

36-00091B



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

January 18, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH TUCKER
PO BOX 152
HAILEY ID 83333

RE: SRBA Claim(s) 36-00091

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. 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.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Gordon and Betty Fobes

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

SUBCASE NO. 36-00091B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

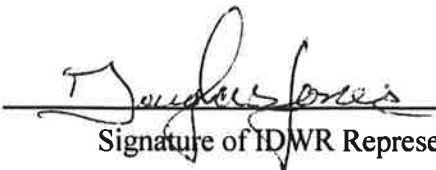
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

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

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

Dated: 1/17/01


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/18, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Gordon Fobes
Betty Fobes
PO Box 47
Hagerman ID 83332
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Kenneth Tucker
PO Box 152
Hailey ID 83333
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

01/09/2001

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

RIGHT NUMBER: 36-91B

NAME AND ADDRESS: KENNETH L TUCKER
PO BOX 152
HAILEY, ID 83333

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.16 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 SESENE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	2-15 11-30	0.16 CFS

PLACE OF USE:

IRRIGATION Within GOODING County
T07S R13E S14 SESW 4

4 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH THE BUCKEYE DITCH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

*forwarded special
moved to Nevada*



- ☐ MOVED, LEFT NO ADDRESS
- ☐ NOT DELIVERABLE AS ADDRESSED
- ☐ UNABLE TO FORWARD
- ☐ ATTEMPTED - NOT KNOWN
- ☐ UNCLAIMED ☐ REFUSED
- ☐ NO SUCH STREET - NUMBER
- ☐ DO NOT REMAIN IN THIS ENVELOPE
- ☐ INSUFFICIENT ADDRESS
- ☐ NO MAIL RECEPTACLE
- ☐ BOX CLOSED NO ORDER

GORDON FOBES
BETTY FOBES
PO BOX 47
HAGERMAN ID 83332



RECEIVED
FEB 26 2001
Department of Water Resources
Southern Region

COPY

2001 JAN 25 AM 11:04

FILED
TWIN FALLS CO., IDAHO

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

SUBCASE NO. 36-00091B

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

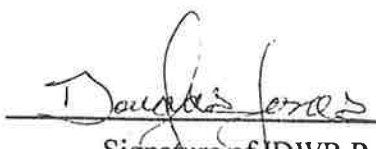
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

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

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

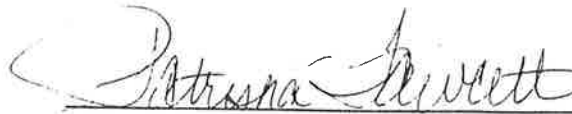
Dated: 1/25/01


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1/25, 2001, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Kenneth Tucker
PO Box 152
Hailey ID 83333
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
William M Sears
Juanita P Sears
96 Crystal Ln Box 94
Victor ID 83455
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

01/25/2001

RIGHT NUMBER: 36-91B

NAME AND ADDRESS: JUANITA P SEARS
WILLIAM M SEARS
96 CRYSTAL LN BOX 94
VICTOR, ID 83455

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.16 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 SESENE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	2-15 11-30	0.16 CFS

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>	
T07S R13E S14	SESW 4

4 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH THE BUCKEYE 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

January 25, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM M SEARS
JUANITA P SEARS
96 CRYSTAL LN BOX 94
VICTOR ID 83455

RE: SRBA Claim(s) 37-00091B

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. 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.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Kenneth Tucker

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

RECEIVED**JAN 24 2001**Department of Water Resources
Southern Region

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
36-00091B	AJ5808NP				

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) Kenneth L. Tucker
4. New Owner/Claimant(s) William M. Sears and Juanita P. Sears
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 96 Crystal Lane Box 94
- City, State and ZIP Code Victor, ID 83455
- New Telephone Number ()
5. Date you acquired the property January 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)
- William M. Sears *William M. Sears*
- Juanita P. Sears *Juanita P. Sears*

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

For Office Use Only

Received by <i>gawitt</i>	Date <i>1-24-01</i>	Fee <i>0</i>
Receipted by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

TRANSMITTAL COVER SHEET

TO: LisaFAX # 934-5890TOTAL PAGES SENT: 3
(including cover sheet)DOCUMENT DESCRIPTION: PROOF REPORT OF SNAKERIVER BASIN ADJUDICATION DECREE 36-00091 B

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES1341 FILLMORE ST, STE 200TWIN FALLS ID 83301-3380PHONE: 736-3033FAX: 736-3037CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)Please consider this document as a billing statement.
The charge for your fax copies is:

Please remit to the above address.

SENDER:

COMMENTS:

WE DO HAVE A CHANGE OF OWNERSHIP
FILED TO CHANGE THE OWNERSHIP FROM
FOBES TO TUCKER. HOWEVER, WE HAVE
NOT YET PROCESSED THIS CHANGE.

AJ5808NP
(00-26)IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

01/03/01 10:20:30

Page 1

Water Right Number - 36-000918

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

FOBES

GORDON

1 - PO BOX 47

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6376

FOBES

BETTY

1 - PO BOX 47

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6376

*** O - ORIGINAL OWNER ***

ELLSTON

ARTHUR

1 - PO BOX 404

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6511

+ - - Priority Date - - +

09/10/1884

+ - - Region - - - +

17 SOUTHERN

+ - - Stage - - - +

D - DECREED

+ - - Status - - - - +

+ - - Source - - - - - +

BILLINGSLEY CREEK

+ - - Tributary - - - - - +

SNAKE RIVER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name
----	-----	-----	-------	-----	------	--------	--------------------	----------------

07S	13E	11	SE SE NE			(47) GOODING	BUCKEYE DITCH	
-----	-----	----	----------	--	--	--------------	---------------	--

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	0.160	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.160			0.0	

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	13E	14	SE SW		4.0	01	IRRIGATION	(47) GOODING

Total Acres: 4.0

+ - - Diversion Means - VIA BUCKEYE DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Received: 01/03/2001 11:28
1/3/01 12:00PM
2087363636

2087363037 -> LANDUIT - GOODING ->
IDWR SOUTHERN REGION

PAGE 03

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

01/03/01 10:21:02
Page 2

Water right number - 36-00091B

Prefix Translation: WATER RIGHT

+ - - - - - Remarks - - - - - +

EXP WATER IS DELIVERED THROUGH THE BUCKEYE DITCH.

+ - - - - - Old Water Right Numbers - - - - - +

3600091

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

+ - - - - Decree Plaintiff - - - +
STATE OF IDAHO

+ - - - - Decree Defendant - - - +
UNITED STATES ET AL

+ - Decree Date - +
12/29/1997

+ - - Audit Fields - 08/22/96 SCLELLAN 08/23/96 SCLELLAN 12/10/97 SCLELLAN 02/19/98 PD-DSHAF

+ - - - - - Comments - - - - - +

Date: 08/13/1992 User Id: WORSTELL Subject: SPLIT FROM 36-00091
Date: 08/23/1996 User Id: SCLELLAN Subject: COPIED FROM REMARKS
WATER IS DELIVERED THROUGH THE BUCKEYE DITCH.
RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.
LOSSES IN DELIVERY OF THIS RIGHT.
Date: 12/10/1997 User Id: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

A DIVERSION RATE OF 0.13 CFS AT THE FIELD HEADGATE IS
0.03 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE

+ - - - - - 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	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/07/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 36A
Licensed Date	- 00/00/0000	Receipt Number	- X999999	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

WARRANTY DEED

#GG-02451

For Value Received

Kenneth L. Tucker , a single man

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

William M. Sears and Juanita P. Sears, husband and wife
Address: 96 Crystal Lane Box 94, Victor, ID 83455

Hereinafter called the Grantee, the following described premises situated in **Gooding** County, Idaho, to-wit:

See Attached Schedule A

SUBJECT TO:



All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 2000, which are an accruing lien, but not yet due and payable.

Assessments levied or to be levied by any local irrigation district.

Power Line Easement given by Mabel M. Thompson to Idaho Power Company, a corporation, dated March 7, 1949, recorded March 29, 1949 in Book 6 on Page 416 as Instrument Number 108404, Gooding County records, affecting W1/2 W1/2 SW1/4 and Tax No.33, all in Section 14, Township 7 South, Range 13, East Boise Meridian.

