

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A36-04012**

Date Received: 9/25/1989

Receipt No: C011794

Received By: ownership change *JK*

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

1. Name: KENT L KLOSTERMAN 208-431-1200
Address: 70 W 630 LANE SOUTH
RUPERT ID 83350

2. Date of Priority: APR 1, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	24E	31	SE	NE	NW		MINIDOKA

5. Description of diverting works:
WELL, 384' DEPTH, 16" CASING, 200HP PUMP, W/PIPELINE TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.500		

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

8. Total consumptive use is 465.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	24E	30	SW	SW	4	IRR	17.0
			SE	SW		IRR	18.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	35.0
		31	NE	NW	IRR	39.0
			NW	NW	1 IRR	21.0
			SW	NW	2 IRR	21.0
			SE	NW	IRR	39.0
					Section Acres	120.0
					Total Acres	155.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:

TRANS. 1830. AS STATED ON THE ORIGINAL CLAIM THE ORIGINAL WELL WHICH WAS USED FOR THIS LAND WAS INSTALLED IN 1946. AS CLAIMED HERE THE FIRST IRRIGATION FOR THE LAND STARTED WITH THE COMMENCEMENT OF THE IRRIGATION SEASON THE FOLLOWING YEAR ON 04/01/1947.

15. Basis of Claim: STATUTORY CLAIM

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

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

July 26, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

KENT KLOSTERMAN
650 SOUTH 70 WEST
RUPERT ID 83350

RE: SRBA Claim(s) A36-04012

Dear Mr. Klosterman:

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 record 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.

Also enclosed is your copy of the Notice of Completed Administrative Proceeding the department filed with the SRBA Court. This conforms with Administrative Order 11 which requires IDWR to report to the court all changes to claims in basins where a Director's Report has been filed.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.

cc: Clyde Preuss

COPY

1997 JUL 26 PM 3: 14

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

In Re-SRBA

Case No. 39576

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-04012

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

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

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Randy Hieb
Rt 5 Box 120
Rupert ID 83350

Phone: 532-4528

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Kent L Klosterman
650 South 70 West
Rupert ID 83350

Phone: 436-1200

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

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

IDWR has served copies of the *Notice of Completed Administrative Transfer 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.

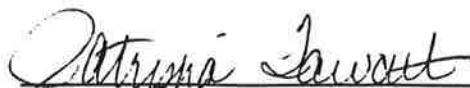
DATED:

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 26, 1996, 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:
Randy Hieb/Clyde Preuss
805 South Gardenaire Place
Boise ID 83709
3. One Copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
Kent L Klosterman
650 South 70 West
Rupert ID 83350
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

AJ5856NP

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

DATE: JUL-19-1996

JUL 26 PM 3:16 PAGE: A-2

DISTRICT COURT-SEDA
TWIN FALLS CO., IDAHO
FILED

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-04012

NAME & ADDRESS: KENT L KLOSTERMAN
70 W 630 LANE SOUTH
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 2.500 CFS
620.0 AFY

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION: T07S R24E S31 SENENW Within MINIDOKA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	2.5 CFS
			620.0 AFY

PLACE OF USE: IRRIGATION Within MINIDOKA County

T07S R24E S30	Lot 4 (SWSW) 17.0	SESW 18.0	
S31	NENW 39.0	Lot 1 (NWNW) 21.0	Lot 2 (SWNW) 21.0
155.0	ACRES TOTAL		SENW 39.0

CONSUMPTIVE USE: 465.0 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RECEIVED

MAY 22 1996

Department of Water Resources

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

In Re SRBA

Case No. 39576

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

36-04012

INSTRUCTIONS FOR USE

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

CHANGE MADE
3-25-96
Follow A.O. 11 Proc
5-22-96

CHANGE IN ADDRESS

You must use this form to advise the court and parties of any change in your address during the pendency of the SRBA.

You must provide a copy of the completed form to each party or if the party is represented by an attorney you must serve the attorney in every subcase in which you are a party.

No hearing will be held and no further order will issue from this court.

My name is _____

I am the claimant of _____
(Insert each water right number)

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

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____
(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

This form may only be used if a water right number is included as a "recommendation" in a director's report. *This form cannot be used for water rights that are not in a director's report or when portions of a water right are involved (i.e. where a water right is split).* You must use this form to substitute a new party into the SRBA.

You are to provide a copy of the completed form to every party in each subcase in which the new party is to be substituted. If the party is represented by an attorney you must serve the attorney. Because this is a "consent" form, it is a stipulation that there is no disagreement between the prior claimant/seller and the new claimant/purchaser that the prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue.

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 42-1409(2), (3) and (6) (1986), filed a notice of claim asserting the right to the use of water or on whose behalf the

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

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

I am the new claimant/purchaser of 36-04012

(Insert each water right number)

My name is KENT L. KLOSTERMAN

My address is 650 SOUTH 070 WEST, RUPERT, IDAHO 83350

My phone number is: Work 436-1200 Home

The name and address of the prior claimant/seller who I wish to be substituted for are:

RANDY HIEB/CLYDE F. PREUSS

805 SOUTH GARDENAIRE PLACE, BOISE, IDAHO 83709


Signature of prior claimant/seller
CLYDE F. PREUSS


Signature of new claimant/purchaser
KENT L. KLOSTERMAN

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name

Attorney of record for
(Identify party/claimant)

Attorney address and phone number:

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

VERIFICATION

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

State of IDAHO

County of MINIDOKA

KENT L. KLOSTERMAN, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with the court and that I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.



Signature of person filing form

KENT L. KLOSTERMAN

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on MARCH 20, 1996
(Insert Date)



Notary Public for IDAHO

Residing at: RUPERT

My Commission expires: 5-1-99

STEVE B. PORCH
★ NOTARY PUBLIC ★
STATE OF IDAHO

RESIDING AT RUPERT, ID
MY COMMISSION EXPIRES

5-1-99

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on MARCH 20, 1996, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. A *Change of Address* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

Mr. ALAN GOODMAN

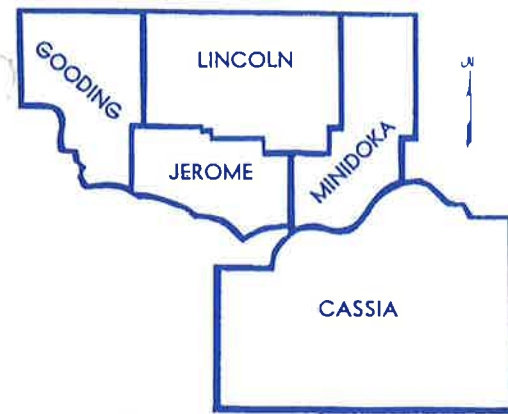
c/o GOODMAN AND BOLLAR

P. O. BOX D, RUPERT, IDAHO 83350

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO:
OFFICE:

Order Ec-1213
Rupert

March 19, 1996

Attention: Jeanie
IDAHO DEPARTMENT OF WATER
RESOURCES
222 SHOSHONE AVE. E
TWIN FALLS, IDAHO 83301

RECEIVED

MAR 20 1996

Department of Water Resources
Southern Region

Re: Order #Ec-1213 Klosterman/Preuss

Dear Jeanie:

Please find enclosed the original **NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**, transferring the water right to the new owner, Kent L. Klosterman.

I have attached the recorded Memorandum of Agreement of Sale and a copy of the Sheriff's Certificate of Sale.

If you have any questions, please do not hesitate in calling our office.

Very truly yours:
LAND TITLE AND ESCROW, INC.

Julia G. Coffman
Julia G. Coffman
Escrow Secretary

enc.
cc: file

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 438-0606 - FAX 436-1199



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

MAR 20 1996

DATE OF CLOSING: MARCH 15, 1996

Department of Water Resources

Southern Region

LEGAL DESCRIPTION OF PROPERTY: Township 7 Range 24 East
 Section 30, SE 1/4 of SW 1/4 of 1/4, Govt. Lot, BM.
 Lot attached, Block, Subdivision/Townsite.

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

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)
 Assigned by IDWR: 36-04012
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): RANDY HIEB, Route 5 BOX 120 RUPERT, ID. 83350
 (foreclosed by CLYDE F. PREUSS on January 12, 1996)
- ☐ New Owner/Claimant (Purchaser): KENT L. KLOSTERMAN
- ☐ New Mailing Address: 70 W 630 Lane South
 RUPERT, ID. 83350
- ☐ New Telephone Number: (208) 431-1200-mobile
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: copy of recorded MEMORANDUM OF AGREEMENT OF SALE
 copy of SHERIFF'S CERTIFICATE OF SALE
 (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☒ Signature of New Owner/Claimant(s): Kent L. Klosterman Date 3-19-96
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3/25/96 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

EXHIBIT "A"

TOWNSHIP 7 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

TRACT NO. 1:

SECTION 30: Lots 3 and 4 and the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SAVE AND EXCEPT the following described parcel:

Beginning at the Northwest corner of Lot 3 of said section 30, which point shall be known as the TRUE POINT OF BEGINNING;

Thence South for 1290.00 feet;

Thence South 63°17' East for 320.00 feet;

Thence South 40°27' East for 713.00 feet;

Thence South 88° East for 548.00 feet;

Thence North 87°32' East for 561.00 feet;

Thence South 62°47' East for 228.00 feet;

Thence North 756.00 feet;

Thence South 89°41' West for 1320.00 feet;

Thence North for 1320.00 feet;

Thence South 89°41' West for 740.00 feet to the TRUE POINT OF BEGINNING.

TRACT NO. 2:

SECTION 31: Lots 1 and 2 and the E $\frac{1}{2}$ NW $\frac{1}{4}$.

422423 ✓

Alan Goodman
Goodman & Boliar
Attorneys at Law
P.O. Box D
717 7th Street
Rupert, ID 83350
Telephone: 436-4774

Attorneys for Plaintiff

422423

RECORD AT REQUEST OF
Goodman & Boliar
FILED

'96 FEB 15 11 22

CLERK OF DISTRICT COURT, IDAHO
MINIDOKA COUNTY, RECORDED
9-1 DEPUTY *JP*

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

-0-

CLYDE F. PREUSS and
GEORGIAN M. PREUSS, husband
and wife,

Plaintiffs,

-vs-

RANDY E. HIES AND HOLLY J.
HIES; and the UNITED STATES
OF AMERICA, acting by and
through the Farmers Home
Administration,

Defendants.

Case No. CV 95-00611-D

SHERIFF'S
CERTIFICATE OF SALE

-0-

By virtue of a Judgment and Decree of Foreclosure entered on the 11th day of January, 1996, in the above-entitled action and under the authority of a Writ of Execution and an Order of Sale issued therein and directed and delivered to the undersigned, as Sheriff of Minidoka County, State of Idaho, I was commanded to sell the property hereafter described, according to

law, and to apply the proceeds of sale in satisfaction of the judgment in the above action of \$246,036.92 with interest and costs, as specified in the decree:

I, Paul E. Fries, Sr., the Sheriff of Minidoka County, State of Idaho, do hereby certify that on February 14, 1996, I duly sold the real property described below, after due and legal notice given to Clyde F. Preuss and Georgian M. Preuss, husband and wife, of 805 South Gardenaire Pl., Boise, Idaho 83709-1784, the highest bidder, for \$246,326.70, the highest bid, at a public auction conducted by me, or under my direction at the front steps of the Minidoka County Courthouse in Rupert, Idaho.

The real property sold is situated in the County of Minidoka, State of Idaho, and is particularly described as follows:

TOWNSHIP 7 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

SECTION 30: Lots 3 and 4 and the SE1/4SW1/4, SAVE AND EXCEPT the following described parcel:

Beginning at the Northwest corner of Lot 3 of said Section 30, which point shall be known as the TRUE POINT OF BEGINNING; Thence South for 1290.00 feet; Thence South 63°17' East for 320.00 feet; Thence South 40°27' East for 713.00 feet; Thence South 88° East for 548.00 feet; Thence North 87°32' East for 561.00 feet; Thence South 62°47' East for 228.00 feet; Thence North 756.00 feet; Thence South 69°41' West for 1320.00 feet; Thence North for 1320.00 feet; Thence South 89°41' West for 740.00 feet to the TRUE POINT OF BEGINNING.

