



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 22, 2005

George Ogden
565 Poplar St.
Bliss, ID 83314

RE: Snake River Basin Adjudication (SRBA) claim no. 37-13421

Dear Mr. Ogden:

Enclosed is a copy of the Partial Decree for claim no. 37-13421 that was issued by the SRBA Court on May 7, 2001. As noted in our conversation on April 21, you will see that both the point of diversion and place of use were decreed in Section 26 instead of Section 27, where the water is actually diverted and used. I have also enclosed a map of Malad Estates Subdivision showing where I believe the spring is located. The location is the yellow circle with the black dot in the center identified as the source for your water right, as well as the source for water right nos. 37-4245, 37-8014 and 37-12978.

The following procedure is necessary in order to have the legal description of the point of diversion and place of use corrected: You will need to write a letter to the court explaining the error, and ask that the partial decree be set aside and a corrected one entered due to the clerical error. The Judge will then refer the matter to a Special Master, who will hold a telephone hearing on it (you must participate in the hearing, but it is a short and informal telephone conference where you will not need to be represented by an attorney). At the hearing an attorney representing the Idaho Department of Water Resources will explain the error. The Special Master should then be able to recommend to the Judge that the partial decree be set aside and a corrected one entered.

If you have any questions, you may call the direct line to my desk (208) 287-4917, or use our toll free number (800) 451-4129 and ask for me.

Sincerely,

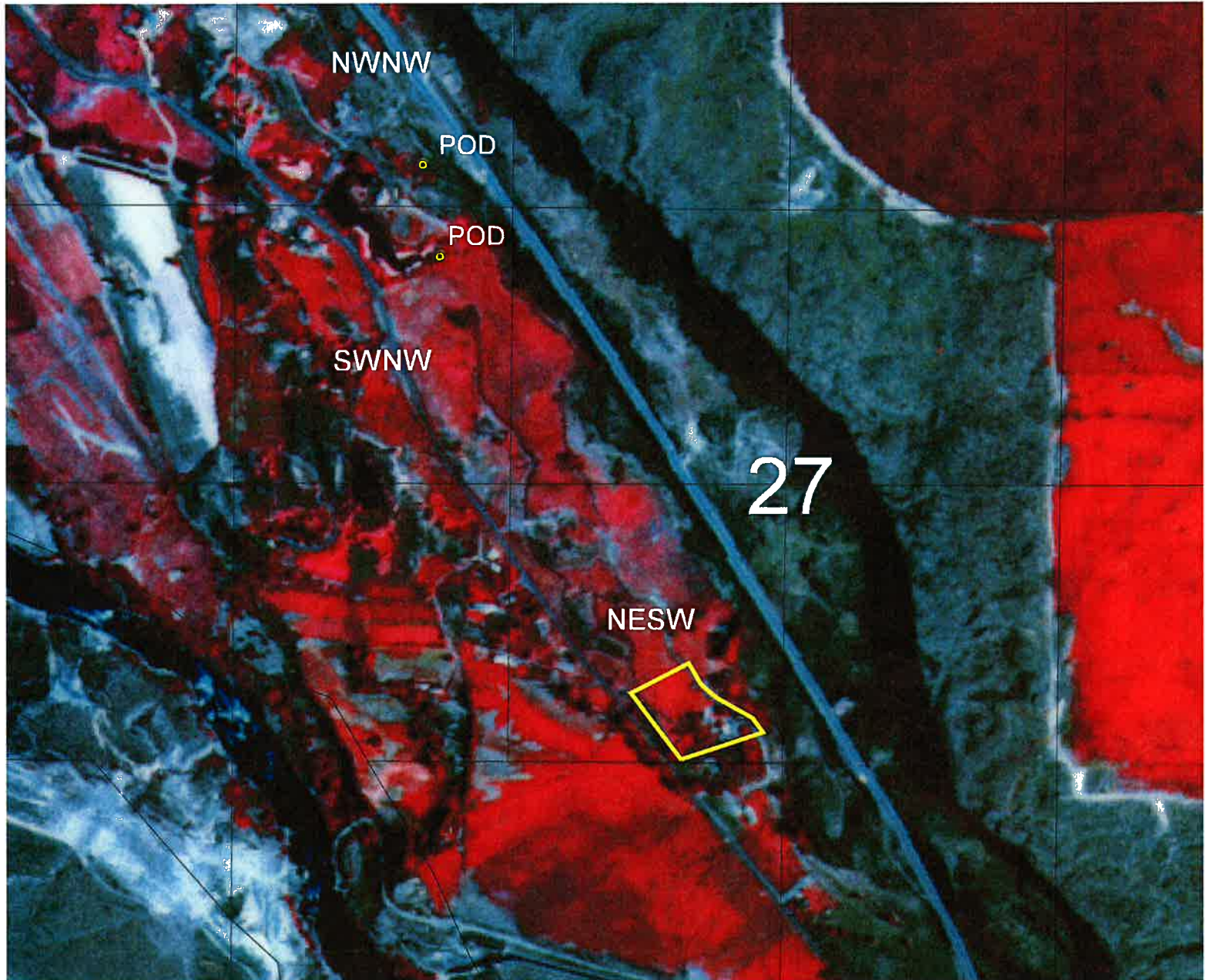
A handwritten signature in cursive script, reading 'Carter Fritschle'.

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosures:

Copy of Partial Decree 37-13421
Map of Malad Estates Subdivision

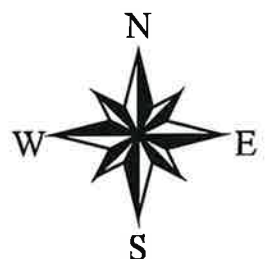
37-11564



900 0 900 1800 2700 Feet

T06S R13E S27

Map prepared by: Carter Fritschle
Date prepared: 02/18/05
1987-1988 NAPP photography
Idaho Department of Water Resources



02/18/2005

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

RIGHT NUMBER: 37-11564

NAME AND ADDRESS: GEORGE N OGDEN
565 POPLAR ST
BLISS ID 83314

LORETTA J OGDEN
565 POPLAR ST
BLISS ID 83314

SOURCE: LOWER WADDINGTON SPRING
UPPER WADDINGTON SPRING

TRIBUTARY: STODDARD CREEK
TRIBUTARY: STODDARD CREEK

QUANTITY: 0.080 CFS

The quantity of water under this right for stockwater use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 11/07/1887

POINT OF DIVERSION:

T06S R13E S27 SENWNW Within GOODING County

T06S R13E S27 NESWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS
IRRIGATION	3/15 11/15	0.080 CFS

