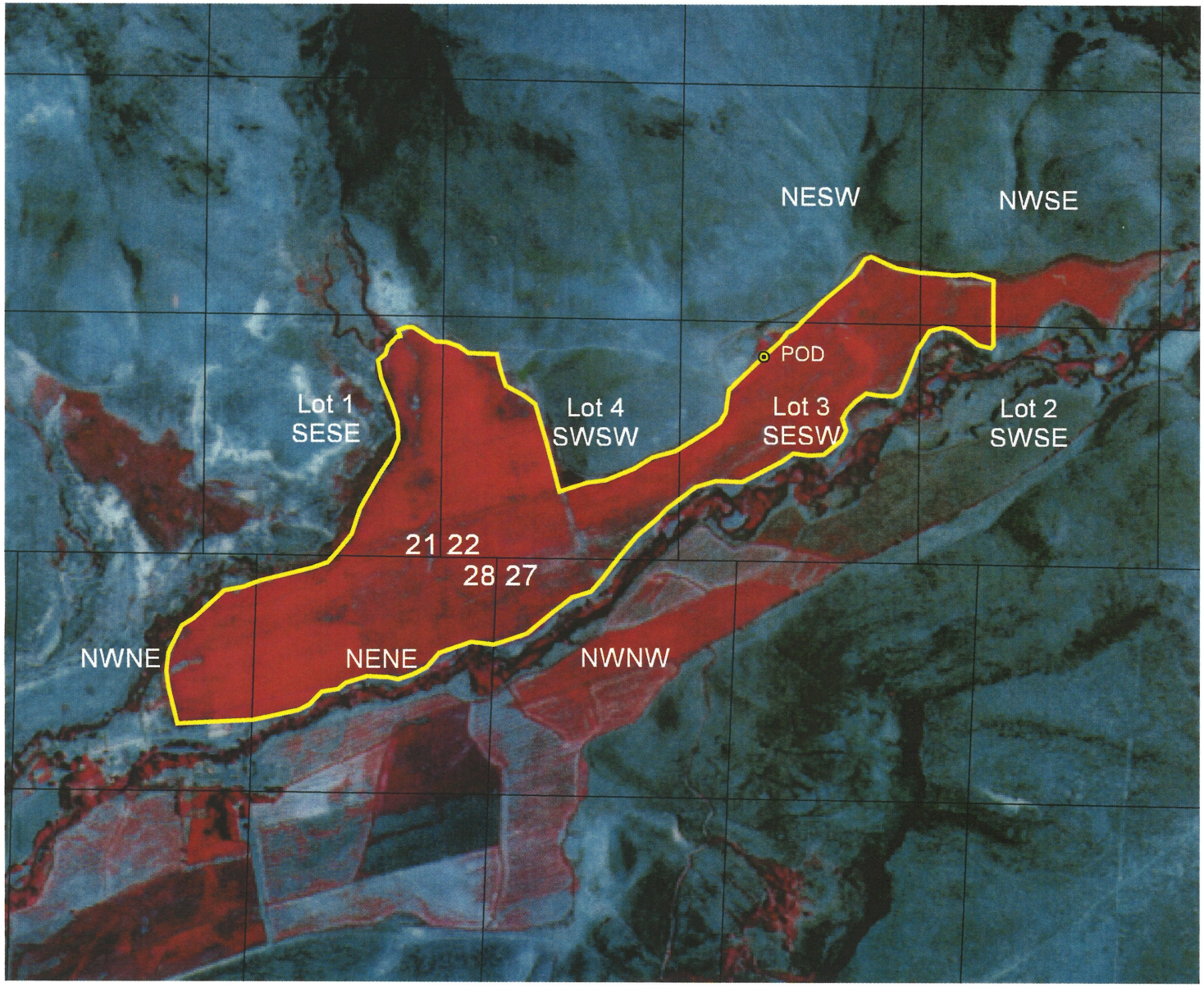
37-7613



T04S R13E
S21 S22
S27 & S28

N
W
E
S

1000 0 1000 2000 3000 Feet

Map prepared by: Carter Fritschle
Date prepared: 11/29/04
1987-1988 NAPP photography
Idaho Department of Water Resources

11/29/2004

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7613

NAME AND ADDRESS: DONALD T BRAY
PO BOX 194
BLISS ID 83314-0094

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.750 CFS
336.000 AFY

Right Nos. 37-805B, 37-806B and 37-7613 are limited to a total combined combined diversion rate of 2.55 cfs.