SECTION 31: Lots 1 and 2 and the E1/2NW1/4.

together with the following described personal property: 6 Funk Wheel lines - 1680 feet long (each), 1/2 mile of mainline, 200 hp motor, pump and well, together with all appurtenances.

Done
at
Boise
Idaho

STATE
County

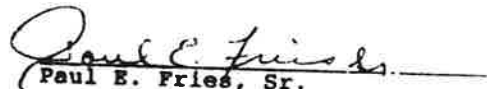
before
person
Sheriff
subscribed
executed

affirmed

(SEAL)

The above property was, pursuant to the Judgment and Decree of Foreclosure sold in one parcel, the highest bid therefor was \$246,326.70, which was the whole price paid for the same. The sale is subject to redemption within one (1) year, pursuant to Idaho Code 11-402.

DATED this 14th day of February, 1996.


Paul E. Fries, Sr.
Minidoka County Sheriff

STATE OF IDAHO)
County of Minidoka) ss.

On this 14th day of February, in the year of 1996, before me the undersigned notary public in and for said state, personally appeared Paul E. Fries, Sr., the Minidoka County Sheriff, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same as the Minidoka County Sheriff.

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


Notary Public
Residing at Rupert, Idaho
My Commission expires 10-6-97



COPY

423012

MEMORANDUM OF AGREEMENT OF SALE
OF SHERIFF'S CERTIFICATE OF SALE

RECORDED AT REQUEST OF
Land Title-Rupert
FILM NO.

NAME OF SELLERS:

CLYDE F. PREUSS
GEORGIAN M. PREUSS

'96 MAR 19 16 : 24

NAMES OF PURCHASER:

KENT L. KLOSTERMAN

MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE 6 DEPUTY ST

LEGAL DESCRIPTION OF PROPERTY:

TOWNSHIP 7 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 30: Lots 3 and 4 and the SE1/4SW1/4, SAVE
AND EXCEPT the following described parcel:

Beginning at the Northwest corner of Lot 3 of
said Section 30, which point shall be known
as the TRUE POINT OF BEGINNING; Thence South
for 1290.00 feet; Thence South 63°17' East
for 320.00 feet; Thence South 40°27' East for
713.00 feet; Thence South 88° East for 548.00
feet; Thence North 87°32' East for 561.00
feet; Thence South 62°47' East for 228.00
feet; Thence North 756.00 feet; Thence South
89°41' West for 1320.00 feet; Thence North
for 1320.00 feet; Thence South 89°41' West
for 740.00 feet to the TRUE POINT OF
BEGINNING.

SECTION 31: Lots 1 and 2 and the E1/2NW1/4.

NOTICE IS HEREBY GIVEN that the above named Seller has
entered into an Agreement for the Purchase and Sale of Sheriff's
Certificate of Sale and Real and Personal Property wherein the
above named Purchaser agreed to buy, and the Sellers agreed to
sell, the Sheriff's Certificate of Sale related to the property
above described, which Sheriff's Certificate of Sale was dated
February 14, 1996 and recorded February 15, 1996 as Instrument
No. 422423, Minidoka County, Idaho records.

Pursuant to the terms of said Agreement, title to the
Sheriff's Certificate of Sale has been reserved in the Sellers
until the expiration of the statutory redemption period, and a
Sheriff's Deed, Assignment of Sheriff's Certificate of Sale and
Real Estate Mortgage have been placed in escrow for recording upon
expiration of such statutory redemption period. The recording of
said Sheriff's Deed and Assignment of Sheriff's Certificate of
Sale and Real Estate Mortgage shall be conclusive proof, as
against the Sellers, and Sellers' heirs, personal

representatives, successors, and assigns, that Purchaser is the owner of said property subject to the duties and obligations contained in the purchase money Real Estate Mortgage.

DATED this 15th day of March, 1996.

Clyde F. Preuss
CLYDE F. PREUSS

Kent L. Klosterman
KENT L. KLOSTERMAN
PURCHASER

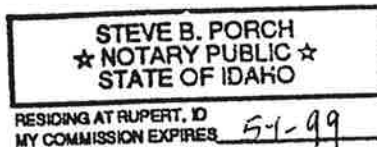
Georgian M. Preuss
GEORGIAN M. PREUSS
SELLERS

STATE OF IDAHO)
County of Minidoka) ss.

On this 15th day of March, 1996 before me the undersigned Notary Public in and for said State personally appeared Kent L. Klosterman known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

(SEAL)



Steve B. Porch
Notary Public
Residing at Rupert, Idaho
Comm. Expires: 5-1-99

STATE OF IDAHO)
County of Ada) ss.

On this 18th day of March, 1996 before me the undersigned Notary Public in and for said State personally appeared Clyde F. Preuss and Georgian M. Preuss, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Nancy Groves
Notary Public
Residing at Boise, Idaho
Comm. Expires: 10-24-97



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

March 25, 1996

KENT L KLOSTERMAN
70 W 630 LANE SOUTH
RUPERT ID 83350

Re: Ownership Change for Adjudication Claim # 36-04012
HIEB/KLOSTERMAN

Dear Mr. Klosterman:

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, I have changed the Department's record(s) of the current owner as you requested.

I have enclosed a copy of the claim A36-04012 and also a profile report of 36-04012, which shows how the right has been recommended in the Director's Report. (The C owner code refers to the Current owner and the D refers to the owner at the time the Director's Report was issued.) I am sure you are aware that the Standard Form 3 must be returned to the SRBA court in order for the court to change their records.

If you have any questions, feel free to call me at the office.

Sincerely,

Jeanie Robertson
Water Rights Agent

/jr

Water Right Number - 36-04012

Prefix Translation: WATER RIGHT

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***
KLOSTERMAN

KENT L

1 - 70 W 630 LANE SOUTH
2 -
3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-431-1200

*** D - DIR RPT OWNER ***
HIEB

RANDY

1 - RT 5 BOX 120

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-532-4528

*** O - ORIGINAL OWNER ***
PREUSS

CLYDE F

1 - 805 SOUTH GARDENAIRE PL

2 -

3 -

City- BOISE

State- ID Zip- 83709

Phone - 208-378-0438

PREUSS

GEORGIAN M

1 - 805 SOUTH GARDENAIRE PL

2 -

3 -

City- BOISE

State- ID Zip- 83709

Phone - 208-378-0438

+ - - Priority Date - - +
04/01/1948+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

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

07S 24E 31 SE NE NW (67) MINIDOKA

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

01 - IRRIGATION

04/01

10/31

2.500

620.00

+ - Total Div. Rate - + + - Total Div. Volume - +
2.500 620.00+ - Total Consumptive Use - + + - KW Usage - +
465.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

07S	24E	30	SW SW	4	17.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	30	SE SW		18.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	31	NE NW		39.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	31	NW NW	1	21.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	31	SW NW	2	21.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	31	SE NW		39.0	01	IRRIGATION	(67) MINIDOKA

Water right number - 36-04012

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
----	-----	-----	-------	-----	-------	------	--------------	-------------	--------

Total Acres: 155.0

- - - Diversion Means - WELL,384'DEPTH,16"CASING,200HP PUMP,W/PIPELINE TO SPRINKLERS.

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE

- - - - - Remarks - - - - -
No Remarks found.

- - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

- - - - - Conditions of Approval - - - - -
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1425.

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

- - - - - Comments - - - - -

Date: 07/11/1991 User Id: SCHOLER Subject: COPIED FROM REMARKS
TRANS. 1830. AS STATED ON THE ORIGINAL CLAIM THE ORIGINAL WELL WHICH WAS USED FOR THIS LAND WAS INSTALLED IN 1946. AS CLAIMED
HERE THE FIRST IRRIGATION FOR THE LAND STARTED WITH THE COMMENCE- MENT OF THE IRRIGATION SEASON THE FOLLOWING YEAR ON 04/01/1947.
Date: 07/11/1991 User Id: SCHOLER Subject: REVIEW - BHS
Date: 09/26/1991 User Id: GIVENS Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE 9/26/91 BY JG.
Date: 03/25/1996 User Id: JROBERTS Subject: OWNERSHIP CHANGE
FORM RECEIVED 3/20/96, ORIGINAL OWNER RANDY HIEB - FORECLOSED BY CLYDE PREUSS AND SOLD TO KENT KLOSTERMAN. COPY OF SHERIFF'S CERT
IFICATE OF SALE AND MEMORANDUM OF AGREEMENT OF SALE OF SHERIFF'S CERTIFICATE OF SALE ENCLOSED WITH FORM. A36-04012 ALSO CHANGED.
SF3 FILED WITH SRBA COURT. jr

- - - Audit Fields - - -
03/25/96 JROBERTS

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/25/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C011794	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE	CUSTOMER
March 15, 1996 12:21pm	STEVE PORCH - LAND TITLE/BURLEY 36-04012

SUBJECT: PROFILE REPORT
phone call (X) walk-in (.)

Gave me a legal description of T07S, R24E, SW 1/4 Section 30 and NW 1/4 Section 31 and the name Preuss or Heib. Found this claim and FAXed him a copy. There's been a foreclosure and an ownership change and he was asking what he'll need to send, told him to just send copies of various recorded documents he had...

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A36-04012

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

February 6, 1996 11:03am

NAME:
KENT KLOSTERMAN

RE:
RANDY HIEB AJ CLAIMS

TF AT 10:03-TCW TILL 10:08-BUYING FARM-WANTS TO KNOW STATUS OF THE CLAIMS IN SRBA. RESEARCH ON-LINE; PULL TEST BASIN RECCOMENDATION.

TT CALLER-TCW; SEND HIM COPIES OF THE IRRIGATION CLAIM AND THE SHEET OF THE TEST BASIN REPORT.

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-04012
Date Received: 9/25/1989
Receipt No: C011794
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RANDY HIEB 208-532-4528
Address: RT. 5 BOX 120
RUPERT ID 83350

2. Date of Priority: APR 1, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	24E	31	SE	NE	NW		MINIDOKA

5. Description of diverting works:
WELL, 384' DEPTH, 16" CASING, 200HP PUMP, W/PIPELINE TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.500		

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

8. Total consumptive use is 465.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	24E	30	SW	SW	4	IRR	17.0
			SE	SW		IRR	18.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	35.0
		31	NE	NW	IRR	39.0
			NW	NW	1 IRR	21.0
			SW	NW	2 IRR	21.0
			SE	NW	IRR	39.0
					Section Acres	120.0
					Total Acres	155.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:

TRANS. 1830. AS STATED ON THE ORIGINAL CLAIM THE ORIGINAL WELL WHICH WAS USED FOR THIS LAND WAS INSTALLED IN 1946. AS CLAIMED HERE THE FIRST IRRIGATION FOR THE LAND STARTED WITH THE COMMENCEMENT OF THE IRRIGATION SEASON THE FOLLOWING YEAR ON 04/01/1947.

15. Basis of Claim: STATUTORY CLAIM

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: _____

SD-33

Last Name: PREUSS

STATE

S
E
LO
W
NFirst
NameWater
Right No.Priority
Date

Source

Total
DiversionUse
Code Desc

PREUSS

CLYDE F.

C A36-12209

12/01/1954

GROUNDWATER

0.040

43 DOMEST

04 STOCK

GEORGIAN M.

C A36-12209

12/01/1954

GROUNDWATER

0.040

43 DOMEST

04 STOCK

CLYDE F.

C A36-04012

04/01/1948

GROUNDWATER

2.500

01 IRR

GEORGIAN M.

C A36-04012

04/01/1948

GROUNDWATER

2.500

01 IRR

CLYDE F.

C R36-04012

04/01/1948

GROUNDWATER

2.500

01 IRR

GEORGIAN M.