PLACE OF USE: STOCKWATER Within GOODING County

T06S R13E S27 NESW

IRRIGATION Within GOODING County

T06S R13E S27 NESW 3.3

3.3 ACRES TOTAL

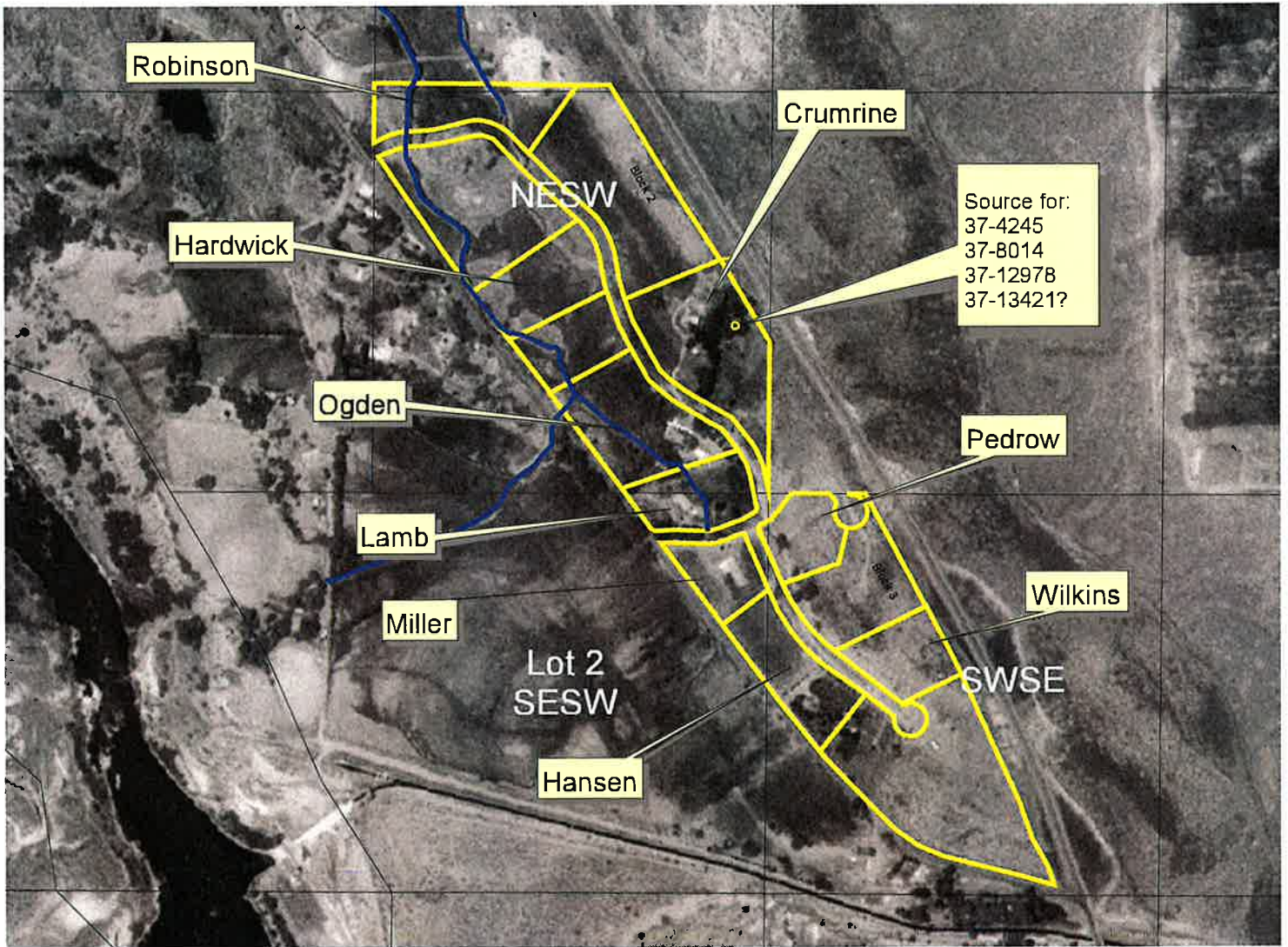
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

The quantity of water decreed for this water right for stockwater use is
not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Malad Estates Subdivision

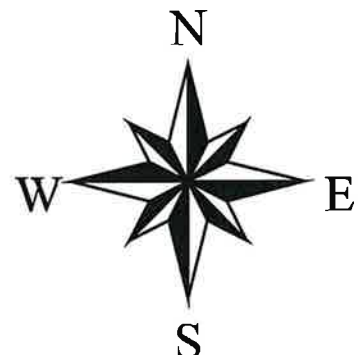


700 0 700 1400 Feet

George Ogden
states his stockwater
right 37-13421
should be from the
spring on Robert
Crumrine's property.
CA 4-21-05

T06S R13E S27

CLF 04/21/05



Stoddard Creek and Waddington Springs

1. Posted Notice by John Waddington - Water Rights Book # 1, Page 88, Lincoln County, Idaho and Water Rights Book A, Page 284, Gooding County, Idaho

Notice is hereby given that the undersigned claims by right of location, possession and final diversion all of the water of this spring known as Stoddard Spring or Creek, situated in Salmon Falls Mining District, Alturas County, Idaho, to be diverted from its natural channel at this notice and be carried by ditch and flume from this point to ranch of the undersigned, hereby reserving the right and privilege to change said point of diversion should such change be deemed advantageous to the purpose hereinafter named to be used for mining, milling, agricultural and domestic purposes.

Signed John Waddington Dated November 7, 1887 - Filed for Record, November 7, 1887

Stoddard Creek originates with Lower and Upper Waddington Springs, Stoddard Creek Springs and an unnamed spring.

2. Posted Notice by Luther Jacobs - Water Rights Book # 4, page 41, Alturas County, Idaho

Notice is hereby given that I a citizen of the United States, claim by right, location, possession and final diversion 400 inches of the water of this creek, known as Stoddard Creek, not otherwise appropriated, situated in Salmon Falls Mining District, Alturas County, Idaho Territory, to be diverted from its natural channel, at this notice, and be conveyed by ditch and flume to point of discharge about 1/2 mile in a southerly direction. Hereby reserving the right to change said point of diversion, and discharge. Should change be decreed more advantageous for the uses and purposes hereafter named, to be used for agricultural and mining purposes.

Located this 3rd day of February, 1888 - Filed for Record, February 3, 1888

Both Lower and Upper Waddington Ditches flow southerly for about 1/2 mile to the present location of the Malad Estates Subdivision. However, Luther Jacob's land appears to have been primarily to the west of the springs.

3. Contract between John Waddington, party of the first part and William H. Slater, party of the second part. Dated May 9, 1907.

In consideration of compromising an injunction suit filed in Lincoln County, Idaho, the parties hereto have agreed as to the interest each of them shall have in and to the waters of a certain irrigating ditch carrying the waters of Stoddard Spring to the first party's ranch in Section 27, Township 6 S, Range 13E, B.M. which agreement is as follows:

First party has this day executed and delivered to second party a deed to seven and one-half inches of the waters of said ditch. It is understood and agreed between the parties hereto that said seven and one-half inches is all the waters of said ditch that the second party has any right or claim to.

Without knowing the location of the Slater property, it cannot be determined if the ditch in question is the Upper or Lower Waddington Ditch.

4. Beaver River Power Company v. Ida Bell Waddington Frost, John Doe Frost, her husband, John William Waddington, a minor, and Andrew Jackson Waddington, a minor. Judgment dated July 18, 1912.

Describes the power company obtaining the right of way to place two power poles on the defendants' property in the Southwest quarter of the Southeast quarter of Section 27, Township 6 South, Range 13 East, B.M.

This indicates that Ida B. Frost (see the Upper Waddington Ditch Decree) was probably an heir of John Waddington.

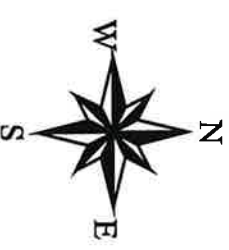
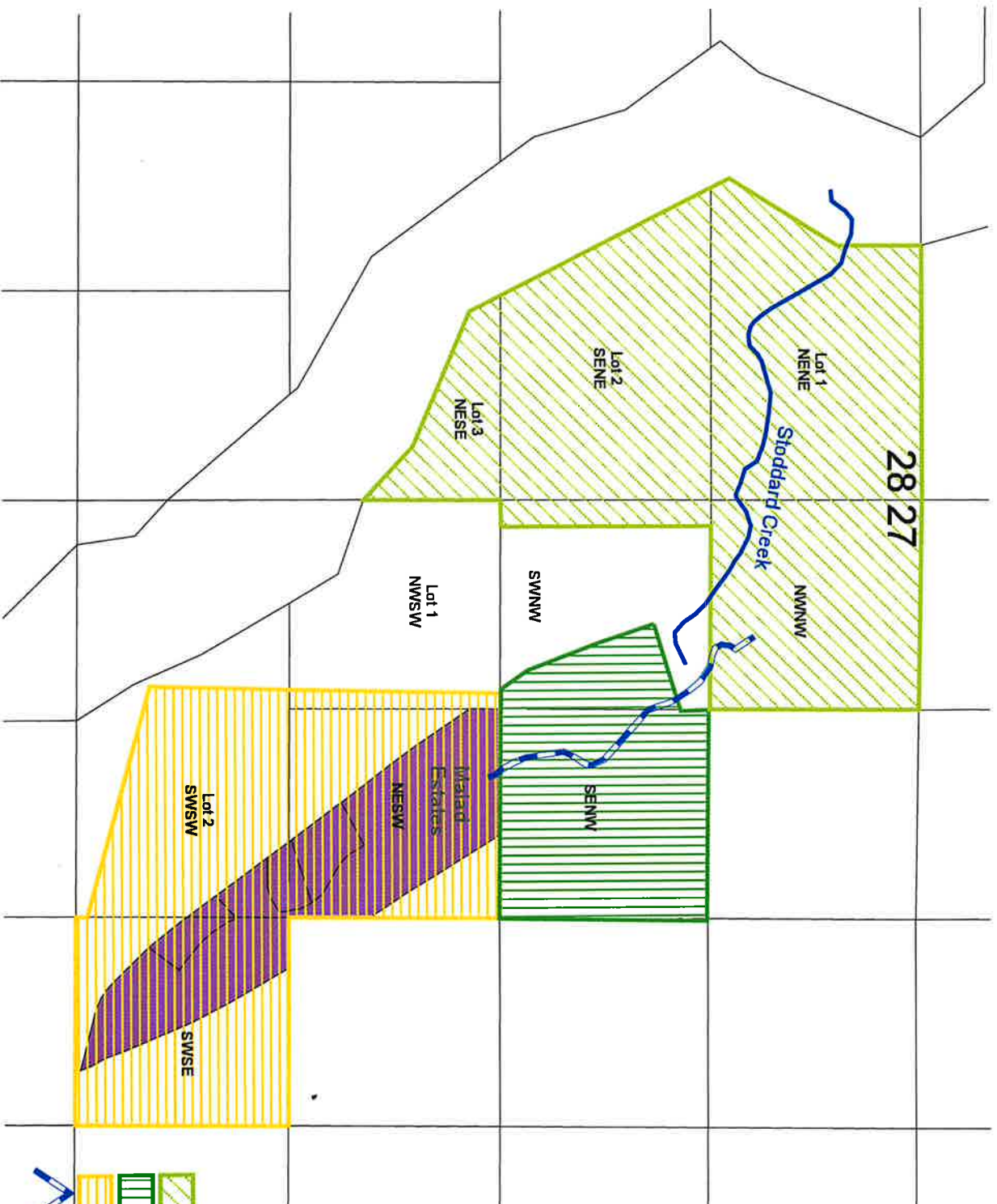
5. Upper Waddington Ditch Decree - F.O. Frost and Ida B. Frost, husband and wife, Florencio Uriaguereca and Antonia Uriaguereca, husband and wife v. A. Penfold and Bert Herbert. Judgment dated June 22, 1925