Power Line Easement given by Arthur B. Ellston and Anna M. Ellston, husband and wife, to Idaho Power Company, a corporation, dated September 11, 1973, recorded March 22, 1974 as Instrument Number 49421, Gooding County records, affecting a portion of the SW1/4 of Section 14, Township 7 South, Range 13, East Boise Meridian.

Statement of Intent to Declare Manufactured Home as Real Property, recorded December 7, 2000 as Instrument Number 188507, Gooding County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 5, 2001


Kenneth L. Tucker

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

SCHEDULE A

Order Number: GG-02451

TOWNSHIP 7 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN, GOODING COUNTY,
IDAHO

Section 14: That part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Beginning at the Southwest corner of Lot 14 in Block 61 of Hagerman Townsite;
Thence North along the West boundary of Lot 14 in Block 61 for a distance of 125.00 feet to
the Northwest corner of said Lot 14;
Thence West along the extended South boundary of an alley in Block 61 for a distance of
660.00 feet to the Northwest corner of vacated Lot 10 in Block 62 of Hagerman
Townsite;
Thence South 275.00 feet to the South boundary of vacated Reserved Block 64 of Hagerman
Townsite;
Thence East along the South boundary of vacated Reserved Blocks 64 and 65 for a distance
of 660.00 feet;
Thence North 150.00 feet to the TRUE POINT OF BEGINNING.

AND

That part of the vacated part of Hagerman Townsite that is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, and
being all that part that lies East of the East boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, being part of Lot 9 in
Block 62, part of South Avenue and part of Outlot 64, all of which is further described as
follows:

Commencing at the Southeast corner of the Southwest quarter of the Southwest quarter of
said Section 14;
Thence North 00°02'33" East along the East boundary of the Southwest quarter of the
Southwest quarter for a distance of 228.05 feet to the TRUE POINT OF
BEGINNING;
Thence continuing North 00°02'33" East along the East boundary of the Southwest quarter of
the Southwest quarter for a distance of 275.00 feet;
Thence South 89°55'54" East for a distance of 13.40 feet to the Northwest corner of Lot 10 in
Block 62;
Thence South 00°04'06" West for a distance of 275.00 feet to a point on the South boundary
of Outlot 64;
Thence North 89°55'54" West along the South boundary of Outlot 64 for a distance of 13.27
feet to the TRUE POINT OF BEGINNING.

AND

That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Beginning at the Southwest corner of Block 65 reserved of Hagerman Townsite;
Thence West along the extended South line of Block 65 reserved for a distance of 460.0 feet
to the Southwest corner of Block 64 reserved, being the TRUE POINT OF
BEGINNING;
Thence East 50.0 feet;
Thence North 90.0 feet;
Thence West 50.0 feet;
Thence South 90.0 feet to the TRUE POINT OF BEGINNING.

LESS AND EXCEPTING the following described parcel of land:

A part of the vacated part of the Hagerman Townsite that is located in the Southwest quarter
of the Southwest quarter and being all that part of Outlot 64 that lies West of the East
boundary of the Southwest quarter of the Southwest quarter of said Section 14, which is
further described as follows:

Commencing at the Southeast corner of the Southwest quarter of the Southwest quarter of
said Section 14;
Thence North 00°02'33" East along the East boundary of the Southwest quarter of the
Southwest quarter for a distance of 228.05 feet to the TRUE POINT OF
BEGINNING;
Thence continuing North 00°02'33" East along the East boundary of the Southwest quarter of
the Southwest quarter for a distance of 90.0 feet;
Thence North 89°55'54" West along the North boundary of Outlot 64 for a distance of 36.69
feet to the Northwest corner of Outlot 64;
Thence South 00°04'06" West along the West boundary of Outlot 64 for a distance of 90.0
feet to the Southwest corner of Outlot 64;
Thence South 89°55'54" East along the South boundary of Outlot 64 for a distance of 36.73
feet to the TRUE POINT OF BEGINNING.

QUITCLAIM DEED

GG-02451

For Value Received

Kenneth L. Tucker, a single man

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

William M. Sears and Juanita P. Sears, husband and wife
ADDRESS: 96 Crystal Lane Box 94, Victor, ID 83455

Hereinafter called the grantee, the following described premises, in Gooding County, Idaho to-wit:

0.16 Shares of irrigation water, under partial decree #36-00091B from the Snake River Basin Adjudication Court, and delivered by the Buckeye Ditch. This water right is appurtenant to the attached legal description described as Schedule A.

W.M. Sears

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: January 5, 2001

Kenneth L. Tucker

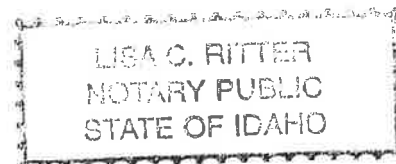
Kenneth L. Tucker

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 5 day of January, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Kenneth L. Tucker, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

[Signature]

Notary Public
Residing at: *Hagerman, ID*
My Commission expires: *10/06/04*



Instrument # 188914

GOODING, GOODING, IDAHO

2001-01-08 04:11:15 No. of Pages: 3

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

Fee: 9.00

Diane Houser

SCHEDULE A

Order Number: GG-02451

TOWNSHIP 7 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 14: That part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Beginning at the Southwest corner of Lot 14 in Block 61 of Hagerman Townsite;
Thence North along the West boundary of Lot 14 in Block 61 for a distance of 125.00 feet to the Northwest corner of said Lot 14;
Thence West along the extended South boundary of an alley in Block 61 for a distance of 660.00 feet to the Northwest corner of vacated Lot 10 in Block 62 of Hagerman Townsite;
Thence South 275.00 feet to the South boundary of vacated Reserved Block 64 of Hagerman Townsite;
Thence East along the South boundary of vacated Reserved Blocks 64 and 65 for a distance of 660.00 feet;
Thence North 150.00 feet to the TRUE POINT OF BEGINNING.

AND

That part of the vacated part of Hagerman Townsite that is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, and being all that part that lies East of the East boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, being part of Lot 9 in Block 62, part of South Avenue and part of Outlot 64, all of which is further described as follows:

Commencing at the Southeast corner of the Southwest quarter of the Southwest quarter of said Section 14;
Thence North 00°02'33" East along the East boundary of the Southwest quarter of the Southwest quarter for a distance of 228.05 feet to the TRUE POINT OF BEGINNING;
Thence continuing North 00°02'33" East along the East boundary of the Southwest quarter of the Southwest quarter for a distance of 275.00 feet;
Thence South 89°55'54" East for a distance of 13.40 feet to the Northwest corner of Lot 10 in Block 62;
Thence South 00°04'06" West for a distance of 275.00 feet to a point on the South boundary of Outlot 64;
Thence North 89°55'54" West along the South boundary of Outlot 64 for a distance of 13.27 feet to the TRUE POINT OF BEGINNING.

AND

CONTINUED

CONTINUATION

SCHEDULE A

Order Number: GG-02451

That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Beginning at the Southwest corner of Block 65 reserved of Hagerman Townsite;
Thence West along the extended South line of Block 65 reserved for a distance of
460.0 feet to the Southwest corner of Block 64 reserved, being the TRUE
POINT OF BEGINNING;

Thence East 50.0 feet;

Thence North 90.0 feet;

Thence West 50.0 feet;

Thence South 90.0 feet to the TRUE POINT OF BEGINNING.

LESS AND EXCEPTING the following described parcel of land:

A part of the vacated part of the Hagerman Townsite that is located in the
Southwest quarter of the Southwest quarter and being all that part of Outlot 64
that lies West of the East boundary of the Southwest quarter of the Southwest
quarter of said Section 14, which is further described as follows:

Commencing at the Southeast corner of the Southwest quarter of the Southwest
quarter of said Section 14;

Thence North 00°02'33" East along the East boundary of the Southwest quarter of
the Southwest quarter for a distance of 228.05 feet to the TRUE POINT
OF BEGINNING;

Thence continuing North 00°02'33" East along the East boundary of the
Southwest quarter of the Southwest quarter for a distance of 90.0 feet;

Thence North 89°55'54" West along the North boundary of Outlot 64 for a
distance of 36.69 feet to the Northwest corner of Outlot 64;

Thence South 00°04'06" West along the West boundary of Outlot 64 for a
distance of 90.0 feet to the Southwest corner of Outlot 64;

Thence South 89°55'54" East along the South boundary of Outlot 64 for a distance
of 36.73 feet to the TRUE POINT OF BEGINNING.

Order No. G980185

WARRANTY DEED

For Value Received

Gordon L. Fobes And Betty J. Fobes, HUSBAND AND WIFE.