C R36-04012

04/01/1948

GROUNDWATER

2.500

01 IRR

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
FEB 04 1993

SD-36		Township: 07S		Range: 24E		Section: 30		Tract:		Lot:	
S	L	O	Water	STATE	Name	O	S	Max #	Records	63	
E	O					W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc	
SES	W		R36-04012	PREUSS, GEORGIAN M.	C	18	J	04/01/1948			
SW			R36-02065A	MOLLER, W.H.	C	20	L	03/01/1948	01	IRR	
				MOLLER, VELVA	C						
NE	SE	99	A36-02080Z0	A & B IRRIGATION DISTR	C	37	L	09/09/1948	01	IRR	
				LING, ROGER	A						
NW	SE	99	A36-02080Z0	A & B IRRIGATION DISTR	C	35	L	09/09/1948	01	IRR	
				LING, ROGER	A						
NW	SE	99	A36-15127Z0	LING, ROGER	A	3	J	04/01/1984	01	IRR	
				A & B IRRIGATION DISTR	C						
SW	SE	99	A36-02080Z0	A & B IRRIGATION DISTR	C	22	L	09/09/1948	01	IRR	
				LING, ROGER	A						
SW	SE	99	A36-15127Z0	LING, ROGER	A	13	J	04/01/1984	01	IRR	
				A & B IRRIGATION DISTR	C						
SE	SE	93	A36-02080Z0	A & B IRRIGATION DISTR	C	14	L	09/09/1948	01	IRR	
				LING, ROGER	A						
SE	SE	99	A36-15127Z0	LING, ROGER	A	1	J	04/01/1984	01	IRR	

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

SD-36		Township: 07S		Range: 24E		Section: 30		Tract:		Lot:	
S	L	O	Water	STATE	Name	O	S	Max #	Records	63	
E	O					W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc	
SWS			R36-0265A	MOLLER, VELVA	C	5	L	03/01/1948			
SWS		4	A36-04012	PREUSS, CLYDE F.	O	17	S	04/01/1948	01	IRR	
				PREUSS, GEORGIAN M.	O						
				HIEB, RANDY	C						
SWS		4	R36-04012	PREUSS, CLYDE F.	C	17	J	04/01/1948	01	IRR	
				PREUSS, GEORGIAN M.	C						
SWS		4	R36-02065A	MOLLER, W.H.	C	5	L	03/01/1948	01	IRR	
				MOLLER, VELVA	C						
SES			A36-04012	PREUSS, CLYDE F.	O	18	S	04/01/1948	01	IRR	
				PREUSS, GEORGIAN M.	O						
				HIEB, RANDY	C						
SES			A36-02065A	MOLLER, W.H.	C	20	L	03/01/1948	01	IRR	
				MOLLER, VELVA	C						
SES			R36-0265A	MOLLER, W.H.	C	20	L	03/01/1948	01	IRR	
				MOLLER, VELVA	C						
SES			R36-04012	PREUSS, CLYDE F.	C	18	J	04/01/1948	01	IRR	

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
FEB 04 1993



ate of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

26-Sep-1991 11:42

RANDY HIEB
RT. 5 BOX 120
RUPERT ID 83350

Re: Ownership Change for Adjudication Claim NO.(S): A36-04012,
- PREUSS, CLYDE F. -

Dear Claimant(s):

Pursuant to the notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of the claim noting the change in claimant.

Please review the record and if you have any corrections or questions, please feel free to call this office.

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

AUG 09 1991

Department of Water Resources

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____
Lot _____, Block _____, Subdivision/Townsite _____

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

RECEIVED

AUG 13 1991

Department of Water Resources
Southern Region Office

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

☐ Water Right Number(s)
Assigned by IDWR: _____

A36-04012

☒ Name and Address of Former
Owner/Claimant(s)(Seller): _____

Clyde F. Preuss

☒ New Owner/Claimant
(Purchaser): _____

Randy Lieb

☒ New Mailing Address: _____

Route 5, Box 120
Rupert, Idaho 83350

☒ New Telephone Number: _____

(208) 532-4528

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

☐ Attach proof of
ownership, describe
proof attached: _____

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

☒ Signature of New
Owner/Claimant(s): _____

Date _____

Date _____

☒ Signature of Former
Owner/Claimant(s): _____

Date 8-8-91

Date 8-8-91

(Signature of former claimant(s) is not required if proof of
ownership is attached.) SIGNATURE CHECKED 16

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 9/24/91 By: JE

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 9/24/91 By: JE

Claim Numbers of Split, if any:



CLYDE F. PREUSS
805 S GARDENAIRE
BOISE, ID 83709

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

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FEB 04 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-04012
Date Received: 9/25/1989
Receipt No: C011794
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLYDE F. PREUSS 208-378-0438
Address: 805 SOUTH GARDENAIRE PL.
BOISE, ID 83709

OR

Name: GEORGIAN M. PREUSS 208-378-0438
Address: 805 SOUTH GARDENAIRE PL.
BOISE, ID 83709

RECEIVED

2. Date of Priority: APR 01, 1948

JUN 13 1990

3. Source: GROUNDWATER

Trib. to: Department of Water Resources
Southern Region Office

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	24E	31	SE	NE	NW		MINIDOKA

5. Description of diverting works:

WELL, 384' DEPTH, 16" CASING, 200HP PUMP, W/PIPELINE TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.500		

7. Total Quantity Appropriated is:

2.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 465.0 Acre Feet Per Annum.

9. Non-irrigation uses:

N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	24E	30	SW	SW	4	IRR	17.0
			SE	SW		IRR	18.0
						Section Acres	35.0
		31	NE	NW		IRR	39.0
			NW	NW	1	IRR	21.0
			SW	NW	2	IRR	21.0
			SE	NW		IRR	39.0
						Section Acres	120.0
						Total Acres	155.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
N/A

14. Remarks:

TRANS. 1830. AS STATED ON THE ORIGINAL CLAIM THE ORIGINAL WELL WHICH WAS USED FOR THIS LAND WAS INSTALLED IN 1946. AS CLAIMED HERE THE FIRST IRRIGATION FOR THE LAND STARTED WITH THE COMMENCEMENT OF THE IRRIGATION SEASON THE FOLLOWING YEAR ON 04/01/1947.

15. Basis of Claim: STATUTORY CLAIM

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: 5

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): Clyde H. Pruss Date: 9-25-99

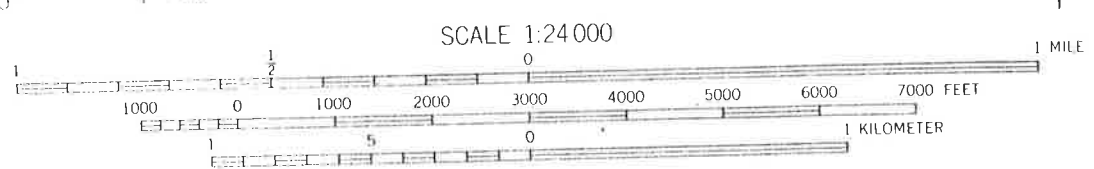
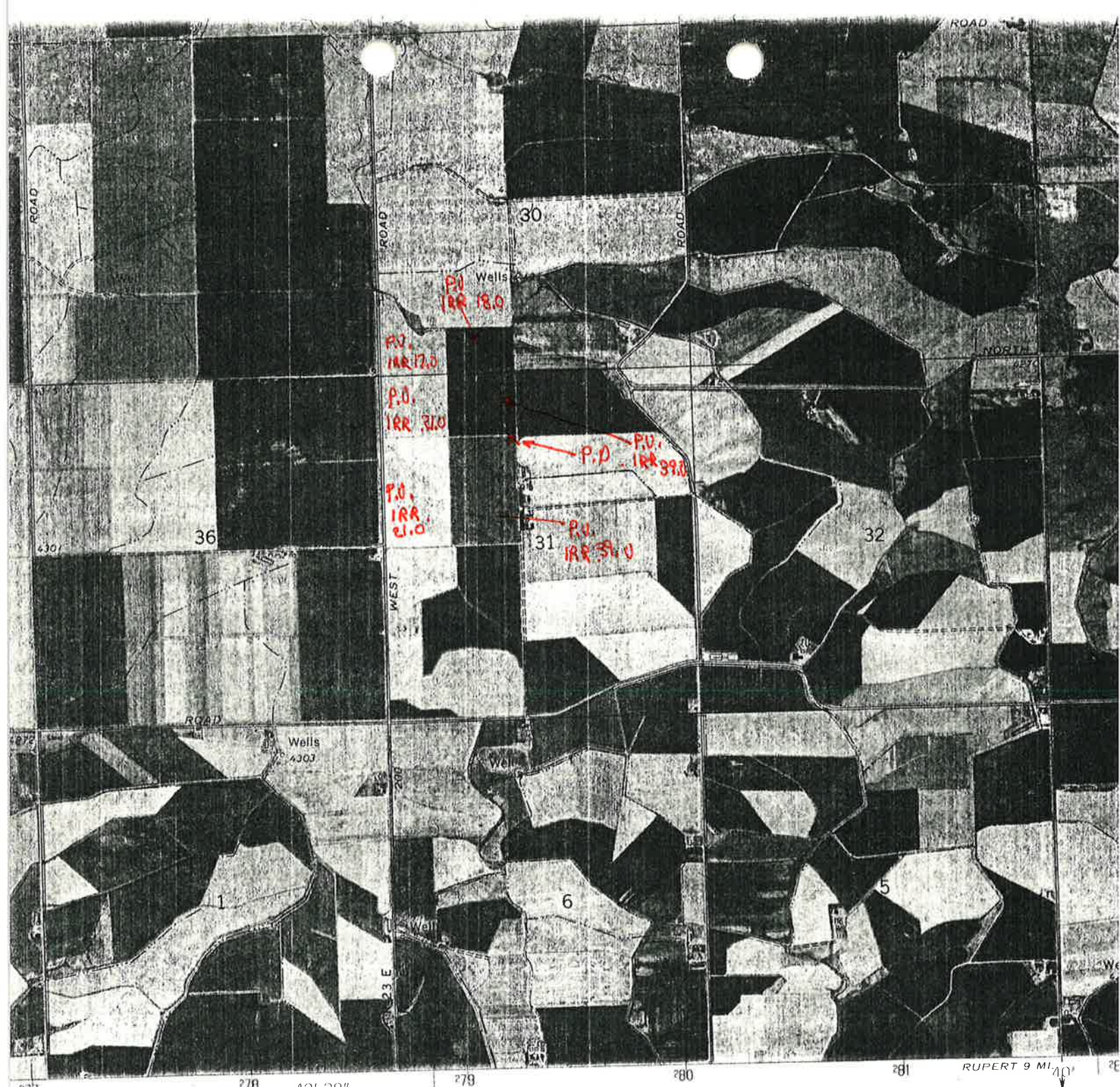
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of SEPTEMBER 19 89
Donna E. Luthy
Notary Public

Seal

Residing at BOISE, ID
My Commission Expires 11/08/1994



T7S
R23E R24E

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

MICROFILMED

Copies Of These Maps Can Be Obtained
At Bonneville Blue Print, Boise Idaho
FEB 04 1993

Identification No. 36-4012

Transfer No. 1830

RECEIVED

MAR 22 1971

APPROVED

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

Department of Water Administration

**APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use**

1. Name of Right Holder Clyde F. Preuss
Post office address Route 5 Rupert, ID 83350
2. Right obtained by: Usage - diversion and application to beneficial use 1947
 - a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____.
 - b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Clawson Water Dist. No. 5 ~~xxxxxx~~ Well, underground aquifer
(Name of stream or source)
4. Date of Priority ~~xxxxxx~~ April 1, 1947
5. Amount of water a. 2.5 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for irrigation from April 1 to October 31
(Month, Day) (Month, Day)
7. Original location of point of diversion is S.E. $\frac{1}{4}$ S. E. $\frac{1}{4}$ of Section 25,
Township 7 South, Range 23 East, B.M. in Minidoka County;
Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>7S</u>	<u>24E</u>	<u>30</u>						<u>let 1</u>	<u>let 2</u>			<u>let 3</u>	<u>let 4</u>						<u>35</u>
<u>7S</u>	<u>24E</u>	<u>31</u>					<u>39</u>	<u>21</u>	<u>21</u>	<u>39</u>									<u>120</u>

