

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: **A36-00108T**

Date Received: 7/27/1988

Receipt No: X777777

Received By: _____

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

1. Name: RAYMOND D BROOKS 208-837-6448
Address: PO BOX 628
HAGERMAN ID 83332

AND/OR

Name: DORITA HOFF 208-837-6448
Address: PO BOX 628
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	Lot	County
07S	13E	11	NE	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	0.020		

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

8. Total consumptive use is 4.8 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	14	SW	SW		IRR	1.6

10. Place of Use: Continued

Section Acres 1.6

Total Acres 1.6

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:

CHANGE OF OWNERSHIP 12/6/95 SCC.

PROPERTY ALSO KNOWN AS LOT 9, BLK 1, SAND CREEK SUBD.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 8-1-95

LEGAL DESCRIPTION OF PROPERTY: Township 7 South Range 13 East, B.M.
Section 14, 1/4 of W $\frac{1}{2}$ XX~~XX~~ of SW 1/4, Govt. Lot N/A, B.M.
Lot 9, Block, 1, Subdivision/Townsite Sand Creek Subdivision
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)
Assigned by IDWR: Part of #A36-00108M
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): R. G. Messersmith and/or Bruce Bothwell
P. O. Box #444
Hagerman, Idaho
- ☒ New Owner/Claimant (Purchaser): Raymond D. Brooks and/or Dorita Hoff
- ☒ New Mailing Address: P. O. Box #628
Hagerman, Idaho 83332
- ☒ New Telephone Number: (208) 837 - 6448
- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
1 miner's inch from water right number A36-00108M to irrigate 1.60 acres
of property located in the Sand Creek Subdivision, Gooding County,
State of Idaho.
- ☒ Attach proof of ownership, describe proof attached: Copy of the recorded Warranty Deed and plat of the subdivision
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☒ Signature of New Owner/Claimant(s) [Signature] Date 8/28/95
- ☒ Signature of Former Owner/Claimant(s): [Signature] Date 8/23/95

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-6-95 By: SCC

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

sec-wp ✓

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

A36-00108T

RECEIVED

AUG 29 1995

Department of Water Resources
Southern Region

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

CORPORATION WARRANTY
DEE

FOR VALUE RECEIVED, MESSERSMITH, INC., an Idaho Corporation, and BOTHWELL CONSTRUCTION INC., an Idaho Corporation a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto

RAYMOND D. BROOKS and DORITA HOFF, husband and wife, grantee, the following described real estate, to-wit:

Lot 9 in Block 1 of SAND CREEK SUBDIVISION, Gooding County, Idaho, according to the plat thereof, recorded August 9, 1994, as Instrument No. 158173 in the Office of the County Recorder of said County.

Together with one share of Buckeye Irrigation District water.

162153

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

12 min. past 4 o'clock p.m. this 1 day of Aug 1995 3:00

By Cubito Silva Deputy

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President this day of 1995.

MESSERSMITH, INC.

BOTHWELL CONSTRUCTION INC.

By Deaun Messersmith
Deaun Messersmith, President

By Bruce R. Bothwell
Bruce R. Bothwell, PRESIDENT.

STATE OF IDAHO, COUNTY OF GOODING
On this 1st day of August, 1995,
before me, a notary public in and for said State, personally
appeared DEAUN MESSERSMITH

be the President of the corporation that executed this instrument or the person, who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Susan M. Belts
Notary Public
Residing at Gooding, Idaho
Comm. Expires 10-16-95

STATE OF IDAHO, COUNTY OF GOODING
On this 1st day of August, 1995,
before me, a notary public in and for said
state, personally appeared

BRUCE R. BOTHWELL
known to me to be the President of the corporation or the person who executed the instrument on behalf of said corporation & acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand & affixed my official seal this day of 1995