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto
Kenneth L. Tucker, A SINGLE MAN.

the grantee(s), whose current address is

P.O. BOX 152, HAILEY, ID 83333

the following described premises, to-wit:

See Attached Exhibit "A"

175574
STATE OF IDAHO COUNTY OF GOODING

Filed for record at P. M. request of GOODING TITLE & ESCROW

46 min. past 9 o'clock A. M. this 20th
of May, 1998
By Penny Archibald Deputy

TOGETHER WITH .16 CFS shares of Buckeye Ditch Association 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: May 19, 1998

Gordon L. Fobes
GORDON L. FOBES

Betty J. Fobes
BETTY J. FOBES

STATE OF IDAHO

: ss

COUNTY OF GOODING

On This 20th of MAY in the year 1998, before me, a Notary Public in and for said State, personally appeared Gordon L. Fobes And Betty J. Fobes, 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.

Deanna M. Kyles
Notary Public of Idaho
Residing at WENDELL, Idaho
Commission Expires: 03/22/02



 TITLE & ESCROW
COMPANIES

EXHIBIT A

G980185

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

Section 14: That part of the Southeast Quarter of the Southwest Quarter, described as follows:

BEGINNING at the Southwest corner of Lot 14 in Block 61 of Hagerman Townsite;
Thence North along the West boundary of Lot 14 in Block 61 for a distance of 125.00 feet to the Northwest corner of said Lot 14;
Thence West along the extended South boundary of an alley in Block 61 for a distance of 660.00 feet to the Northwest corner of vacated Lot 10 in Block 62 of Hagerman Townsite;
Thence South 275.00 feet to the South boundary of vacated Reserved Block 64 of Hagerman Townsite;
Thence East along the South boundary of vacated Reserved Blocks 64 and 65 for a distance of 660.00 feet;
Thence North 150.00 feet to the TRUE POINT OF BEGINNING.

AND

Section 14: That part of the vacated part of Hagerman Townsite that is located in the Southeast Quarter of the Southwest Quarter, and being all that part that lies East of the East boundary of the Southwest Quarter of the Southwest Quarter, being part of Lot 9 in Block 62, part of South Avenue and part of Outlot 64, all of which is further described as follows:

COMMENCING at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 14;
Thence North 00°02'33" East along the East boundary of the Southwest Quarter of the Southwest Quarter for a distance of 228.05 feet to the TRUE POINT OF BEGINNING;
Thence continuing North 00°02'33" East along the East boundary of the Southwest Quarter of the Southwest Quarter for a distance of 275.00 feet;
Thence South 89°55'54" East for a distance of 13.40 feet to the Northwest corner of Lot 10 in Block 62;
Thence South 00°04'06" West for a distance of 275.00 feet to a point on the South boundary of Outlot 64;

Exhibit A - continued
G980185

Thence North $89^{\circ}55'54''$ West along the South boundary of Outlot 64 for a distance of 13.27 feet to the TRUE POINT OF BEGINNING.

AND

Section 14: That part of the Southwest Quarter of the Southwest Quarter, described as follows:

BEGINNING at the Southwest corner of Block 65 reserved of Hagerman Townsite;
Thence West along the extended South line of Block 65 reserved for a distance of 460.0 feet to the Southwest corner of Block 64 reserved, being the TRUE POINT OF BEGINNING;
Thence East 50.0 feet;
Thence North 90.0 feet;
Thence West 50.0 feet;
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LESS AND EXCEPTING the following described parcel of land:

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Thence North $89^{\circ}55'54''$ West along the North boundary of Outlot 64 for a distance of 36.69 feet to the Northwest corner of Outlot 64;
Thence South $00^{\circ}04'06''$ West along the West boundary of Outlot 64 for a distance of 90.0 feet to the Southwest corner of Outlot 64;
Thence South $89^{\circ}55'54''$ East along the South boundary of Outlot 64 for a distance of 36.73 feet to the TRUE POINT OF BEGINNING.

QUIT CLAIM DEED

FOR VALUE RECEIVED

GORDON L. FOBES AND BETTY J. FOBES, husband and wife

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

KENNETH L. TUCKER, a single man

GRANTEE(S)

Whose address is: **P.O. Box 152, Hailey, ID 83333**

The following described premises, to-wit:

.16 CFS shares of Buckeye Ditch Association water.

175575

STATE OF IDAHO COUNTY OF GOODING
GOODING TITLE & ESCROW

Filed for record at the request of

47 min. past 9 o'clock A.m. this 20th
of May 1998 9.00
By Demmy Archibald Deputy

Together with their appurtenances.

Dated: May 20, 1998

Gordon L. Fobes
Gordon L. Fobes

Betty J. Fobes
Betty J. Fobes

State of IDAHO }
 } ss.
County of GOODING }

On this 20th day of May, in the year 1998, before me, a notary public, personally appeared Gordon L. Fobes + Betty J. Fobes 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.

Deanna M. Keyes
Notary Public
Residing At: Wendell, ID.
Commission Expires: 03-22-02

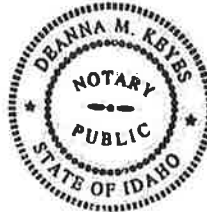


EXHIBIT A

G980185

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

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Exhibit A - continued
G980185

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AND

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Thence East 50.0 feet;
Thence North 90.0 feet;
Thence West 50.0 feet;
Thence South 90.0 feet to the TRUE POINT OF BEGINNING.

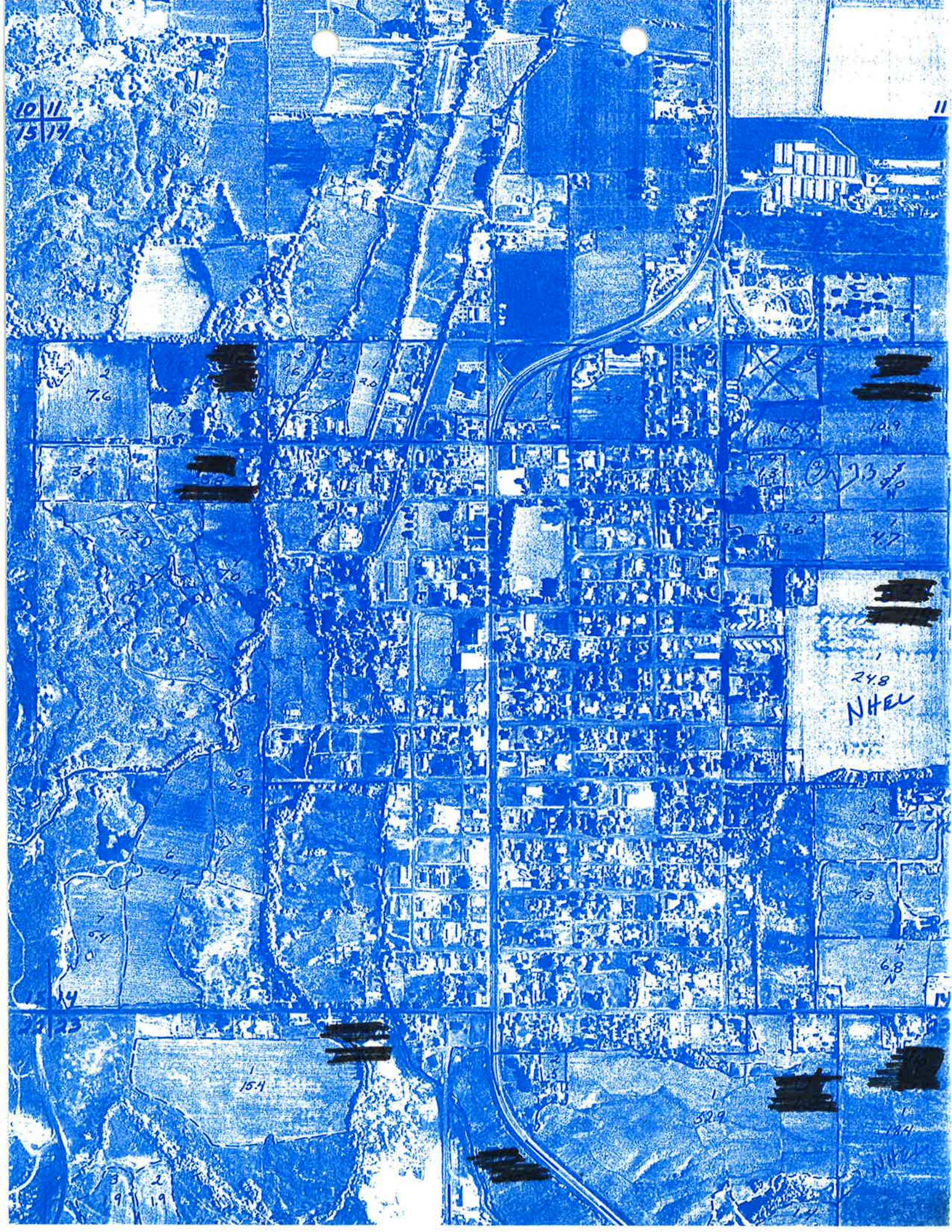
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10/11
15/14

