

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: A36-07053
Date Received: 7/11/1988
Receipt No: ~~5000899~~ 5000904
Received By: sp

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALLACE S. BINGHAM 208-532-4454
Address: RT. 2, BOX 2165
DIETRICH, ID 83324

AND/OR

Name: CLAIRE BINGHAM 208-532-4454
Address: RT. 2, BOX 2165
DIETRICH, ID 83324

2. Date of Priority: FEB 20, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	21E	6	SW	SE	NE		LINCOLN

5. Description of diverting works:
WELL, PUMP, AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/30	3.750		750.00

7. Total Quantity Appropriated is:
3.750 C.F.S. (and/or) 750.00 A.F.A.

8. Total consumptive use is 562.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	21E	6	NW		NE	2	IRR	8.0
			SE		SW		IRR	20.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
Section Acres								188.0
Total Acres								188.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
36-7479 AND 36-7802

14. Remarks:
AC. IRR. = 187.5.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Malcolm S. Bringham Date: 7/12/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 12th day

of July 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Booming Rd
My Commission Expires 10/16/1992

Butte

x 4436

Well
4237

Well
4287

4750

34

35

31

4749

Borrow

4242

x 4239

4187

Lake

4210

Well
4291

Well
4275

T 6 S

T 7 S

4748

WELL
POD

40

40

5

4

Well
4282

Elden
Reservoir

BM

4213

4191

4215

4292

4747

MICROFILMED
FEB 03 1993

12

Stewart
Reservoir

Water Tank

4220

Stage Barn
Well

50'

7

9

4746

Jack
Reservoir

One Shot



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

21-Sep-1990 13:00

CERTIFIED MAIL

Wallace S. Bingham
Rt. 2, Box 2165
Dietrich, ID 83324

RE: Snake River Basin Adjudication (SRBA)
AR S000007 PAST DUE
Claims A36-02694A, A36-02432A, A36-07479, A36-07053, A36-07588
A36-02593 & A36-02693

Dear Mr. Bingham:

Your account S000007 is now over 60 days past due. Since we have not received any response from you, and you have not paid the installment balance due, we are rejecting the above referenced Notices of Claim to a Water Right. This action is described in the Adjudication Rules and Regulations adopted March 11, 1988. Any water rights represented by the enclosed claims will be considered not claimed and will not meet the requirements for the court's order described in the Commencement Notice you received. The fees you have paid thus far are not refundable if you fail to re-file your claims as described below.

If you wish to re-file your claims, you may do so by paying the balance due on account S000007 at the time you re-submit the claims. The account will remain open with the interest continuing to accrue at 10% per annum on the fee balance. (Please note that the Department is presently doing the field verification of the claims in Basin 36 in preparation for filing the report to the court by January 2, 1991. If you do not re-file your claims within the next 30 days your claims may not be included in the report to the court.)

If you have any questions please feel free to contact me at my office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Encl: Notice of Claims referenced above
CC: IDWR-State Office

MICROFILMED

FEB 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

RECEIVED

MAR 14 2002

Department of Water Resources

March 8, 2002

DIRK KEMPTHORNE
GOVERNOR

BRENT J STOKER
745 E 500 S
BURLEY ID 83318

KARL J. DREHER
DIRECTOR

*CID 162565 updated. It has
request to replace all his CIDs w/
updated me which will update all his
records. ps 3-22-02*

Re: Snake River Basin Adjudication (SRBA)
Water Rights #36-2432A, 36-2593, 36-2693, 36-2694A, 36-7053, 36-7479,
36-7588, 45-2333B, 45-2524D, 45-7105B, 45-7116B, 45-7120B, 45-7161B

RECEIVED

APR 04 2002

Department of Water Resources
Southern Region

Dear Water Right Holder:

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

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by March 18, 2002. Thank you for your help.

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

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Brent J Stoker
Claimant Signature

208-654-2887 mb.
Telephone No.

Name (Last, First, M.I.)	Address on Article (Include Apt./Suite No. and ZIP+4 Code)	Key Number	Please Change Address to (Include Apt./Suite No. and ZIP+4 Code)
~~Leiland Woodbury~~	~~Rt 3 Box 3344~~		~~559 East 800 South~~
~~Jesse Searle~~	~~Rt 3 Box 192~~		~~626 South 550 East~~
~~Calvin Crane~~	~~Rt 3 Box 234~~		~~256 South 250 East~~
~~Gerald Larson~~	~~Rt 3 Box 364~~		~~228 South 150 East~~
~~Larry Gerratt~~	~~Rt 3 Box 3524~~		~~246 East 300 South~~
~~Orvah Searle~~	~~Rt 3 Box 3724~~		~~615 East 600 South~~
~~Geraldine Searle~~	~~Rt 3 Box 184~~		~~615 East 600 South~~
~~Ida Gold~~	~~Rt 3 Box 3717~~		~~246 East 300 South~~
~~Winston Hutchison~~	~~Rt 3 Box 3224~~		~~629 East 300 South~~
~~ORIN Woodbury~~	~~Rt 3 Box 3345~~		~~559 East 800 South~~
~~WRIGHT, George Heward~~	~~Rt 3 Box 3621~~		~~686 So. 450 East~~
~~c/o Gerald Searle, Scott O~~	~~Rt 3 Box 3326~~		~~621 East 600 So.~~
~~Stoker, Brent J.~~	~~Rt. 3 Box 3586~~	~~see below~~	~~745 East 500 So.~~
~~Smith, George E.~~	~~Rt 3 Box 3050~~		~~105 East 400 So.~~
~~Smith, John E.~~	~~Rt. 3 Box 3381~~		~~428 Mt. View Lane~~
~~Patterson, Jo EHA~~	~~Rt 3 Box 277C~~		~~452 East 500 So.~~
~~% Gaylin Patterson~~	~~Rt 3 Box 277C~~		~~655 So. 650 East.~~
~~Moo View~~	~~% Raymond Searle Rt. 3 Box 3318~~		
36-2432A -2593 -2673 -2694A -7053 -7479 -7588	45-2333B -25240 -7109 B -7116 B -7120 B -7161 B	Brent J. Stoker d/o Kistner	Mrs. Kistner told me they are same person - mail should go to Burley address. 1-4-02. NO

