describe proof attached: Copy of the recorded Warranty Deed & Copy of the Hot Water Well Agreement

[☒] Signature of New Claimant(s): Lloyd Brown

Date: September 28, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-5-90 By: SCC

Further Action Needed: NO YES

Further Action Taken

Date: 10-9-90 By: SCC

Final Review and Data-Entry

Date: 10-9-90 By: SCC

Claim Numbers of Split, if any:

A36-07437A

A36-07437B

A36-00035G

- SMITH

A36-00034E
-00035E

} Brown

A36-00034F
-00035F

} FOX

MICROFILMED

JAN 21 1993



WARRANTY DEED

For Value Received

Harold W. Smith and Wilma A. Smith, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Lloyd Brown and Kathleen Brown, husband and wife,
hereinafter referred to as Grantee, whose current address is

2802 South 850 East, Hagerman, ID, 83332

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER WITH 14 shares of Buckeye Ditch water and 5 shares of Bell
Ditch water.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant
to and with the said Grantee, that Grantor is the owner in fee simple of said
premises; that said premises are free from all encumbrances except current years
taxes, levies, and assessments, and except U. S. Patent reservations, restrictions,
easements of record, and easements visible upon the premises, and that Grantor will
warrant and defend the same from all claims whatsoever.

Dated: September 28th, 1990.

Harold W. Smith
Harold W. Smith

Wilma A. Smith
Wilma A. Smith

STATE OF IDAHO)
COUNTY OF Gooding)

: ss

On This 28th day of September, in the year 1990, before me, a Notary Public
in and for said State, personally appeared Harold W. Smith and Wilma A. Smith, known
or identified to me to be the persons whose names are subscribed to the within
Instrument, and acknowledged to me that they executed the same.



William M. Ballin
Notary Public for Idaho
Residing at Gooding, Idaho
Commission Expires: 10/16/92

143408

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of **FIRST AMERICAN TITLE**

5 min past 1 o'clock P M. this 28th
of Sept 1990

JOHN A. MYERS, Recorder

First American Title Company of Idaho

MICROFILMED

JAN 21 1993

Part of the Northwest Quarter of the Northeast Quarter of Section 27, Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho, described as follows:

Beginning at the Southwest corner of said Northwest Quarter of the Northeast Quarter;
 Thence North 0°24' East, 771.9 feet along the West line of said Northwest Quarter of the Northeast Quarter to the True Point of Beginning;
 Thence North 89°50' East, 584.47 feet to the East bank of Bell Irrigation Ditch;
 Thence along the East bank of said Bell Irrigation Ditch the following courses and distances:
 Thence North 55°31' East, 263.3 feet;
 Thence North 22°59' East, 85.25 feet;
 Thence North 59°09' East, 91.67 feet;
 Thence North 18°59' East, 75.9 feet;
 Thence North 36°06' East, 207.3 feet to the North line of said Northwest Quarter of the Northeast Quarter;
 Thence South 89°52' West, 1053.25 feet to the North Quarter Corner of said Section 27;
 Thence South 0°24' West along West line of the Northwest Quarter of the Northeast Quarter 516.5 feet to the Point of Beginning.

LESS AND EXCEPTING:

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 27, Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the North Quarter corner of said Section 27,
 Thence South 0°55'18" West along the West boundary of the Northwest Quarter of the Northeast Quarter of Section 27, for a distance of 403.52 feet to the TRUE POINT OF BEGINNING;
 Thence South 89°57'22" East for a distance of 222.63 feet;
 Thence South 85°30'03" East for a distance of 140.41 feet;
 Thence South 89°19'13" East for a distance of 378.76 feet to a point on the East bank of Bell Irrigation Ditch;
 Thence along the East bank of Bell Irrigation Ditch on the following courses:
 South 50°19'02" West, 32.85 feet;
 South 71°31'56" West, 26.94 feet;
 South 56°14'22" West, 108.36 feet;
 Thence leaving the East bank of Bell Irrigation Ditch, South 89°16'33" West for a distance of 277.18 feet;
 Thence South 0°55'18" West parallel with the West boundary of the Northwest Quarter of the Northeast Quarter for a distance of 8.57 feet;
 Thence North 89°38'42" West for a distance of 325.0 feet to a point on the West boundary of the Northwest Quarter of the Northeast Quarter;
 Thence North 0°55'18" East along the West boundary of the Northwest Quarter of the Northeast Quarter of Section 27 for a distance of 115.48 feet to the TRUE POINT OF BEGINNING.