11



24.8
NHEL

15.1

32.9

6.8
N

7.3

5.7

1.9

3.4

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10.9

20

16

7.6

3.0

6.8

1.9

3.4

5.7

7.3

10.9

20

16

7.6

3.0

6.8

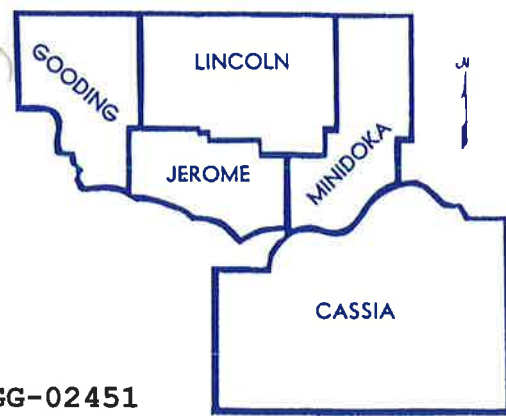
1.9

3.4

5.7

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO:

OFFICE:

GG-02451

Gooding

January 22, 2001

Department of Water Resources
Southern Region
1341 Fillmore Suite 200
Twin Falls, Idaho 83301

RECEIVED
JAN 24 2001
Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
TUCKER TO SEARS
Cert Mail #7000 0520 0015 3076 4156

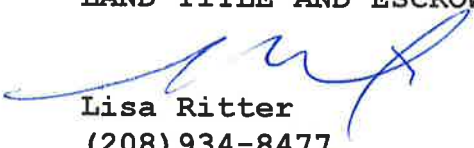
Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on
on Tucker
for Water Right Number 36-00091B
- Copy of Deed #188913, 188914, 175574, & 175575
- Copy of Map

Thank you,

LAND TITLE AND ESCROW, INC.


Lisa Ritter
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: Mike Winther

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

P.O. Box 425
Hagerman, ID 83332

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

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: A36-00091B
Date Received: 9/07/1988
Receipt No: X999999
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GORDON FOBES 208-837-6376
Address: P.O. BOX 47
HAGERMAN, ID 83332

AND/OR

Name: BETTY FOBES 208-837-6376
Address: P.O. BOX 47
HAGERMAN, ID 83332

2. Date of Priority: SEP 10, 1884

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

4. Point of Diversion:

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

5. Description of diverting works:
VIA BUCKEYE 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 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	13E	14	SE	SW		IRR	4.0

A36-00091B

Page 1

Date: 08/13/90

MICROFILMED

JAN 21 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
					Total Acres	4.0

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A36-00091

[] Name and Address of
Former Claimant(s): ARTHUR ELLSTON
P.O. Box 404
HAGERMAN, ID 83332

[] New Claimant(s): GORDON +/R BETTY FOBES

[] New Mailing Address: P.O. Box 47
HAGERMAN, ID 83332

New Telephone Number: () 837-6376

[] 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:

0.16 cfs on 4 Acres

[] Attach proof of ownership
Describe proof attached: DEED OF TRUST
(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 claimant.)

[] Signature of New Claimant(s): Betty J. Fobes

Date: Aug. 13, 1990

MICROFILMED

4211

THIS DEED OF TRUST, Made this 28th day of March, 1989
BETWEEN

GORDON L. FOBES AND BETTY J. FOBES, husband and wife, herein called GRANTOR,
whose address is 532 9th St., Elko, NEV 89801
FIRST AMERICAN TITLE COMPANY,
herein called TRUSTEE, and ARTHUR BELMONT ELLSTON, a single man

herein called BENEFICIARY, WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL
AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of
Gooding State of Idaho, described as follows and containing not more than twenty acres:

SEE EXHIBIT "A" ATTACHED

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given
to and conferred upon Beneficiary to collect and apply such rents, issues and profits,

For the Purpose of Securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by
Grantor in the sum of TWENTY-FIVE THOUSAND AND NO/100 Dollars, (\$ 25,000.00),

final payment due April 3, 1999

and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor
herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instru-
ments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein
provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Bene-
ficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing
security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore
promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay
when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requir-
ing any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit
any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the
character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The
amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and
in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be
released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate
any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Bene-
ficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in
any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay: at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances,
charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees
and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor
shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance
premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the pay-
ment by Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default under this trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof,
with interest from date of expenditure at eight per cent per annum.

6. Should Grantor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without
obligation so to do and without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may:
make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, Beneficiary
or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding pur-
porting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any
encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such
powers, or in enforcing this Deed of Trust by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable
fees.

B. It is mutually agreed that:

1. Any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof
is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner
and with the same effect as above provided for disposition of proceeds of fire or other insurance.

2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require
prompt payment when due of all other sums so secured or to declare default for failure so to pay.

3. At any time or from time to time, without liability therefor and without notice, upon written request of Beneficiary and
presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of
the indebtedness secured hereby, Trustee may: reconvey all or any part of said property; consent to the making of any map or
plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien
or charge hereof.

4. Upon written request of Beneficiary stating that all sums secured hereby have been paid, and upon surrender of this Deed
and said note to Trustee for cancellation and retention and upon payment of its fees, Trustee shall reconvey, without warranty,
the property then held hereunder. The recitals in any reconveyance executed under this deed of trust of any matters or facts
shall be conclusive proof of the truthfulness thereof. The grantee in such reconveyance may be described as "the person or persons
legally entitled thereto."

5. As additional security, Grantor hereby gives to and confers upon Beneficiary the right, power and authority, during the
continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Grantor the right, prior to any
default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and
retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without
notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security
for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for
or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses
of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Bene-
ficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and
the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done
pursuant to such notice.

Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantor at his address hereinbefore set forth.

Betty J. Fobes

Idaho.

By

Deputy

Fees: \$

Mail to:

19

Dated

FIRST AMERICAN TITLE COMPANY

Idaho,

19

Address

Telephone No. _____

MICROFILM

JAN 21 199

Parcel 1:

271 W 5000' E 404' Hagerman

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

Section 14: That part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

BEGINNING at the Southwest corner of Lot 14 in Block 61, as shown on the Plat of Hagerman Townsite;
Thence North along the West boundary of Lot 14 in Block 61 for 125.00 feet to the Northwest corner of said Lot 14;
Thence West along the extended South boundary of an alley in Block 61 for 660.00 feet to the Northwest corner of vacated Lot 10 in Block 62 of Hagerman Townsite;
Thence South 275.00 feet to the South boundary of vacated Reserved Block 64 of Hagerman Townsite;
Thence East along the South boundary of vacated Reserve Blocks 64 and 65 for 660.00 feet;
Thence North 150.00 feet to the TRUE POINT OF BEGINNING.

Parcel 2:

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

Section 14: That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

BEGINNING at the Southwest corner of Block 65 reserved, as shown on the plat of Hagerman Townsite;
Thence West along the extended South line of Block 65 reserved 460.0 feet to the Southwest corner of Block 64 reserved, the TRUE POINT OF BEGINNING;
Thence East 50.0 feet;
Thence North 90.0 feet;
Thence West 50.0 feet;
Thence South 90.0 feet to the TRUE POINT OF BEGINNING.

The said parcel appears on the plat of Hagerman Townsite as the West 50.0 feet of Block 64 reserved.