AJ0743NP
(OD-124)

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

05/30/00 16:41:41
Page 1

Water Right Number - 36-07053

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +	+ - First Name - - +	+ - - - - Address - - - - - +	
*** C - CURRENT OWNER ***			
STOKER	BRENT	1 - C/O KENNETH R KOSTKA 2 - 740 S 100 W 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
KOSTKA	KENNETH R	1 - 470 S 100 W 2 - 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
KOSTKA	NANETTE	1 - 470 S 100 W 2 - 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
STOKER	LAVEL D	1 - 707 E 500 S 2 - 3 - City- BURLEY Phone - 208-000-0000	State- ID Zip- 83318
STOKER	WENDY W	1 - C/O KENNETH R KOSTKA 2 - 740 W 100 S 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
STOKER	MARLA	1 - C/O KENNETH R KOSTKA 2 - 740 S 100 W 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
*** D - DIR RPT OWNER ***			
BINGHAM	WALLACE S	1 - RT 2 BOX 2165 2 - 3 - City- DIETRICH Phone - 208-532-4454	State- ID Zip- 83324
BINGHAM	CLAIRE	1 - RT 2 BOX 2165 2 - 3 - City- DIETRICH Phone - 208-532-4454	State- ID Zip- 83324
+ - - Priority Date - - + 02/20/1969	+ - - Region - - + 17 SOUTHERN	+ - - Stage - - + L - LICENSE	+ - - Status - - - +
+ - - Source - - - + GROUNDWATER		+ - - Tributary - - - +	

Prefix Translation: WATER RIGHT

Point of Diversion						
Twn	Rng	Sec	Tract	Lot	RFlg	County
07S	21E	6	SW SE NE			(63) LINCOLN

Code		Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION			04/01	10/31		3.750	
+ - Total Div. Rate - +		+ - Total Div. Volume - +				+ - Total Consumptive Use - +	+ - KW Usage - +
3.750						0.0	

	Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
06S	20E	35	SW SE			9.0	01	IRRIGATION	(63) LINCOLN
06S	20E	35	SE SE			24.0	01	IRRIGATION	(63) LINCOLN
07S	21E	6	NW NE		2	21.0	01	IRRIGATION	(63) LINCOLN
07S	21E	6	SW NE			40.0	01	IRRIGATION	(63) LINCOLN
07S	21E	6	SE NE			40.0	01	IRRIGATION	(63) LINCOLN
07S	21E	6	NE NW		3	9.0	01	IRRIGATION	(63) LINCOLN
07S	21E	6	SE NW			17.0	01	IRRIGATION	(63) LINCOLN
07S	21E	6	NE SW			17.0	01	IRRIGATION	(63) LINCOLN
07S	21E	6	SE SW			17.0	01	IRRIGATION	(63) LINCOLN
07S	21E	6	NE SE			40.0	01	IRRIGATION	(63) LINCOLN
07S	21E	6	NW SE			40.0	01	IRRIGATION	(63) LINCOLN
07S	21E	6	SW SE			40.0	01	IRRIGATION	(63) LINCOLN
07S	21E	6	SE SE			40.0	01	IRRIGATION	(63) LINCOLN

Total Acres: 354.0

+ - - Diversion Means - WELL, PUMP, AND SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

	Remarks

GEN THIS RIGHT IS LIMITED TO THE IRRIGATION OF 187.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
RIGHT NOS.: 36-07588, 36-07479, 36-02694A & 36-02432A.
USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.32 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1416 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1062 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 354 ACRES IN A SINGLE IRRIGATION SEASON.

AJ0743NP
(0D-124)

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

05/30/00 16:41:42
Page 3

Water right number - 36-07053

Prefix Translation: WATER RIGHT

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

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

No Old Water Right Numbers Found

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

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

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

Date: 04/09/1997 User Id: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED BINGHAM TO CONNECTICUT GERNERAL LIFE INS CO TO KOSTKA TO KOSTKA/STOKER PER WARRANTY DEEDS. INTERMEDIATE OWNERS
NOT LISTED ON DATA BASE.