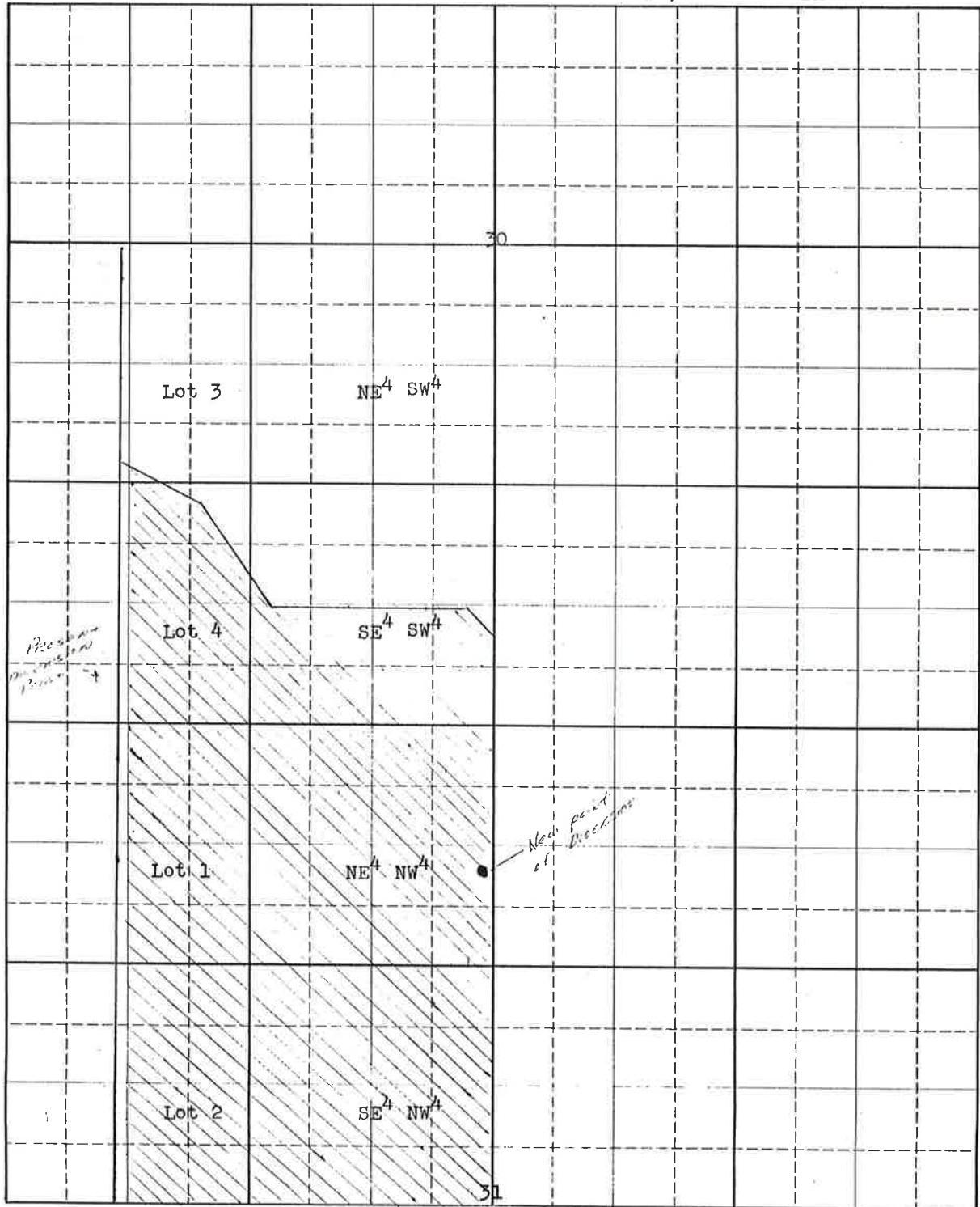
Total number of acres presently irrigated 155
Total Acres 162

MICROFILMED
FEB 04 1993

36 4012

36 4012

T 7 S R 24 E BM



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

MICROFILMED
FEB 04 1993

9. If applicant was the original holder of this right explain how it was By purchases
of 50 shares in Clawson Water Dist. No. 5.

That water has been diverted and applied to beneficial use since the
year 1947 as shown by the claim on file with the Department of Water
Administration of the State of Idaho.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 2.5 c.f.s. and/or ~~850x~~ acre feet
- b. New point of diversion: N. E. 1/4 N. W. 1/4, Section 31, Township 7
, Range 24, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: Drilling
new well for sprinkler system.
- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
Financial reasons and a need for a pump that will run a
Sprinkling System.
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? Yes
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE - No change in place of use.

- a. Describe the new lands on which you wish to use your right.
No change

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7	24	30																	35
7	24	31					39	21	21	39									120

Total number of acres to be irrigated 155

36 4012

Total Acres

162

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b. Do you intend make the transfer permanent? Yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

No, irrigating the same lands as before only from a new point of diversion.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: None

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Clyde F. Pruss
(signature of applicant)

Subscribed and sworn to before me this 18th day of March, 19 71

Linda H. Casano
(notary public)

My commission expires 9/16/73

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 36-4012/1670,
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

That an adequate measuring device of a type approved by this Department
be installed and permanently maintained.

2. Denial of said application is for the following reasons: _____

Witness my hand this 18th day of August, 19 71

L. Keith Higgins
State Reclamation Engineer
DIRECTOR

FOR DEPARTMENT USE ONLY

Received by 01 Date 3/20/71

Protest filed by: _____ Date _____

Prelim. check by 01 Date _____

Fee received by 01 Date 4/6/71 Fee \$ 20.00

Approved for publication by _____
Minidoka

Published in County News Dates 7-20 & 7-27, 1971

Hearing held _____

Watermaster Recommendation sent _____

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 3, 1990

not sent

A36-04012
CLYDE F. PREUSS
805 SOUTH GARDENAIRE PL.

BOISE

ID 83709

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

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FEB 04 1993

36-4012

DEPARTMENT OF WATER ADMINISTRATION
STATE ANALYSIS

Claim ~~Application~~ No. _____ Name Clyde F. Preuss
Source Ground water
Point of Diversion SE SE 25 7S 25E
Quantity 25 Use irrigation Period April 1 - Oct 31
Quantity _____ Use _____ Period _____
Quantity _____ Use _____ Period _____
Well Size _____ Diameter 4 in ^{Casing} Proposed Depth 260 Feet
Use irrigation 125
Date Forwarded _____ Date Returned _____ Received by _____

COMMENTS: This Claim is being filed in connection with a transfer and file with the department.

RECOMMENDED:
Applied: Qty. 25 Use irrigation Period April 1 - Oct 31
Qty. _____ Use _____ Period _____
Qty. _____ Use _____ Period _____
Maximum: Qty. _____ Use _____ Period _____
Qty. _____ Use _____ Period _____
Qty. _____ Use _____ Period _____
ACTION: Approved _____ Denied _____

Conditions of approval or reason for denial:

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FEB 04 1993

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AFFIDAVIT IN SUPPORT OF
CLAIM TO A WATER RIGHT

STATE OF IDAHO)
) ss.
County of Minidoka)

BRUCE K. BOWMAN, being first duly sworn on oath,
deposes and says:

1. That I am an accounting clerk for Idaho Power Company in the Rupert, Idaho, office of said company. That as the accounting clerk of Idaho Power Company, I have access to the books and records of Idaho Power Company for all power deliveries within Minidoka County, Idaho.

2. That pursuant to maps and records in the official records of Idaho Power Company, I have determined that Idaho Power Company has served power to a 300 horsepower motor located on a turbine pump and deep well in the SE1/4SE1/4 of Section 25, Township 7 South, Range 23 East Boise Meridian, Minidoka County, Idaho. That said pump and motor since the year 1948 has been used for the pumping of water from an underground water source for irrigation of the surrounding lands.

3. That said pump is presently located in what is known as Clawson Water District No. 5 and is owned jointly by several water users, including Clyde F. Preuss of Route #5, Rupert, Idaho, for the irrigation of land owned by said Clyde F. Preuss in Sections 30 and 31 of Township 7 South, Range 24 East Boise Meridian.


Bruce K. Bowman

SUBSCRIBED AND SWORN to before me this 4th day of
April, 1971.

(SEAL)


Notary Public for Idaho
Residing at _____
My commission expires _____

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36-4012

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AFFIDAVIT IN SUPPORT OF
CLAIM TO A WATER RIGHT

STATE OF IDAHO)
County of Minidoka) ss.

ARVIL HANSHEW, being first duly sworn, deposes and says:

1. That he is a resident of the County of Minidoka, State of Idaho, and has resided in Minidoka County since 1948 and during that time has been and is familiar with the land within Section 25, Township 7 South, Range 23 East Boise Meridian in Minidoka County, Idaho.
2. That this affiant has seen and has personal knowledge that water has been pumped from a deep well located in the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section 25, Township 7 South, Range 23 East Boise Meridian for irrigation purposes from April 1 to October 31, in each year since April 1, 1948. That said underground water has been diverted and applied to beneficial use in the irrigation of crops being grown in Sections 30 and 31 of Township 7 South, Range 24 East Boise Meridian during the irrigation season commencing April 1, 1948. That said well and pump is located in what is now known as the Clawson Water District No. 5, that the depth of said well is 260 feet, the diameter of said well is 16 inches and there is situated thereon and has been since April 1, 1948, a turbine pump with a capacity of 380 miners inches. That the water diverted from said deep well and pump has been used to irrigate other lands within the vicinity of said pump as well as the 155 acres located in Sections 30 and 31 above-described.
3. That the lands now being irrigated and that have been irrigated since April 1, 1948, from the above-described underground water source are more particularly described as follows:
 - 17 acres in the SW1/4SW1/4 of Section 30
 - 18 acres in the SE1/4SW1/4 of Section 30
 - 39 acres in the NE1/4NW1/4 of Section 31
 - 21 acres in the NW1/4NW1/4 of Section 31
 - 21 acres in the SW1/4NW1/4 of Section 31
 - 39 acres in the SE1/4NW1/4 of Section 31

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all in Township 7 South, Range 24 East Boise Meridian.

4. That this affiant has personal knowledge that this well and the diversion of water therefrom is the first deep well located in what is known as the Northside Area of Minidoka County for the purposes of irrigation and has been used since April 1, 1948, for the irrigation of surrounding lands, including the land above-described.

Arvil Harshaw
Arvil Harshaw

SUBSCRIBED AND SWORN to before me this 2nd day of April, 1971.

Marion E. Ambrose
Notary Public for Idaho
Residing at Rupert, Idaho
My commission expires: 1974

(SEAL)

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FEB 04 1993

36-4012

REC

AFFIDAVIT IN SUPPORT OF
CLAIM TO A WATER RIGHT

STATE OF IDAHO)
County of Minidoka) ss.

ELMER PLOCHER, being first duly sworn, deposes and says:

1. That he is a resident of the County of Minidoka State of Idaho, and has resided in Minidoka County since 1944 and during that time has and is familiar with the land within Section 25, Township 7 South, Range 23 East Boise Meridian, Minidoka County, Idaho.

2. That this affiant has seen and has personal knowledge that water has been pumped from a deep well located in the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) Section 25, Township 7 South, Range 23 East Boise Meridian for irrigation purposes from April 1 to October 31, in each year since April 1, 1948. That said underground water has been diverted and applied to beneficial use in the irrigation of crops being grown in Sections 30 and 31 of Township 7 South, Range 23 East Boise Meridian during the irrigation season commencing April 1, 1948. That said well and pump is located on what is now known as the Clawson Water District No. 5. That the depth of said well is 200 feet, the diameter of said well is 18 inches and there is situated thereon and has been since April 1, 1948 a turbine pump with a capacity of 370 miners inches. That all water diverted from said deep well and pump has been used to irrigate other lands within the vicinage of said pump as well as the 155 acres located in Sections 30 and 31 above-described.

3. That the lands now being irrigated by said underground water source are more particularly described as follows:

- 17 acres in the SW1/4SW1/4 of Section 30
- 18 acres in the SE1/4SW1/4 of Section 30
- 39 acres in the NE1/4NW1/4 of Section 31
- 21 acres in the NW1/4NW1/4 of Section 31
- 21 acres in the SW1/4NW1/4 of Section 31
- 39 acres in the SE1/4NW1/4 of Section 31

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FEB 04 1993

36-4012

all in Township 7 South, Range 24 East Boise Meridian.

6. That this affiant has personal knowledge that this well and the diversion of water therefrom is the first deep well located in what is known as the Northside Area of Minidoka County for the purposes of irrigation and has been used since April 1, 1948, for the irrigation of surrounding lands, including the land above-described.