MICROFILMED

JAN 21 1993

H. W. J. H. W. J.

HOT WATER WELL AGREEMENT

This Agreement is made and entered into this 17th day of September, 1990, by and between Harold W. Smith and Wilma A. Smith, husband and wife, hereinafter referred to as "Smiths," and James Fox, a single man, hereinafter referred to as "Fox."

RECITALS:

1. Smiths own a State of Idaho Department of Water Resources Water Permit No. 36-7437 for a hot water well, said well being located upon the south two acres of certain real property located in Gooding County, Idaho, described on Exhibit "A" which is attached hereto and by this reference made a part hereof. Said property is hereinafter referred to as "Parcel A."

2. Smiths are selling said south two acres to Fox and desire to retain the balance of said property.

3. Smiths desire to retain an undivided one-half interest in said unfinished well for use on that portion of Parcel A which they are not selling to Fox.

4. Smith and Fox desire to set forth their respective interest in said hot water well.

NOW, THEREFORE, the parties agree as follows:

1. Smiths shall retain and Fox grants to Smiths an undivided one-half interest in a hot water well located on Parcel A.

2. Smiths shall retain and Fox grants to Smiths a fifteen foot right of way (7-1/2 feet on each side of said pipe) from the well site itself to the Smiths' property. Smiths shall use the most direct route possible for placement of the pipe line. Smiths shall be responsible for all costs of installation and maintenance of said pipe line.

3. Any expenses incurred in the repair and maintenance of said well, pipes or appurtenances and building constructed in conjunction with the use of said well and the water it produces will be paid by one-half by the Smiths and one-half by Fox. Provided, however, the cost to complete the well shall be the sole and exclusive expense of Smiths.

1 4. The parties acknowledge that the well is
2 presently unfinished and plugged at the bottom and that
3 Smiths may abandon the well if they so desire or may at their
4 expense deepen the well at no cost to Fox. Should Smith
elect to deepen the well, Fox hereby grants the right of
ingress and egress for the purpose of drilling said well
deeper. Should Smiths elect not to deepen the well, they may
keep any cash settlement received from Justice Drilling Co.

5 5. If the well is not deepened within three
6 years, their right shall lapse and Smiths will have no right
in said hot water well.

7 6. The rights to said well, water permit and pipe
8 line easement which are granted herein shall run with and
become an appurtenance to that portion of Parcel A that is
being retained by Smiths.

9 7. The parties agree that this Agreement will be
binding upon their heirs and assigns.

10 IN WITNESS WHEREOF, the parties have signed this
11 Agreement the dates set forth opposite their respective
signature lines.

12 Dated: 9-17, 1990

Harold W. Smith
Harold W. Smith

14 Dated: 9-17, 1990

Wilma A. Smith
Wilma A. Smith

"Smiths"

17 Dated: Sept 17, 1990

James Fox
James Fox

"Fox"

19 STATE OF IDAHO)
20) : ss
County of Gooding)

21 On this 17 day of September, 1990, before
22 me, the undersigned, a Notary Public in and for said County
and State, personally appeared Harold W. Smith and Wilma A.
Smith, husband and wife, known to me to be the persons whose

names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

Susan M. Bolton
NOTARY PUBLIC FOR IDAHO
Residing at: Gooding, ID
My Commission Expires: 10-16-92

STATE OF IDAHO)
County of Gooding) : ss

On this 17th day of September, 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared James Fox, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

Susan M. Bolton
NOTARY PUBLIC FOR IDAHO
Residing at: Gooding, ID
My Commission Expires: 10-16-92

\KHA\SMITHWW

142287 up

STATE OF IDAHO, COUNTY OF GOODING
Filed for record at the request of FIRST AMERICAN TITLE

30 min. past 3 o'clock P M. this 17
of Sept, 1990. Fee \$12.00

JOHN A. MYERS, Recorder

By Heidi K. Pratt Deputy

HOT WATER WELL AGREEMENT - 3

MICROFILMED

JAN 21 1993

EXHIBIT "A"

PARCEL A (Koopman)

Township 7 South, Range 13 East of the Boise Meridian

Section 27: Part of the NW 1/4 NE 1/4, described as follows:

Beginning at the Southwest corner of said NW 1/4 NE 1/4;

Thence N 0°24'E, 771.9 feet along the West line of said NW 1/4 NE 1/4 to the True Point of Beginning;

Thence N 89°50'E, 584.47 feet to the East bank of Bell Irrigation Ditch;

Thence along the East bank of said Bell Irrigation ditch the following courses and distances;

Thence N 55°31'E, 263.3 feet;

Thence N 22°59'E, 85.25 feet;

Thence N 56°09'E, 91.67 feet;

Thence N 18°59'E, 75.9 feet;

Thence N 36°06'E, 207.3 feet to the North line of said NW 1/4 NE 1/4;

Thence S 89°52'W, 1053.25 feet to the North quarter corner of said Section 27;

Thence S 0°24'W, along the West line of NW 1/4 NE 1/4, 516.5 feet to the point of beginning.