Susan M. Belts
Notary Public
Residing at Gooding, Idaho
Comm. Expires 10-16-95



First American Title Company of Idaho

A36-00 108T

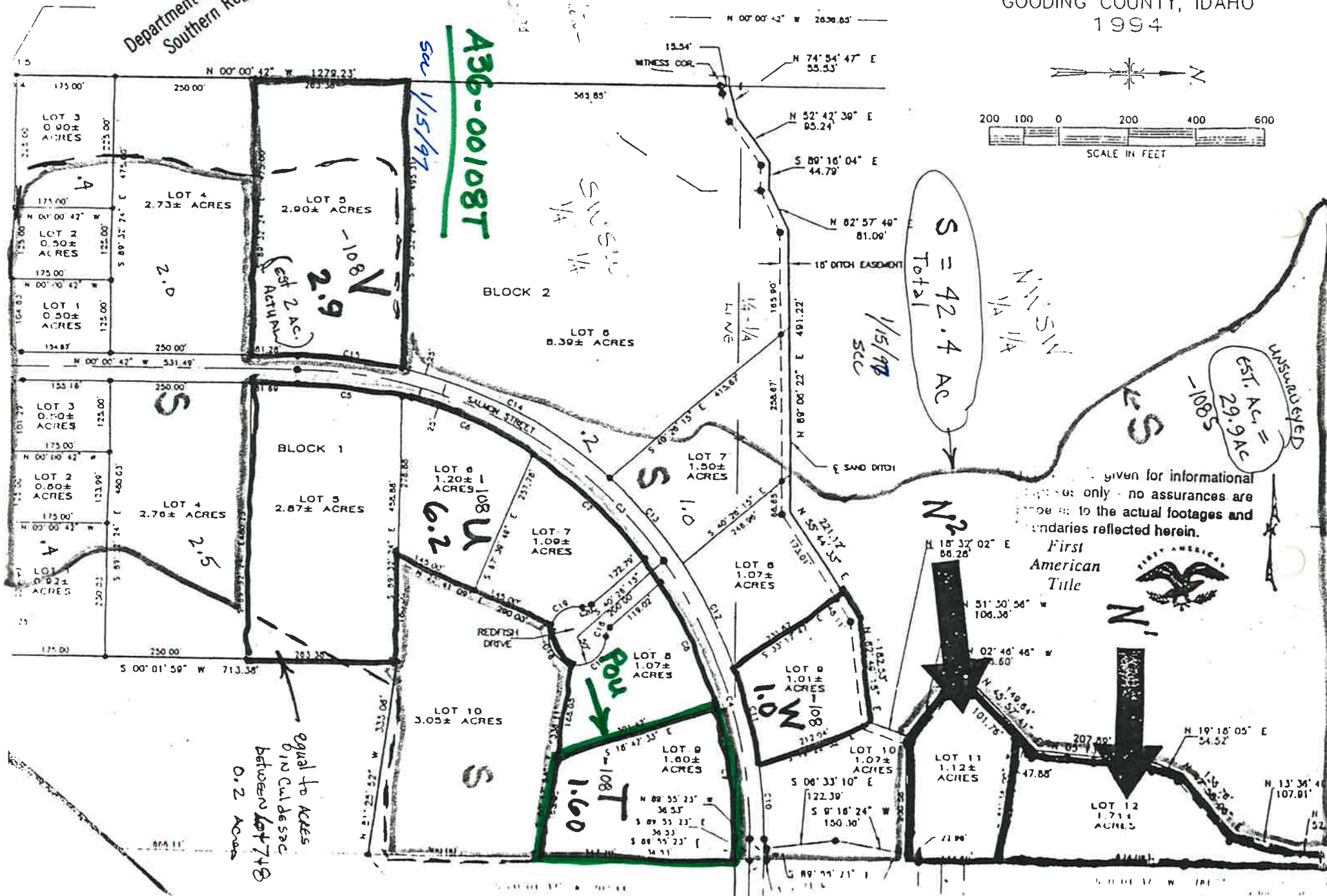
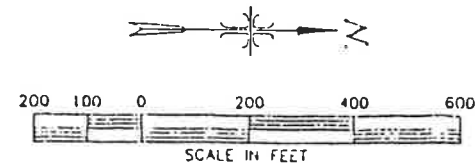
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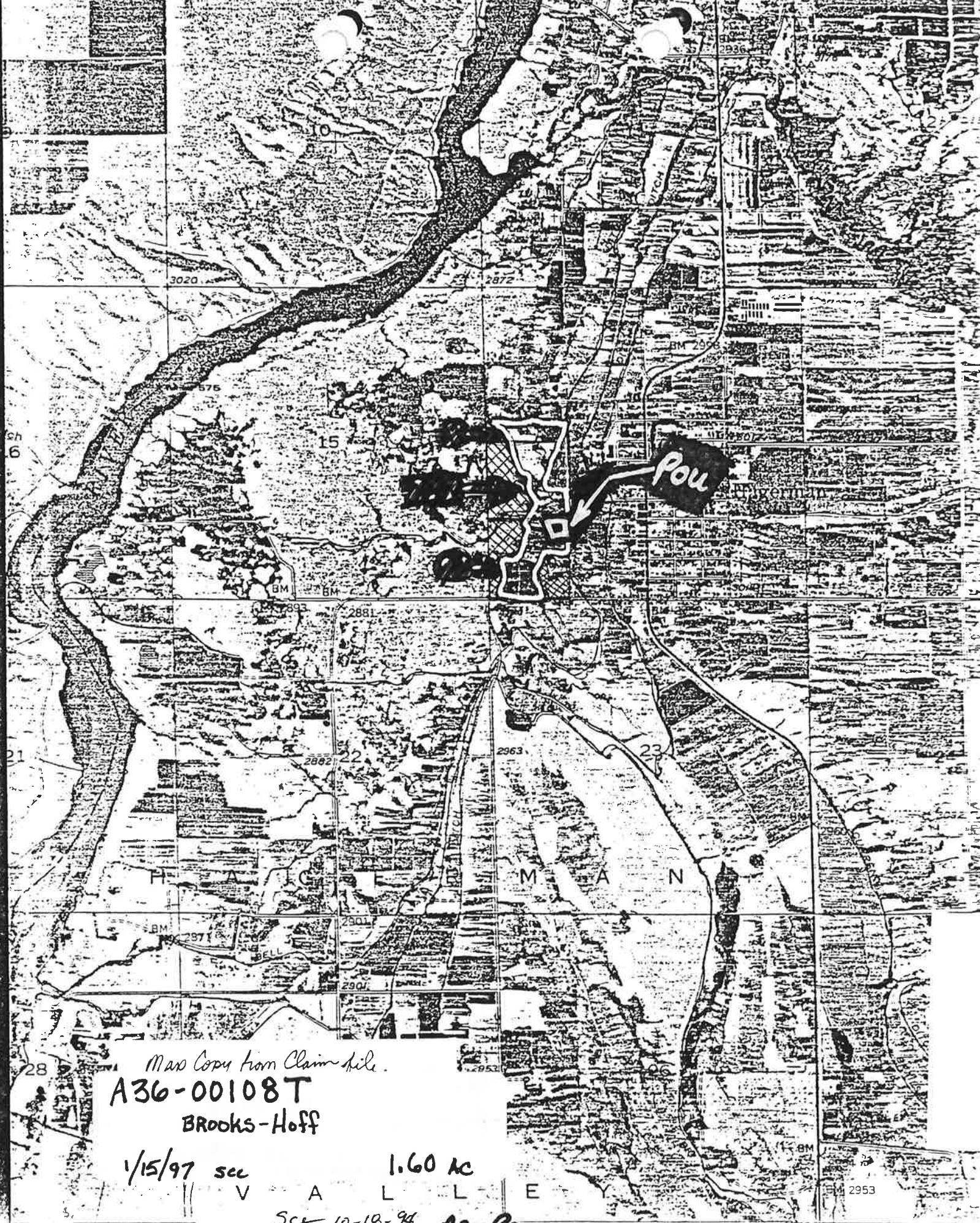
SCALE IN FEET