Elmer Flocher
Elmer Flocher

SUBSCRIBED AND SWORN to before me this 1st day of April, 1971.

Thomas F. Smith
Notary Public for Idaho
Residing at Rupert, Idaho
My commission expires: 2-1-74

(SEAL)

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FEB 04 1993

36-4012

RECEIVED

JUL 30 1971

AFFIDAVIT IN SUPPORT OF
CLAIM TO A WATER RIGHT

STATE OF IDAHO)
) ss.
County of Minidoka)

MACK NEIBAUER, being first duly sworn, deposes and says:

1. That he is a resident of the County of Minidoka, State of Idaho, and has resided in Minidoka County since 1948 and during that time has and is familiar with the land within Section 25, Township 7 South, Range 23 East Boise Meridian in Minidoka County, Idaho.

2. That this affiant has seen and has personal knowledge that water has been pumped from a deep well located in the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section 25, Township 7 South, Range 23 East Boise Meridian for irrigation purposes from April 1 to October 31, in each year since April 1, 1948. That said underground water has been diverted and applied to beneficial use in the irrigation of crops being grown in Sections 30 and 31 of Township 7 South, Range 24 East Boise Meridian during the irrigation season commencing April 1, 1948. That said well and pump is located in what is now known as the Clawson Water District No. 2, that the depth of said well is 60 feet, the diameter of said well is 16 inches and there is situated thereon and has been since April 1, 1948, a turbine pump with a capacity of 190 miners inches. That the water diverted from said deep well and pump has been used to irrigate other lands within the vicinity of said pump as well as the 155 acres located in Sections 30 and 31 above-described.

3. That the lands now being irrigated and that have been irrigated since April 1, 1948, from the above described underground water source are more particularly described as follows:

- 17 acres in the SW1/4NW1/4 Sec. 30
- 18 acres in the SE1/4NW1/4 Sec. 30
- 19 acres in the NW1/4NW1/4 Sec. 30
- 21 acres in the SW1/4NW1/4 Sec. 31
- 21 acres in the NW1/4NW1/4 Sec. 31
- 39 acres in the SE1/4NW1/4 Sec. 31

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FEB 6 4 1993

36-4012

all in Township 7 South, Range 24 East Boise Meridian.

4. That this affiant has personal knowledge that this well and the diversion of water therefrom is the first deep well located in what is known as the Northside Area of Minidoka County for the purposes of irrigation and has been used since April 1, 1948, for the irrigation of surrounding lands, including the land above-described.

Mack Neibaur
Mack Neibaur

SUBSCRIBED AND SWORN to before me this 2nd day of May, 1971.

Carol D. King
Notary Public for Idaho
Residing at Rupert, Idaho
My commission expires: 10-1-80 72

(SEAL)

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FEB 04 1993

36-4012

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Reclamation

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

1. WELL OWNER
Name: LEON P. HARRIS
Address: 200 E. N. 145 W. HOWARD IDAHO
Owner's Permit No. 36-4012 PERM No 1470

7. WATER LEVEL
Static water level 255 feet below land surface
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Temperature _____ F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK
☐ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA
☐ Pump ☒ Bailor ☐ Other
Discharge G.P.M. _____ Draw Down _____ Hours Pumped _____

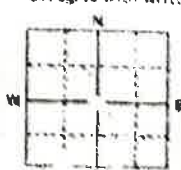
3. PROPOSED USE
☐ Domestic ☐ Irrigation ☐ Test
☐ Municipal ☐ Industrial ☐ Stock

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
10	0	1	dry and sandy clay		
12	1	2	dry clay		
14	2	3	dry clay		
16	3	4	dry clay		
18	4	5	dry clay		
20	5	6	dry clay		
22	6	7	dry clay		
24	7	8	dry clay		
26	8	9	dry clay		
28	9	10	dry clay		
30	10	11	dry clay		
32	11	12	dry clay		
34	12	13	dry clay		
36	13	14	dry clay		
38	14	15	dry clay		
40	15	16	dry clay		
42	16	17	dry clay		
44	17	18	dry clay		
46	18	19	dry clay		
48	19	20	dry clay		
50	20	21	dry clay		
52	21	22	dry clay		
54	22	23	dry clay		
56	23	24	dry clay		
58	24	25	dry clay		
60	25	26	dry clay		
62	26	27	dry clay		
64	27	28	dry clay		
66	28	29	dry clay		
68	29	30	dry clay		
70	30	31	dry clay		
72	31	32	dry clay		
74	32	33	dry clay		
76	33	34	dry clay		
78	34	35	dry clay		
80	35	36	dry clay		
82	36	37	dry clay		
84	37	38	dry clay		
86	38	39	dry clay		
88	39	40	dry clay		
90	40	41	dry clay		
92	41	42	dry clay		
94	42	43	dry clay		
96	43	44	dry clay		
98	44	45	dry clay		
100	45	46	dry clay		
102	46	47	dry clay		
104	47	48	dry clay		
106	48	49	dry clay		
108	49	50	dry clay		
110	50	51	dry clay		
112	51	52	dry clay		
114	52	53	dry clay		
116	53	54	dry clay		
118	54	55	dry clay		
120	55	56	dry clay		
122	56	57	dry clay		
124	57	58	dry clay		
126	58	59	dry clay		
128	59	60	dry clay		
130	60	61	dry clay		
132	61	62	dry clay		
134	62	63	dry clay		
136	63	64	dry clay		
138	64	65	dry clay		
140	65	66	dry clay		
142	66	67	dry clay		
144	67	68	dry clay		
146	68	69	dry clay		
148	69	70	dry clay		
150	70	71	dry clay		
152	71	72	dry clay		
154	72	73	dry clay		
156	73	74	dry clay		
158	74	75	dry clay		
160	75	76	dry clay		
162	76	77	dry clay		
164	77	78	dry clay		
166	78	79	dry clay		
168	79	80	dry clay		
170	80	81	dry clay		
172	81	82	dry clay		
174	82	83	dry clay		
176	83	84	dry clay		
178	84	85	dry clay		
180	85	86	dry clay		
182	86	87	dry clay		
184	87	88	dry clay		
186	88	89	dry clay		
188	89	90	dry clay		
190	90	91	dry clay		
192	91	92	dry clay		
194	92	93	dry clay		
196	93	94	dry clay		
198	94	95	dry clay		
200	95	96	dry clay		
202	96	97	dry clay		
204	97	98	dry clay		
206	98	99	dry clay		
208	99	100	dry clay		

4. METHOD DRILLED:
☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION.
Diameter of hole 10 inches. Total depth 100 feet
Casing schedule: ☒ Steel ☐ Concrete
Thickness _____ Diameter _____ From _____ To _____
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
Well screen installed? ☐ Yes ☐ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal? ☐ Yes ☐ No To what depth _____ feet
Material used in seal ☐ Cement grout ☒ Pudding clay

6. LOCATION OF WELL
Sketch map location must agree with written location.

County _____
_____ & _____ Sec. _____ T. _____ N. S. R. _____ E. W.

11. DRILLER'S CERTIFICATION
This well was drilled under the supervision and in accordance with the best of my knowledge.
Driller's Name _____
Address _____
Signature _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

RANDY HEIB
RT. 5, BOX 120
RUPERT, ID 83350

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MAILING DATE: JUNE 19, 1991

RESPONSE DATE: JULY 8, 1991 — DID NOT RESPOND

RE: NOTICE OF CLAIM NO[S]: A36-04012

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

CLYDE F. OR GEORGIAN M. PREUSS
.805 SOUTH GARDENAIRE PLACE
BOISE, ID 83709

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

state:region

Enclosures:

Change of Ownership Form
Change of Address Form

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FEB 04 1993

OK
gpc

5/21/91

Randy Heib
Rt. 5 Box 120
Rupert, ID 83350

RE: Snake River Basin Adjudication (SRBA)
Lincoln County -#A36-04012

Dear Mr. Heib:

It has come to ^{our} ~~the~~ attention of the Department of Water Resources from information provided by the Agriculture Stabilization and Conservation Service, that you are the owner of farmland previously owned by Clyde Preuss.

Mr. Preuss submitted a Notice of Claim to a Water Right in the general adjudication of the Snake River Basin water system. This claim was submitted with a basis of claim from a Water Right License numbered 36-04012.

If you are the owner of this property, we suggest you submit a change of ownership to us. You may complete the enclosed form and submit it to the Department along with a copy of your Deed of Trust within 15 days. This will assure the proper owner of record will be placed on the claim.

If we do not receive the change of ownership, we will leave the claim as it was submitted.

If you have any questions or concerns about this claim, please feel free to call this office at 1-800-451-4129.

Yours truly,

John D. Carlson

JDC:BHS:sf:state:tf

Enclosure:

Change of Ownership form
Copy of Notice of Claim

CLYDE F. PREUSS OR GEORGIAN M. PREUSS
805 SOUTH GARDENAIRE PL.
BOISE ID 83709

MICROFILMED

FEB 14 1993

MAY 30 PM 2:47

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHOIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-04012

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No**FROM: Claimant/Seller(s):**

Name and Address of Claimant/Seller(s):

Kent L Klosterman
650 S 70 W
Rupert ID 83350
Phone: 421-1200**TO: Claimant/Purchaser(s):**

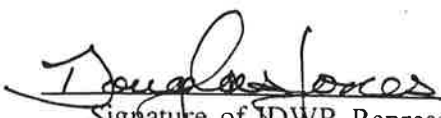
Name and Address of Claimant/Purchaser(s):

Kent L Klosterman
650 S 70 W
Rupert ID 83350
Phone: 421-1200John A Stevenson
Elaine G Stevenson
1099 N 400 W
Rupert ID 83350
Phone: 532-4524

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: 10/28/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10-30, 1997, 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:
Kent L Klosterman
650 S 70 W
Rupert ID 83350
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
John A Stevenson
Elaine G Stevenson
1099 N 400 W
Rupert ID 83350
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5859NP

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

DATE: OCT-28-1997

PAGE: A-1

RIGHT NUMBER: 36-04012

SPLIT RIGHT: SEE RIGHT NOS. 36-04012A AND 36-04012B.

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

DATE: OCT-27-1997

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-04012A

NAME & ADDRESS: KENT L KLOSTERMAN
70 W 630 LANE SOUTH
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 2.44 CFS
604.0 AFY

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION: T07S R24E S31 SENENW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	2.44 CFS 604.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County
	T07S R24E S30 Lot 4 (SWSW)13 SESW 18	
	S31 NENW 39 Lot 1 (NWNW)21 Lot 2 (SWNW)21 SENW 39	
	151 ACRES TOTAL	

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

AJ5856NP

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

DATE: OCT-27-1997

PAGE: A-2

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-04012B

NAME & ADDRESS: JOHN A STEVENSON
ELAINE G STEVENSON
1099 N 400 W
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS
16.0 AFY

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION: T07S R24E S31 SENENW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.06 CFS 16.0 AFY

PLACE OF USE: IRRIGATION Within MINIDOKA County
T07S R24E S30 Lot 4 (SWSW) 4
4 ACRES TOTAL

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.



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

October 31, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN A STEVENSON
ELAINE G STEVENSON
1099 NN 400 W
RUPERT ID 83350

RE: SRBA Claim(s) 36-04012

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

cc: Kent L. Klosterman

NCP
SP-1

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

RECEIVED

JUL 02 1997

Department of Water Resources
Southern Region

1. Water Right Number(s) 36-04012

Adjudication Claim Number(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 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) Kent L. Klosterman
650 South 70 West
Rupert, Idaho 83350

4. New Owner/Claimant(s) John A. Stevenson and Elaine G. Stevenson

Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR

New Mailing Address 1099 North 400 West

City, State and ZIP Code Rupert, Idaho 83350

New Telephone Number (208) 532 - 4524

5. Date you acquired the property June 25, 1997

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. - The former owner by Warranty Deed (see attached) transferred .06 cfs of Water Right No. 36-04012 to the new owner.

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)

John A. Stevenson
John A. Stevenson

Date 6-23-97

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. 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.