Court ruled that the plaintiffs have the sole and exclusive possession and control of the Upper Waddington Ditch and the Upper Waddington Spring situated on defendant Penfold's property. The decree also provides legal descriptions for the Penfold property, the Frost property and the Uriaguereca property.

I have mapped the various properties in ArcView. It does appear that the John Waddington Posted Notice includes the land where the Malad Estates Subdivision is located. (See attached)

Upper Waddington Ditch Decree

T06S R13E



-  Penfold Property
-  Uriaguereca Property
-  Frost Property
-  Upper Waddington Ditch



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 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 12, 2003

37-11564
GEORGE N OGDEN
LORETTA J OGDEN
565 POPLAR ST
BLISS ID 83314

Re: Evidence of Priority Date

Dear Claimants:

**RESPONSE DEADLINE
DECEMBER 15, 2003**

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

Sincerely,

Carter Fritschle
Water Rights Supervisor

Enclosures

AUG 15 2003

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-11564
Date Received: 9/20/1988
Receipt No: S002358
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GEORGE N OGDEN Phone:
565 POPLAR ST
BLISS ID 83314

LORETTA J OGDEN Phone:
565 POPLAR ST
BLISS ID 83314

2. Date of Priority: 06/01/1882

3. Source: LOWER WADDINGTON SPRING Trib. to: STODDARD SPRING CREEK
LOWER WADDINGTON SPRING STODDARD SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
06S	13E	27	NE	SW	NW	GOODING	
06S	13E	27		SE	SW	GOODING	R

5. Description of diverting works:

DIVERSION BOX, OPEN DITCH, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.08	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.08 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	13E	27	SE	SW	STOCKWATER	
			SE	SW	IRRIGATION	4
					Section Acres	4
					Total Acres	4

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:

14. Remarks:

OWNERSHIP CHANGE MADE 7/22/97 BY TLB.

11/14/00 tf; ownership changed Harvey Family Trust to Yore per 1409(6) and warranty deed received 11/21/00.

15. Basis of Claim: Beneficial Use



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 14, 2003

GEORGE N OGDEN
LORETTA J OGDEN
565 POPLAR ST
BLISS ID 83314

Re: SRBA Claim 37-11564
Decreed Water Right 37-13421

Dear Mr. and Mrs. Ogden:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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
37-11564					
37-13421					

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)

Jamie and Kelly Yore

565 Poplar St. Bliss, ID 83314

4. New Owner/Claimant(s)

George N. Ogden and Loretta J. Ogden

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

565 Poplar Street

City, State and ZIP Code

Bliss, ID 83314

New Telephone Number

()

5. Date you acquired the property

June 11, 2003

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.

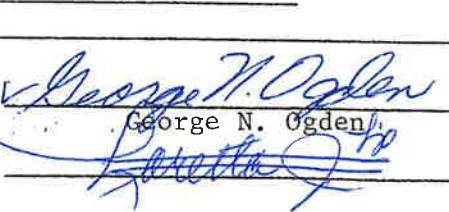
DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

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	_____	_____

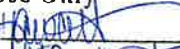
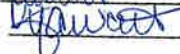
7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)



 George N. Ogden Loretta J. Ogden

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 	Date <u>6/17/03</u>	Fee <u>25.00</u>
Receipted by 	Date <u>6/17/03</u>	Receipt No. <u>5025920</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

#GG-04477

For Value Received

Instrument # 201212
GOODING, GOODING, IDAHO
2003-06-12 03:30:12 No. of Pages: 2
Recorded for : LAND TITLE
HELEN EDWARDS
Ex-Officio Recorder Deputy

Fee: 6.00



Kelly J. Yore and Jamie Yore, husband and wife

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

George N. Ogden and Loretta J. Ogden, husband and wife
Address: 565 Poplar Street, Bliss, ID 83314

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

Lots 2 and 3 in Block 1 of Malad Estates Subdivision, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

SUBJECT TO:

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

Taxes for 2003 and subsequent years, taxes are an accruing lien, not yet due or payable.

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

Assessments of the Malad Estates Homeowners Association.

Easement for erecting and maintaining poles and transmission lines over the SW¼SE¼ of Section 27, Township 6 South, Range 13 East, Boise Meridian, contained in Judgment in the case of The Beaver River Power Company, a corporation, Plaintiff, vs. Ida Bell Waddington Frost, John Doe Frost, her husband, John William Waddington, a minor, and Andrew Jackson Waddington, a minor, Defendants, dated July 18, 1912, recorded July 18, 1912 in Book 2 Page 34, Gooding County records.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 24, 1955, recorded November 26, 1955 in Book 46 Page 329 as Instrument Number 128569, Gooding County records, affecting the SW¼SE¼ of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 6, 1957, recorded October 16, 1957 in Book 49 Page 124 as Instrument Number 133379, Gooding County records, affecting the NE¼SW¼ and SW¼SE¼ of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Conditions and restrictions contained in Quitclaim Deed by and between the Idaho Department of Highway, acting by and through the Idaho Board of Highway Directors, party of the first part, and Fred Leach and Nettie M. Leach, husband and wife, parties of the second part, dated June 26, 1957, recorded March 26, 1958 in Book 49 Page 226 as Instrument Number 134666, Gooding County records, affecting the NE¼SW¼ and SW¼SE¼ of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Reservation for easement to convey domestic water through pipeline contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, parties of the first part, to Wilbert B. Cline and Ruth C. Cline, husband and wife, parties of the second part, dated December 17, 1958, recorded February 3, 1959 in Book 49 Page 443 as Instrument Number 136711, Gooding County records, pertaining to the NE¼SW¼ and a Tract of land in Lot 1 of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Reservation for a domestic spring located over the NE¼SW¼, SW¼SE¼ and Lot 2 of Section 27, Township 6 South, Range 13 East, Boise Meridian, as contained in Quitclaim Deed dated August 15, 1975, recorded September 8, 1975 as Instrument Number 56218, Gooding County records, and Warranty Deed dated December 11, 1972, recorded October 20, 1978 as Instrument Number 72869, Gooding County records.

Power Line Easement given by W. B. Cline and Ruth C. Cline, husband and wife, to Idaho Power Company, a corporation, dated February 17, 1976, recorded November 15, 1976 as Instrument Number 61948, Gooding County records, affecting the NE¼SW¼ and a tract of land in Lot 1, Section 27, Township 6 South, Range 13 East, Boise Meridian.

Easements as shown on the recorded plat.

Malad Estates Subdivision Declaration of Protective Covenants dated July 23, 1979, recorded July 27, 1979 as Instrument Number 77995, Gooding County records. Malad Estates Subdivision Declaration of Protective Covenants dated September 10, 1979, recorded September 18, 1979 as Instrument Number 78881, Gooding County records. AMENDMENTS to Declaration of Protective Covenants of Malad Estates Subdivision dated May 2, 1984 recorded June 6, 1984 as Instrument Number 108608, Gooding County records. AMENDMENT to Declaration of Protective Covenants of Malad Estates Subdivision dated May 14, 1988, recorded May 23, 1988 as Instrument Number 132268, Gooding County records.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water Resources Water Right No. 37-11564 and 37-13421.