PRIORITY DATE: 05/25/1977

POINT OF DIVERSION:

T04S R13E S22 SESW Lot 3 Within GOODING County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	0.750 CFS 336.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within GOODING County

T04S R13E S21 Lot 1	SESE	10.0	T04S R13E S22	NESW	4.0
T04S R13E S22 Lot 4	SWSW	21.0	T04S R13E S22 Lot 3	SESW	15.0
T04S R13E S22	NWSE	2.0	T04S R13E S22 Lot 2	SWSE	0.7
T04S R13E S27	NWNW	4.5	T04S R13E S28	NENE	20.0
T04S R13E S28	NWNE	6.8			

84 ACRES TOTAL

Right Nos. 37-805B, 37-806B and 37-7613 are limited to the irrigation of a combined total of 90 acres in a single irrigation season.

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: License

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-7613

Priority: May 25, 1977 Amount: .75 CFS 252.0 AFA

This is to certify, that JOHN TSCHANNEN
P.O. BOX 78
BLISS, ID 83314 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 25, 1977, and has submitted proof to the Department of Water Resources on August 10, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .75 cfs of water from a **GROUNDWATER** source and that a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	VOLUME
Irrigation	04/01 to 11/01	.75 cfs	252.0 afa

LOCATION OF POINT OF DIVERSION(S): LOT 3(SESW), Sec. 22, Township 4S, Range 13E Gooding County

PLACE OF USE: Irrigation

TWN	RGE	SEC	ACRES	ACRES	ACRES	ACRES	TOTAL
4S	13E	21	LOT 1(SESE)19				19
		22	NESW 4	LOT 4(SWSW)27	LOT 3(SESW)10		41
		27	NWNW 3				3
		28	NENE 18	NWNE 3			21

Total number of acres irrigated: 84

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 21st day of October, 19 87.

RECORDED

MAR 10 1988

Director

870929

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: A37-07613
Date Received: 8/19/1988
Receipt No: S001578
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: JOHN H. TSCHANNEN 208-352-4294
   Address: P.O. BOX 75
   BLISS, ID 83314
   AND/OR
   Name: CLOVER CREEK RANCH, INC.
   Address:
   BLISS, ID 83314

2. Date of Priority: MAY 25, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	13E	22		SE	SW	3	GOODING

5. Description of diverting works:
   14" X 190' WELL, 135 HP DIESEL MOTOR, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.750		

7. Total Quantity Appropriated is:
   0.750 C.F.S. (and/or) 252.00 A.F.A.

8. Total consumptive use is 252.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
04S	13E	21	SE	SE	1	IRR	19.0
					Section Acres		19.0
		22	NE	SW		IRR	4.0
			SW	SW	4	IRR	27.0
			SE	SW	3	IRR	10.0
					Section Acres		41.0
		27	NW	NW		IRR	3.0
					Section Acres		3.0
		28	NE	NE		IRR	18.0
			NW	NE		IRR	3.0
					Section Acres		21.0
					Total Acres		84.0

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:
A37-04060, A37-00805, A37-00806

14. Remarks:
WELL IS USED WHEN STREAM RIGHTS DRY UP.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): John W. Tschumper Date: Aug 19, 1988

_____ Date: _____

State of Idaho)
) SS.
County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 19th day of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94


B 200
(4826)
T-46 I
13.0
E
25.8
21
28
22
D
5.2
B
8.8
D
4.0
22
27
23
26
A37-07613
Twp - 4 So.
Rge - 13 E
S 1/2 sec 22
S 1/2 SE 1/4 sec 21