SEP 28 1994
Department of Water Resources
Southern Region Office

A PORTION OF THE W1/2SW1/4
SECTION 14, TOWNSHIP 7 SOUTH, RANGE 13 EAST,
BOISE MERIDIAN
GOODING COUNTY, IDAHO
1994





Map Copy from Claim file.

A36-00108T

BROOKS-HOFF

1/15/97 sec
V

1.60 AC

A L L E Y
See 10-18-94 AS RECOMMENDED

COPY

200 MAY 26 PM 12:03

FILED
T. 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. 36-00108E, 36-00108L,
	)	36-00108N, 36-00108S, 36-00108T,
Case No. 39576	)	36-00108U, 36-00108V, 36-00108W
	)	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: 5/24/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/21, 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:
Doris Gridley
Rt 1 Box 10
Hagerman ID 83332
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

Doris Gridley	Craig & Laurie Brooks	R G Messersmith
Rt 1 Box 10	PO Box 1343	Bruce Bothwell
Hagerman ID 83332	Ketchum ID 83340	PO Box 444
		Hagerman ID 83332
Raymond Brooks	Trudy & Stephen Beane	Robert & Jean Metzger
Dorita Hoff	PO Box 2694	PO Box 17
PO Box 628	Boise ID 83701	Hagerman ID 83332
Hagerman ID 83332		
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

AJ5859NP

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

DATE: MAY-19-2000

PAGE: A-1

RIGHT NUMBER: 36-00108E

SPLIT RIGHT: SEE RIGHT NOS. 36-00108L, 36-00108N, 36-00108S,
36-00108T, 36-00108U, 36-00108V AND 36-00108W.

AJ5856NP

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

DATE: MAY-25-2000
PAGE: A-1

RIGHT NUMBER: 36-00108L

NAME & ADDRESS: DORIS M GRIDLEY
RT 1 BOX 10
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.17 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 SESENW Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	02-15 11-30	0.17 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S14 SWSW 3
3 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 - DECREE

WATER IS DELIVERED THROUGH THE BUCKEYE DITCH.

A DIVERSION RATE OF 0.16 CFS AT THE FIELD HEADGATE IS
RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

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

AJ5856NP

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

DATE: MAY-25-2000

PAGE: A-2

RIGHT NUMBER: 36-00108N

NAME & ADDRESS: LAURIE BROOKS
CRAIG BROOKS
PO BOX 1343
KETCHUM ID 83340

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.16 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 SESENW Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	02-15 11-30	0.16 CFS

PLACE OF USE: IRRIGATION Within GOODING County
 T07S R13E S14 NWSW 2.8
 2.8 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 - DECREE

WATER IS DELIVERED THROUGH THE BUCKEYE DITCH.

A DIVERSION RATE OF 0.15 CFS AT THE FIELD HEADGATE IS
RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

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

AJ5856NP

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

DATE: MAY-25-2000
PAGE: A-3

RIGHT NUMBER: 36-00108S

NAME & ADDRESS: R G MESSERSMITH
BRUCE BOTHWELL
PO BOX 444
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.37 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	02-15 11-30	2.37 CFS

PLACE OF USE:	IRRIGATION	Within GOODING County
	T07S R13E S14	SWNW 9 NWSW 21.2 SWSW 12.2
	42.4 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 - DECREE
PROPERTY WITHIN SAND CREEK SUBDIVISION.

AJ5856NP

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

DATE: MAY-25-2000
PAGE: A-4

RIGHT NUMBER: 36-00108T

NAME & ADDRESS: RAYMOND D BROOKS
DORITA HOFF
PO BOX 628
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	02-15 11-30	0.02 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S14 SWSW 1.6
1.6 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 - DECREE
PROPERTY ALSO KNOWN AS LOT 9, BLK 1, SAND CREEK SUBD.

AJ5856NP

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

DATE: MAY-25-2000

PAGE: A-5

RIGHT NUMBER: 36-00108U

NAME & ADDRESS: TRUDY BEANE
STEPHEN W BEANE
PO BOX 2694
BOISE ID 83701

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.12 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	02-15 11-30	0.12 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S14 SWSW 6
6 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 - DECREE
PROPERTY ALSO KNOWN AS LOTS 5,6,7 & 8, SAND CREEK SUBD.

AJ5856NP

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

DATE: MAY-25-2000
PAGE: A-6

RIGHT NUMBER: 36-00108V

NAME & ADDRESS: STEPHEN W BEANE
TRUDY BEANE
PO BOX 2694
BOISE ID 83701

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.06 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

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

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S14 SWSW 2
2 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 - DECREE
PROPERTY ALSO KNOWN AS LOT 5, BLK 2, SAND CREEK SUBD.