Date: 05/30/2000 User Id: CTIMM Subject: ADDRESS CHANGE
5/29/00, CHANGED ADDRESS OF LAVEL D STOKER AS PER PS FORM 3547 RE C'D 12/15/98. C.T.

+ - - Audit Fields - - +

05/30/00 CTIMM

+ - - - - 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	- 07/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000904	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

AJ0743NP
(OD-124)

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

05/30/00 16:31:09
Page 1

Water Right Number - R36-07053

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +	+ - First Name - - +	+ - - - - Address - - - - - +	
*** C - CURRENT OWNER ***			
KOSTKA	NANETTE	1 - 470 S 100 W 2 - 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
STOKER	LAVEL D	1 - 707 E 500 S 2 - 3 - City- BURLEY Phone -	State- ID Zip- 83318
STOKER	WENDY W	1 - C/O KENNETH R KOSTKA 2 - 470 S 100 W 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
STOKER	MARLA	1 - C/O KENNETH R KOSTKA 2 - 470 S 100 W 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
KOSTKA	KENNETH R	1 - 470 S 100 W 2 - 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
STOKER	BRENT	1 - C/O KENNETH R KOSTKA 2 - 470 S 100 W 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
*** D - DIR RPT OWNER ***			
BINGHAM	WALLACE S	1 - RT 2 BOX 2165 2 - 3 - City- DIETRICH Phone - 208-532-4454	State- ID Zip- 83324
BINGHAM	CLAIRE	1 - RT 2 BOX 2165 2 - 3 - City- DIETRICH Phone - 208-532-4454	State- ID Zip- 83324
+ - - Priority Date - - + 02/20/1969	+ - - Region - - - + 17 SOUTHERN	+ - - Stage - - - + L - LICENSE	+ - - Status - - - +
+ - - Source - - - - - + GROUNDWATER		+ - - Tributary - - - - - +	

Prefix Translation: RESEARCH

Point of Diversion						
Twn	Rng	Sec	Tract	Lot	RFlg	County
07S	21E	6	SW SE NE			(63) LINCOLN

			Water Use		
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/30	3.750	
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +	+ - KW Usage - +
3.750				0.0	

	Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
	06S	20E	35	SW SE		9.0	01	IRRIGATION	(63) LINCOLN
	06S	20E	35	SE SE		24.0	01	IRRIGATION	(63) LINCOLN
	07S	21E	6	NW NE	2	21.0	01	IRRIGATION	(63) LINCOLN
	07S	21E	6	SW NE		40.0	01	IRRIGATION	(63) LINCOLN
	07S	21E	6	SE NE		40.0	01	IRRIGATION	(63) LINCOLN
	07S	21E	6	NE NW	3	9.0	01	IRRIGATION	(63) LINCOLN
	07S	21E	6	SE NW		17.0	01	IRRIGATION	(63) LINCOLN
	07S	21E	6	NE SW		17.0	01	IRRIGATION	(63) LINCOLN
	07S	21E	6	SE SW		17.0	01	IRRIGATION	(63) LINCOLN
	07S	21E	6	NE SE		40.0	01	IRRIGATION	(63) LINCOLN
	07S	21E	6	NW SE		40.0	01	IRRIGATION	(63) LINCOLN
	07S	21E	6	SW SE		40.0	01	IRRIGATION	(63) LINCOLN
	07S	21E	6	SE SE		40.0	01	IRRIGATION	(63) LINCOLN

Total Acres: 354.0

+ - - Diversion Means - WELL, PUMP, AND SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

..... Remarks

QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.32 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1416 AF.
RIGHT NOS.: 36-07588, 36-07479, 36-02694A & 36-02432A.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

AJ0743NP
(OD-124)

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

05/30/00 16:31:10
Page 3

Water right number - R36-07053

Prefix Translation: RESEARCH

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

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 187.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 354 ACRES IN A SINGLE
IRRIGATION SEASON.
RIGHT NOS.: 36-07588, 36-07479, 36-02694A & 36-02432A.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERS
DIVERSION DESCRIBED ABOVE.
RIGHT NOS.: 36-07588, 36-07479, 36-02694A & 36-02432A.

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

+ - - - - Conditions of Approval - - - - - +
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.

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

+ - - - - Comments - - - - - +
Date: 04/09/1997 User Id: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED BINGHAM TO CONNECTICUT GERNERAL LIFE INS CO TO KOSTKA TO KOSTKA/STOKER PER WARRANTY DEEDS. INTERMEDIATE OWNERS
NOT LISTED ON DATA BASE.
Date: 05/30/2000 User Id: CTIMM Subject: ADDRESS CHANGE
5/29/00, CHANGED ADDRESS AS PER PS FORM 3547 REC'D 12/15/98... LAVEL STOKER, ONLY.

+ - - - - Audit Fields - - - - +
05/30/00 CTIMM

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000904	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

RECEIVED

DEC 15 1998

Department of Water Resources
Southern Region

Notice to Mailer of Correction in Address

Addressee's Account Number (All numbers, dates, and letters)

- ☐ No account number on mail
☐ Account number illegible

Addressee's Name

Lavel Stoker

Old Address (Include
apartment or suite number)

750 E. 500 S.

City, State, and ZIP Code

Burley Id 83318

New Address (Include
apartment or suite number)

707 East 500 South

City, State, and ZIP Code

Burley Id 83318

This card is furnished: ☐ For address correction, as requested (your mailpiece was forwarded).
☐ In place of Form 3579 (see reason for nondelivery below).