5
27.1

T802 ✓
1818

64.0

6
74.9

7
4.6

T591 ✓

T808
264

*203D
T73
R24E*

$\frac{25}{35} \frac{30}{31}$

3
18.8

$\frac{30}{31} \frac{29}{32}$

T805 ✓
2420

T1075 ✓
1512

1
79.6

1
92.6

T592 ✓

2
77.5

T809 ✓
2182

1
25.8

2
41.7

4
47.4

T807 ✓

430253

WARRANTY DEED

#28443MC

For Value Received

KENT L. KLOSTERMAN, a single person

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

JOHN A. STEVENSON and ELAINE G. STEVENSON, husband and wife

Address: 1099 North 400 West

Rupert, Idaho 83350

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

TOWNSHIP 7 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 30: That part of Lots 3 and 4 more particularly described as follows:

Commencing at the W $\frac{1}{4}$ corner (Northwest corner of Lot 3) monumented by a 5/8 inch rebar; Thence South 00°05'08" West for 1289.39 feet (recorded as South for 1290.00 feet within Quitclaim Deed Preuss to Klosterman recorded March 18, 1997, Instrument No. 428800), along the West section line to a 1/2 inch rebar which shall be the True Point of Beginning;

Thence South 63°36'14" East for 318.05 feet (recorded as South 63°17' East for 320.0 feet) to a 1/2 inch rebar;

Thence South 40°36'31" East for 707.44 feet (recorded as South 40°27' East for 713.0 feet) to an existing 1/2 inch rebar;

Thence North 89°54'52" West for 746.37 feet to a 1/2 inch rebar on the West section line;

Thence North 00°05'08" East for 647.36 feet along the West section line to the Southwest corner of Lot 3;

Thence North 00°05'08" East for 29.99 feet along the West section line to the True Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including .06 cfs from Idaho Department of Water Resources Adjudication Claim No. 36-04012 and all the Grantors rights in Idaho Department of Water Resources Adjudication Claim No. 36-12478.

SUBJECT TO:

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

Taxes for 1997 and subsequent years.

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 20, 1997

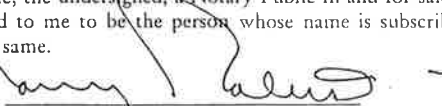

Kent L. Klosterman

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 25th day of June, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared KENT L. KLOSTERMAN, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO

RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97


Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-97

430253

RECORDED AT REQUEST OF
Land Title-Burley

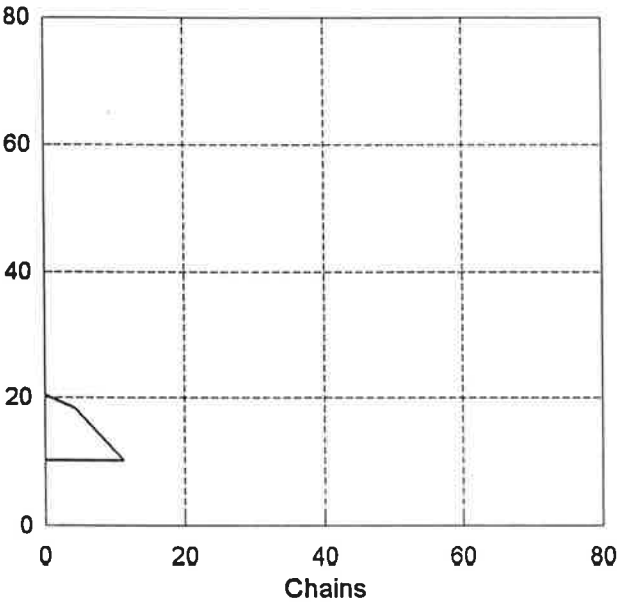
FILM NO. _____

'97 JUN 25 14 : 30

MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE 2 DEPUTY LT

Right No: 36-04012 / Devenson

Section Breakdown
Sec 30, T 15, R 24E

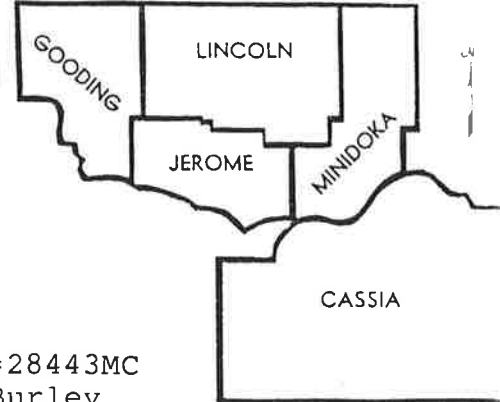


Right No: _____

=====				
40.00				
20.46	0.00	5.00	8.00 sw	1289.39
18.32	63.00	36.00	14.00 se	318.05
10.18	40.00	36.00	31.00 se	707.44
10.20	89.00	54.00	52.00 nw	746.37
20.01	0.00	5.00	8.00 ne	647.36
20.46	0.00	5.00	8.00 ne	29.99
40.00	0.00	5.00	8.00 ne	1289.39

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #28443MC
OFFICE: Burley

July 1, 1997

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED

JUL 02 1997

Department of Water Resources
Southern Region

Dear Clerk:

Enclosed please find two original executed Notice of Change of Water Right Ownership forms on property located in Minidoka County along with an aerial photo map.

Would you please make the necessary changes in your records to indicate the new ownership and send a receipted copy to this office.

Should you have any questions concerning this letter, please do not hesitate to contact this office. Thank you.

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

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

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

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

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

NO. OF CLAIMS IN POLYGON _____

CLAIM NUMBERS 36-04012DATE 6/18/97AGENT DS

TRANSFER NUMBER _____

OBJECTION FILED _____

TOTAL ACRES FROM RECOMMENDATION 155GEOGRAPHIC INFO SYSTEM 1564

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	<u>75</u>	<u>24E</u>	<u>30</u>											<u>17</u>	<u>18</u>				
GIS														<u>17</u>	<u>19.7</u>				
<i>Ending</i>														<u>16</u>	<u>20</u>				
RECOM			<u>31</u>					<u>39</u>	<u>21</u>	<u>21</u>	<u>39</u>								
GIS								<u>39.8</u>	<u>21.5</u>	<u>21.5</u>	<u>39.5</u>								
<i>Ending</i>								<u>40</u>	<u>22</u>	<u>22</u>	<u>40</u>								
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

B36-DBPOU.DBF

B36-DBPOD.DBF

POLYGON #

UPDATED

ATTRIBUTES OF B36-POU.SHP (129)

ATTRIBUTES OF B36-POD.SHP (135)

9/18, DS: A draft polygon split was made to reflect pending substitution of party split. This polygon edit shows new P/U = 4.0 irrac. Property transaction identifies 0.06 acs transferred ($\frac{0.06}{2.50} \times 155 \text{ ac} = 3.7 \text{ ac}$). Description of property totals 6.8 ac. Color print attached

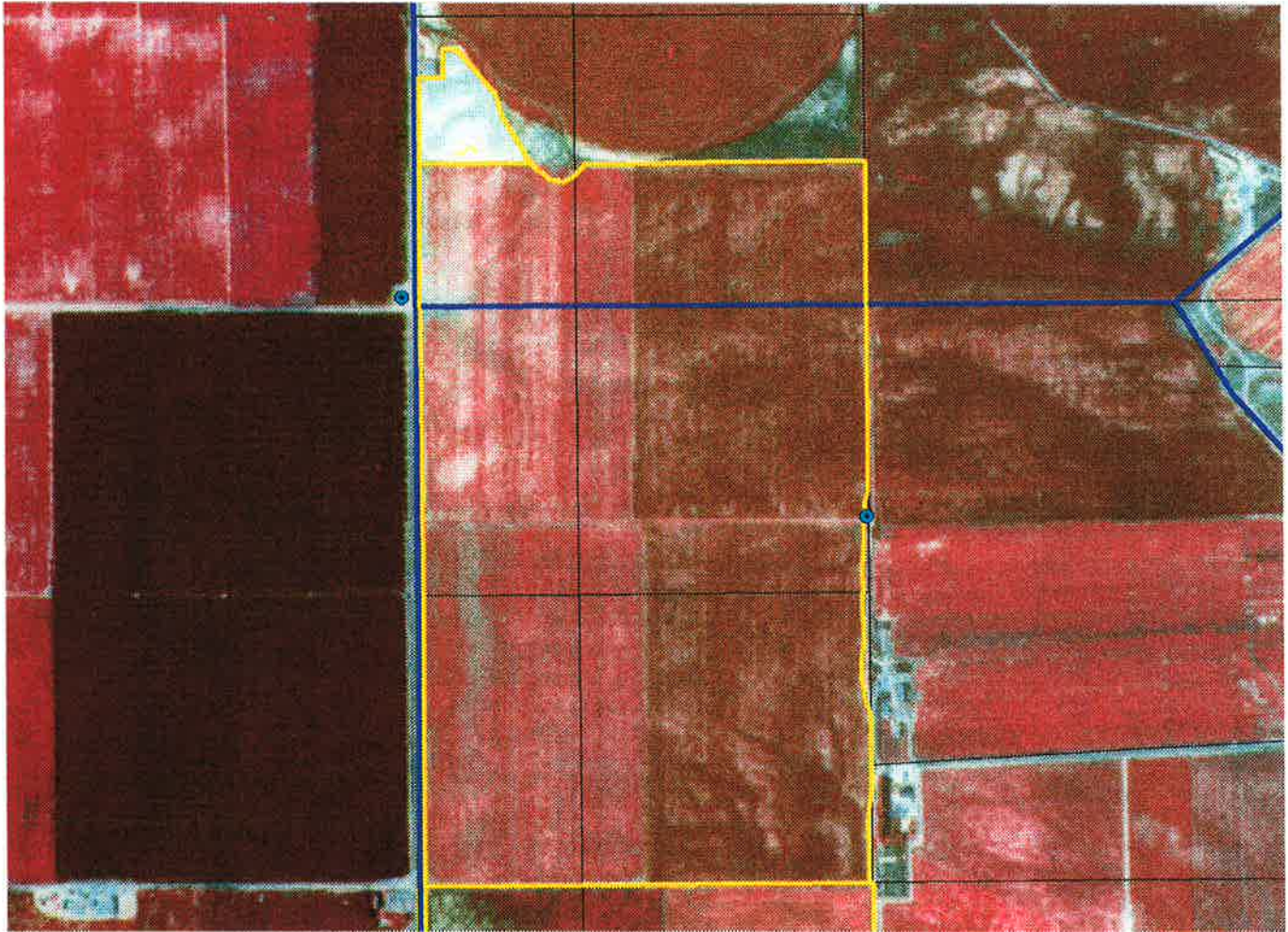
P/U CONFLICT yes () no (X)

P/D CONFLICT yes () no (X)

SENT FOR DECREE yes () no ()