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: May 27, 2003

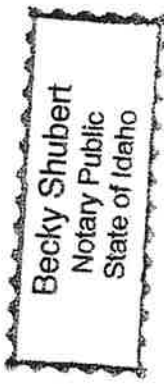
Kelly J. Yore
Kelly J. Yore

Jamie Yore
Jamie Yore

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 27th day of May, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared **Kelly J. Yore**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Becky Shubert
Notary Public
Residing at: Wendell ID
My Commission expires: 02-23-05



STATE OF IDAHO)
COUNTY OF Gooding) ss.

On this 27th day of May, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jamie Yore**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Jamie Yore
Notary Public
Residing at: Hammer
My Commission expires: 02-23-05

A SUBDIVISION OF A PORTION OF LOT 2, THE NE¹/₄SW¹/₄ AND SW¹/₄SE¹/₄ SECTION 27 TGS, R13 E 8 M GOODING COUNTY, IDAHO

Owner:
Mold River Development Company
Hofermont, Idaho

Engineers:
Newlon-Schofer, Johnston
Twin Falls, Idaho

LEGEND

42' x 42' Rebar Sells Properly Corner
46' x 50' Rebar Sells Boundary And Steel Corners

2007 107
2007 107

Boys' Cop

101 Nummer

Block Number

Utility Easement 20' Wide



VICINITY MAP

THIS PLAT IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING THE LAND, AND THE CO. ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY, WITH AN ACTUAL SURVEY.

CURVE DATA

Row	Col	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81																			

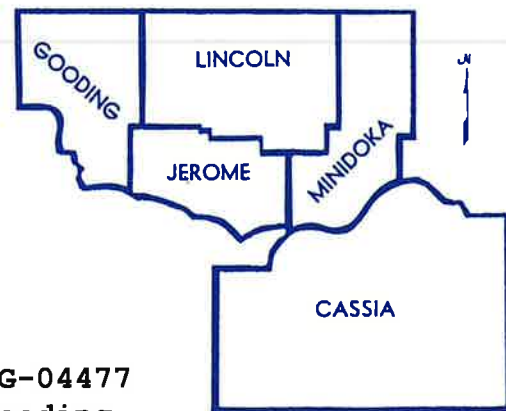
Curve	Δ	K	T	L	$L.C.$	$L.C. Bearing$
1-2	55.5824	750.00	57.07	118.35	112.35	112.55
2-3	22.4532	220.00	44.15	90.85	90.85	112.55
3-4	25.5824	220.00	44.15	90.85	90.85	112.55
4-5	21.51592	200.00	40.00	80.00	80.80	112.55
5-6	21.51592	200.00	40.00	80.00	80.80	112.55
6-7	21.51592	200.00	40.00	80.00	80.80	112.55
7-8	21.51592	200.00	40.00	80.00	80.80	112.55
8-9	21.51592	200.00	40.00	80.00	80.80	112.55
9-10	21.51592	200.00	40.00	80.00	80.80	112.55
10-11	21.51592	200.00	40.00	80.00	80.80	112.55
11-12	21.51592	200.00	40.00	80.00	80.80	112.55
12-13	21.51592	200.00	40.00	80.00	80.80	112.55
13-14	21.51592	200.00	40.00	80.00	80.80	112.55
14-15	21.51592	200.00	40.00	80.00	80.80	112.55
15-16	21.51592	200.00	40.00	80.00	80.80	112.55
16-17	21.51592	200.00	40.00	80.00	80.80	112.55
17-18	21.51592	200.00	40.00	80.00	80.80	112.55
18-19	21.51592	200.00	40.00	80.00	80.80	112.55
19-20	21.51592	200.00	40.00	80.00	80.80	112.55
20-21	21.51592	200.00	40.00	80.00	80.80	112.55
21-22	21.51592	200.00	40.00	80.00	80.80	112.55
22-23	21.51592	200.00	40.00	80.00	80.80	112.55
23-24	21.51592	200.00	40.00	80.00	80.80	112.55
24-25	21.51592	200.00	40.00	80.00	80.80	112.55
25-26	21.51592	200.00	40.00	80.00	80.80	112.55
26-27	21.51592	200.00	40.00	80.00	80.80	112.55
27-28	21.51592	200.00	40.00	80.00	80.80	112.55
28-29	21.51592	200.00	40.00	80.00	80.80	112.55
29-30	21.51592	200.00	40.00	80.00	80.80	112.55
30-31	21.51592	200.00	40.00	80.00	80.80	112.55
31-32	21.51592	200.00	40.00	80.00	80.80	112.55
32-33	21.51592	200.00	40.00	80.00	80.80	112.55
33-34	21.51592	200.00	40.00	80.00	80.80	112.55
34-35	21.51592	200.00	40.00	80.00	80.80	112.55
35-36	21.51592	200.00	40.00	80.00	80.80	112.55
36-37	21.51592	200.00	40.00	80.00	80.80	112.55
37-38	21.51592	200.00	40.00	80.00	80.80	112.55
38-39	21.51592	200.00	40.00	80.00	80.80	112.55
39-40	21.51592	200.00	40.00	80.00	80.80	112.55
40-41	21.51592	200.00	40.00	80.00	80.80	112.55
41-42	21.51592	200.00	40.00	80.00	80.80	112.55
42-43	21.51592	200.00	40.00	80.00	80.80	112.55
43-44	21.51592	200.00	40.00	80.00	80.80	112.55
44-45	21.51592	200.00	40.00	80.00	80.80	112.55
45-46	21.51592	200.00	40.00	80.00	80.80	112.55
46-47	21.51592	200.00	40.00	80.00	80.80	112.55
47-48	21.51592	200.00	40.00	80.00	80.80	112.55
48-49	21.51592	200.00	40.00	80.00	80.80	112.55
49-50	21.51592	200.00	40.00	80.00	80.80	112.55
50-51	21.51592	200.00	40.00	80.00	80.80	112.55
51-52	21.51592	200.00	40.00	80.00	80.80	112.55
52-53	21.51592	200.00	40.00	80.00	80.80	112.55
53-54	21.51592	200.00	40.00	80.00	80.80	112.55
54-55	21.51592	200.00	40.00	80.00	80.80	112.55
55-56	21.51592	200.00	40.00	80.00	80.80	112.55
56-57	21.51592	200.00	40.00	80.00	80.80	112.55
57-58	21.51592	200.00	40.00	80.00	80.80	112.55
58-59	21.51592	200.00	40.00	80.00	80.80	112.55
59-60	21.51592	200.00	40.00	80.00	80.80	112.55
60-61	21.51592	200.00	40.00	80.00	80.80	112.55
61-62	21.51592	200.00	40.00	80.00	80.80	112.55
62-63	21.51592	200.00	40.00	80.00	80.80	112.55
63-64	21.51592	200.00	40.00	80.00	80.80	112.55
64-65	21.51592	200.00	40.00	80.00	80.80	112.55
65-66	21.51592	200.00	40.00	80.00	80.80	112.55
66-67	21.51592	200.00	40.00	80.00	80.80	112.55
67-68	21.51592	200.00	40.00	80.00	80.80	112.55
68-69	21.51592	200.00	40.00	80.00	80.80	112.55
69-70	21.51592	200.00	40.00	80.00	80.80	112.55
70-71	21.51592	200.00	40.00	80.00	80.80	112.55
71-72	21.51592	200.00	40.00	80.00	80.80	112.55
72-73	21.51592	200.00	40.00	80.00	80.80	112.55
73-74	21.51592	200.00	40.00	80.00	80.80	112.55
74-75	21.51592	200.00	40.00	80.00	80.80	112.55
75-76	21.51592	200.00	40.00	80.00	80.80	112.55
76-77	21.51592	200.00	40.00	80.00	80.80	112.55
77-78	21.51592	200.00	40.00	80.00	80.80	112.55
78-79	21.51592	200.00	40.00	80.00	80.80	112.55
79-80	21.51592	200.00	40.00	80.00	80.80	112.55
80-81	21.51592	200.00	40.00	80.00	80.80	112.55
81-82	21.51592	200.00	40.00	80.00	80.80	112.55
82-83	21.51592	200.00	40.00	80.00	80.80	112.55
83-84	21.51592	200.00	40.00	80.00	80.80	112.55
84-85	21.51592	200.00	40.00	80.00	80.80	112.55
85-86	21.51592	200.00	40.00	80.00	80.80	112.55
86-87	21.51592	200.00	40.00	80.00	80.80	112.55
87-88	21.51592	200.00	40.00	80.00	80.80	112.55
88-89	21.51592	200.00	40.00	80.00	80.80	112.55
89-90	21.51592	200.00	40.00	80.00	80.80	112.55
90-91	21.51592	200.00	40.00	80.00	80.80	112.55
91-92	21.51592	200.00	40.00	80.00	80.80	112.55
92-93	21.51592	200.00	40.00	80.00	80.80	112.55
93-94	21.51592	200.00	40.00	80.00	80.80	112.55
94-95	21.51592	200.00	40.00	80.00	80.80	112.55
95-96	21.51592	200.00	40.00	80.00	80.80	112.55
96-97	21.51592	200.00	40.00	80.00	80.80	112.55
97-98	21.51592	200.00	40.00	80.00	80.80	112.55
98-99	21.51592	200.00	40.00	80.00	80.80	112.55
99-100	21.51592	200.00	40.00	80.00	80.80	112.55
100-101	21.51592	200.00	40.00	80.00	80.80	112.55
101-102	21.51592	200.00	40.00	80.00	80.80	112.55
102-103	21.51592	200.00	40.00	80.00	80.80	112.55
103-104	21.51592	200.00	40.00	80.00	80.80	112.55
104-105	21.51592	200.00	40.00	80.00	80.80	112.55
105-106	21.51592	200.00	40.00	80.00	80.80	112.55
106-107	21.51592	200.00	40.00	80.00	80.80	112.55
107-108	21.51592	200.00	40.00	80.00	80.80	112.55
108-109	21.51592	200.00	40.00	80.00	80.80	112.55
109-110	21.51592	200.00	40.00	80.00	80.80	112.55
110-111	21.51592	200.00	40.00	80.00	80.80	112.55
111-112	21.51592	200.00	40.00	80.00	80.80	112.55
112-113	21.51592	200.00	40.00	80.00	80.80	112.55
113-114	21.51592	200.00	40.00	80.00	80.80	112.55
114-115	21.51592	200.00	40.00	80.00	80.80	112.55
115-116	21.51592	200.00	40.00	80.00	80.80	112.55
116-117	21.51592	200.00	40.00	80.00	80.80	112.55
117-118	21.51592	200.00	40.00	80.00	80.80	112.55
118-119	21.51592	200.00	40.00	80.00	80.80	112.55
119-120	21.51592	200.00	40.00	80.00	80.80	112.55
120-121	21.51592	200.00	40.00	80.00	80.80	112.55
121-122	21.51592	200.00	40.00	80.00	80.80	112.55
122-123	21.51592	200.00	40.00	80.00	80.80	112.55
123-124	21.51592	200.00	40.00	80.00	80.80	112.55
124-125	21.51592	200.00	40.00	80.00	80.80	112.55
125-126	21.51592	200.00	40.00	80.00	80.80	112.55
126-127	21.51592	200.00	40.00	80.00	80.80	112.55
127-128	21.51592	200.00	40.00	80.00	80.80	112.55
128-129	21.51592	200.00	40.00	80.00	80.80	112.55
129-130	21.51592	200.00	40.00	80.00	80.80	112.55
130-131	21.51592	200.00	40.00	80.00	80.80	112.55
131-132	21.51592	200.00	40.00	80.00	80.80	112.55
132-133	21.51592	200.00	40.00	80.00	80.80	112.55
133-134	21.51592	200.00	40.00	80.00	80.80	112.55
134-135	21.51592	200.00	40.00	80.00	80.80	112.55
135-136	21.51592	200.00	40.00	80.00	80.80	112.55
136-137	21.51592	200.00	40.00	80.00	80.80	112.55
137-138	21.51592	200.00	40.00	80.00	80.80	112.55
138-139	21.51592	200.00	40.00	80.00	80.80	112.55
139-140	21.51592	200.00	40.00	80.00	80.80	112.55
140-141	21.51592	200.00	40.00	80.00	80.80	112.55
141-142	21.51592	200.00	40.00	80.00	80.80	112.55
142-143	21.51592	200.00	40.00	80.00	80.80	112.55
143-144	21.51592	200.00	40.00	80.00	80.80	112.55
144-145	21.51592	200.00	40.00	80.00	80.80	112.55
145-146	21.51592	200.00	40.00	80.00	80.80	112.55
146-147	21.51592	200.00	40.00	80.00	80.80	112.55
147-148	21.51592	200.00	40.00	80.00	80.80	112.55
148-149	21.51592	200.00	40.00	80.00	80.80	112.55
149-150	21.51592	200.00	40.00	80.00	80.80	112.55
150-151	21.51592	200.00	40.00	80.00	80.80	112.55
151-152	21.51592	200.00	40.00	80.00	80.80	112.55
152-153	21.51592	200.00	40.00	80.00	80.80	112.55
153-154	21.51592	200.00	40.00	80.00	80.80	112.55
154-155	21.51592	200.00	40.00	80.00	80.80	112.55
155-156	21.51592	200.00	40.00	80.0		