AJ5856NP

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

DATE: MAY-25-2000
PAGE: A-7

RIGHT NUMBER: 36-00108W

NAME & ADDRESS: JEAN S METZGER
ROBERT J METZGER
PO BOX 17
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	02-15 11-30	0.02 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S14 NWSW 1
1 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 - DECREE
PROPERTY ALSO KNOWN AS LOTS 9, BLK 2, SAND CREEK SUBD.



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

January 31, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

R G MESSERSMITH
BRUCE BOTHWELL
PO BOX 444
HAGERMAN ID 83332

RE: SRBA Claim(s) 36-00108M

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

/tf

cc: Raymond D Brooks and Dorita Hoff
Stephen and Trudy Beane
Robert and Jean Metzger

COPY

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

1997 JUN 31 PM 3:20
DISTRICT COURT
TWIN FALLS CO., IDAHO

In Re SRBA

Case No. 39576

~~NOTICE OF COMPLETED~~
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-00108M

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

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

R G Messersmith
Bruce Bothwell
PO Box 444
Hagerman ID 83332
Phone: 837-6402

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

R G Messersmith
Bruce Bothwell
PO Box 444
Hagerman ID 83332
Phone: 837-6402

Raymond D Brooks
Dorita Hoff
PO Box 628
Hagerman ID 83332
Phone: 837-6448

Stephen Beane
Trudy Beane
PO Box 2694
Boise ID 83701
Phone: 336-2690

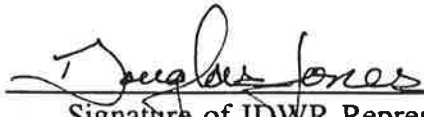
Robert J Metzger
Jean S Metzger
PO Box 17
Hagerman ID 83332
Phone: 837-6412

The Claimant has filed Objections or Responses to the following water rights: None

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: 1/31/97



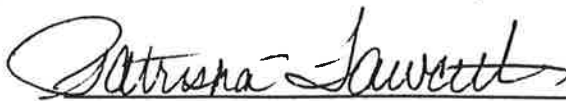
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1-31, 199~~6~~⁷, 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:
R G Messersmith
Bruce Bothwell
PO Box 444
Hagerman ID 83332
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Raymond D Brooks
Dorita Hoff
PO Box 628
Hagerman ID 83332
Stephen W Beane
Trudy Beane
PO Box 2694
Boise ID 83701

Robert J Metzger
Jean S Metzger
PO Box 17
Hagerman ID 83332
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724
6. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449



Signature of person or attorney mailing the form

AJ5859NP

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

DATE: JAN-30-1997

PAGE: A-1

RIGHT NUMBER:

36-00108M

SPLIT RIGHT: SEE RIGHT NOS. 36-00108S, 36-00108T, 36-00108U,
36-00108V AND 36-00108W.

1997 JAN 31 PM 3:30
DISTRICT COURT-SRDA
TWIN FALLS CO., IDAHO
FILED _____

AJ5856NP

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

DATE: JAN-28-1997
PAGE: A-2

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK

TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00108S

NAME & ADDRESS: R G MESSERSMITH
BRUCE BOTHWELL
PO BOX 444
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.76 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11

NESENE

Within GOODING County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
2.76 CFS

PLACE OF USE: IRRIGATION

Within GOODING County

T07S R13E S14
69.7 ACRES TOTAL

SWNW 9.0

NWSW 36.2

SWSW 24.5

CONSUMPTIVE USE: 209.1 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
PROPERTY WITHIN SAND CREEK SUBDIVISION.

1997 JAN 31 PM 3:30
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

AJ5856NP

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

DATE: JAN-28-1997
PAGE: A-3

1997 JAN 31 PM 3:30

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

DISTRICT COURT-SBBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 36-00108T

NAME & ADDRESS: RAYMOND D BROOKS
DORITA HOFF
PO BOX 628
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.02 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S14 SWSW 1.6
1.6 ACRES TOTAL

CONSUMPTIVE USE: 4.8 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
PROPERTY ALSO KNOWN AS LOT 9, BLK 1, SAND CREEK SUBD.

AJ5856NP

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

DATE: JAN-28-1997
PAGE: A-4

1997 JAN 31 PM 3:30

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 36-00108U

NAME & ADDRESS: TRUDY BEANE
STEPHEN W BEANE
PO BOX 2694
BOISE ID 83701

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.12 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.12 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S14 SWSW 6.0
6.0 ACRES TOTAL

CONSUMPTIVE USE: 18.0 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
PROPERTY ALSO KNOWN AS LOTS 5,6,7 & 8, SAND CREEK SUBD.

AJ5856NP

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

DATE: JAN-28-1997
PAGE: A-5

1997 JAN 31 PM 3:30

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00108V

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: STEPHEN W BEANE
TRUDY BEANE
PO BOX 2694
BOISE ID 83701

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.06 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.06 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S14 SWSW 2.9
2.9 ACRES TOTAL

CONSUMPTIVE USE: 8.7 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
PROPERTY ALSO KNOWN AS LOT 5, BLK 2, SAND CREEK SUBD.