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-7613

Priority: May 25, 1977 **Amount:** .75 CFS 252.0 AFA

This is to certify, that JOHN TSCHANNEN
P.O. BOX 78
BLISS, ID 83314 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 25, 1977, and has submitted proof to the Department of Water Resources on August 10, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .75 cfs of water from a **GROUNDWATER** source and that a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	VOLUME
Irrigation	04/01 to 11/01	.75 cfs	252.0 afa

LOCATION OF POINT OF DIVERSION(S): LOT 3(SESW), Sec. 22, Township 4S, Range 13E Gooding County

PLACE OF USE: Irrigation

TWN	RGE	SEC	ACRES	ACRES	ACRES	ACRES	TOTAL
4S	13E	21	LOT 1(SESE)19				19
		22	NESW 4	LOT 4(SWSW)27	LOT 3(SESW)10		41
		27	NWNW 3				3
		28	NENE 18	NWNE 3			21

Total number of acres irrigated: 84

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 21st day of October, 19 87.

RECORDED

MAR 10 1988

Director

870929

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 13, 1998

DONALD T. BRAY
PO Box 156
Bliss, Idaho 83314

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): **A37-07613, A37-00805, A37-00806, A37-04331B and A37-04060**
Change of Ownership and Address Notification

Dear Claimant(s):

Thank you for your reply to my request for additional documentation regarding property with the above referenced Snake River Basin Adjudication claims. We are also in receipt of your change of address notice, and our records have now been updated. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. The ownership of claim number A37-04060 was changed in 1991, and has been left in the names specified at that time, with only the address updated. If you have any questions, please contact me at this office.

Sincerely,

Vikie Hancock

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 20, 1998

Donald T. Bray
Lye Lake Ranch
PO Box 156
Bliss, Idaho 83314

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): **A37-04340, A37-00805A, A37-00806A, A37-04058, A37-04059, A37-04331A**
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you now own property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. Also, please note that Adjudication Claims A37-00805A and A37-00806A (splits off the original claims) are appurtanent to the property in question. A37-00805 and A37-00806 are appurtanent to the property conveyed to you by John Tschannen.

We are also in receipt of your Notice of Change of Ownership for the property conveyed to you by John Tschannen; however, the copy of the Warranty Deed that you submitted with this Notice does not have exhibit A, which contained the legal description, attached. We are unable to change our records without a legal description of the property. I am enclosing a self-addressed envelope for your convenience. Please return a complete Warranty Deed for this transaction, and I will proceed with the update on the rest of your claims.

If you have any questions, please contact me at this office.

Sincerely,

Vikie Hancock
S.R.B.A. Records Clerk

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: **A37-07613**
Date Received: 8/19/1988
Receipt No: S001578
Received By: _____

COPY FOR YOUR FILES **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** **COPY FOR YOUR FILES**

1. Name: DONALD T BRAY 208-352-4274
   Address: PO BOX 156
   BLISS ID 83314

2. Date of Priority: MAY 25, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04S	13E	22	SE SW	3	GOODING

5. Description of diverting works:
   14" X 190' WELL, 135 HP DIESEL MOTOR, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.750		

7. Total Quantity Appropriated is:
   0.750 C.F.S. (and/or) 252.00 A.F.A.

8. Total consumptive use is 252.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	13E	21	SE SE	1	IRR	19.0
			Section Acres			19.0
		22	NE SW		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
04S	13E	22	SW	SW	4	IRR	27.0
			SE	SW	3	IRR	10.0
						Section Acres	41.0
		27	NW	NW		IRR	3.0
						Section Acres	3.0
		28	NE	NE		IRR	18.0
			NW	NE		IRR	3.0
						Section Acres	21.0
						Total Acres	84.0

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:
A37-04060, A37-00805, A37-00806

14. Remarks:
WELL IS USED WHEN STREAM RIGHTS DRY UP.
****
5-13-98: OWNERSHIP CHANGE TSCHANNEN TO BRAY PER NOTICE REC'D
10-22-97 - ADDRESS CHANGE PER NOTICE REC'D 5-13-98 - VH