POINT OF COMMENCEMENT

James / Section Corner
Jan 22

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



RECEIVED

JUN 16 2003

Department of Water Resources
Southern Region

June 12, 2003

REFER TO: GG-04477

OFFICE: Gooding

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

RE: Notice of Change of Water Right Ownership
Yore to Ogden
Cert Mail #7001 1940 0000 0633 1430

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 Jamie and Kelly Yore to George N. Ogden and Loretta J. Ogden
for Water Right Number 37-11564, 37-13421
- Copy of Deed #201212
- Copy of Map

Thank you,

LAND TITLE AND ESCROW, INC.

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



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

November 30, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

DEC 04 2000

Department of Water Resources
Southern Region

KELLY YORE
JAMIE YORE
797 E 2725 S
HAGERMAN ID 83332

RE: SRBA Claim(s) 37-13421 37-11564

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.

Claim 37-11564 has not yet been reported to the SRBA Court in a Director's Report and as such does not require a Notice of Completed Administrative Proceeding. A print out of this claim is enclosed for your records.

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

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Harvey Family Trust

20 JUL 20 11 10 34

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. 37-13421

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.

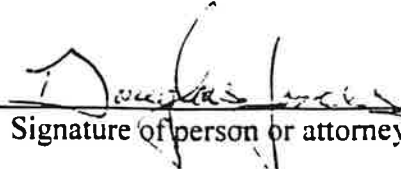
Dated: 11/22/2011

[Signature]
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/30, 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:
Harvey Family Trust
PO Box 148
Hagerman ID 83332
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Kelly Yore
Jamie Yore
797 E 2725 S
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

COPY

11/24/2000

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

RIGHT NUMBER: 37-13421
NAME AND ADDRESS: JAMIE YORE
KELLY YORE
797 E 2725 S
HAGERMAN, ID 83332

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1882

POINT OF DIVERSION: T06S R13E S26 SWNWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.02 CFS

PLACE OF USE:

STOCKWATER Within GOODING County
T06S R13E S26 NESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. 00301001002A A STOCKWATER, 4 HORSES PROPERTY IS
ALSO KNOWN AS LOTS 2 AND 3, MALAD ESTATES SUBDIVISION

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

RETURN SERVICE REQUESTED



RECEIVED

DEC 04 2000

Department of Water Resources
Southern Region

HARV 148

HARVEY FAMILY TRUST
PO BOX 148
HAGERMAN ID 83332

HARV148 T033322010 1800 06 12/02/00
RETURN TO SENDER
HARVEY
TEMPORARILY AWAY
RETURN TO SENDER

63301-3380 2 FEB 1998



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 37-11564
Date Received: 9/20/88
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KELLY YORE
797 E 2725 S
HAGERMAN ID 83332

JAMIE YORE
797 E 2725 S
HAGERMAN ID 83332

2. Date of Priority: 06/01/1882

3. Source: LOWER WADDINGTON SPRING Trib. to: STODDARD SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
06S	13E	27	SE SW	GOODING
06S	13E	27	NE SW NW	GOODING

5. Description of diverting works:

DIVERSION BOX, OPEN DITCH, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.08	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.08 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06S	13E	27	SE	SW		STOCKWATER	
			SE	SW		IRRIGATION	4
						Section Acres	4
						Total Acres	4

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:

14. Remarks:

OWNERSHIP CHANGE MADE 7/22/97 BY TLB

11/14/00 tf; ownership changed Harvey Family Trust to Yore per 1409(6) and warranty deed received 11/21/00.

15. Basis of Claim: Beneficial Use



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

**DIRK KEMPTHORNE
GOVERNOR**

November 30, 2000

**KARL J. DREHER
DIRECTOR**

KELLY YORE
JAMIE YORE
797 E 2725 S
HAGERMAN ID 83332

RE: SRBA Claim(s) 37-13421 37-11564

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.

Claim 37-11564 has not yet been reported to the SRBA Court in a Director's Report and as such does not require a Notice of Completed Administrative Proceeding. A print out of this claim is enclosed for your records.