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

- ☐ Moved, left no address ☐ No such street ☐ No such number
☐ Refused ☐ Attempted, not known ☐ Unclaimed

PS Form 3547, June 1995

ct 6/1/00

AJ0743NP
(OD-124)

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

04/09/97 15:11:06
Page 1

Water Right Number - 36-07053	Prefix Translation:	WATER RIGHT	Old (D) Number -
+ - - - - Last Name - - - - +	+ - First Name - - +	+ - - - - Address - - - - - +	
*** C - CURRENT OWNER ***			
KOSTKA	KENNETH R	1 - 470 S 100 W 2 - 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
KOSTKA	NANETTE	1 - 470 S 100 W 2 - 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
STOKER	LAVEL D	1 - C/O KENNETH R KOSTKA 2 - 740 W 100 S 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
STOKER	WENDY W	1 - C/O KENNETH R KOSTKA 2 - 740 W 100 S 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
STOKER	BRENT	1 - C/O KENNETH R KOSTKA 2 - 740 S 100 W 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
STOKER	MARLA	1 - C/O KENNETH R KOSTKA 2 - 740 S 100 W 3 - City- RUPERT Phone - 208-436-0138	State- ID Zip- 83350
*** D - DIR RPT OWNER ***			
BINGHAM	WALLACE S	1 - RT 2 BOX 2165 2 - 3 - City- DIETRICH Phone - 208-532-4454	State- ID Zip- 83324
BINGHAM	CLAIRE	1 - RT 2 BOX 2165 2 - 3 - City- DIETRICH Phone - 208-532-4454	State- ID Zip- 83324
+ - - Priority Date - - +	+ - - Region - - - +	+ - - Stage - - - +	+ - - Status - - - +
02/20/1969	17 SOUTHERN	L - LICENSE	
+ - - - - Source - - - - +		+ - - - - Tributary - - - - +	
GROUNDWATER			

"DO NOT FILM"

Prefix Translation: WATER RIGHT

Total Acres: 354.0

+ - - Other Rights for Same Use - SEE REMARKS

GEN THIS RIGHT IS LIMITED TO THE IRRIGATION OF 187.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
RIGHT NOS.: 36-07588, 36-07479, 36-02694A & 36-02432A.
USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.32 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1416 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1062 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 354 ACRES IN A SINGLE IRRIGATION SEASON.

"DO NOT FILM"

AJ0743NP
(00-124)

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

04/09/97 15:11:08
Page 3

Water right number - 36-07053

Prefix Translation: WATER RIGHT

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

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

No Old Water Right Numbers Found

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

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

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

Date: 04/09/1997 User Id: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED BINGHAM TO CONNECTICUT GERNERAL LIFE INS CO TO KOSTKA TO KOSTKA/STOKER PER WARRANTY DEEDS. INTERMEDIATE OWNERS
NOT LISTED ON DATA BASE.

+ - - Audit Fields - - +

04/09/97 TFAWCETT

+ - - - - 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	- 07/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000904	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

"DO NOT FILM"

COPY

APR 25 PM 3:03

DISTRICT COURT-STATE
TWIN FALLS CO., IDAHO
FILED

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. 36-02432A, 36-02593,
36-02693, 36-02694A, 36-07053,
36-07479, 36-07588

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):

Wallace S Bingham
Claire Bingham
Rt 2 Box 2165
Dietrich ID 83324

Phone: 532-4454

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Kenneth R and Nanette Kostka
LaVel D and Wendy W Stoker
Brent and Marla Stoker
c/o Kenneth R Kostka
470 S 100 W

Rupert ID 83350

Phone: 436-0138

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: 4/22/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4-25, 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:
Claire Bingham
Rt 2 Box 2165
Dietrich ID 83324
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Kenneth D and Nanette Kostka
LaVel D and Wendy W Stoker
Brent and Marla Stoker
c/o Kenneth D Kostka
470 S 100 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

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: APR-10-1997
PAGE: A-7-----
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07053

NAME & ADDRESS: KENNETH R KOSTKA
NANETTE KOSTKA
470 S 100 W
RUPERT ID 83350BRENT STOKER
MARLA STOKER
C/O KENNETH R KOSTKA
740 S 100 W
RUPERT ID 83350LAVEL D STOKER
WENDY W STOKER
C/O KENNETH R KOSTKA
740 W 100 S
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 3.75 CFS

PRIORITY DATE: 02/20/1969

POINT OF DIVERSION: T07S R21E S06 SWSENE Within LINCOLN County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.75 CFS

PLACE OF USE:	IRRIGATION	Within LINCOLN County			
	T06S R20E S35	SWSE 9.0	SESE 24.0		
	T07S R21E S06	Lot 2 (NWNE) 21.0	SWNE 40.0	SENE 40.0	Lot 3 (MENW) 9.0
		SENE 17.0	NESW 17.0	SESW 17.0	NESE 40.0
		NWSE 40.0	SWSE 40.0	SESE 40.0	
	354.0 ACRES TOTAL				

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: APR-10-1997
PAGE: A-8

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07053 (CONT)

OTHER PROVISIONS (CONT)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 187.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

RIGHT NOS.: 36-07588, 36-07479, 36-02694A & 36-02432A.

USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.32 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1416 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1062 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 354 ACRES IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

April 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH R AND NANETTE KOSTKA
LAVEL D AND WENDY W STOKER
BRENT AND MARLA STOKER
C/O KENNETH R KOSTKA
470 S 100 W
RUPERT ID 83350

RE: SRBA Claim(s) 36-02432A, 36-02593, 36-02693, 36-02694A,
36-07053, 36-07479, 36-07588

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.

Enclosed you will also find copies of adjudication profile reports on the above water rights showing your correct address. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish', is written over a horizontal line.

Trish Fawcett
Technical Records Specialist

/tf

cc: Land Title & Escrow
Claire S Bingham

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

APR 09 1997

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

Department of Water Resources

1. Southern Region
Water Right Number(s) 36-02432A, 36-07588, 36-02593, 36-02693, 36-02694A, 36-07053,
36-07479,

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) Ken Kostka
470 South 100 West
Rupert, Idaho 83350

4. New Owner/Claimant(s) Kenneth R. Kostka & Nanett Kostka, husband and wife, LaVel D.
& Wendy W. Stoker, husband and wife, and Brent Stoker and Marla Stoker, husband and wife
New Mailing Address c/o Kenneth R. Kostka
470 South 100 West
City, State and ZIP Code Rupert, Idaho 83350
New Telephone Number (208) 436-0138

5. Date you acquired the property February 14, 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.

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)  Date 2-14-97
Kenneth R. Kostka 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.

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

RECEIVED

MAR 06 1997

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

Department of Water Resources
Southern Region

Incomplete forms will be returned.

36-02432A, 36-07588, 36-02593, 36-02693, 36-02694A;
36-07053, 36-07479,

1. Water Right Number(s) _____

Adjudication Claim Number(s) _____

RECEIVED

APR 09 1997

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

Department of Water Resources
Southern Region

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) Connecticut General Life Insurance Company

c/o CIGNA Investments Mgt., S319
900 Cottage Grove Road
Hartford, Connecticut 06152-2319

4. New Owner/Claimant(s) Ken Kostka

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

New Mailing Address 470 South 100 West

City, State and ZIP Code Rupert, Idaho 83350

New Telephone Number (208) 436 - 0138

5. Date you acquired the property January 31, 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.

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)

Ken Kostka

Date 1-31-97

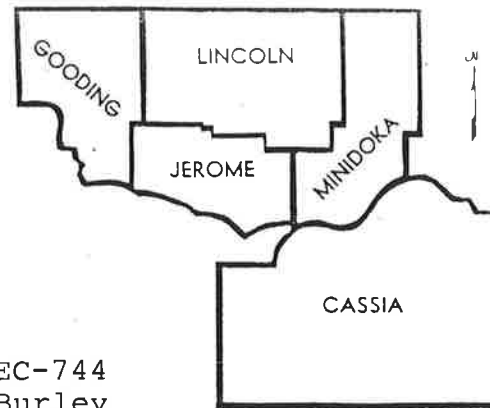
Date _____

(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.

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: EC-744
OFFICE: Burley

March 5, 1997

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83302-3380

RECEIVED

MAR 06 1997

Idaho Dept. of Water Resources
Twin Falls Region

Dear Clerk:

Enclosed please find two original executed Notices of Change of Water Right Ownership and two aerial photo maps for the property.

Please make the necessary changes in the records to indicate the new owners and send receipted copies 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 343 JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473 GOODING, IDAHO 83330
PHONE 334-8477 - FAX 934-5890

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

SPECIAL WARRANTY DEED

KNOW ALL ME BY THESE PRESENTS.

THAT CONNECTICUT GENERAL LIFE INSURANCE COMPANY, a corporation, organized under the laws of the State of Connecticut, and having its Home Office in the Town of Bloomfield, County of Hartford, State of Connecticut, and hereinafter called the GRANTOR, in consideration of the sum of Ten Dollars and other valuable consideration in hand paid by **KEN KOSTKA**, of Rupert, Idaho hereinafter call the GRANTEE, does hereby sell, transfer and convey unto said Grantee, his heirs, executors, administrators, and assigns, the following described premises situated in the the County of **LINCOLN**, State of **IDAHO**, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments, appurtenances thereunto belonging or in anywise appertaining

AND THE GRANTOR hereunder hereby covenants with the Grantee, that said premises are free from all encumbrances made by it and it will warrant and defend said premises against the lawful claims of all persons claiming by through or under it, subject to all matters of record or appearing from and examination of the property, all easements, if any, and to the rights of all persons in possession, if any.