IN THE COUNTY OF GOODING, STATE OF IDAHO

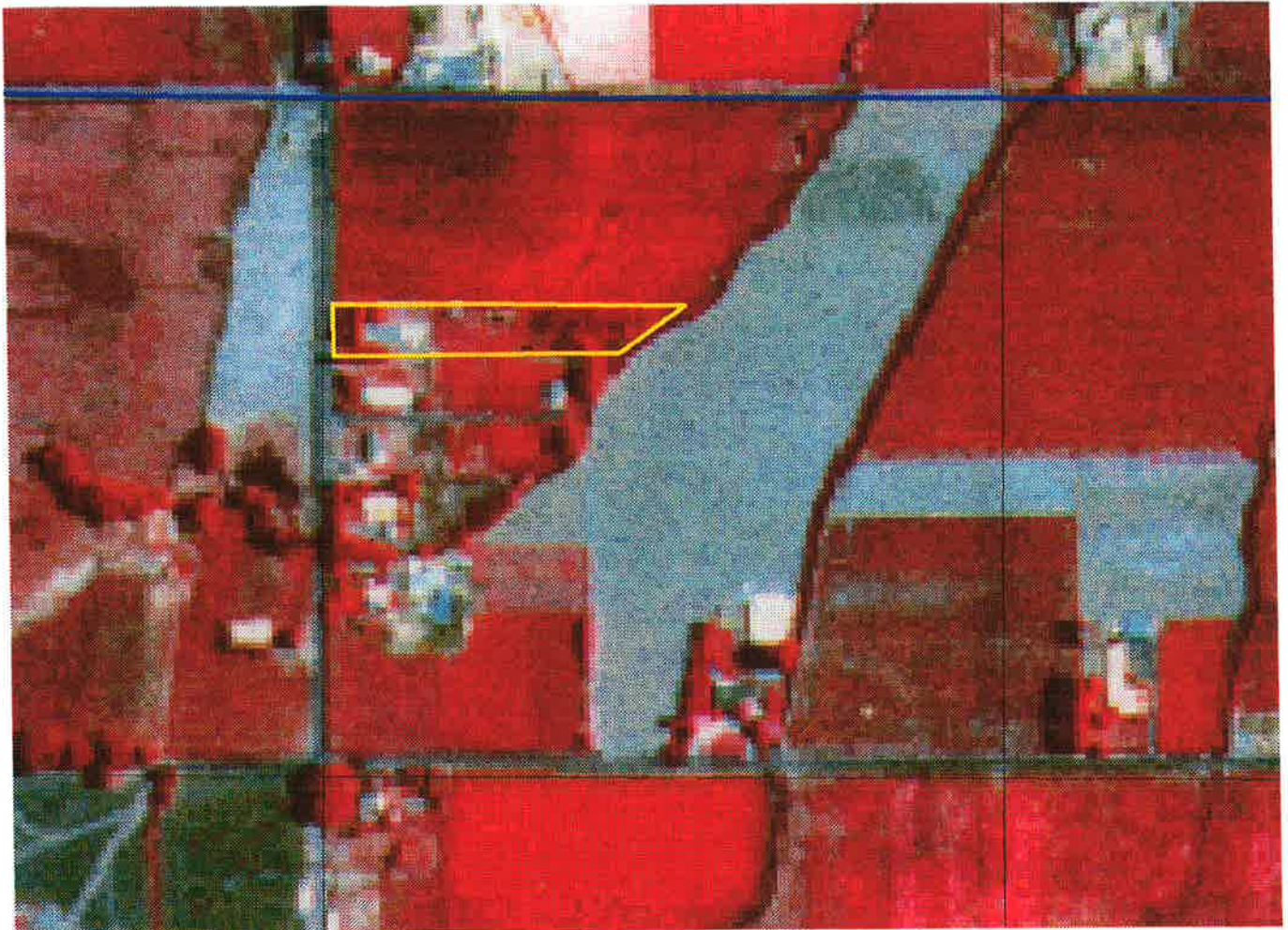
Together with 12 shares of water in the Buckeye Ditch.