MICROFILMED

JAN 21 1993



COPY

2001 JAN 18 PM 1:42

FILED
TWIN FALLS CO., IDAHO

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

SUBCASE NO. 36-00091B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

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

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

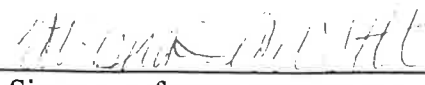
Dated: 1/17/01

[Signature]
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1/18, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Gordon Fobes
Betty Fobes
PO Box 47
Hagerman ID 83332
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Kenneth Tucker
PO Box 152
Hailey ID 83333
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

01/09/2001

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

RIGHT NUMBER: 36-91B

NAME AND ADDRESS: KENNETH L TUCKER
PO BOX 152
HAILEY, ID 83333

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.16 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 SESENE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	2-15 11-30	0.16 CFS

PLACE OF USE:

IRRIGATION Within GOODING County
T07S R13E S14 SESW 4

4 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH THE BUCKEYE 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

January 18, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH TUCKER
PO BOX 152
HAILEY ID 83333

RE: SRBA Claim(s) 36-00091

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. 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.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Gordon and Betty Fobes

RECEIVED

OCT 01 1999

Department of Water Resources
Southern Region

STATE 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.

RECEIVED

JUL 19 2000

Department of Water Resources
Southern Region1. Water Right No(s): 36-~~000918~~ 07929

Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

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

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.3. Name and Address of Former
Owner/ClaimantGORDON & BETTY FOBESELKO NEV.

4. New Owner/Claimant(s)

KENNETH L. TUCKER

New Mailing Address

BOX 152

City, State and ZIP Code

HAILEY, ID. 83333

New Telephone Number

(208) 788-3045

5. Date you acquired the property

5-20-98

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

Number of acres you irrigate with this water right _____ Number and type of stock _____

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

7. Signature of New Owner(s)
or Claimant(s)Kenneth L. Tucker

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.

RECEIVED

JUL 19 2000

Department of Water Resources
Southern Region

EXHIBIT A

G980185

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

Section 14: That part of the Southeast Quarter of the Southwest Quarter, described as follows:

BEGINNING at the Southwest corner of Lot 14 in Block 61 of Hagerman Townsite;
Thence North along the West boundary of Lot 14 in Block 61 for a distance of 125.00 feet to the Northwest corner of said Lot 14;
Thence West along the extended South boundary of an alley in Block 61 for a distance of 660.00 feet to the Northwest corner of vacated Lot 10 in Block 62 of Hagerman Townsite;
Thence South 275.00 feet to the South boundary of vacated Reserved Block 64 of Hagerman Townsite;
Thence East along the South boundary of vacated Reserved Blocks 64 and 65 for a distance of 660.00 feet;
Thence North 150.00 feet to the TRUE POINT OF BEGINNING.

AND

Section 14: That part of the vacated part of Hagerman Townsite that is located in the Southeast Quarter of the Southwest Quarter, and being all that part that lies East of the East boundary of the Southwest Quarter of the Southwest Quarter, being part of Lot 9 in Block 62, part of South Avenue and part of Outlot 64, all of which is further described as follows:

COMMENCING at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 14;
Thence North 00°02'33" East along the East boundary of the Southwest Quarter of the Southwest Quarter for a distance of 228.05 feet to the TRUE POINT OF BEGINNING;
Thence continuing North 00°02'33" East along the East boundary of the Southwest Quarter of the Southwest Quarter for a distance of 275.00 feet;
Thence South 89°55'54" East for a distance of 13.40 feet to the Northwest corner of Lot 10 in Block 62;
Thence South 00°04'06" West for a distance of 275.00 feet to a point on the South boundary of Outlot 64;

Exhibit A - continued
G980185

Thence North 89°55'54" West along the South boundary of Outlot 64 for a distance of 13.27 feet to the TRUE POINT OF BEGINNING.

AND

Section 14: That part of the Southwest Quarter of the Southwest Quarter, described as follows:

BEGINNING at the Southwest corner of Block 65 reserved of Hagerman Townsite;
Thence West along the extended South line of Block 65 reserved for a distance of 460.0 feet to the Southwest corner of Block 64 reserved, being the TRUE POINT OF BEGINNING;
Thence East 50.0 feet;
Thence North 90.0 feet;
Thence West 50.0 feet;
Thence South 90.0 feet to the TRUE POINT OF BEGINNING.

LESS AND EXCEPTING the following described parcel of land:

A part of the vacated part of the Hagerman Townsite that is located in the Southwest Quarter of the Southwest Quarter and being all that part of Outlot 64 that lies West of the East boundary of the Southwest Quarter of the Southwest Quarter of said Section 14, which is further described as follows:

COMMENCING at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 14;
Thence North 00°02'33" East along the East boundary of the Southwest Quarter of the Southwest Quarter for a distance of 228.05 feet to the TRUE POINT OF BEGINNING;
Thence continuing North 00°02'33" East along the East boundary of the Southwest Quarter of the Southwest Quarter for a distance of 90.0 feet;
Thence North 89°55'54" West along the North boundary of Outlot 64 for a distance of 36.69 feet to the Northwest corner of Outlot 64;
Thence South 00°04'06" West along the West boundary of Outlot 64 for a distance of 90.0 feet to the Southwest corner of Outlot 64;
Thence South 89°55'54" East along the South boundary of Outlot 64 for a distance of 36.73 feet to the TRUE POINT OF BEGINNING.



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 13, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH L. TUCKER
PO BOX 152
HAILEY ID 83333

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM 36-00091B

Dear Claimant(s):

Thank you for returning the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without the required information listed under item 2 of the ownership change form. Specifically, we need a copy of **EXHIBIT A** of your warranty deed.

Enclosed is your original ownership change form. Please attach the required information and return the entire packet in the enclosed self-addressed envelope. As soon as this information is received, our records will be updated and you will be notified by mail that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.

RECEIVED

OCT 01 1999

Department of Water Resources
Southern Region

STATE 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-~~000918~~ 07929
 Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
 (These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant GORDON & BETTY FOBES
ELKO NEV.

4. New Owner/Claimant(s) KENNETH L. TUCKER
 New Mailing Address BOX 152
 City, State and ZIP Code HAILEY, ID 83333
 New Telephone Number (208) 788-3045

5. Date you acquired the property 5-20-98

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

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____
Other uses _____	

7. Signature of New Owner(s) or Claimant(s) Kenneth L. Tucker

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.

WARRANTY DEED

For Value Received

Gordon L. Fobes And Betty J. Fobes, HUSBAND AND WIFE.

RECEIVED

OCT 01 1999

Department of Water Resources
Southern Regionthe grantor(s), do(es) hereby grant, bargain, sell, and convey unto
Kenneth L. Tucker, A SINGLE MAN.

the grantee(s), whose current address is

P.O. BOX 152, HAILEY, ID 83333

the following described premises, to-wit:

See Attached Exhibit "A"

175574

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of GOODING TITLE & ESCROW

46 min. past 9 o'clock A.M. this 20th
of May, 1998 9:00
By Penny Archibald Deputy

TOGETHER WITH .16 CFS shares of Buckeye Ditch Association 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: May 19, 1998

Gordon L. Fobes
GORDON L. FOBES

Betty J. Fobes
BETTY J. FOBES

STATE OF IDAHO

: ss

COUNTY OF GOODING

On This 20th of MAY in the year 1998, before me, a Notary Public in and for said State, personally appeared Gordon L. Fobes And Betty J. Fobes, 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.

Deanna M. Keyes
Notary Public of Idaho
Residing at WENDELL, Idaho
Commission Expires: 03/22/02

TITLE & ESCROW
COMPANIES

Cem: Hagerman Fire: Hagerman

Sec. 14 lwp 7 Eng. 13

SW 1/4

1/2 mile scale

075 13E 14—

This map is given for informational purposes only - no assurances are made as to the accuracy of the footages and boundaries reflected herein.

GOODING
TITLE & ESCROW
COMPANY

RECEIVED

OCT 01 1999

Department of Water Resources
Southern Region

Order No. G980185

WARRANTY DEED

For Value Received

Gordon L. Fobes And Betty J. Fobes, HUSBAND AND WIFE.

RECEIVED
OCT 01 1999
Department of Water Resources
Southern Region

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Kenneth L. Tucker, A SINGLE MAN.

the grantee(s), whose current address is

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of May 1998 9:00
Penny Archibald Deputy

TOGETHER WITH .16 CFS shares of Buckeye Ditch Association 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: May 19, 1998

Gordon L. Fobes
GORDON L. FOBES

Betty J. Fobes
BETTY J. FOBES

STATE OF IDAHO
: ss
COUNTY OF GOODING

On This 20th, of MAY in the year 1998, before me, a Notary Public in and for said State, personally appeared Gordon L. Fobes And Betty J. Fobes, 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.