IN WITNESS WHEREOF, said CONNECTICUT GENERAL LIFE INSURANCE COMPANY has caused these presents to be executed by its Vice President and its corporate seal to be affixed this 6th day of February, A D , 1997

CONNECTICUT GENERAL LIFE INSURANCE COMPANY


By: Alpha O. Nicholson, III, Vice President

STATE OF CONNECTICUT)

ss. Bloomfield

COUNTY OF HARTFORD)

BEFORE ME, the undersigned Notary Public, in and for said County and State, on this day personally appeared Alpha O. Nicholson III, Vice President of CONNECTICUT GENERAL LIFE INSURANCE COMPANY, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of said CONNECTICUT GENERAL LIFE INSURANCE COMPANY, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

F02009

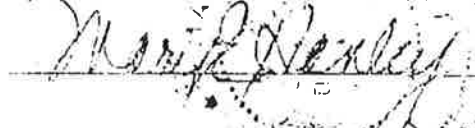

MARION H. HANLEY
NOTARY PUBLIC
MY COMMISSION EXPIRES DEC. 31, 1999

EXHIBIT "A"

TOWNSHIP 6 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 35: SE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$;

TOWNSHIP 7 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 5: 5½;

Section 6: Lot 2; E½ of Lot 3; E½SE¼SW¼; SE¼; S½NE¼; E½SE¼NW¼;
E½NE¼SW¼;

Together with all and singular the buildings, structures, fences, pipes, pipelines, tanks, dams, reservoirs, pumps, pumping equipment and all other improvements and fixtures on or in said lands, and any and all water and water rights appurtenant to or to become appurtenant to or pertaining to said lands (including but not limited to that portion of the above-described lands covered by the following listed Water Licenses: Water License No. G-31929, Water License No. G-28687/36-2432, Water License No. 33608/36-2694, Water License No. 36-7053, Water License No. 36-7479, and Water License No. 36-7588), ditches and ditch rights, flumes, aqueducts, canals, appropriations, franchises and all other rights and privileges belonging to or with, leading to, connected with, or usually had or enjoyed in connection with said lands, or any part thereof, whether or not herein expressly mentioned or described, and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

161904

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of Land Title Service

FEB 18 1997

EL 59 minutes past 2 P M
recorded by Heidi Jackson
For Land Title Return to: above

By hand.

WARRANTY DEED

EC 744

For Value Received

KENNETH R. KOSTKA and NANETTE KOSTKA, husband and wife
AKA KEN KOSTKA

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

KENNETH R. KOSTKA and NANETTE KOSTKA, husband and wife, LaVel D.
STOKER and WENDY STOKER, husband and wife, and BRENT STOKER and MARLA
STOKER, husband and wife
Address: 470 South 100 West
Rupert, Idaho 83350

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

TOWNSHIP 6 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 35: SE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$;

TOWNSHIP 7 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 5: S $\frac{1}{2}$;

Section 6: Lot 2; E $\frac{1}{2}$ of Lot 3; E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Water Adjudication Nos. 36-02432A, 36-02432B, 36-02593, 36-02693, 36-02694A, 36-07053, 36-07479, 36-07588, 36-15121, 36-15122.

SUBJECT TO:

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

Taxes for 1997 and subsequent years.

Power Line Easement given by Fred Stewart and Phyllis S. Stewart, husband and wife, to Idaho Power Company, a corporation, dated April 26, 1966, recorded May 2, 1967 as Instrument Number 119811, Lincoln County records.

Power Line Easement given by Fred Stewart and Phyllis Stewart, husband and wife, to Idaho Power Company, a corporation, dated July 15, 1966, recorded May 2, 1967 as Instrument Number 119812, Lincoln County records.

Mineral Lease from Wallace Bingham and Claire S. Bingham, husband and wife, to Rio Vista Oil Ltd., dated December 27, 1973, recorded January 30, 1974 as Instrument Number 128377, Lincoln County records.²

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 February 14, 1997


Kenneth R. Kostka AKA Ken Kostka


Nanette Kostka

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 14th day of February, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared KENNETH R. KOSTKA and NANETTE KOSTKA, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO

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

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

161906

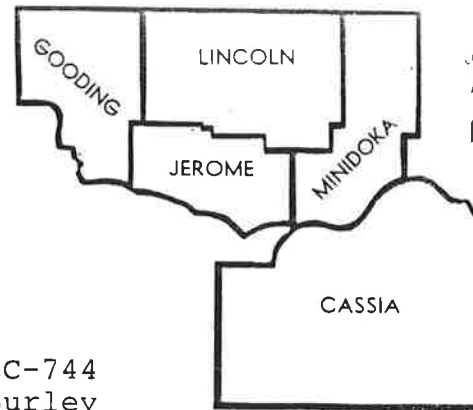
STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
[Signature]

FEB 18 1997

at 2 minutes past 11 M
recorded by *[Signature]*
Fee *[Signature]* Return to: *[Signature]*
[Signature]

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: EC-744
OFFICE: Burley

April 8, 1997

Ms. Trish Fawcett
Technical Records Specialist
Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED

APR 09 1997

Department of Water Resources
Southern Region

Dear Trish:

Enclosed please find the two Notices of Changes of Water Right Ownership that you returned to me for correction on Kostka and Stokers. I believe that these should be correct now and request that you make the necessary changes in the records to indicate the new ownership.