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JAN 21 1993

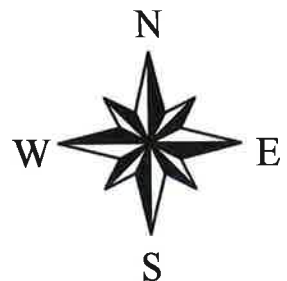
IDAHO DEPARTMENT OF WATER RESOURCES

36-00034F



660 0 660 Feet

TNS 7S, RNG 13E
SEC 27, NWNE



⊙ Recommended Point of Diversion

□ Recommended Place of use

— Section lines

□ Quarter/Quarter Lines

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY OCTOBER 1997
BY STEVE CLELLAND

CLAIM NUMBERS 36-00034FDATE 10/29/97

TRANSFER NUMBER _____

OBJECTION FILED _____

AGENT SWTOTAL ACRES FROM RECOMMENDATION 1.5GEOGRAPHIC INFO SYSTEM 1.34

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	<u>7s</u>	<u>13E</u>	<u>27</u>		<u>1.5</u>														<u>1.5</u>
GIS					<u>1.34</u>														<u>1.34</u>
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF _____

POLYGON CREATED ON 604 (✓) 10/29/97 SW

B36-DBPOD.DBF _____

ATTRIBUTES OF B36-POU.SHP 700 SW 10/29/97ATTRIBUTES OF B36-POD.SHP 455

P/U CONFLICT yes () no (X)

P/D CONFLICT yes () no (X)

READY FOR DECREE yes (X) no ()

SENT FOR DECREE yes (X) no ()

KKC: 8/13/97

R PROOF



CVR



MAPS



PHOTOS



MISC

MICROFILMED
JAN 21 1993

VERIFIED BY

Sc

MICROFILMED

JAN 21 1993

Water Right Number - R36-00034F Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
COVEY HERITAGE

1 - PO BOX 636
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-0000

*** O - ORIGINAL OWNER ***
SMITH HAROLD W

1 - RT 1 BOX 34
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-6537

SMITH WILMA A

1 - RT 1 BOX 34
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-6537

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/30/1884 ERROR IN REGION D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BILLINGSLEY CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 13E 11 NW SE NE (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.060

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.060 4.5

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 13E 27 NW NE 1.5 01 IRRIGATION (47) GOODING

Total Acres: 1.5

+ - - Diversion Means - VIA BELL DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-00035F

Water right number - R36-00034F

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
WATER IS DELIVERED THROUGH THE BELL DITCH.
0.03 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

+ - - - - - Old Water Right Numbers - - - - - +
3600034A

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +
Date: 08/07/1992 User Id: CHRISTEN Subject: COPIED FROM REMARKS
CHANGE OF OWNERSHIP 9-17-90.
Date: 08/11/1992 User Id: CLELLAND Subject: CHANGE OF OWNERSHIP
FORM RECEIVED THIS DAY, SIGNED OFF BY FORMER OWNER, JAMES FOX, TO COVEY HERITAGE.

+ - - Audit Fields - - +
08/11/92 CLELLAND

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 08/11/1992	Old Judicial District	-
Claim Received Date	- 07/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X999999	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
JAN 21 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:07:54
06/28/90

PAGE: 15
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-00034A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	N		8-16-90 SCU	N		SCU 8-7-92	DB 10-22-90	KKS 8-7-92
POINT OF DIV	Y N			(Y)	12456			
SOURCE	N			N				
PLACE OF USE	Y (Y)			N	12456			
DIV. AMOUNT CFS/VOLUME	Y N			N				
CONSUMPTIVE USE	- N			N				
PURPOSES	N			N	5.6			
PERIOD OF USE	Y N			(Y)	6.			
BASIS OF CLAIM	Y N			N				
REMARKS	Y N			(Y)	6			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

SPLIT:

A36-00034 E BROWN

A36-00034 F FOX

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JAN 21 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:07:54
06/28/90

CLAIM NUMBER: A36-00034A

PAGE: 1
GENERAL INFORMATION

LAST: SMITH
ADDRESS: RT. 1 BOX 34
CITY: HAGERMAN
PHONE NUMBER: 208-837-6537

FIRST: HAROLD W.
STATE: ID ZIP: 83332

OWNER CODE: C

LAST: SMITH
ADDRESS: RT. 1 BOX 34
CITY: HAGERMAN
PHONE NUMBER: 208-837-6537

FIRST: WILMA A.
STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: TOTAL CONSUMPTIVE USE IS ON ABOVE WR. THIS WR AS CLAIMED ON
THE WARRANTY DEED IS PROBABLY BASED ON WR #36-00024. THIS
IS BELIEVED TO BE IN ERROR; WRONG POU. CORRECT POU LISTED
THE ABOVE WR# AS THE TRUE WR.