Deanna M. Keyes
Notary Public of Idaho
Residing at WENDELL, Idaho
Commission Expires: 03/22/02



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

RECEIVED**JAN 09 2001**

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

Department of Water Resources
 Snake River Division

1. Water Right No(s): #36-00091B
 Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with 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 Gordon & Betty Fobes
P. O. Box #47, Hagerman, Idaho 83332

4. New Owner/Claimant(s) Kenneth L. Tucker
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address P. O. Box #152
 City, State and ZIP Code Hailey, Idaho 83333
 New Telephone Number (208) 788-3045

5. Date you acquired the property May 19, 1998

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

Number of acres you irrigate with this water right _____ Number and type of stock _____

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

7. Signature of New Owner(s) or Claimant(s) Kenneth L. Tucker
 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.

1997 DEC 29 PM 4:54 1997 DEC 29 F
 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
 DISTRICT COURT
 TWIN FALLS CO, IDAHO
 PARTIAL DECREE PURSUANT TO
 I.R.C.P. 54(b) FOR
 Water Right 36-000918

In Re SRBA)
)
 Case No. 39576)
)
)
)

NAME & ADDRESS: GORDON FOBES
 BETTY FOBES
 PO BOX 47
 HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.16 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11

SESENE

Within GOODING County

PURPOSE AND
 PERIOD OF USE: PURPOSE OF USE
 IRRIGATION

PERIOD OF USE
 Irrigation Season

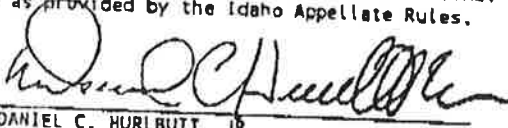
QUANTITY
 0.16 CFS

PLACE OF USE: IRRIGATION
 T07S R13E S14
 4 ACRES TOTAL

Within GOODING County
 SESW 4

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


 DANIEL C. HURLBUTT, JR.
 PRESIDING JUDGE
 Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
 Water Right 36-000918

WARRANTY DEED

For Value Received

Gordon L. Fobes And Betty J. Fobes, HUSBAND AND WIFE.

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto
Kenneth L. Tucker, A SINGLE MAN.

the grantee(s), whose current address is

P.O. BOX 152, HAILEY, ID 83333

the following described premises, to-wit:

See Attached Exhibit "A"

175574

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of GOODING TITLE & ESCROW

46 min. past 9 o'clock A.M. this 20th
of May 1998 9:00
By Penny Archibald Deputy

TOGETHER WITH .16 CFS shares of Buckeye Ditch Association 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: May 19, 1998

Gordon L. Fobes
GORDON L. FOBES

Betty J. Fobes
BETTY J. FOBES

STATE OF IDAHO
: ss
COUNTY OF GOODING

On This 20th, of MAY in the year 1998, before me, a Notary Public in and for said State, personally appeared Gordon L. Fobes And Betty J. Fobes, 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.

Deanna M. Keyes
Notary Public of Idaho
Residing at WENDELL, Idaho
Commission Expires: 03/22/02



EXHIBIT A

G980185

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

Section 14: That part of the Southeast Quarter of the Southwest Quarter, described as follows:

BEGINNING at the Southwest corner of Lot 14 in Block 61 of Hagerman Townsite;
Thence North along the West boundary of Lot 14 in Block 61 for a distance of 125.00 feet to the Northwest corner of said Lot 14;
Thence West along the extended South boundary of an alley in Block 61 for a distance of 660.00 feet to the Northwest corner of vacated Lot 10 in Block 62 of Hagerman Townsite;
Thence South 275.00 feet to the South boundary of vacated Reserved Block 64 of Hagerman Townsite;
Thence East along the South boundary of vacated Reserved Blocks 64 and 65 for a distance of 660.00 feet;
Thence North 150.00 feet to the TRUE POINT OF BEGINNING.

AND

Section 14: That part of the vacated part of Hagerman Townsite that is located in the Southeast Quarter of the Southwest Quarter, and being all that part that lies East of the East boundary of the Southwest Quarter of the Southwest Quarter, being part of Lot 9 in Block 62, part of South Avenue and part of Outlot 64, all of which is further described as follows:

COMMENCING at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 14;
Thence North 00°02'33" East along the East boundary of the Southwest Quarter of the Southwest Quarter for a distance of 228.05 feet to the TRUE POINT OF BEGINNING;
Thence continuing North 00°02'33" East along the East boundary of the Southwest Quarter of the Southwest Quarter for a distance of 275.00 feet;
Thence South 89°55'54" East for a distance of 13.40 feet to the Northwest corner of Lot 10 in Block 62;
Thence South 00°04'06" West for a distance of 275.00 feet to a point on the South boundary of Outlot 64;

Exhibit A - continued
G980185

Thence North 89°55'54" West along the South boundary of Outlot 64 for a distance of 13.27 feet to the TRUE POINT OF BEGINNING.

AND

Section 14: That part of the Southwest Quarter of the Southwest Quarter, described as follows:

BEGINNING at the Southwest corner of Block 65 reserved of Hagerman Townsite;
Thence West along the extended South line of Block 65 reserved for a distance of 460.0 feet to the Southwest corner of Block 64 reserved, being the TRUE POINT OF BEGINNING;
Thence East 50.0 feet;
Thence North 90.0 feet;
Thence West 50.0 feet;
Thence South 90.0 feet to the TRUE POINT OF BEGINNING.

LESS AND EXCEPTING the following described parcel of land:

A part of the vacated part of the Hagerman Townsite that is located in the Southwest Quarter of the Southwest Quarter and being all that part of Outlot 64 that lies West of the East boundary of the Southwest Quarter of the Southwest Quarter of said Section 14, which is further described as follows:

COMMENCING at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 14;
Thence North 00°02'33" East along the East boundary of the Southwest Quarter of the Southwest Quarter for a distance of 228.05 feet to the TRUE POINT OF BEGINNING;
Thence continuing North 00°02'33" East along the East boundary of the Southwest Quarter of the Southwest Quarter for a distance of 90.0 feet;
Thence North 89°55'54" West along the North boundary of Outlot 64 for a distance of 36.69 feet to the Northwest corner of Outlot 64;
Thence South 00°04'06" West along the West boundary of Outlot 64 for a distance of 90.0 feet to the Southwest corner of Outlot 64;
Thence South 89°55'54" East along the South boundary of Outlot 64 for a distance of 36.73 feet to the TRUE POINT OF BEGINNING.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

September 3, 1999

RECEIVED
KARL J. DREHER
DIRECTOR

SEP 08 1999

Department of Water Resources
Southern Region

KENNETH L TUCKER
PO BOX 152
HAILEY ID 83333

RE: Snake River Basin Adjudication (SRBA)
Water Right #36-07929- should be 36-00091B

Dear Water Right Holder:

We have been advised you may be the current owner of the property and water right shown above.

Before we can modify our records to reflect your ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use.

Please mail the completed form with warranty deed copy and map to our Twin Falls office by September 21, 1999.

Idaho Department of Water Resources
Adjudication Bureau
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Form 42-248/42-1409(6)
cc: Former Owner



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

SEP 08 1999

Department of Water Resources
Southern Region

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 24, 1999

RECEIVED

AUG 30 1999

Department of Water Resources

GORDON FOBES
BETTY FOBES
HC 30 BOX 19613
SPRING CREEK NV 89815-9746

Re: Snake River Basin Adjudication (SRBA)
Water Right #36-00091B
Change of Address

*changes made - signature
in 9-3-99*

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by September 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

CHANGE OF OWNERSHIP
LETTER SENT 9-3-99

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature New Owner Telephone No.