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

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 345 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 435-0606 - FAX 1199

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

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

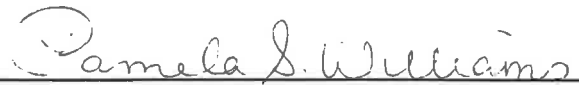
1. Water Right Number(s) 36-02593, 36-02693, 36-02432A, 36-02694A, 36-07053, 36-07479 & 36-07588
Adjudication Claim Number(s) 36-02593, 36-02693, 36-02432A, 36-02694A, 36-07053, 36-07479 & 36-07588
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent 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) Claire S. Bingham, aka Claire Bingham, widow of Wallace S Bingham, deceased
Route #2, Box 2165, Dietrich, ID 83324
4. New Owner/Claimant(s) Connecticut General Life Insurance Company
 Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address c/o CIGNA Investments Mgt., S319
900 Cottage Grove Road
 City, State and ZIP Code Hartford, Connecticut 06152-2319
 New Telephone Number (860) 726 - 3875 (Mary Hanley)
5. Date you acquired the property July 16, 1996
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated 674 Number and type of stock _____
 Diversion rate in CFS 9.62 Number of homes _____ Other uses Irrigation
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) CONNECTICUT GENERAL LIFE INSURANCE COMPANY Date 12/18/96
Alpha O. Nicholson, III
 BY: Alpha O. Nicholson, III, Vice President Date _____
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.

CONNECTICUT GENERAL LIFE INSURANCE COMPANY

SECRETARY'S CERTIFICATE

I, Pamela S. Williams, Assistant Corporate Secretary of Connecticut General Life Insurance Company (the "Company"), hereby certify that Alpha O. Nicholson, III is a duly elected Vice President of the Company.

IN WITNESS WHEREOF, the undersigned has executed this certificate this 18th day of December, 1996.



Pamela S. Williams
Assistant Corporate Secretary

DEED OF PERSONAL REPRESENTATIVE

THIS DEED made the 4th day of May, 1995, by CLAIRE S. BINGHAM, Personal Representative of the Estate of Wallace S. Bingham, deceased, herein called the First Party, Grantor, and CLAIRE S. BINGHAM, a widow, herein called the Second Party, Grantee whose present address is Route # 2, Box 2165, Dietrich, ID 83324.

WITNESSETH:

That the First Party, by virtue of the power and authority to her given and vested and by reason thereof and for value received, has granted, conveyed and confirmed, and by these presents does grant, remise, convey and confirm, unto the Second Party, Grantee and her heirs forever, all of the following described real property located in Lincoln County, Idaho, to-wit:

TOWNSHIP 6 SOUTH, RANGE 20 EAST OF THE BOISE
MERIDIAN, LINCOLN COUNTY, IDAHO.

SECTION 35: SE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 7 SOUTH, RANGE 21 EAST OF THE BOISE
MERIDIAN, LINCOLN COUNTY, IDAHO

SECTION 5: S $\frac{1}{2}$

SECTION 6: Lot 2; E $\frac{1}{2}$ of Lot 3; E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$;
S $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and the reversion, remainder and remainders, rents, issues and profits thereof, and also all the estate, right, title and interest, property, possession, claim and demand whatsoever, which the said Wallace S. Bingham, decedent, had in his lifetime, and at the time of his decease, and which the First Party has, by virtue of her appointment as Personal Representative of the Estate of Wallace S. Bingham, deceased, in and to the above-described premises, with appurtenances.

TO HAVE AND TO HOLD all and singular the above-granted premises, together with appurtenances, and every part thereof, unto the Second Party, her heirs and assigns forever.

IN WITNESS WHEREOF the First Party has hereunto set her hand the day and year first above written.

Claire S. Bingham
Claire S. Bingham
Personal Representative

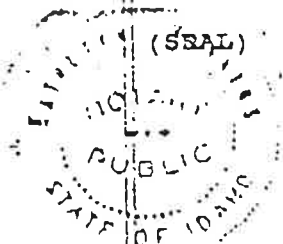
STATE OF IDAHO

County of Minidoka

) ss.

On the 14th day of May, 1995, before me the undersigned Notary Public in and for said State, personally appeared Claire S. Bingham, Personal Representative of the Estate of Wallace S. Bingham known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that she executed the same.

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



Kathleen H. Hunsaker
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 6-15-98

INDEXED
✓✓✓

159315

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <u>Shirley M. Hunsaker</u>
MAY - 8 1995
at <u>15</u> minutes past <u>10</u> A.M. recorded by <u>Helen Hunsaker</u> Fee <u>1.00</u> Return to <u>Shirley</u>

Bx. D
Rupert 83351

161087

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
David L. H. Peterson

JUL 16 1993

at 14 minutes past 11 A.M.
Recorded by *Helen Peterson*
Fee 21.00 Return to: *Elmer*DEED IN LIEU OF FORECLOSURE

FOR VALUE RECEIVED, CLAIRE S. BINGHAM, a widow,
hereinafter referred to as the "Grantor," hereby grants,
bargains, sells and conveys unto CONNECTICUT GENERAL LIFE
INSURANCE COMPANY, a Connecticut corporation, the Grantee, whose
relevant current address is c/o CIGNA Investments, Inc., S-305
Hartford, Connecticut 06152, the following described real
property of the Grantor located in the County of Lincoln, State
of Idaho, to wit:

Described on EXHIBIT "A" attached hereto and
made a part hereof (hereinafter referred to
as the "Subject Property").