MICROFILMED
JAN 21 1993

CONTACT PERSON: HAROLD Smith

PHONE NUMBER: () -

DATE OF FIELD EXAM: 8/16/90

APPOINTMENT MADE: Y() N(☒)

TIME: 3:45 A() P(☒)

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

I spoke to MR. + MRS. Smith about the system they use + the divisions for the neighboring lots.

Change of ownership of this property from Fox to Corey Heritage per Mr. Arford.
I did a field exam on this parcel 8-6-92 to confirm the divisions, use & system and the ownership of various splits of this right.

RECORDED
MICROFILMED

JAN 21 1993

A. AJ CLAIM: # A36-00034A PRIORITY DATE: 03-30-1884 STAGE: D
B. WR RECORD: # 36-00034 PRIORITY DATE: 03-30-1884 STAGE: D

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS: Priority date is same for both 36-00024 & 00034. Therefore priority same regardless of
which decreed rt. this is based on
36-00034 is the correct right. see

This use is Diverted from the Bell Ditch.
allow This Basis of Claim.

see 8-7-92

RECOMMENDED PRIORITY DATE:
03-30-1884

REVIEWED BY hht

DATE 7-12-90

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JAN 21 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-00034A	07S	13E	11		SE	NE		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A36-00025	NONE
A36-00087	
A36-07658	
A36-10409	

WR RECORDS IN SAME 40 ACRE TRACT

36-00003
36-00005
36-00019
36-00021
36-00024
36-00025
36-00026
36-00027
36-00035A
36-00035B
36-00039A
36-00039B
36-00040
36-00051
36-00052
36-00064
36-00065
36-00067
36-00071
36-00076
36-00077
36-00082
36-00083
36-00085
36-00087
36-00088
36-00089
36-00090
36-00091
36-00094
36-00095
36-00096
36-00103
36-00108
36-00112A
36-00112B
36-00113B
36-00113C
36-00113D
36-00125
36-04008
36-04115
36-04261
36-07271
36-07658
36-07739

MICROFILMED

JAN 21 1993

36-07834
36-07840
36-07853
36-07875
36-07957
36-08058
36-08319
36-08335

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.
36-00034	07S	13E	11

1/4

1/4

1/4

LOT

CNTY

GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-00003
36-00005
36-00019
36-00021
36-00024
36-00025
36-00026
36-00027
36-00035A
36-00035B
36-00039A
36-00039B
36-00040
36-00051
36-00052
36-00064
36-00065
36-00067
36-00071
36-00076
36-00077
36-00082
36-00083
36-00085
36-00087
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36-00089
36-00090
36-00091
36-00094
36-00095
36-00096
36-00103
36-00108
36-00112A
36-00112B
36-00113B
36-00113C

A36-00025
A36-00087
A36-07658
A36-10409
A36-00051D
A36-10119
A36-10120
A36-10751
A36-10752
A36-10755
A36-10061
A36-00103B
A36-00108A
A36-00003G
A36-00027
A36-00039C
A36-00090E
A36-00051B
A36-00076A
A36-00089B
A36-00089D
A36-10283
A36-10312
A36-00090A
A36-00003D
A36-00090B
A36-00090C
A36-00090D
A36-00090F
A36-00108F
A36-00125A
A36-00026
A36-00051C
A36-00071A
A36-00089A
A36-00108C
A36-00108D
A36-00108E

NONE

MICROFILMED
JAN 21 1993

36-00113D
36-00125
36-04008
36-04115
36-04261
36-07271
36-07658
36-07739
36-07834
36-07840
36-07853
36-07875
36-07957
36-08058
36-08319
36-08335

A36-00108H
A36-04008
A36-04115
A36-04261
A36-00113B
A36-10316
A36-10588
A36-00039J
A36-00096A
A36-00113F
A36-00113G
A36-10559
A36-00048B
A36-00048C
A36-10223
A36-00103A
A36-00003B
A36-00003C
A36-00003E
A36-00003F
A36-00003J
A36-00039G