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

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Harvey Family Trust

RECEIVED

NOV 21 2000

Department of Water Resources
Southern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease 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
	A37-13421				
	A37-11564				

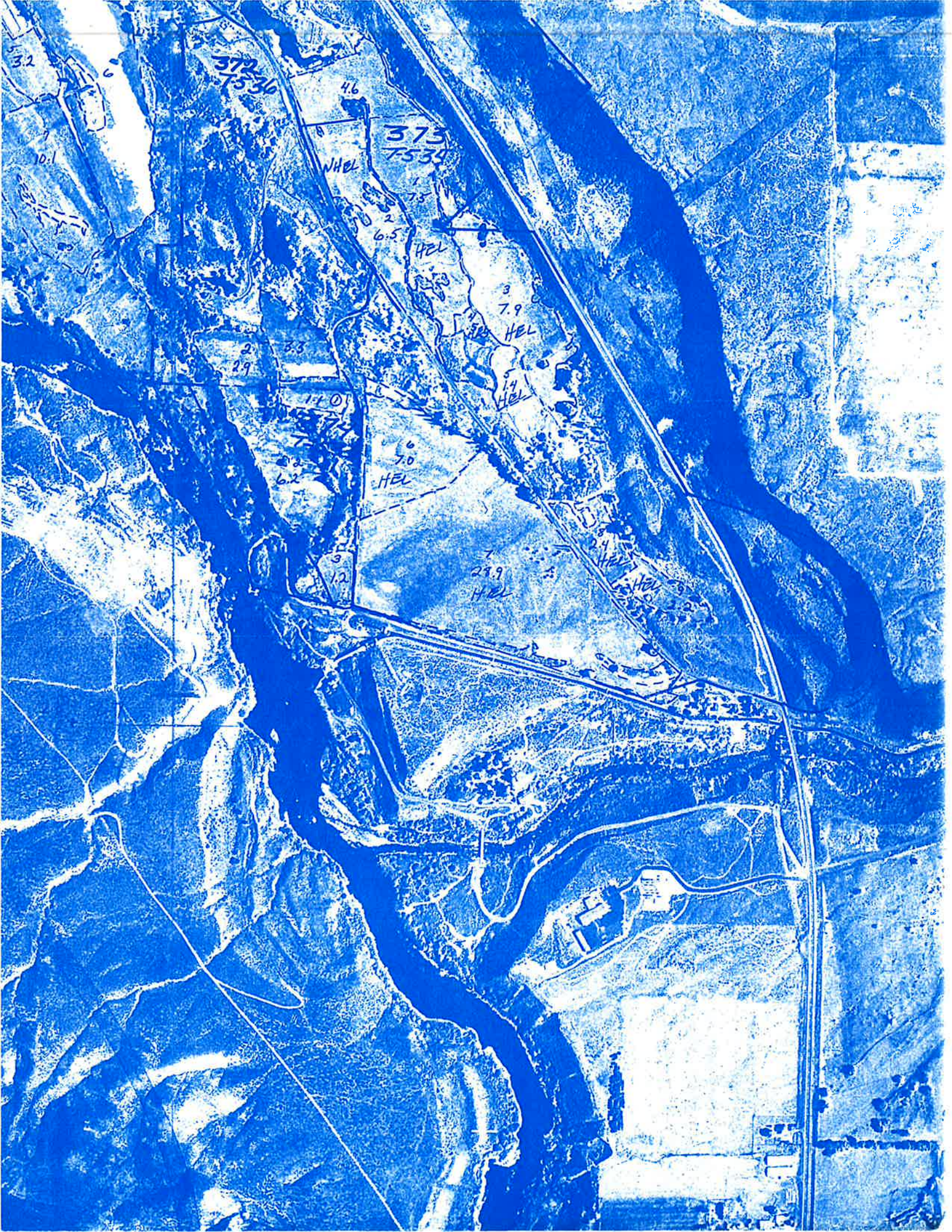
2. The following **REQUIRED** information must be submitted with this form:

- 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) Harvey Family Trust, Bill J. & Madeline E. Harvey
P.O. Box 148, Hagerman, ID 83332
4. New Owner/Claimant(s) Kelly Yore and Jamie Yore
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 797 E. 2725 S.
- City, State and ZIP Code Hagerman, ID 83332
- New Telephone Number ()
5. Date you acquired the property September 29, 2000



3.2

10.1

372
7536

4.6

373
7539

NHEL

HEL

3

7.9

HEL

2

2.9

5.3

HEL

6

7.0

HEL

6.2

3

1.2

7

2.9

HEL

2.4

HEL

HEL

HEL

HEL

HEL

HEL

HEL

HEL

HEL

HEL

HEL

HEL

HEL

RECEIVED

WARRANTY DEED

NOV 21 2000

#GG-02269

For Value Received

Department of Water Resources
Southern Region

Bill J. Harvey and Madeline E. Harvey, Trustees of the Harvey Family Trusts of March 1, 1993

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

Kelly Yore and Jamie Yore, husband and wife
Address: 797 E. 2725 S., Hagerman, ID 83332

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

Lots 2 and 3 in Block 1 of Malad Estates Subdivision, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

SUBJECT TO:

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

Taxes for 2000 and subsequent years, taxes are an accruing lien, not yet due or payable.

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

Easement for erecting and maintaining poles and transmission lines over the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13 East, Boise Meridian, contained in Judgment in the case of The Beaver River Power Company, a corporation, Plaintiff, vs. Ida Bell Waddington Frost, John Doe Frost, her husband, John William Waddington, a minor, and Andrew Jackson Waddington, a minor, Defendants, dated July 18, 1912, recorded July 18, 1912 in Book 2 Page 34, Gooding County records.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 24, 1955, recorded November 26, 1955 in Book 46 Page 329 as Instrument Number 128569, Gooding County records, affecting the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 6, 1957, recorded October 16, 1957 in Book 49 Page 124 as Instrument Number 133379, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Conditions and restrictions contained in Quitclaim Deed by and between the Idaho Department of Highway, acting by and through the Idaho Board of Highway Directors, party of the first part, and Fred Leach and Nettie M. Leach, husband and wife, parties of the second part, dated June 26, 1957, recorded March 26, 1958 in Book 49 Page 226 as Instrument Number 134666, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Reservation for easement to convey domestic water through pipeline contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, parties of the first part, to Wilbert B. Cline and Ruth C. Cline, husband and wife, parties of the second part, dated December 17, 1958, recorded February 3, 1959 in Book 49 Page 443 as Instrument Number 136711, Gooding County records, pertaining to the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a Tract of land in Lot 1 of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Reservation for a domestic spring located over the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 2 of Section 27, Township 6 South, Range 13 East, Boise Meridian, as contained in Quitclaim Deed dated August 15, 1975, recorded September 8, 1975 as Instrument Number 56218, Gooding County records, and Warranty Deed dated December 11, 1972, recorded October 20, 1978 as Instrument Number 72869, Gooding County records.

Power Line Easement given by W. B. Cline and Ruth C. Cline, husband and wife, to Idaho Power Company, a corporation, dated February 17, 1976, recorded November 15, 1976 as Instrument Number 61948, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a tract of land in Lot 1, Section 27, Township 6 South, Range 13 East, Boise Meridian.

Easements as shown on the recorded plat.

Page 2 of Warranty Deed

Malad Estates Subdivision Declaration of Protective Covenants dated July 23, 1979, recorded July 27, 1979 as Instrument Number 77995, Gooding County records. Malad Estates Subdivision Declaration of Protective Covenants dated September 10, 1979, recorded September 18, 1979 as Instrument Number 78881, Gooding County records. AMENDMENTS to Declaration of Protective Covenants of Malad Estates Subdivision dated May 2, 1984 recorded June 6, 1984 as Instrument Number 108608, Gooding County records. AMENDMENT to Declaration of Protective Covenants of Malad Estates Subdivision dated May 14, 1988, recorded May 23, 1988 as Instrument Number 132268, Gooding County records.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to any licenses with the State of 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: September 29, 2000
Harvey Family Trusts of March 1, 1993

Bill J. Harvey, Trustee

Bill J. Harvey, Trustee

Madeline E. Harvey, Trustee
Madeline E. Harvey, Trustee

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 29 day of September, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Bill J. Harvey and Madeline E. Harvey, known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of the Harvey Family Trusts of March 1, 1993, and acknowledged to me that they executed the same as such Trustees.