AJ5856NP

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

DATE: JAN-28-1997
PAGE: A-6

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK

TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00108W

NAME & ADDRESS: JEAN S METZGER
ROBERT J METZGER
PO BOX 17
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 09/10/1884

POINT OF DIVERSION: T07S R13E S11

NESENE

Within GOODING County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
0.02 CFS

PLACE OF USE:

IRRIGATION

Within GOODING County

T07S R13E S14

NWSW 1.0

1.0 ACRES TOTAL

CONSUMPTIVE USE: 3.0 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
PROPERTY ALSO KNOWN AS LOTS 9, BLK 2, SAND CREEK SUBD.

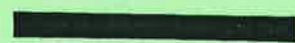
1997 JAN 31 PM 3:29

DISTRICT COURT-3RD JUDICIAL DISTRICT
TWIN FALLS CO., IDAHO
FILED

R PROOF



CVR



MAPS



PHOTOS



MISC



AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/24/97 15:36:15

Page 1

COO VERIFIED BY Sen

Water Right Number - R36-00108T

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BROOKS

RAYMOND D

1 - PO BOX 628

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6448

HOFF

DORITA

1 - PO BOX 628

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6448

*** O - ORIGINAL OWNER ***
GRIDLEY

DORIS M

1 - RT 1 BOX 10

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4738

MESSERSMITH

R G

1 - PO BOX 444

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6402

BOTHWELL

BRUCE

1 - PO BOX 444

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6402

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/10/1884 ERROR IN REGION D - DECREED

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

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

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.020 4.8

Water right number - R36-00108T

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
07S	13E	14	SW SW		1.6	01	IRRIGATION	(47) GOODING
Total Acres:					1.6			

+ - - Diversion Means - VIA BUCKEYE DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
EXP PROPERTY ALSO KNOWN AS LOT 9, BLK 1, SAND CREEK SUBD.

+ - - - - - Old Water Right Numbers - - - - - +
3600108
A3600108E
A3600108K
A3600108M

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

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

+ - - - - - Comments - - - - - +
Date: 01/24/1997 User Id: SCLELLAN Subject: COPIED FROM REMARKS
CHANGE OF OWNERSHIP 12/6/95 SCC. PROPERTY ALSO KNOWN AS LOT 9, BLK 1, SAND CREEK SUBD.
Date: 01/24/1997 User Id: SCLELLAN Subject: CHANGE OF OWNERSHIP
COMPLETED PROCESSING OF SPLIT OWNERSHIP OF PART M.

+ - - Audit Fields - - +
01/24/97 SCLELLAN

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

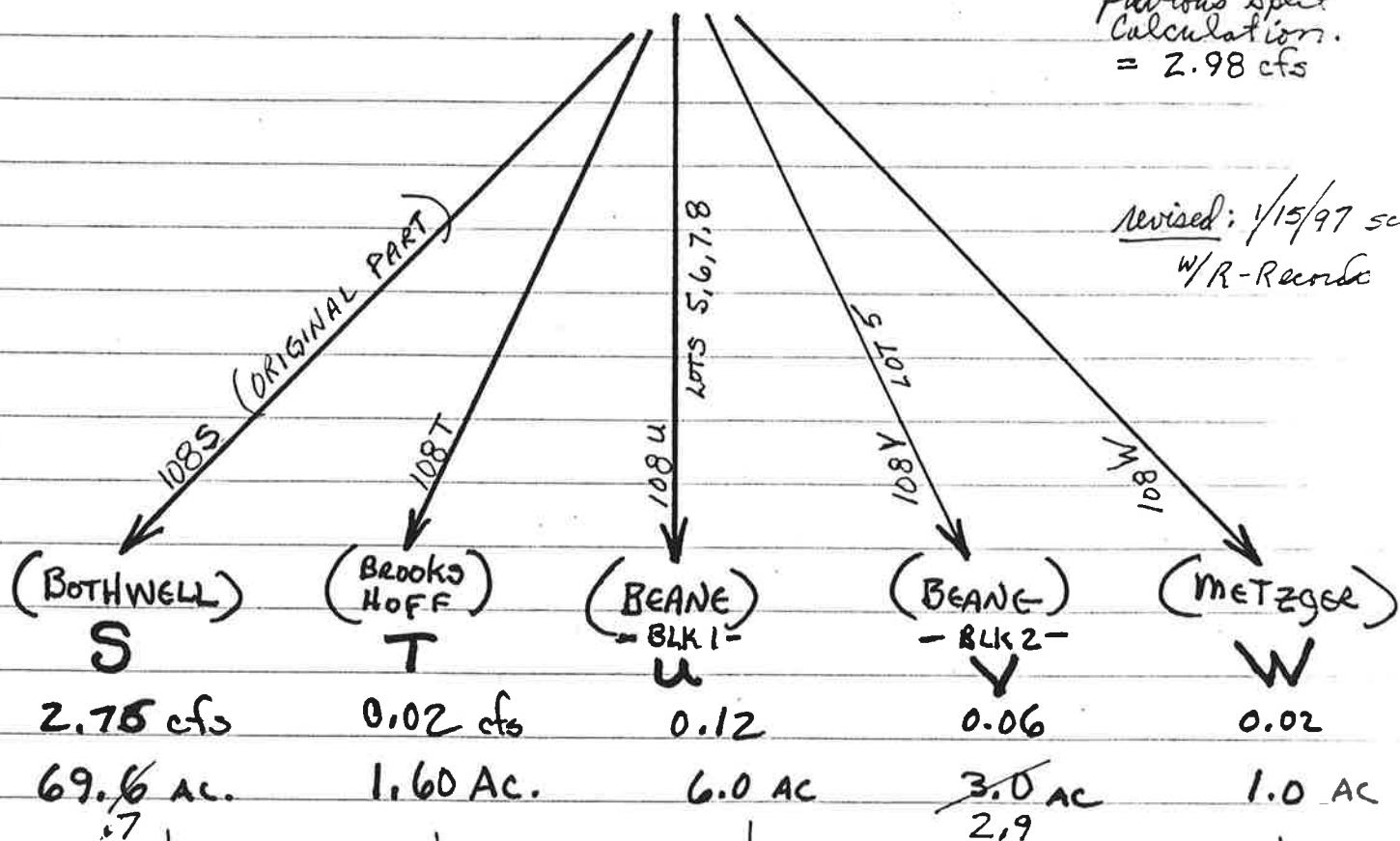
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