15. Basis of Claim: LICENSE

RECEIVED

MAY 13 1998

Department of Water Resource
Southern Region

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM IN THE SNAKE RIVER BASIN ADJUDICATION

[ ] Water Right Number(s): ~~A37-07613~~, A37-04060

[ ] Old Mailing Address:

[ ] New Mailing Address: Donald T. Bray
Box 156
Bliss, ID 83314

[ ] New Telephone Number: (208) 352-4274

[ ] Signature of Claimant(s): Donald T. Bray

Date: 13 Apr 98

A37-07613
04060
00505
00506
043313

For IDWR use only:
Initial Review and Data En
Date: By:
Further Action Taken
Date: By:
Final Review and Data Ent
Date: By

Form 42-248/42-1409(6) 1/9/97

RECEIVED
OCT 29 1997
Department of Water Resources
Western Region

RECEIVED
OCT 22 1997
Department of Water Resources

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).: A37-07613, A37-04060, A37-00805, A37-00806, A37-04331B DONE

   Adjudication Claim No(s).: _____

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

   A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

   AND

   B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: John H Tschannen
   P.O. Box 75 Bliss, ID 83314

4. New Owner/Claimant(s): Donald T Bray
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: P.O. Box 94
   City, State and ZIP Code: Bliss, ID 83314
   New Telephone Number: (208) 352-4274

5. Date you acquired the property: March 20 1990

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

   Number of acres you irrigate _____ Number and type of stock _____

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

   If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): Donald T. Bray

   (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..

G-001234

WARRANTY DEED

RECEIVED
APR 30 1998
Department of Water Resources
Southern Region

For Value Received

JOHN H. TSCHANNEN, A MARRIED MAN, DEALING WITH HIS SOLE AND SEPARATE PROPERTY,

the grantor, does hereby grant, bargain, sell, and convey unto

DONALD R. BRAY AND JULIANNE LA FRANKIE BRAY, HUSBAND AND WIFE,

the grantees, whose current address is

206 EAST 9TH, ESCONDIDO, CALIFORNIA 92025,

the following described premises, to-wit:

STATE OF IDAHO
COUNTY OF GOODING, S S
RECORDED AT REQUEST OF
AMERICAN TITLE COMPANY
'90 MAR 20 PM 4 09
ARDELLA A. MYERS, REC.
DEP. _____ FEE 6.00

140203

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners 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 they will warrant and defend the same from all claims whatsoever.

Dated: MARCH 20, 1990

John H. Tschannen
JOHN H. TSCHANNEN

STATE OF IDAHO)
: ss
COUNTY OF GOODING)

On This 20TH day of MARCH, in the year 1990, before me, a Notary Public in and for said State, personally appeared DONALD R. BRAY AND JULIANNE LA FRANKIE BRAY, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

NOTARY PUBLIC

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

FIRST AMERICAN

EXHIBIT "A"

PARCEL I

That portion of the Northeast Quarter of Section 28, Township 4 South, Range 13 East of the Boise Meridian, County of Gooding, State of Idaho, described as follows:

BEGINNING at the West quarter corner of said Section 28;
Thence North 64°10'8" East 3038.12 feet to the **TRUE POINT OF BEGINNING;**
Thence North 40°15'20" West for 146.30 feet to a point on the West line of the Northwest Quarter of the Northeast Quarter of said Section;
Thence North along said West line 81.79 feet;
Thence North 49°44'08" East 155.85 feet;
Thence South 40°15'52" East 208.71 feet;
Thence South 49°44'08" West 208.71 to the **TRUE POINT OF BEGINNING.**

PARCEL II

An easement 30 feet in width for the purpose of ingress and egress over a portion of the Northwest Quarter of Section 28, Township 4 South, Range 13 East of the Boise Meridian, County of Gooding, State of Idaho, being 15 feet on each side of a centerline being described as follows:

BEGINNING at the West quarter corner of said Section 28;
Thence North 88°52'13" East 1533.20 feet to the **TRUE POINT OF BEGINNING**, also being the center line of an existing County Road;
Thence North 48°55'43" East, 1405.90 feet to a point on a curve;
Thence along said curve to the left a distance of 144.42 feet (and whose chord bears North 23°12'56" East 139.65 feet);
Thence North 02°29'52" West 102.24 feet to a point on a curve;
Thence along said curve to the right a distance of 111.55 feet (and whose chord bears North 23°37'09" East 107.75 feet);
Thence North 49°44'08" East 271.62 feet to the point of termination at the Southeast corner of Parcel I.

CONTINUED

FIRST AMERICAN

EXHIBIT A - CONTINUED

PARCEL III

Lots 1 and 2 of Section 21, Township 4 South, Range 13 East of the Boise Meridian, County of Gooding, State of Idaho.

PARCEL IV

The Northeast Quarter of the Southwest Quarter of Section 22, Township 4 South, Range 13 East of the Boise Meridian, County of Gooding, State of Idaho.

PARCEL V

Part of Lots 2, 3 and 4 and that portion of the Southeast Quarter of the Northeast Quarter and the North Half of the Southeast Quarter of Section 22;
And that portion of the West Half of the Northwest Quarter of Section 27;
And that portion of the Northeast Quarter of Section 28;
All being in Township 4 South, Range 13 East of the Boise Meridian, County of Gooding, State of Idaho, lying North and West of the center channel of Clover Creek located approximately as follows:

BEGINNING at a point of the center section line 1800 feet South of the quarter corner between Sections 21 and 28 of Township 4 South, Range 13 East of the Boise Meridian, running
Thence North 49°00' East 1090 feet;
Thence South 82°55' East 935 feet;
Thence North 55°45' East 2385 feet;
Thence North 63°50' East 3855 feet;
Thence North 4°00' East 810 feet to the half section line of Section 22, Township 4 South, Range 13 East of the Boise Meridian;
Thence in a Northeasterly direction to a point where said Clover Creek intersects the East boundary line of the Southeast Quarter of the Northeast Quarter of said Section 22, Township 4 South, Range 13 East of the Boise Meridian, which is about 200 feet North of the Southeast corner thereof.

CONTINUED

DZB
JAB

FIRST AMERICAN

EXHIBIT A - CONTINUED

EXCEPTING THEREFROM the following described land:

A tract of land in the West Half of the Northeast Quarter of Section 28 being more particularly described as follows:

COMMENCING at the West quarter corner of said Section 28;
Thence North 64°10'08" East 3038.12 feet to the **TRUE POINT OF BEGINNING;**
Thence North 40°15'52" West 146.30 feet more or less to the West line of the Northwest Quarter of the Northeast Quarter of said Section 28;
Thence North along said West line for 81.79 feet;
Thence North 49°44'08" East 155.85 feet;
Thence South 40°15'52" East 208.71 feet;
Thence South 49°44'08" West 208.71 feet to the **TRUE POINT OF BEGINNING.**

DJB
JLB

G-001234

RECEIVED
APR 30 1998
Department of Water Resource
Southern Region

WARRANTY DEED

For Value Received

ALLEN R. TSCHANNEN AND JANELL T. TSCHANNEN, HUSBAND AND WIFE,

the grantors, do hereby grant, bargain, sell, and convey unto

DONALD R. BRAY AND JULIANNE LA FRANKIE BRAY, HUSBAND AND WIFE,

the grantees, whose current address is

206 EAST 9TH, ESCONDIDO, CALIFORNIA 92025,

the following described premises, to-wit:

SEE ATTACHED EXHIBIT A

STATE OF IDAHO
COUNTY OF GOODING, S S
RECORDED AT REQUEST OF
FIRST AMERICAN TITLE COMPANY
'90 MAR 20 PM 4 03
JUNE A. MYERS, REC.
DEP. [illegible] FEE 6.00

140202

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners 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 they will warrant and defend the same from all claims whatsoever.