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

Instrument # 187607

GOODING GOODING, IDAHO

2000-09-29

02:53:22

No. of Pages: 2

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

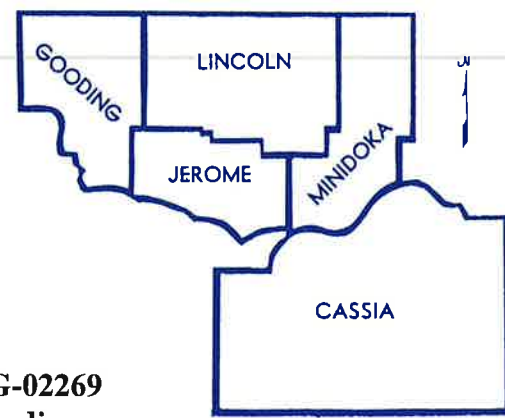
Index to: DEED, WARRANTY

Fee: 6.00

Deputy Archival

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



September 8, 1997

REFER TO: GG-02269
OFFICE: Gooding

State of Idaho
Department of Water Resources
Southern Region
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380

RE: Notice of Change of Water Right Ownership
Kelly Yore and Jamie Yore
Cert. Mail #7000 0520 0015 3075 3211

RECEIVED
NOV 21 2000
Department of Water Resources
Southern Region

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
- Copy of Deed # 187607
- Copy of Map

Thank You,

LAND TITLE AND ESCROW, INC.


Shelley Fredrickson
Escrow Department
(208) 934-8477
P.O. Box 473, 706 Main Street
Gooding, Idaho 83330

cc:

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

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 436-1198

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: A37-11564
Date Received: 9/20/1988
Receipt No: S002358
Received By: O/C ASB

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: HARVEY FAMILY TRUST
Address: PO BOX 148
HAGERMAN ID 83332

AND

Name: BILL J HARVEY
Address: PO BOX 148
HAGERMAN ID 83332

AND

Name: MADELINE E HARVEY
Address: PO BOX 148
HAGERMAN ID 83332

2. Date of Priority: JUN 1, 1882

3. Source: LOWER WADDINGTON SPRING Trib. to: STODDARD SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	13E	27	NE	SW	NW		GOODING
				SE	SW	R	GOODING

5. Description of diverting works:
DIVERSION BOX, OPEN DITCH, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/4 HORSES

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	13E	27	SE		SW		STOCK	
			SE		SW		IRR	4.0
							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:
OWNERSHIP CHANGE MADE 7/22/97 BY TLB.

15. Basis of Claim: BENEFICIAL USE



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

AUG 19, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BILL & MADELINE HARVEY
PO BOX 148
HAGERMAN ID 83332

RE: SRBA CLAIM(S): A37-11564 & A37-13421
KING

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L. BACKLUND
ADJUDICATION RECORDS CLERK

/tlb
ENCLOSURES

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

JUN 26 1997

1. Water Right Number(s) _____
- Adjudication Claim Number(s) ²⁴²¹ A37-13421 A37-11564 Department of Water Resources
Southern Region
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 on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Dwight H. King and Marjorie M. King
4. New Owner/Claimant(s) Bill J. and Madeline E. Harvey Harvey Family Trust Dated 3-1-93
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 148, Hagerman, Idaho 83332
City, State and ZIP Code _____
New Telephone Number () _____
5. Date you acquired the property 6-20-97
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 actually irrigated _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
- 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/Claimant(s) Bill J. Harvey, Trustee Madeline E. Harvey, Trustee 6-20-97
Date _____
8. (Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

JUN 26 1997

For Value Received

Department of Water Resources
Southern Region

DWIGHT H. KING AND MARJORIE M. KING, HUSBAND AND WIFE

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

BILL J. AND MADELINE E. HARVEY HARVEY FAMILY TRUST DATED 3-1-93
Address: P.O. BOX 148, HAGERMAN, ID 83332

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

Lot 2 and 3 in Block 1 of Malad Estates Subdivision, Gooding County, Idaho, as the same is
platted in the official plat thereof, now of record in the office of the Recorder of said County.
Together with irrigation water equal to one (1) inch per acre from the Lower Waddington
Ditch.

SUBJECT TO:

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

Taxes for 1997 and subsequent years, which are a lien, but not yet due and payable.

Assessments of any local irrigation district.

CONTINUED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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: JUNE 19, 1997

Dwight H. King
DWIGHT H. KING

Marjorie M. King
MARJORIE M. KING

STATE OF IDAHO

COUNTY OF GOODING

) ss.

On this ____ day of JUNE, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared
DWIGHT H. KING AND MARJORIE M. KING, known or identified to me to be the persons whose names are subscribed
to the within instrument, and acknowledged to me that they executed the same.

Jayne Shepard
Notary Public
Residing at: Buhl, Idaho
My Commission expires: 8-21-99



171327

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Land Title & Escrow Inc.

29 min. past 11 o'clock A.m. this 20th

of June 19 97 6.00

By Penny Watson Deputy

[Handwritten initials]

Easement for erecting and maintaining poles and transmission lines over the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13 East, Boise Meridian, contained in Judgment in the case of The Beaver River Power Company, a corporation, Plaintiff, vs. Ida Bell Waddington Frost, John Doe Frost, her husband, John William Waddington, a minor, and Andrew Jackson Waddington, a minor, Defendants, dated July 18, 1912, recorded July 18, 1912 in Book 2 Page 34, Gooding County records.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 24, 1955, recorded November 26, 1955 in Book 46 Page 329 as Instrument Number 128569, Gooding County records, affecting the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 6, 1957, recorded October 16, 1957 in Book 49 Page 124 as Instrument Number 133379, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Conditions and restrictions contained in Quitclaim Deed by and between the Idaho Department of Highway, acting by and through the Idaho Board of Highway Directors, party of the first part, and Fred Leach and Nettie M. Leach, husband and wife, parties of the second part, dated June 26, 1957, recorded March 26, 1958 in Book 49 Page 226 as Instrument Number 134666, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Reservation for easement to convey domestic water through pipeline contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, parties of the first part, to Wilbert B. Cline and Ruth C. Cline, husband and wife, parties of the second part, dated December 17, 1958, recorded February 3, 1959 in Book 49 Page 443 as Instrument Number 136711, Gooding County records, pertaining to the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a Tract of land in Lot 1 of Section 27, Township 6 South, Range 13 East, Boise Meridian.

Reservation for a domestic spring located over the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 2 of Section 27, Township 6 South, Range 13 East, Boise Meridian, as contained in Quitclaim Deed dated August 15, 1975, recorded September 8, 1975 as Instrument Number 56218, Gooding County records, and Warranty Deed dated December 11, 1972, recorded October 20, 1978 as Instrument Number 72869, Gooding County records.

Power Line Easement given by W. B. Cline and Ruth C. Cline, husband and wife, to Idaho Power Company, a corporation, dated February 17, 1976, recorded November 15, 1976 as Instrument Number 61948, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a tract of land in Lot 1, Section 27, Township 6 South, Range 13 East, Boise Meridian.

Easements as shown on the recorded plat.

Malad Estates Subdivision Declaration of Protective Covenants dated July 23, 1979, recorded July 27, 1979 as Instrument Number 77995, Gooding County records.

Malad Estates Subdivision Declaration of Protective Covenants dated September 10, 1979, recorded September 18, 1979 as Instrument Number 78881, Gooding County records. AMENDMENTS to Declaration of Protective Covenants of Malad Estates Subdivision dated May 2, 1984 recorded June 6, 1984 as Instrument Number 108608, Gooding County records. AMENDMENT to Declaration of Protective Covenants of Malad Estates Subdivision dated May 14, 1988, recorded May 23, 1988 as Instrument Number 132268, Gooding County records.

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: A37-11564
Date Received: 8/26/1988
Receipt No: S002358 *rat*
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DWIGHT H. KING 208-837-6571
Address: 355 ASPEN DRIVE, STAR ROUTE
BLISS, ID 83314
AND
Name: MARJORIE M. KING 208-837-6571
Address: 355 ASPEN DRIVE, STAR ROUTE
BLISS, ID 83314
2. Date of Priority: JUN 01, 1882
3. Source: LOWER WADDINGTON SPRING Trib. to: STODDARD SPRING CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 06S | 13E | 27 | NE | SW | NW | | GOODING |
| | | | | SE | SW | R | GOODING |
5. Description of diverting works:
DIVERSION BOX, OPEN DITCH, PUMP
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.080 | | |
| STOCKWATER | 01/01 | 12/31 | 0.020 | | |
7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 12.0 Acre Feet Per Annum.
9. Non-irrigation uses:
S/4 HORSES

A37-11564

Page 1

Date: 02/17/89

MICROFILMED
FEB 25 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	27	SE	SW		STOCK	
			SE	SW		IRR	4.0
						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: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
FEB 25 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number

A37-11564

Date Received

8-26-88

Receipt Number

5002358NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 26 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) DWIGHT H. KING and MARJORIE M. KING Phone (208) 837-6571Mailing Address 355 Aspen Drive, Star Route, Bliss, Idaho Zip 833142. Date of Priority (Only one (1) per claim) June 1, 18823. Source of water supply (a) Lower Waddington Springwhich is tributary to (b) Snake River via Stoddard Spring Creek4. a. Location of existing point of diversion is: Township 6 South Range 13 East Section 27,
NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of GoodingAdditional points of diversion if any: re-diverted from Lower Waddington Ditch SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27,
Township 6 South, Range 13 East, Boise Meridian