12-6-95
SCC

A36-00/08 M (Bothwell)
2.98 cfs
81.2 Ac

Corrected error in
previous split
calculations.
= 2.98 cfs

revised: 1/15/97 SC
w/R-Record



R-RECORD:

	(BOTHWELL) S	(Brooks HOFF) T	(BEANE) - BLK 1 - U	(BEANE) - BLK 2 - V	(METZGER) W
M = 53.2 A =	42.4	1.60 Ac	6.2 Ac	2.0 Ac	1.0 Ac
M = 2.98 cfs =	2.37 cfs	0.09 cfs	0.35 cfs	0.11 cfs	0.06 cfs

WR	AJ NAME	AJ CFS	AJ ACRES	R CFS	R ACRES	BLANK CFS	BLANK ACRES	SPLIT
36-00108 Y	<SPLIT>	—	—	—	—	(WR) 5.4	(WR) EST. 108	A-J
A	<SPLIT>	<0.30>	<5.0>	<SPLIT> ~~0.30~~	<SPLIT> ~~5.0~~	<0.30>	<5.0>	P/G
B	BLASTOCK	1.00	20.0	(BONNING) 0.51	(BONNING) 11.0	0.51	11.0	
C	MYERS	0.30	5.0	—	—	0.07	2.0	
D	BLANDFORD	0.14	2.0	—	—	0.14	2.0	
E	<SPLIT>	<4.5>	<89.0>	<SPLIT>	<SPLIT>	<3.28>	<59.0>	KL
F	ZINK	—	—	RENUMBERED				
G Y	TUSSEY	0.02	1.0	—	—	0.02	1.0	
H	JONES	0.12	3.0	—	—	0.12	3.0	
I	NOT USED	—	—	—	—	—	—	—
J	EASTERDAY (A36-04115)	0.50	10.0	—	—	0.50	8.0	
K	<SPLIT>	<3.04>	<84.0>	<3.11 SPLIT>	<56.0 SPLIT>	—	—	MN
L	GRIDLEY	1.46	5.0	0.17	3.0	—	—	
M	<SPLIT>	<2.98>	<81.2>	<2.98 SPLIT>	<53.2 SPLIT>	—	—	S-W
N	BROOKS	0.09	2.8	0.16	2.8	—	—	
O	NOT USED	—	—	—	—	—	—	—
P	VEENENDAAL	0.10	1.7	0.10	1.7	—	—	
Q	FETTER	0.20	3.3	0.20	3.3	—	—	
R	SUTTERLIN	0.02	1.0	0.02	1.0	—	—	
S	BOTHWELL	2.76	69.7	2.37	42.4	—	—	
T	BROOKS	0.02	1.60	0.09	1.6	—	—	
U	BEANE	0.12	6.0	0.35	6.2	—	—	
V	BEANE	0.06	2.9	0.11	2.0	—	—	
W	METZGER	0.02	1.0	0.06	1.0	—	—	
		6.93 cfs	136.0 AC.	4.12 cfs	73.0 AC.	0.85 cfs	16.0 AC.	=