Dated: MARCH 20, 1990

Allen R Tschannen
ALLEN R. TSCHANNEN

Janell T. Tschannen
JANELL T. TSCHANNEN

STATE OF IDAHO)
: ss
COUNTY OF GOODING)

On This 20TH day of MARCH, in the year 1990, before me, a Notary Public in and for said State, personally appeared ALLEN R. TSCHANNEN AND JANELL T. TSCHANNEN, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

NOTARY PUBLIC

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

EXHIBIT "A"

PARCEL I

That portion of the Northeast Quarter of Section 28, Township 4 South, Range 13 East of the Boise Meridian, County of Gooding, State of Idaho, described as follows:

BEGINNING at the West quarter corner of said Section 28;
Thence North 64°10'8" East 3038.12 feet to the **TRUE POINT OF BEGINNING;**
Thence North 40°15'20" West for 146.30 feet to a point on the West line of the Northwest Quarter of the Northeast Quarter of said Section;
Thence North along said West line 81.79 feet;
Thence North 49°44'08" East 155.5 feet;
Thence South 40°15'52" East 208.71 feet;
Thence South 49°44'08" West 208.71 to the **TRUE POINT OF BEGINNING.**

PARCEL II

An easement 30 feet in width for the purpose of ingress and egress over a portion of the Northwest Quarter of Section 28, Township 4 South, Range 13 East of the Boise Meridian, County of Gooding, State of Idaho, being 15 feet on each side of a centerline being described as follows:

BEGINNING at the West quarter corner of said Section 28;
Thence North 88°52'13" East 1533.20 feet to the **TRUE POINT OF BEGINNING**, also being the center line of an existing County Road;
Thence North 48°55'43" East, 1405.90 feet to a point on a curve;
Thence along said curve to the left a distance of 144.42 feet (and whose chord bears North 23°12'56" East 139.65 feet);
Thence North 02°29'52" West 102.24 feet to a point on a curve;
Thence along said curve to the right a distance of 111.55 feet (and whose chord bears North 23°37'09" East 107.75 feet);
Thence North 49°44'08" East 271.62 feet to the point of termination at the Southeast corner of Parcel I.

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: **A37-07613**
Date Received: 8/19/1988
Receipt No: S001578
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN H. TSCHANNEN 208-352-4294
   Address: P.O. BOX 75
   BLISS, ID 83314
   AND/OR
   Name: CLOVER CREEK RANCH, INC.
   Address:
   BLISS, ID 83314

2. Date of Priority: MAY 25, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	13E	22		SE	SW	3	GOODING

5. Description of diverting works:
   14" X 190' WELL, 135 HP DIESEL MOTOR, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.750		

7. Total Quantity Appropriated is:
   0.750 C.F.S. (and/or) 252.00 A.F.A.

8. Total consumptive use is 252.0 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
04S	13E	21	SE	SE	1	IRR	19.0
					Section Acres		19.0
		22	NE	SW		IRR	4.0
			SW	SW	4	IRR	27.0
			SE	SW	3	IRR	10.0
					Section Acres		41.0
		27	NW	NW		IRR	3.0
					Section Acres		3.0
		28	NE	NE		IRR	18.0
			NW	NE		IRR	3.0
					Section Acres		21.0
					Total Acres		84.0

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:
A37-04060, A37-00805, A37-00806

14. Remarks:
WELL IS USED WHEN STREAM RIGHTS DRY UP.

15. Basis of Claim: LICENSE

MICROFILMED
FEB 24 1993

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): John W. Tschumper Date: Aug 19, 1988

_____ Date: _____

State of Idaho)
) SS.
County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 19th day of August 19 88