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FBI

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
22

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>7S</u>	<u>13E</u>	<u>11</u>	<u>NW</u>	<u>SE</u>	<u>NE</u>	<u>—</u>	<u>Gooding.</u>

change
Qain

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

REVIEWED BY: hwt

DATE: 7-12-90

VIA Bell Ditch

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A. ROOT WATER RIGHT NUMBERS: A36-00034A
A36-00034B
A36-00034C
A36-00034D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	13E	27	NW	NE		SMITH, HAROLD W.	A36-00034A /10.0	-	38.0	10	
						STURTEVANT, JOYCE	A36-07252 /	36-07252 /			
						SMITH, HAROLD	A36-07437 /	36-07437 /			
						SMITH, HAROLD W.	A36-10207 /	-			
						DRAGE, GORDON	A36-10392 /	-			
						SCHUEERMANN, RUTH F.	A36-10472 /	-			
						BEUTLER, KAY E.	A36-10616 /	-			
						SHAFFER, ROGER	A36-00034B / 1.0	-			
						DRAGE, GORDON	A36-00034C / 5.0	-			
						SMITH, WILMA A.	A36-00033A /10.0	-			
						CLIFFORD, EDNA N.		36-00033 /			
						CLIFFORD, EDNA N.		36-00034 /			
						BIG BEND IRRIGATION & MINING C		36-00133 /			
						BIG BEND IRRIGATION & MINING C		36-00192 /			
TOTAL ACRES							A36-00034A	10.00	38.00	10.0	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y
FIELD EXAMINER N

"R" Claim Split:

A36-00034 E

NW NE

8.0

A36-00034 F

NW NE

1.5

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Portion for this
Right 1.5

PRESUMPTION FLAG:

REMARKS:

POU includes the Rental house + yard to the immediate South
of Smith's houses

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

1.5 this claim
~~10.0~~
KKC 7-24-92
SCU

DATE: 9-18-90

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(in change of ownership no water was allotted for this rental house and yard.)

A. AJ CLAIMED USES:

PURPOSES
A36-00034A IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

4-1 10-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.160 CFS
.160 CFS

B. WR RECORDED USES:

PURPOSES
36-00034 IRRIGATION

MONTH/DAY
FROM TO

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.500 CFS
1.500 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE
N
Y
Y

FIELD EXAMINER
N
Y
N

H/A KKC
Excessive water

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(✓) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(✓) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(X)

AJ TOTAL CLAIMED DIVERSION RATE: 0.160 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.500 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y N

B. FLOW MEASUREMENT

MEASUREMENT METHOD Theoretical, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A36-00033A NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-00034A	BILLINGSLEY CREEK	SMITH , HAROLD W.	0.160	0.016		
A36-00034B	BILLINGSLEY CREEK	SHAFFER , ROGER	0.020	0.020		
A36-00034C	BILLINGSLEY CREEK	DRAGE , GORDON	0.200	0.040		
A36-00033A	WEATHERBY SPRINGS	SMITH , WILMA A.	0.320	0.032		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-07252	STOCKWATER	STURTEVANT , JOYCE	FROM 01-01 TO 12-31	.002 CFS	.70 AF/A
A36-07252	DOMESTIC	STURTEVANT , JOYCE	FROM 01-01 TO 12-31	.030 CFS	.60 AF/A
A36-07437	DOMESTIC	SMITH , HAROLD	FROM 01-01 TO 12-31	.030 CFS	.50 AF/A
A36-10207	DOMESTIC	SMITH , HAROLD W.	FROM 01-01 TO 12-31	.040 CFS	
A36-10392	DOMESTIC	DRAGE , GORDON	FROM 01-01 TO 12-31	.040 CFS	
A36-10392	STOCKWATER	DRAGE , GORDON	FROM 01-01 TO 12-31	.040 CFS	
A36-10472	DOMESTIC	SCHEUERMANN , RUTH F.	FROM 01-01 TO 12-31	.040 CFS	
A36-10616	DOMESTIC	BEUTLER , KAY E.	FROM 01-01 TO 12-31	.040 CFS	

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D.

1a. IRRIGATION RATE

ACRES 10 x 0.02 CFS/ACRE = 0.20 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(X) N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(X) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 30.0 AF/A

ACRES 10 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 30 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 10 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 40 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

P/A = 1.5 acres

0.02 max legal limit

~~*0.20*~~

claimed .06 cfs

** Allow conveyance loss 0.03 cfs*

*1.5
* 3 AF*

4.5 AFA consider

KKC

TOTAL = 0.06 cfs

*The Base claim 34D was for 10 Acres & sprinkler irrigation therefore
@ 1" per acre the max allowable is 0.20 CFS orig claim = 0.16 CFS*

*(original claim for 10 Acres
and prevents allowance of 0.03 cfs for less than
the 5 acre lot limit.*

*- although a portion of this lot is furrow irrigated,
back near the Bell Ditch, surrounding irrigation analysis
reviews for surrounding fields indicates no more than
0.02 cfs/Acre is required on these soils. see 8-7-92*

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	~~01-15~~ <u>4-15</u>	~~0.160~~ <u>0.160</u>	~~40~~ <u>N/A</u>	~~30.0~~ <u>30.0</u>
TOTAL FOR THIS RIGHT	<u>41</u> <u>10.31</u>	<u>0.160</u>	<u>0.06</u>	<u>30.0</u> <u>4.5</u> <u>KRC</u>