~~Harley ID~~
Kenneth L. TUCKER
P.O BOX 152
HAiley ID
83333

*transferred water rights
approx 6/6/98
Regim has &*

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED



FOBE047 833322014 1898 03 08/03/99
FORM 3547

FOBES
HC 30 BOX 19613
SPRING CREEK NV 89815-9746



only a/R

R36-00091B
GORDON FOBES
BETTY FOBES
PO BOX 47
HAGERMAN

ID 83332

U.S. POSTAL SERVICE
PS FORM 3547

U.S. POSTAL SERVICE
PS FORM 3547

fee due 50¢

return
to sender

CLAIM NUMBERS 36-00091B

DATE _____

TRANSFER NUMBER _____

OBJECTION FILED _____

AGENT KXC

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM _____

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	75	13E	14												4				
GIS															3.4				
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON # _____ UPDATED

POLYGON CREATED ON 604 (604) 10-28

B36-DBPOU.DBF _____

ATTRIBUTES OF B36-POU.SHP () _____

B36-DBPOD.DBF _____

ATTRIBUTES OF B36-POD.SHP () _____

Delivered thru Backage Ditch

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

READY FOR DECREE yes () no ()

SENT FOR DECREE yes () no ()

R PROOF



CVR



MAPS



PHOTOS



MISC

MICROFILMED
JAN 21 1993



Water Right Number - R36-00091B

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
FOBES

GORDON

1 - PO BOX 47

2 -

3 -

City- HAGERMAN

Phone - 208-837-6376

State- ID Zip- 83332

FOBES

BETTY

1 - PO BOX 47

2 -

3 -

City- HAGERMAN

Phone - 208-837-6376

State- ID Zip- 83332

*** O - ORIGINAL OWNER ***
ELLSTON

ARTHUR

1 - PO BOX 404

2 -

3 -

City- HAGERMAN

Phone - 208-837-6511

State- ID Zip- 83332

+ - - Priority Date - - +
09/10/1884+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

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

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

+ - - - - Water Use - - - - - +					
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	0.160	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.160		12.0	

+ - - - - Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	13E	14	SE SW		4.0	01	IRRIGATION	(47) GOODING

Total Acres: 4.0

+ - - Diversion Means - VIA BUCKEYE DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

VERIFIED BY KKC
MICROFILMED
JAN 21 1999

Water right number - R36-00091B

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

WATER IS DELIVERED THROUGH THE BUCKEYE DITCH.
A DIVERSION RATE OF 0.13 CFS AT THE FIELD HEADGATE IS
RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.
0.03 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

+ - - - - Old Water Right Numbers - - - - - +

3600091

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

NEW INTERNATIONAL MORTGAGE BANK

+ - - - - Decree Defendant - - - +

IDAHO POWER COMPANY

+ - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

08/06/92 CHRISTEN

+ - - - - 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	- 08/06/1992	Old Judicial District	-
Claim Received Date	- 09/07/1988	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	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED

JAN 21 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:03:44
06/29/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-00091 **B**

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			N		See 8-31-90	QB S 10-12-90	KCC 8-16-92
POINT OF DIV	N	Y		N		HHT	2-13-92	IAN 2-13-92
SOURCE	N			N		8/5/92		
PLACE OF USE	Y	Y	7-26-90 SCC/HHT	N	1,4,5			
DIV. AMOUNT CFS/VOLUME *	*			N				
CONSUMPTIVE USE	N	-		N				
PURPOSES	N			N				
PERIOD OF USE	N	Y		N				
BASIS OF CLAIM	N			N	5			
REMARKS	N	change owner 8-13-90 SCC RECEIVED Amended claim 8-31-90 SCC		N		V		

"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.

* Needs further review OK
See
8-31-90

portion of
split claim

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:03:44
06/29/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-00091

LAST: ELLSTON
ADDRESS: P.O. BOX 404
CITY: HAGERMAN
PHONE NUMBER: 208-837-6511

FIRST: ARTHUR
STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Art Ellston

PHONE NUMBER: () -

DATE OF FIELD EXAM: 7/26/90

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

Portion of property sold

He now owns 12 acres, sold off 4 acres to Forbes

Change of ownership = 8-13-90 by Betty Forbes.

*Revised acres per
conversation w/ Mr. Ellston
SEC 2-12-91*

MICROFILMED
JAN 21 1993

A. AJ CLAIM: # A36-00091 PRIORITY DATE: 09-10-1884 STAGE: D

B. WR RECORD: # 36-00091 PRIORITY DATE: 09-10-1884 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

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

REMARKS:

RECOMMENDED PRIORITY DATE:

09-10-1884

REVIEWED BY

hat

DATE _____

7-17-90

Splits A + B

- same date

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.	1/4	1/4	1/4	LOT	CNTY
36-00091	07S	13E	11		SE	NE		GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-00003	A36-00025	NONE
36-00005	A36-00087	
36-00019	A36-07658	
36-00021	A36-10409	
36-00024	A36-00051D	
36-00025	A36-10119	
36-00026	A36-10120	
36-00027	A36-10751	
36-00034	A36-10752	
36-00035A	A36-10755	
36-00035B	A36-10061	
36-00039A	A36-00103B	
36-00039B	A36-00108A	
36-00040	A36-00003G	
36-00051	A36-00027	
36-00052	A36-00039C	
36-00064	A36-00090E	
36-00065	A36-00051B	
36-00067	A36-00076A	
36-00071	A36-00089B	
36-00076	A36-00089D	
36-00077	A36-10283	
36-00082	A36-10312	
36-00083	A36-00090A	
36-00085	A36-00003D	
36-00087	A36-00090B	
36-00088	A36-00090C	
36-00089	A36-00090D	
36-00090	A36-00090F	
36-00094	A36-00108F	
36-00095	A36-00125A	
36-00096	A36-00026	
36-00103	A36-00051C	
36-00108	A36-00071A	
36-00112A	A36-00089A	
36-00112B	A36-00108C	
36-00113B	A36-00108D	
36-00113C	A36-00108E	

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

MICROFILMED

JAN 21 1993

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
		Y	<u>N</u>
	DUE TO SOURCE DISCREPANCY? (Y/N)	N	<u>N</u>

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>SE</u>	<u>SE</u>	<u>NE</u>	<u>—</u>	<u>Gooding</u>

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

REVIEWED BY: hht

DATE: 7-17-90

VIA Buckeye ditch

C SPLITS: A + B

- same POD

MICROFILMED

JAN 21 1993

A. ROOT WATER RIGHT NUMBERS: A36-00091

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM ACRES
07S	13E	14	SE	SW		ELLSTON, ARTHUR	A36-00091	Amended 20.0 /-4.0			
						HAGERMAN WATER USERS ASSOCIATION	A36-00057	/ 8.0			
						CITY OF HAGERMAN	A36-02465	/			
								36-00091 /	33.0	~~2~~ 16	~~16~~
								36-02465 /			
TOTAL ACRES							A36-00091	4.00	33.00		

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

C. FIELD EXAM REQUIRED? Yes.

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

Unable to identify exact location of acres - field verify.
More acres were found on field exam - claimant misfiled initially and
has amended the claim to correct the acres.

RECOMMENDATIONS:

TOTAL ACRES: ~~20.0~~ 16.0

REVIEWED BY: See revised per conversation w/ Ellston DATE: 8-31-90 2/12/91

Split:

- 91A = 12 ACRES

- 91B = 4 ACRES

MICROFILMED
JAN 21 1993

A. AJ CLAIMED USES:

	PURPOSES	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
A36-00091	IRRIGATION	03-15	11-15		.800 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED					.800 CFS

B. WR RECORDED USES:

	PURPOSES	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
36-00091	IRRIGATION				.800 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED					.800 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>YN</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>Y</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>YN</u>

Very Excessive

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

~~Y~~(~~Y~~) N(X) Explain in remarks, below.

REMARKS:

Per irrigation analysis worksheet, recommend 0.13 cfs headgate requirement

Split Same

MICROFILMED

JAN 21 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y (X) N ()

AJ TOTAL CLAIMED DIVERSION RATE: 0.800 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.800 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?