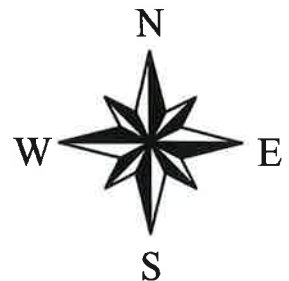
IDAHO DEPARTMENT OF WATER RESOURCES

36-04012
KENT KLOSTERMAN



660 0 660 Feet

TNS 7S, RNG 24E, SEC 30 & 31



⊙ Recommended Point of Diversion

□ Recommended Place of use

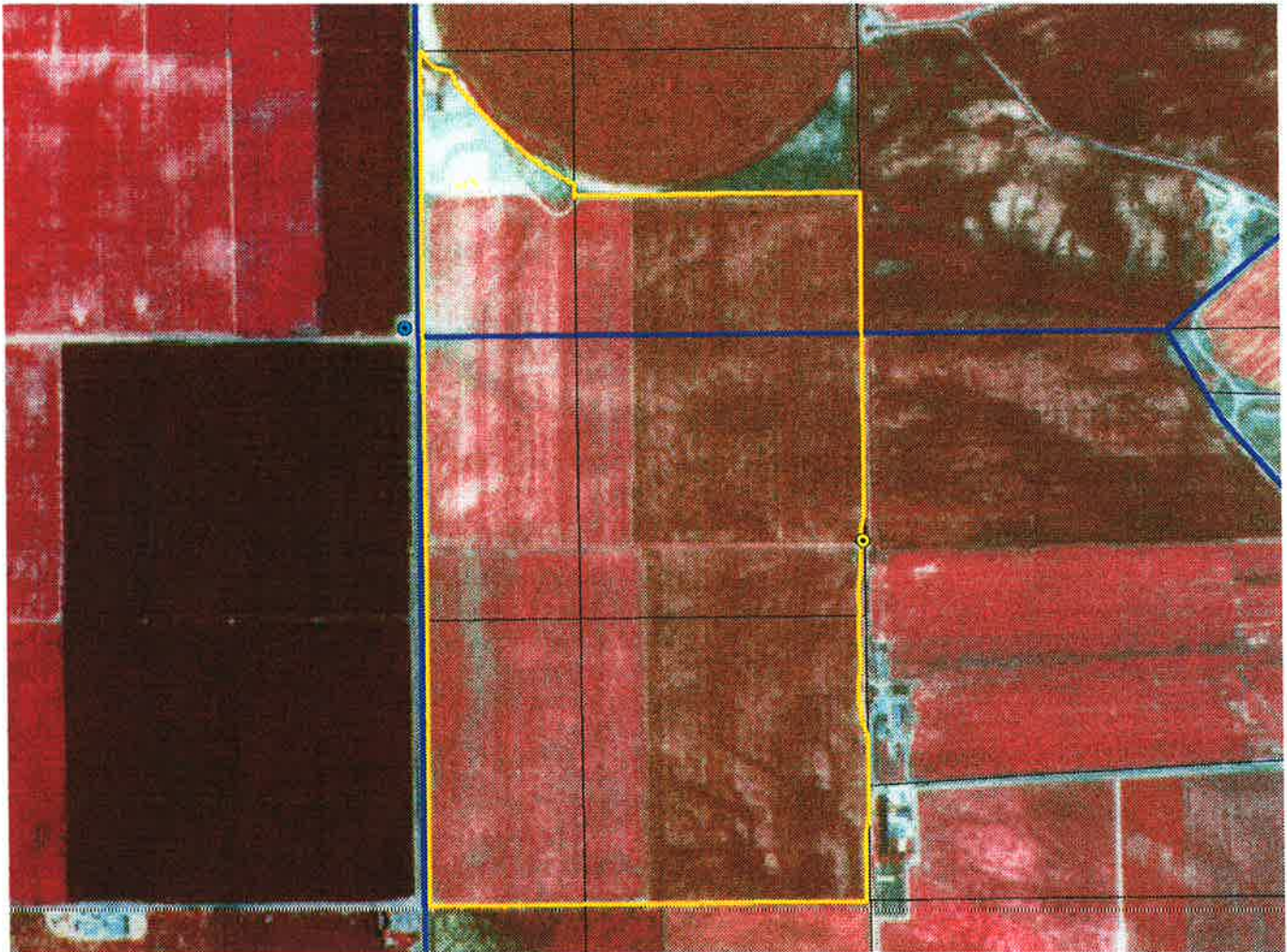
— Section lines

□ Quarter/Quarter Lines

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY SEPTEMBER 1997
BY DOUGLAS JONES

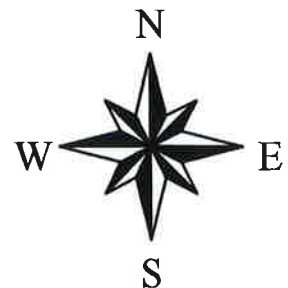
IDAHO DEPARTMENT OF WATER RESOURCES

36-04012
KENT KLOSTERMAN



660 0 660 1320 Feet

TNS 7S, RNG 24E, SEC 30 & 31



⊙ RECOMMENDED POINT OF DIVERSION

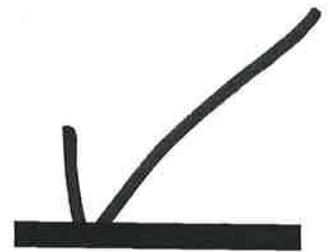
 RECOMMENDED PLACE OF USE

 SECTION LINES

 QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY MAY 1997
BY DOUGLAS JONES

R PROOF



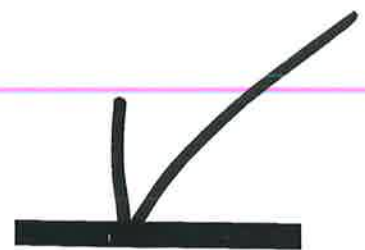
CVR



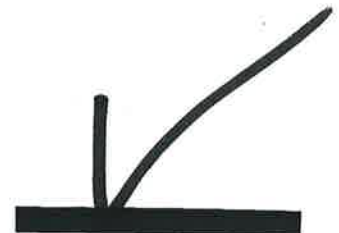
MAPS



PHOTOS



MISC



MICROFIL

FEB 04 19

Water Right Number - R36-04012

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
HIEB

RANDY

1 - RT. 5 BOX 120
2 -
3 -
City- RUPERT
Phone - 208-532-4528

State- ID Zip- 83350

*** O - ORIGINAL OWNER ***
PREUSS

CLYDE F.

1 - 805 SOUTH GARDENAIRE PL.
2 -
3 -
City- BOISE
Phone - 208-378-0438
1 - 805 SOUTH GARDENAIRE PL.
2 -
3 -
City- BOISE
Phone - 208-378-0438

State- ID Zip- 83709

PREUSS

GEORGIAN M.

State- ID Zip- 83709

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
04/01/1948 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 24E 31 SE NE NW (67) MINIDOKA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 2.500 620.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.500 620.00 465.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 24E 30 SW SW 4 17.0 01 IRRIGATION (67) MINIDOKA
07S 24E 30 SE SW 18.0 01 IRRIGATION (67) MINIDOKA
07S 24E 31 NE NW 39.0 01 IRRIGATION (67) MINIDOKA
07S 24E 31 NW NW 1 21.0 01 IRRIGATION (67) MINIDOKA
07S 24E 31 SW NW 2 21.0 01 IRRIGATION (67) MINIDOKA
07S 24E 31 SE NW 39.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 155.0

MICROFILMED
FEB 04 1993

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 06/04/1992	Old Judicial District	-
Claim Received Date	- 09/25/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C011794	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:45:14
08/17/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-04012

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	OK		BHS 5-15-91	N	6	BHS 5-22-91	BHS 7-11-91	BHS 8-13-91
POINT OF DIV	OK		✓	N	5			
SOURCE	WELL OK		✓	N	5			
PLACE OF USE	OK		✓	N	5			
DIV. AMOUNT CFS/VOLUME	OK		✓	N	5			
CONSUMPTIVE USE			✓	N	5			
PURPOSES	OK irrigation		✓	N	5			
PERIOD OF USE	OK		✓	N	6			
BASIS OF CLAIM	STATUTORY CLAIM		✓	N	6			
REMARKS	OK		✓	N	6			

"VERIFIED BY" CODES

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

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

RECORDED
FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:45:14
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-04012

LAST: PREUSS
ADDRESS: 805 SOUTH GARDENAIRE PL.
CITY: BOISE
PHONE NUMBER: 208-378-0438

OWNER CODE: C ✓

LAST: PREUSS
ADDRESS: 805 SOUTH GARDENAIRE PL.
CITY: BOISE
PHONE NUMBER: 208-378-0438

OWNER CODE: ✓

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: TRANS. 1830. AS STATED ON THE ORIGINAL CLAIM THE ORIGINAL WELL WHICH WAS USED FOR THIS LAND WAS INSTALLED IN 1946. AS CLAIMED HERE THE FIRST IRRIGATION FOR THE LAND STARTED WITH THE COMMENCEMENT OF THE IRRIGATION SEASON THE FOLLOWING YEAR ON 04/01/1947.

FIRST: CLYDE F. ✓

STATE: ID ZIP: 83709 -

FIRST: GEORGIAN M. ✓

STATE: ID ZIP: 83709 -

DATABASE

Y

FIELD
EXAMINER

BHS

MICROFILMED

FEB 04 1993

CONTACT PERSON: RANDY HEB

PHONE NUMBER: (²⁰⁸~~208~~) 532-4528

DATE OF FIELD EXAM: 5/15/91 APPOINTMENT MADE: Y() N(☒)

TIME: ____ : ____ A() P()

ACCOMPANIED BY: NO ONE

PHONE NUMBER: () ____ - ____

RELATIONSHIP TO CLAIMANT: NEW OWNER

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
FEB 04 1993

A. AJ CLAIM: # A36-04012 PRIORITY DATE: 04-01-1948 ✓ STAGE: S ✓
B. WR RECORD: # 36-04012 PRIORITY DATE: 04-01-1947 ✓ STAGE: S ✓

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

Y

FIELD
EXAMINER

BHS

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

REMARKS: CLAIM REMARKS STATES THE LAND WAS FIRST IRRIGATED IN 1947. THE AFFIDAVITS SUPPORT
THE YEAR 1948 AS CLAIMED. WR HAS 1947. WILL USE 4-01-1948 AS CLAIMED.
AFFIDAVITS SUPPORT 4-1-48.

RECOMMENDED PRIORITY DATE:

4-1-1948

REVIEWED BY

Bruce H. Scholten

DATE

3-28-91

MICROFILMED

FEB 04 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT
A36-04012	07S	24E	31	<u>SE</u>	<u>NE</u>	<u>NW</u>	

CNTY
MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT
36-04012	07S	24E	31	<u>SE</u>	<u>NE</u>	<u>NW</u>	

CNTY
MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
BHS
BHS

REMARKS:

FIELD EXAM NEEDED - (BENEFICIAL USE CLAIM) FIELD EXAM DETERMINED P.O.D IS AS CLAIMED

MICROFILMED
FEB 04 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>7S</u>	<u>24E</u>	<u>31</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>-</u>	<u>MINIDOKA</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

Dennis H. Schuler

DATE:

5-15-91

MICROFILMED
FEB 14 1993

A. ROOT WATER RIGHT NUMBERS: A36-04012

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	24E	31	SW	NW	2	PREUSS , CLYDE F.	A36-04012 /21.0	36-04012 /21.0	21.0		21.0
07S	24E	31	SE	NW		PREUSS , CLYDE F. JULION CLAWSON FARMS INC.	A36-04012 /39.0	36-04012 /39.0 36-02070D /	39.0		39.0
07S	24E	30	SW	SW	4	PREUSS , CLYDE F.	A36-04012 /17.0	36-04012 /17.0	18.0		17.0
07S	24E	30	SE	SW		PREUSS , CLYDE F. MOLLER , W.H. JULION CLAWSON FARMS INC.	A36-04012 /18.0 A36-02065A /20.0	36-04012 /18.0 36-02065A /20.0 36-02070D /	40.0		18.0
07S	24E	31	NE	NW		PREUSS , CLYDE F. JULION CLAWSON FARMS INC.	A36-04012 /39.0	36-04012 /39.0 36-02070D /	41.0		39.0
07S	24E	31	NW	NW	1	PREUSS , CLYDE F.	A36-04012 /21.0	36-04012 /21.0	20.0		21.0
TOTAL ACRES						A36-04012	155.00	155.00	179.00		155 TOTAL

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE

Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 155

REVIEWED BY: BHS

DATE: 5-15-91

MICROFILMED
R. B. V. 4 1993

A. AJ CLAIMED USES:

PURPOSES
A36-04012 IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-31 ✓

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
2.500 ✓ CFS

2.500 ✓ CFS

B. WR RECORDED USES:

PURPOSES
36-04012 IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-31 ✓

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
2.500 ✓ CFS

2.500 ✓ CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE FIELD
EXAMINER
N B
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(✓) N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.500 ✓ CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.500 ✓ CFS

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

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

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

☒ Y

TSHS

B. Needed

FLOW MEASUREMENT

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

COMPUTATION SHEET ATTACHED

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-04012	GROUNDWATER	PREUSS , CLYDE F.	2.500	0.016		
A36-02065A	GROUNDWATER	MOLLER , W.H.	5.200	0.017		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 155 x 0.02 CFS/ACRE = 3.1 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 465.0 AF/A

ACRES 155 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 465 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 155 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 620 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION ✓	04-01 ✓ 10-31 ✓	DATABASE <u>2.500</u> EXAMINER <u>BHS</u>	DATABASE <u>620</u> EXAMINER <u>BHS</u>	DATABASE <u>465.0</u> EXAMINER <u>BHS</u>
TOTAL FOR THIS RIGHT		<u>2.500</u> ✓		<u>465.0</u> ✓