SPLIT REVIEW: 36-00108

By: STEVE CLELLAND

1/14/97

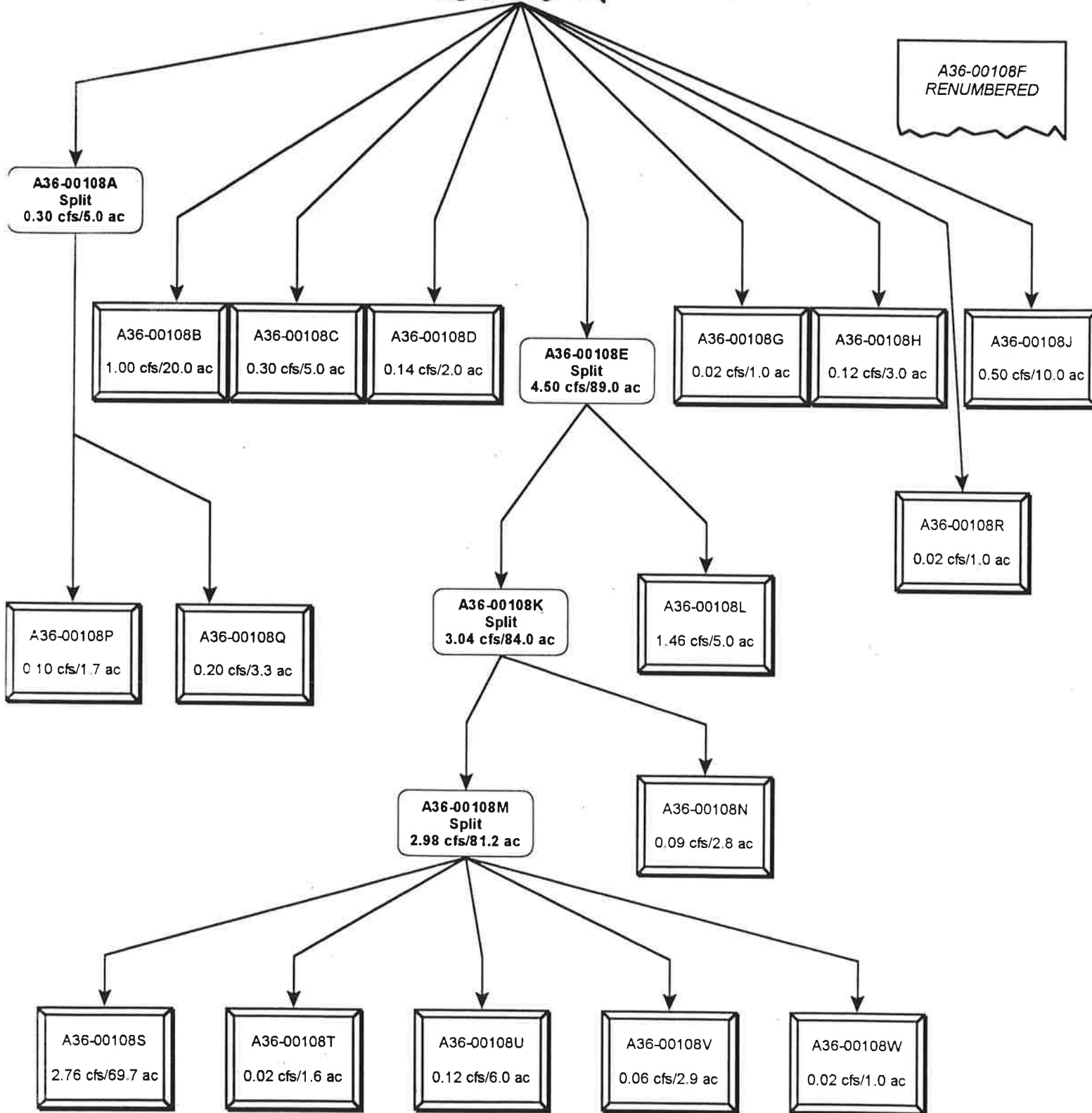
TOTAL AC. = 89.0

TOTAL CFS = 4.97 cfs

Analysis is based on
SRBA Claim Amounts
By: SCC 1/16/96

**SPLIT TREE FOR
A36-00108
5.4 CFS/108 AC**

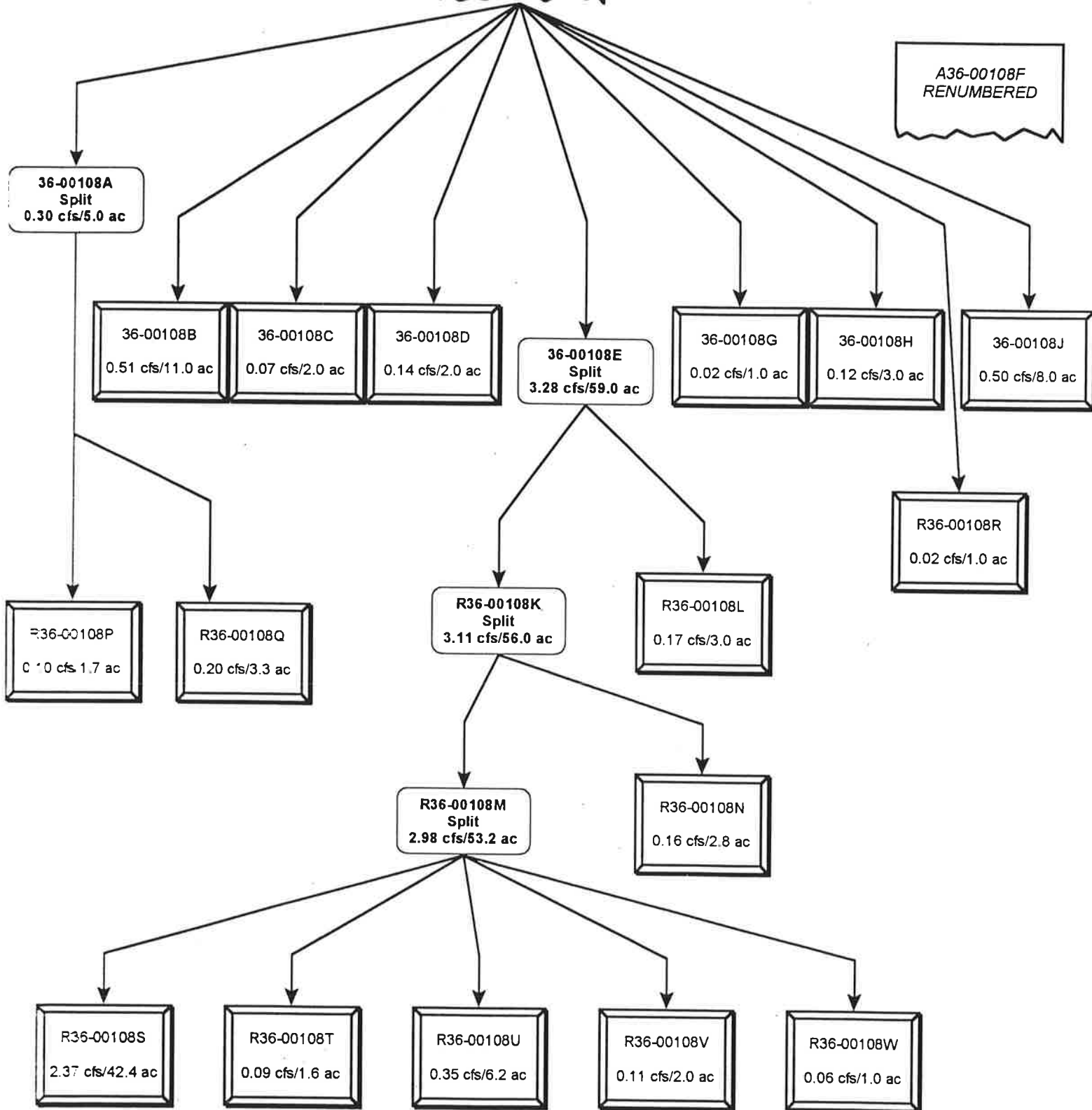
**A36-00108F
RENUMBERED**



Analysis is based on
Recommended Amounts
By: SCC 1/17/96

SPLIT TREE FOR
36-00108
5.4 CFS/108 AC

A36-00108F
RENUMBERED



NO CHANGES MADE
Follow A.O. 11 PROC
AP 5-22-96

RECEIVED

MAY 22 1996

Department of Water Resources

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.

Case No. 39576

STANDARD FORM 3

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department
of Water Resources,

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF
PARTY

vs.

SPLIT 36-00108M

The United States; the State of Idaho; and
all Claimants to the Use of Water From
the Snake River Basin Water System,

Respondents.

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

A36-00108 T

BROOKS/HOFF

Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The *Substitution* shall be filed by the new claimant/purchaser.

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested information. A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here.

Follow the instructions on the form or the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed.

The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☐ CHANGE IN ADDRESS

My name is _____

I am the claimant of _____

(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is Raymond D. Brooks and/or Dorita Hoff

My address is P. O. Box #628
Hagerman, Idaho 83332

My phone number is: Work _____ Home 208-837-6448

The name and address of the party who I wish to be substituted for are:

R. G. Messersmith and/or Bruce Bothwell

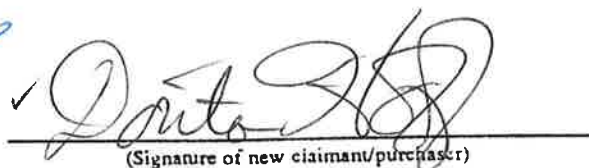
P. O. Box #444, Hagerman, Idaho 83332

I am the new claimant/purchaser of 1 miner's inch from #A36-00108M and
(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

Copy of the recorded Warranty Deed and a copy of the Sand Creek Subdivision
located in the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 14, Township 7 South, Range 13 East of the
Boise Meridian, Gooding County, State of Idaho.


(Signature of prior claimant/seller)


(Signature of new claimant/purchaser)

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is _____

I am the attorney of record for _____
(Identify party/claimant)

My address and phone number are _____

VERIFICATION

(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of Gooding