FIELD
DATABASE EXAMINER

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

But excessive - unless this is a typo & is actually 40 - rather than 4 -
ace

MICROFILMED

JAN 21 1993

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: HAGERMAN WATER USERS.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-00091	BILLINGSLEY CREEK	ELLSTON, ARTHUR	0.800	0.200		
A36-00057	SPRINGS	HAGERMAN WATER USERS ASSOCIATI	36.200	0.073		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-00057	STOCKWATER	HAGERMAN WATER USERS ASSOCIATI	FROM 01-01 TO 12-31	.300 CFS	
A36-02465	MUNICIPAL	CITY OF HAGERMAN	FROM 01-01 TO 12-31	4.000 CFS	

Amended Diversion Rate = 0.04 cfs/Acre

splits:

-91 A Hagerman Water Users

-91 B NONE

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES $\frac{20}{16}$ x 0.02 CFS/ACRE = $\frac{.32}{0.46}$ CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 12.0 AF/A

ACRES $\frac{20}{16}$ x CONSUMPTIVE VOL. AF/A FOR AREA $\frac{3.0}{48}$ =
TOTAL CONSUMPTIVE USE $\frac{48}{48}$ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES $\frac{20}{16}$ x DIVERSION VOL. AF/A FOR AREA $\frac{4.0}{64}$ =
TOTAL DIVERSION VOLUME $\frac{64}{64}$ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(☐) N(☐)

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

See conveyance loss sheet

1b. CALCULATIONS

*See Irrigation Analysis
Sheet for basis of
recommendation*

*Analysis Div. Rate 0.13
Conveyance loss 0.16
Claimed 0.16
Allowable Conv. Loss 0.03*

Total 0.16

MICROFILMED

JAN 21 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER ~~0.800~~ ~~0.32~~ 0.16	DATABASE EXAMINER ~~64~~ 64	DATABASE EXAMINER ~~42.0~~ ~~48.0~~ 48
TOTAL FOR THIS RIGHT		~~0.800~~ 0.16		~~42.0~~ 48
REVIEWED BY: <u>Stru. (10.00.00)</u> DATE: <u>8-31-90</u>				

$$WR \text{ proportional Rate} = \frac{0.80 \text{ cfs}}{40 \text{ Ac.}} = 0.02 \text{ cfs/Ac.}$$

(allowed rate)

Splits:

- 91 A

same
Season

0.24

48

36

- 91 B

"

0.08

16

12

by: SCC

date: 2-12-91

MICROFILMED

JAN 21 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED

()
(X)
()

NEEDS
REVIEW

(X) OK
()
(X) OK

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-00091

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.800

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A36-00091

0.800

- 91A

0.64

- 91B

0.16

TOTAL CFS

0.800

- 91A

0.24

- 91B

0.08

0.32

DATABASE

Y

36-00091

0.800

0.800

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)

FIELD
EXAMINER

OK

REMARKS:

4 acres claimed, but no other splits. Total diversion rate matches, but is highly excessive

AUTHENTICATION:

SIGNATURE:

Steve Clelland

DATE:

8-31-90

NAME OF FIELD EXAMINER:

STEVE CLELLAND

TITLE:

MICROFILMED

JAN 21 1993

PREPARATION DATE 8/5/92 HHT

MICROFILMED
JAN 21 1993

See 8-3-92

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	800	10.0	2.00	0.20	0.06	18.83	0.0107	0.00	26.81
2	600	10.0	2.00	0.15	1.02	18.77	0.0081	0.02	26.55
3	1400	10.0	2.00	0.35	0.24	17.75	0.0199	0.01	25.38
4	800	10.0	2.00	0.20	0.44	17.51	0.0115	0.02	24.79
5	1100	10.0	2.00	0.28	0.17	17.07	0.0163	0.01	24.14
6	1200	10.0	2.00	0.30	0.10	16.90	0.0179	0.01	23.70
7	300	10.0	2.00	0.08	1.22	16.80	0.0045	0.11	23.29
8	1000	10.0	2.00	0.25	0.16	15.58	0.0162	0.02	22.00
9	500	10.0	2.00	0.13	0.50	15.42	0.0082	0.06	21.58
10	2200	10.0	2.00	0.56	4.13	14.92	0.0373	0.62	20.96
11	5500	10.0	2.00	1.39	0.20	10.79	0.1288	0.06	16.27
12	1700	10.0	2.00	0.43	0.09	10.59	0.0406	0.03	14.68
13	3900	10.0	2.00	0.99	0.34	10.50	0.0938	0.14	14.16
14	600	10.0	2.00	0.15	0.27	10.16	0.0149	0.12	12.84
15	1500	10.0	2.00	0.38	0.62	9.89	0.0383	0.29	12.42
16	1600	10.0	2.00	0.40	1.00	9.27	0.0436	0.51	11.42
17	600	10.0	2.00	0.15	0.30	8.27	0.0183	0.16	10.01
18	300	10.0	2.00	0.08	3.25	7.97	0.0095	1.75	9.56
19	3000	10.0	2.00	0.76	0.24	4.72	0.1606	0.17	6.24
20	3000	10.0	2.00	0.76	4.48	4.48	0.1692	3.89	5.24
TOTALS	31600			7.98	18.83			7.98	

BUCKEYE DITCH

4 rts. @ 0.16 each

A36-00091B

0.16 conveyance loss

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

MICROFILMED
 JAN 21 1993

IRRIGATION ANALYSIS WORKSHEET

CLAIM NO. A36-00091B
 DATE 7/8/92
 AGENT HHT

CLAIMANT/SYSTEM DESCRIPTION Fobes
 IRRIGATION SYSTEM ----- Wild Flooding
 ANALYSIS METHOD ----- BORDER / ~~FURROW~~
 TYPE OF CROP ----- Pasture
 MAXIMUM PROFILE DEPTH ----- 36" INCHES
 INTAKE FAMILY ----- .5

SOIL TYPE	<u>JSK</u>	_____	_____	_____	_____	_____	SYSTEM TOTAL
ACRES PER TYPE	<u>4.0</u>	_____	_____	_____	_____	_____	<u>4.0</u> ACRES
SOIL PROFILE WHC	<u>3.59</u>	_____	_____	_____	_____	_____	
DESIGN IRR $\frac{1}{2}$ WHC	<u>1.80</u>	_____	_____	_____	_____	_____	

CROP REQUIREMENT:

REPORT AREA & FIGURE NO. ----- Bliss 10-8

DAILY CROP REQUIREMENT:

6.44 (MM/DAY) / 25.4 (FACTOR IN MM/IN) ----- .25 IN/DAY

ACTUAL ROTATION PRACTICED ----- 7 DAYS
 DRY DAY ROTATION 5 IRR DAY ROTATION 2

THEORETICAL ROTATION:

1.80 DESIGN IRR / .25 CROP REQ = 7.20 DAYS

DESCRIPTION OF FIELD:

AVERAGE LENGTH RUN ----- 500
 TOTAL WIDTH OF FIELD ----- 350
 CHECK 350 L * 500 W / 43,560 = 4.0 ACRES
 % SLOPE ----- 2%
 BORDER WIDTH ----- 17'
350 WIDTH OF FIELD / 7 DAYS OF ROTATION
 FURROW / CORRUGATION WIDTH -----
 SET TIME ----- (one set) 24-48 Hrs

$$350 \div 7 = 50 \div 3 \text{ sets} = 16.7 \sim 17'$$

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JAN 21 1993

GRADED BORDER EVALUATION

Job name: FOBES

Location: *A36-000291 B Buckeye*

By: HHT

Date: Jul 28, 1992

Roughness coefficient (n)= 0.250

Intake family (If)=0.50

Slope (S)= 0.0200 ft/ft

Border width (W)= 17 ft

Net application (Fn)= 1.80 inches

Border length (L)= 500 ft

Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
0.08	Gross depth is less than required gross application depth					
0.09	Gross depth is less than required gross application depth					
0.10	Gross depth is less than required gross application depth					
0.11	Gross depth is less than required gross application depth					
0.12	Gross depth is less than required gross application depth					
<u>0.13</u>	0.008	5.29	3.23	0.26	34.1	(4)
0.14	0.008	5.69	3.23	0.66	31.6	(4)
0.15	0.009	6.10	3.23	1.07	29.5	(4)
0.16	0.009	6.51	3.23	1.48	27.7	(4)
0.17	0.010	6.91	3.23	1.88	26.0	(4)
0.18	0.011	7.32	3.23	2.29	24.6	(4)
0.19	0.011	7.73	3.23	2.70	23.3	(4)
0.20	0.012	8.13	3.23	3.10	22.1	(4)
0.21	0.012	8.54	3.23	3.51	21.1	(4)
0.22	0.013	8.94	3.23	3.92	20.1	(4)
0.23	0.014	9.35	3.23	4.32	19.2	(4)
0.24	0.014	9.76	3.23	4.73	18.4	(4)

(4) Less than minimum recommended depth of flow.

*claimed 0.16
Recommended 0.13 headgate*

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JAN 21 1993

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A36-00091 B

RE: irrigation methods

DATE 7-20-92

NAME OF PARTY

GORDON FOBES

837-6376

He says he floods the entire pasture all at one time and lets it run for 1 1/2 - 2 days then shuts off about 5 days.
Shares the headgate with Gindley & Ellston.

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JAN 21 1993