REVIEWED BY: BHS DATE: 5-15-91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

NEW OWNERSHIP

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-04012

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 2.500	EXAMINER _____	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-04012	2.500	-		36-04012	2.500
TOTAL CFS		2.500				2.500

DIVERSION RATE REVIEW

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

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: Burke H. Scholer

DATE: 5-22-91

NAME OF FIELD EXAMINER: BURKE H. SCHOLER

TITLE: WATER RESOURCE AGENT

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FIELD EXAM

CLAIM NO.: A36-04012

DATE 5-15-91

NAME : CLYDE PREUSS

BY: BURKE SCHOLER

PRIORITY DATE: APRIL 1, 1948 (EVIDENCE ATTACHED)

POINT OF DIVERSION: SE 1/4 NE 1/4 NW 1/4 SEC 31 T 7 S R 23 E

RATE OF DIVERSION:

1. PUMP CALCULATIONS (THEORETICAL)

GIVEN DATA: 1. PUMP = 200 HP (JOHNSTON PUMP)

2. PRESSURE REGULATOR AT PUMP SET @ 70 PSI

3. PUMPING WATER LEVEL APPROX 280 FT

Control
70 PSI
280 FT

TRIAL #1
DATA FROM
FARMER

$$Q = \frac{\text{HP} \times \text{EFF} \times \text{FACTOR}}{\text{TDH}} = \frac{(200)(.70)(8.823)}{280 + (70 \times 2.31)} = 2.8 \text{ CFS}$$

TDH: (442)

TRIAL #2
EFFICIENCY
ADJUSTED

$$Q = \frac{(200)(.626)(8.823)}{442} = 2.5 \text{ CFS}$$

2. NOZZLE CALCULATION (DATA COLLECTED IN FIELD)

5 LINES AT 39' + 1 @ 55' = 250 NOZ. 9/64" DIA

70 PSI @ PUMP EST 60 PSI @ NOZZLE FLOW = 4.5 GPM

$$4.5 \times 250 = 1125 \text{ GPM OR } 2.51 \text{ CFS}$$

RATE OF DIVERSION AS CLAIMED OK — 2.5 CFS

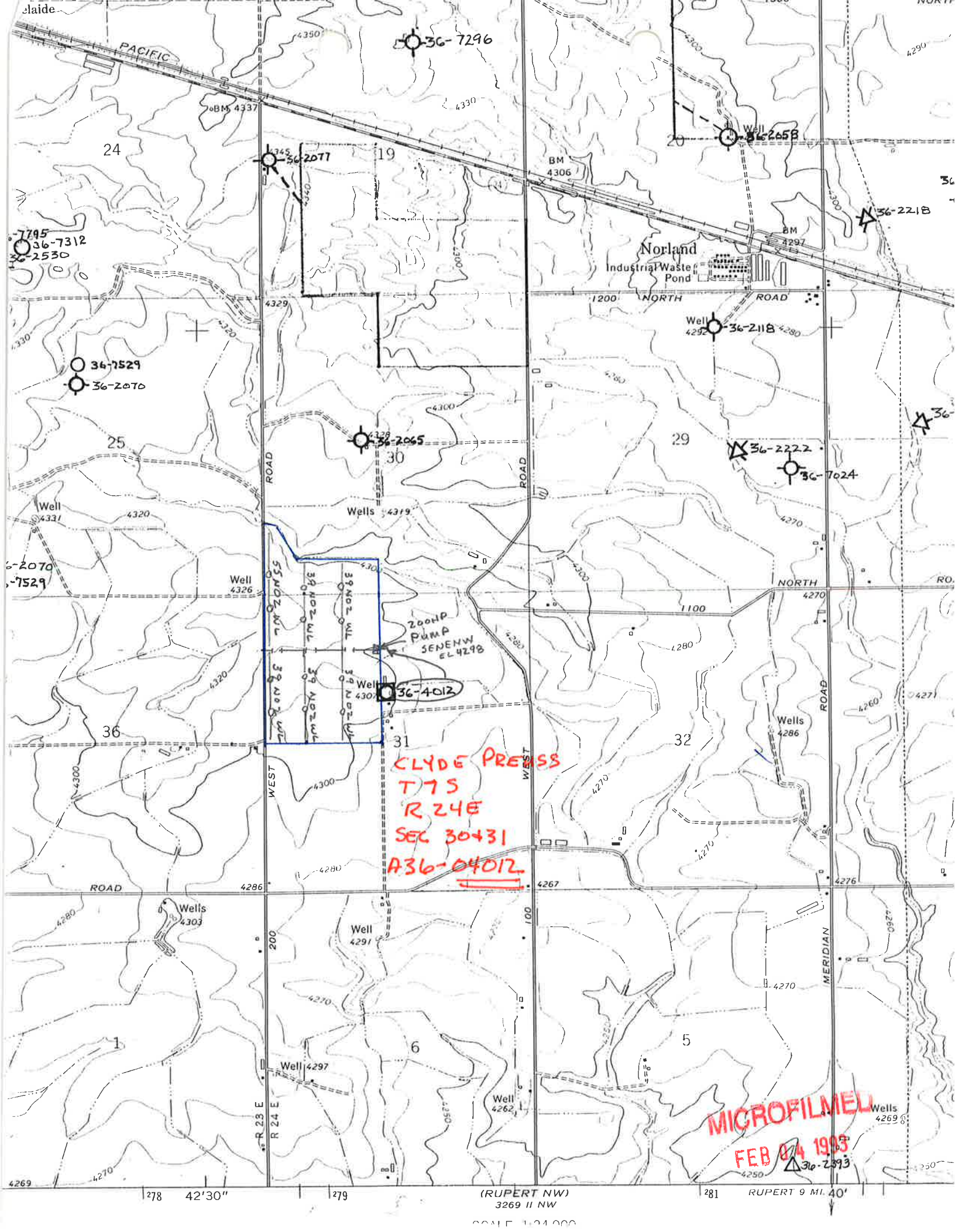
PLACE OF USE:

AS SHOWN ON CLAIM OK

Burke A. Scholer

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NOT TO SCALE

LOT 4
17.0

SE SW
18.0

30

51

LOT 1
21 AC

NE NW
39.0

T805
1855 2072

CLYDE PREUSS

T 7 S
R 24 E 37.7

SECTION 30431

A 36-04012

POINT
OF DIVERGENCE
SE NE NW

1
41.9

2
37.9

LOT 2
21 AL

SE NW
39

2
54.9

3
77.5

155 TOTAL
157 TOTAL
ASCS

~~T 582~~
~~407~~

Test / Not

T809
618
[EAST NOT HEL

OUT

34.1

2
35.

~~3~~
7.5

3
22.6

2
22.4

4
47.4

T807
~~G/G~~ 2077

2
21

25.9

5
31.0

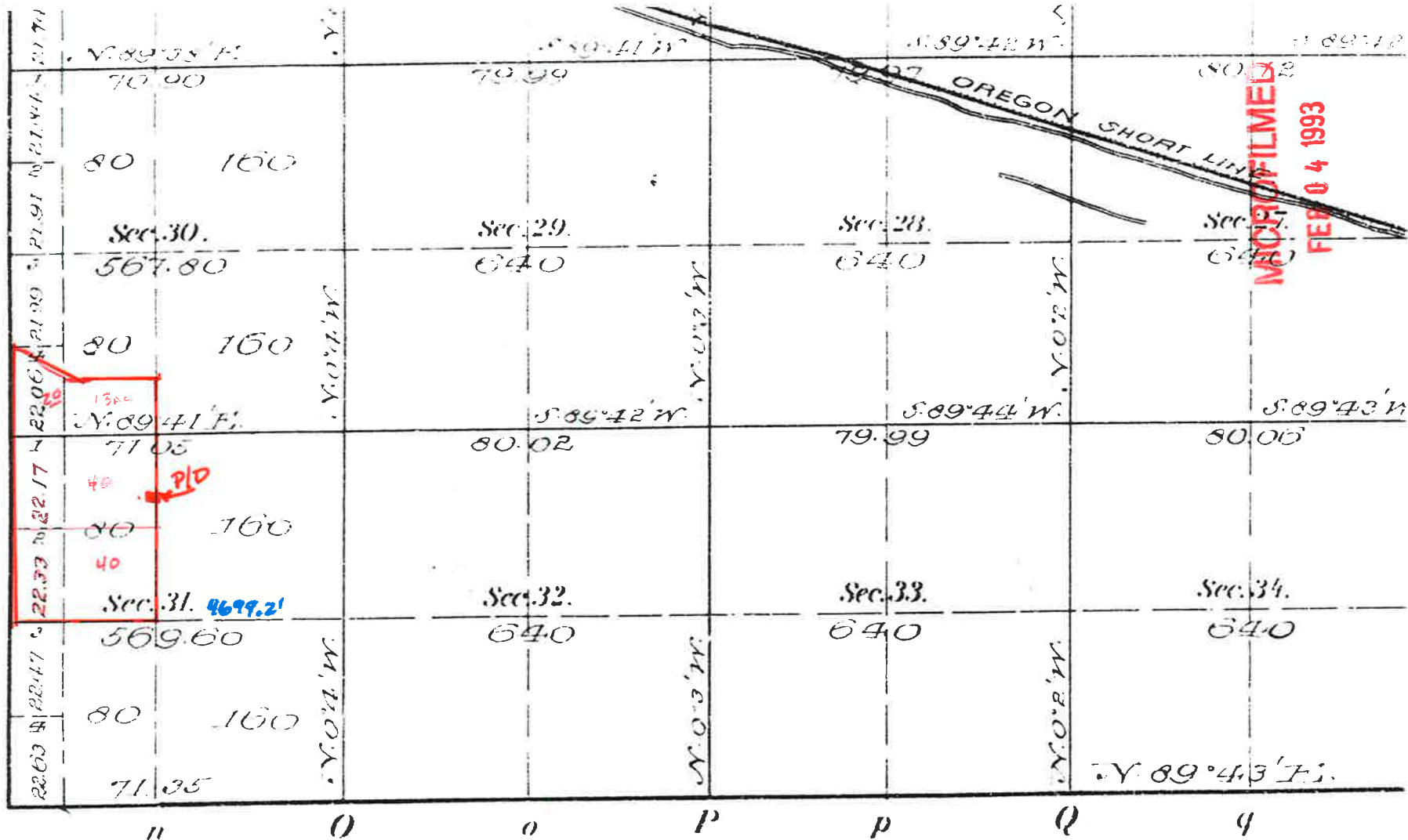
4
315.6

15

$$\begin{array}{r} 31 \overline{) 32} \\ \underline{6} \\ 6 \end{array}$$

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Total number of Acres 22128.41.

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys M. Chs Lks	When Surveyed	Mean Declination
Township lines	John B. Hastings	Surveyed in			
Subdivisions		Connection with	58 63 66	July 5-29-1892	18° 00' E.
Connections		Contract N. 136 dated Oct. 28 1891	1. 20 64	" "	

Claim Identification No. A36-04012



Photo from
B. Scholer
field exam
Summer, 1991

Preuss

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CLAIMANT'S NAME: CLYDE PREUSSDATE: ~~2-2-91~~
8-2-91COUNTY: MINIDOKAEMPLOYEE: BURKE SCHOLER

I TALKED TO CLYDE ON THE TELEPHONE AND DISCUSSED THE PROBLEM OF NOT GETTING A CHANGE OF OWNERSHIP FROM RANDY HEIB. WE HAVE MADE SEVERAL ATTEMPTS TO GET A CHANGE OF OWNERSHIP FROM RANDY INCLUDING UNSUCCESSFUL TELEPHONE CALLS. I HAVE WRITTEN TWO LETTERS PLUS A STANDARD FORM LETTER FROM DON SHAFF. NO RESPONSE.

MR PREUSS REQUESTED THAT I SEND HIM A CHANGE OF OWNERSHIP FORM AND THEY WOULD TAKE CARE OF GETTING THE SIGNATURES. I MAILED HIM A ~~CHANGE~~ CHANGE OF OWNERSHIP FORM. I WILL FOLLOW UP ON IT LATER. BAS

AS OF 8-13-91 I HAVE NOT HEARD FROM MR PREUSS. SET VERIFIED DATE @ 7-11-91

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FEB 04 1993