Dorita Hoff, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Dorita Hoff
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on August 28th 1995
(Insert Date)

Conrad F. Herbert
Notary Public for Idaho
Residing at: Hagerman
My Commission expires: 2/98

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on 8-28, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

R. G. Messersmith and/or Bruce Bothwell
P. O. Box #444
Hagerman, Idaho 83332

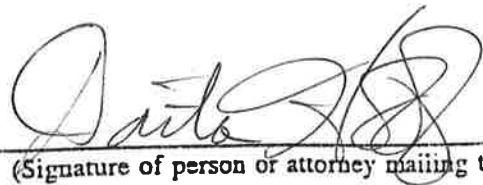
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

4. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

5. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734


(Signature of person or attorney mailing the form)

FOR VALUE RECEIVED, MESSERSMITH, INC., an Idaho Corporation, and BOTHWELL CONSTRUCTION INC., an Idaho Corporation a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto

RAYMOND D. BROOKS and DORITA HOFF, husband and wife, grantee, the following described real estate, to-wit:

Lot 9 in Block 1 of SAND CREEK SUBDIVISION, Gooding County, Idaho, according to the plat thereof, recorded August 9, 1994, as Instrument No. 158173 in the Office of the County Recorder of said County.

Together with one share of Buckeye Irrigation District water.

162153

STATE OF IDAHO COUNTY OF GOODING
FIRST AMERICAN TITLE

Filed for record at the request of
12 min. past 4 o'clock on this 1
of Aug 19 95 3.00

By Cubito Siles Deputy

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President this day of 1995.

MESSERSMITH, INC.

By Deann Messersmith
Deann Messersmith, President

BOTHWELL CONSTRUCTION INC.

By Bruce R. Bothwell
Bruce R. Bothwell, PRESIDENT.

STATE OF IDAHO, COUNTY OF GOODING
On this 1st day of August, 1995,
before me, a notary public in and for said State, personally
appeared DEANN MESSERSMITH

, known to me to be the President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Susan M. Betts
Notary Public
Residing at Gooding, Idaho
Comm. Expires 10-16-95

STATE OF IDAHO, COUNTY OF GOODING
On this 1st day of August, 1995,
before me, a notary public in and for said state, personally appeared

BRUCE R. BOTHWELL
known to me to be the President of the corporation or the person who executed the instrument on behalf of said corporation & acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand & affixed my official seal this day of 1995.

Susan M. Betts
Notary Public
Residing at Gooding, Idaho
Comm. Expires 10-16-95



First American Title Company of Idaho

POINT
WINNING
CTION COR
CAP SET