REVIEWED BY: hht DATE: 7-12-90

~~Can't recommend more than claimed~~

See 8-7-92

F01 = Bell Ditch
D02 = 0.03 cfs

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(X)	()
(X)	()
(X)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-00034

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.500	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-00034	A36-00034A	0.160	-		36-00034	1.500
A36-00034	A36-00034B	0.020	-		36-00034	1.500
A36-00034	A36-00034C	0.200	-		36-00034	1.500
A36-00034	A36-00034D	0.400	-		36-00034	1.500
TOTAL CFS		0.780				1.500

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

REMARKS:

AUTHENTICATION:

SIGNATURE: Steve [Signature]

DATE: 9-18-90

NAME OF FIELD EXAMINER: _____ TITLE: _____

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PARENT RIGHT NO. 36-00034 TOTAL DIVERSION RATE 1.50 cfs
PREPARATION DATE 8-7-92 Scu

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A36-00035D N.W.V

(B.C.) - BELL -
- B.C. -

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JAN 1 1993

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	13E	27	NW	NE		SMITH, WILMA A.	A36-00035D / 10.0	-	38.0	10	10
						STURTEVANT, JOYCE	A36-07252	36-07252			
						SMITH, HAROLD W.	A36-10207				
						DRAGE, GORDON	A36-10392				
						SCHEUERMANN, RUTH F.	(A36-10472)				
						BEUTLER, KAY E.	A36-10616				
						SMITH, HAROLD W.	A36-00034A / 10.0				
						SHAFER, ROGER	A36-00034B / 1.0				
						DRAGE, GORDON	A36-00034C / 5.0				
						BROWN, LLOYD	A36-07437A				
						FOX, JAMES	A36-07437B				
						DRAGE, GORDON	A36-07437C				
						CLIFFORD, EDNA N.	R36-00034C / 5.0				
						CLIFFORD, EDNA N.					
						BIG BEND IRRIGATION & MINING C		36-00033			
						BIG BEND IRRIGATION & MINING C		36-00034			
						SMITH, HAROLD		36-00133			
								36-00192			
								36-07437			
TOTAL ACRES							A36-00035D	10.00	38.00		10.0

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)

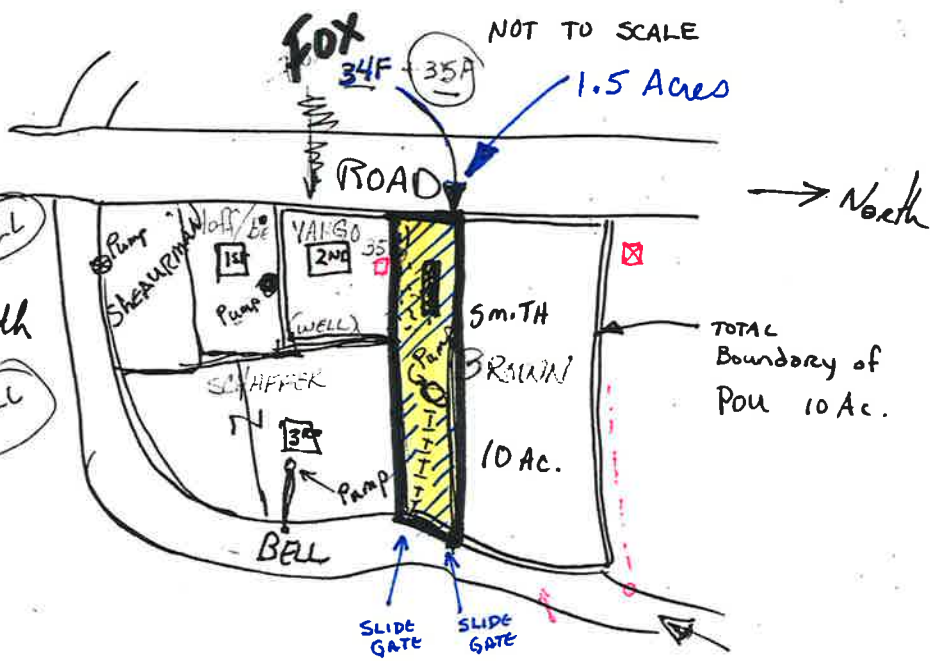
C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