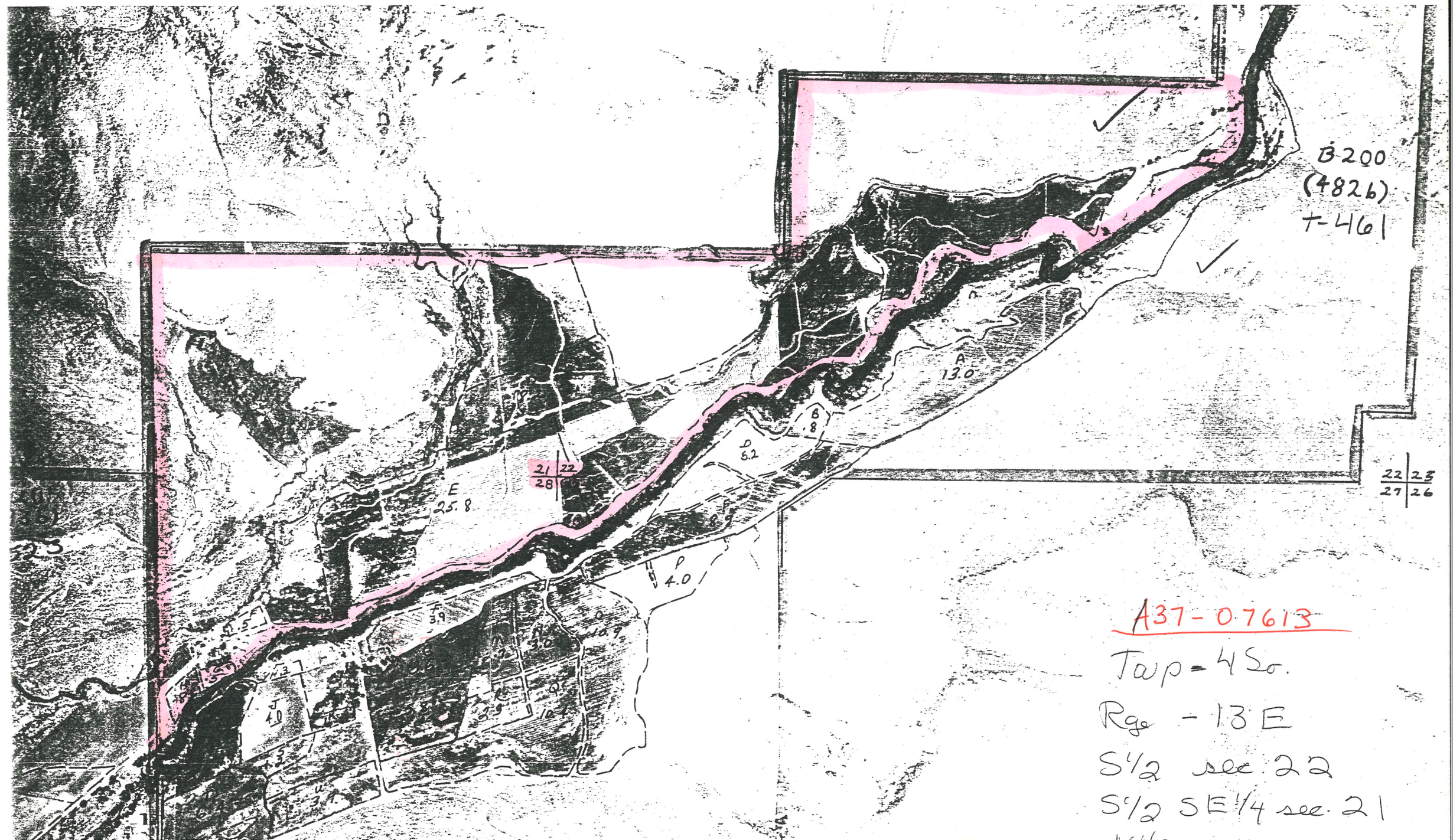
Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

MICROFILMED
FEB 24 1993


B 200
(482b)
T-461
A
13.0
B
.8
D
5.2
E
25.8
21 | 22
28 | 27
22 | 23
27 | 26
D
4.0
F
3.9
J
4.0
A37-07613
Twp - 45.
Rge - 13E
S½ sec. 22
S½ SE¼ sec. 21