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. From the diversion box at the head of the
Spring, the water is transported by open ditch, known as the Lower Waddington Ditch, which
goes through the property. As the ditch goes through the property, the water is pumped
from the ditch to irrigate the 3.15 acres.MICROFILMED
Copies: White-State, Yellow-Claimant
FEB 25 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar. 15 to Nov. 15 amount 0.08 or _____

For Stockwater purposes from Jan. 1 to Dec. 31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 (cfs) and/or (b) 16 (acre feet)

8. Total consumptive use claimed is 12 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) There are four horses on the property.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6 S	13 E	27												S 4					4

Total number of acres irrigated 4 acres

11. In which county (ies) are lands listed above as place of use located? Gooding County

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

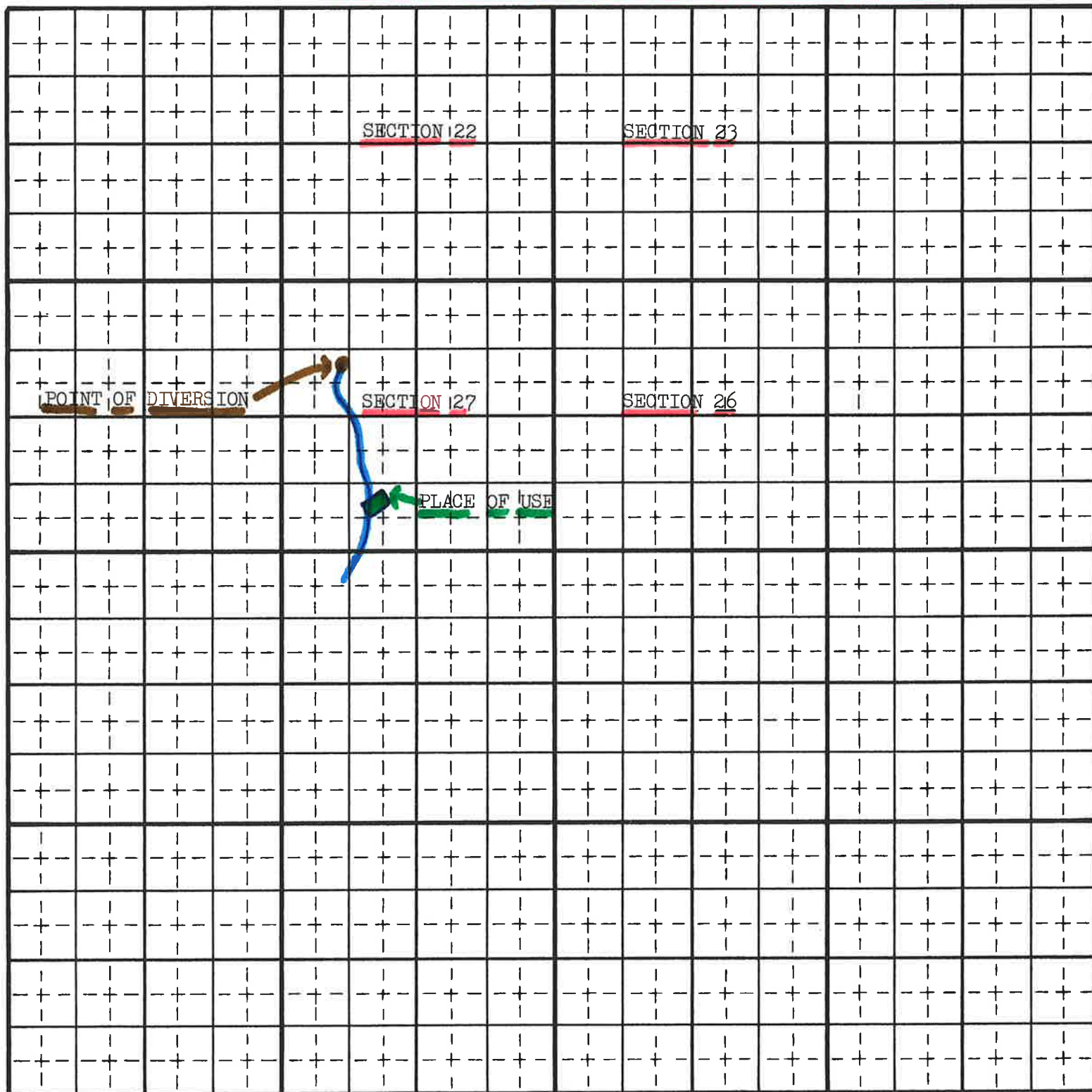
Last Name KING Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant
FEB 25 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN



Last Name KING Ident No. _____

Copies: White State Yellow Claimant **MICROFILMED**

Feb 25 1993

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments One (1)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Dwight H. King
Marjorie M. King

Date

8/16/88

Date

8/16/88

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 16th day of August 19 88

SEAL

Notary Public

Clyde Jensen

Residing at Hagerman, Idaho

My Commission Expires 5-10-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name KING Ident. Number _____

MICROFILMED

FEB 25 1993

Copies White-State, Yellow-Claimant

WARRANTY DEED

For value Received John R. Wilkins a/k/a John Wilkins, a single man Hereinafter called Grantor, hereby grants, bargains, sells and conveys unto Dwight H. King and Marjorie M. King, Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho,

Lot 2 and 3, Block 1, Malad Estates Subdivision,
according to the official plat thereof filed in
the office of the Gooding County Recorder, Gooding,
Idaho.

Together with irrigation water equal to one (1) inch per acre,
from the Lower Waddington Ditch.

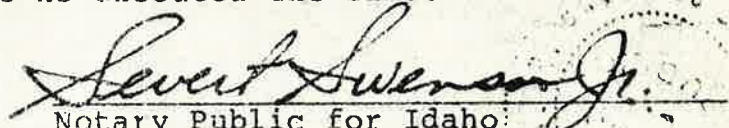
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances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

DATED: May 23, 1984.

STATE OF IDAHO,

County of Gooding

On this 23 day of May, 1984, before me a Notary Public in and for said State, personally appeared John R. Wilkins, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

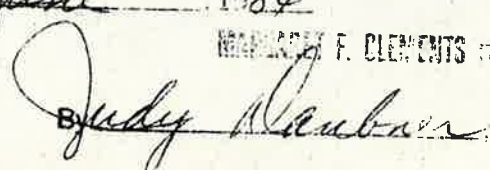

Notary Public for Idaho
residing at Gooding

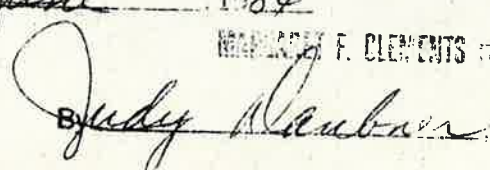
108607

TATE OF IDAHO, COUNTY OF GOODING, ss
iled for record at the request of **SECURITY TITLE CO**

13 min. past 4 o'clock P M. this 6 day

of June 1984


WILLIAM F. CLEMENTS Recorder


Judy R. Rouben Deputy

MICROFILMED

FEB 25 1993

8/01/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

King

CLAIM IDENT. NO.

A37-11564

DATE RECEIVED

8-26-88

CK #

550

AMOUNT \$

54.00

YES

NO

1. Is the name and address complete with zip code?

✓

2. Is priority date entered?

✓

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

✓

3. (a) Is a source entered?

✓

(b) Is a tributary to entered? (if required)

✓

4. Is the legal description of the p.d. complete?

✓

5. Is there a description of the diverting works?

✓

6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.

✓

Is the period of use included?

✓

Is a quantity claimed for each use?

✓

7. Is a total quantity claimed entered?

✓

8. Is the consumptive use correct?

✓

If required is a consumptive use entered?

✓

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4.

✓

10. Is (are) the place(s) of use entered?

✓

11. Is (are) the county(ies) entered?

✓

12. Is the ownership of p.u. checked?

✓

13. Are other water rights listed or "none" checked?

✓

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

✓

15. Is the basis of the claim checked?

✓

16. Is the claim signed by the claimant?

✓

Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

✓

Has the claim been signed, sealed, and dated by a notary?

✓

Is the fee enclosed correct?

✓

If this claim is based on an existing water right, has the identification number been entered?

N/A ✓

Should this claim be receipted and data entered?

✓

Claim checked by:

CF

Comments:

MICROFILMED

FEB 25 1993