1ST = House Hoffman (Beutler) BELL

2ND = House - rented owned by Smith BELL

3RD House = (see above) SHAFER BELL
No Home, But a Shop



Plan Report

A36-00034F

CONVEYANCE LOSS - WORSTELL

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	5100	7.0	2.00	0.90	0.17	7.13	0.1265	0.02	10.90
2	11700	7.0	2.00	2.07	2.24	6.96	0.2973	0.95	9.83
3	2500	7.0	2.00	0.44	0.19	4.72	0.0937	0.10	5.52
4	900	7.0	2.00	0.16	1.55	4.53	0.0351	0.86	4.88
5	1100	7.0	2.00	0.19	2.98	2.98	0.0653	1.84	3.17
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	21300			3.77	7.13			3.77	

BELL DITCH

loss is shared with other
Rights @ 0.03 cfs / Right

REACH = SECTION OF CHANNEL
 LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
 OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
 AVE WIDTH = AVERAGE TOP WIDTH OF REACH
 SEEPAGE = SOIL SEEPAGE RATE OF REACH
 WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD
 DELIVERY = TOTAL DELIVERIES IN REACH
 DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)
 LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT
 DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
 REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH
 FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

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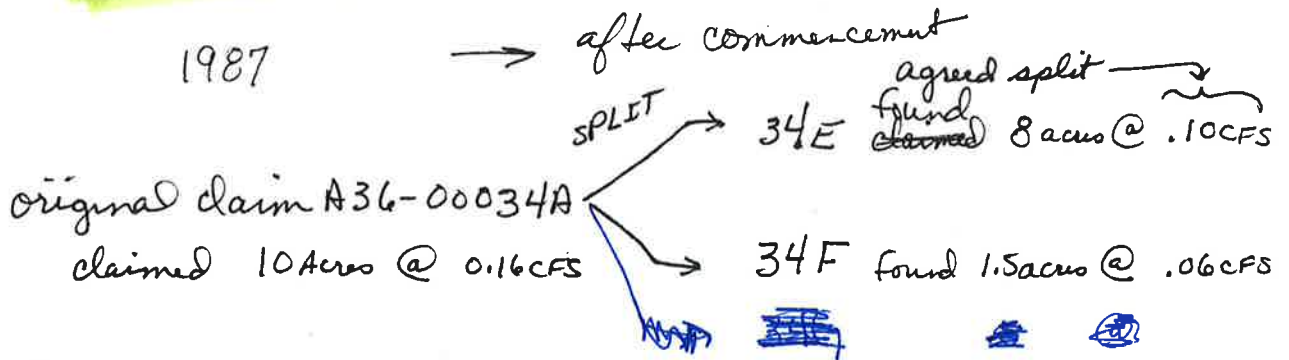
A36- 00034 E
- 00034

A36-00035 E
- 00035 F

7-24-92

1987

→ after commencement

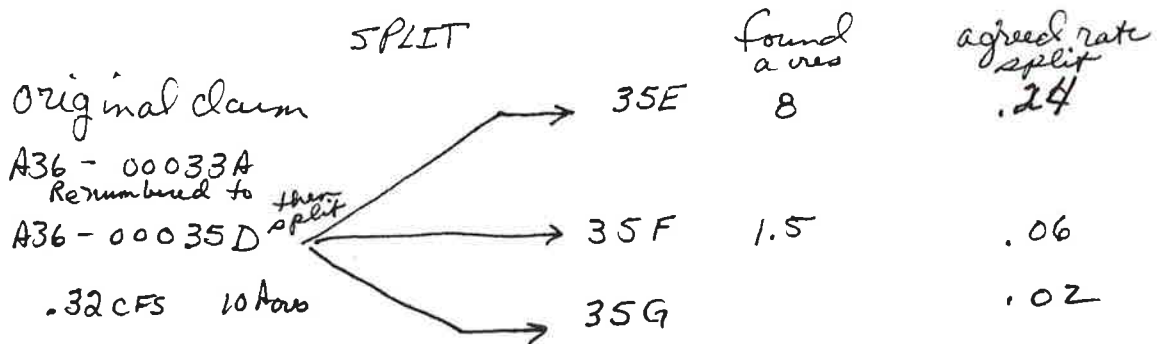


Recommendation based on claim 34A & split agreement
Base right would have been Recommended for 9.5 acres @ .16 CFS
∴ because of split 34E is recommended for 8 acres @ .10 CFS
As claimed

34F is recommended for 1.5 acres @ .04 CFS
Based upon 0.03 CFS/ACRE for
sprinkles irrigation .045 $\approx$.05

1987

→ after commencement



Same analysis as above apply, Giving
35E Recommendation 8 acres @ .16 CFS
35F Recommendation 1.5 acres @ .04 CFS

analysis by KKC.

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