TO HAVE AND TO HOLD, unto the said Grantee, its
successors and assigns forever. Said Grantor does hereby
covenant to and with the Grantee, that the Grantor is the owner
in fee simple of the Subject Property; that the Subject Property
is free from all encumbrances except as set forth on EXHIBIT "B"
attached hereto and made a part hereof and that Grantor will
warrant and defend the same from all lawful claims whatsoever.

This Deed is given in lieu of foreclosure of Grantee's
first mortgage lien in and to the Subject Property; provided,
however, that Grantee's mortgage lien in and to the Subject
Property shall not be deemed to have merged into this Deed, but
shall survive the execution, delivery and recording of this Deed.
Grantee expressly reserves and retains its priority of lien in
and to the Subject Property for the purpose of protecting Grantee

against any third party liens, claims or interests, known or unknown, disclosed or undisclosed, liquidated or unliquidated of whatever kind or nature.

Grantor does hereby waive, surrender, convey and relinquish any equity and statutory rights of redemption she may now have or may hereafter acquire in and to the Subject Property.

Grantor does hereby acknowledge and agree that possession of the Subject Property is hereby surrendered and delivered to Grantee. Grantor acknowledges and agrees that she is not acting under any misapprehension as to the legal effect of this Deed nor any duress, undue influence, or misrepresentation of Grantee, its agents or attorneys or any other person. At this point in time there is no person, partnership or corporation other than the Grantor interested in said Subject Property directly or indirectly, in any manner whatsoever.

It is expressly covenanted and agreed that the Grantee by accepting delivery of and/or by recording this Deed does not assume any liability arising out of or in connection with the ownership or use of the Subject Property by the Grantor or her predecessors in interest.

The mortgage lien hereinbefore referred to is based upon that certain Mortgage given to the Grantee which was dated February 26, 1980 and recorded on February 26, 1980 in Lincoln County, Idaho as Instrument No. 138649. Grantee is further secured by a security agreement, financing statements and related

collateral loan documents given to it by the Grantor and her now deceased husband, Wallace S. Bingham.

IN WITNESS WHEREOF, the Grantor has duly executed this instrument effective this 9 day of November, 1995.

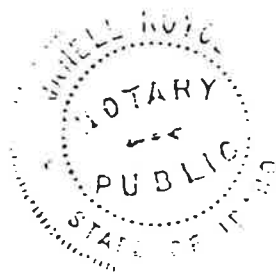
Claire S. Bingham
Claire S. Bingham

STATE OF IDAHO)

County of Twin Falls) ss.

On this 9 day of November, 1995, before me, Janell Rayle, a Notary Public in and for said State, personally appeared CLAIRE S. BINGHAM, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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



Janell Rayle
Notary Public for Idaho
Residing at Twin Falls
My commission expires 7/20/2005

EXHIBIT A

REAL PROPERTY

ALL THAT CERTAIN REAL PROPERTY LOCATED IN LINCOLN COUNTY, IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TOWNSHIP 6 SOUTH, RANGE 20 EAST, OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 35: SE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$;

TOWNSHIP 7 SOUTH, RANGE 21 EAST, OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 5: S $\frac{1}{2}$;

Section 6: Lot 2; E $\frac{1}{2}$ of Lot 3; E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Together with all and singular the buildings, structures, fences, pipes, pipelines, tanks, dams, reservoirs, pumps, pumping equipment and all other improvements and fixtures on or in said lands, and any and all water and water rights appurtenant to or to become appurtenant to or pertaining to said lands (including but not limited to that portion of the above-described lands covered by the following listed Water Licenses: Water License No. G-31929, Water License No. G-28687/36-2432, Water License No. 33608/36-2694, Water License No. 36-7053, Water License No. 36-7479, and Water License No. 36-7588), ditches and ditch rights, flumes, aqueducts, canals, appropriations, franchises and all other rights and privileges belonging to or with, leading to, connected with, or usually had or enjoyed in connection with said lands, or any part thereof, whether or not herein expressly mentioned or described, and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

PERSONAL PROPERTY

Irrigation Equipment

<u>Quantity</u>	<u>Description</u>	<u>Serial No.</u>
250 HP	General Electric Motor Layne & Bowler Pump	EBJ511188 D12460
250 HP	General Electric Motor Layne & Bowler Pump	EBJ504177 D13302

540' X 12" above ground aluminum mainline
2,640' X 10" above ground aluminum mainline
3,640' X 8" above ground aluminum mainline
2,520' X 6" above ground aluminum mainline

35,840' X 3" & 4" handlines (28 aluminum handlines)

Together with any and all allied equipment, by way of example, but not limited to: Electrical panels, control boxes, wiring, pipes, valves, elbows, couplers, flanges, reducers, plugs, risers, and sprinklers and together also with any and all other irrigating equipment which may hereafter be acquired for or used in connection with or as a part of such irrigation facilities or equipment, including all such items that may be acquired hereafter as replacements or substitutes for any of the items of property hereinabove described or referred to.

EXHIBIT "B"

TITLE ENCUMBRANCES

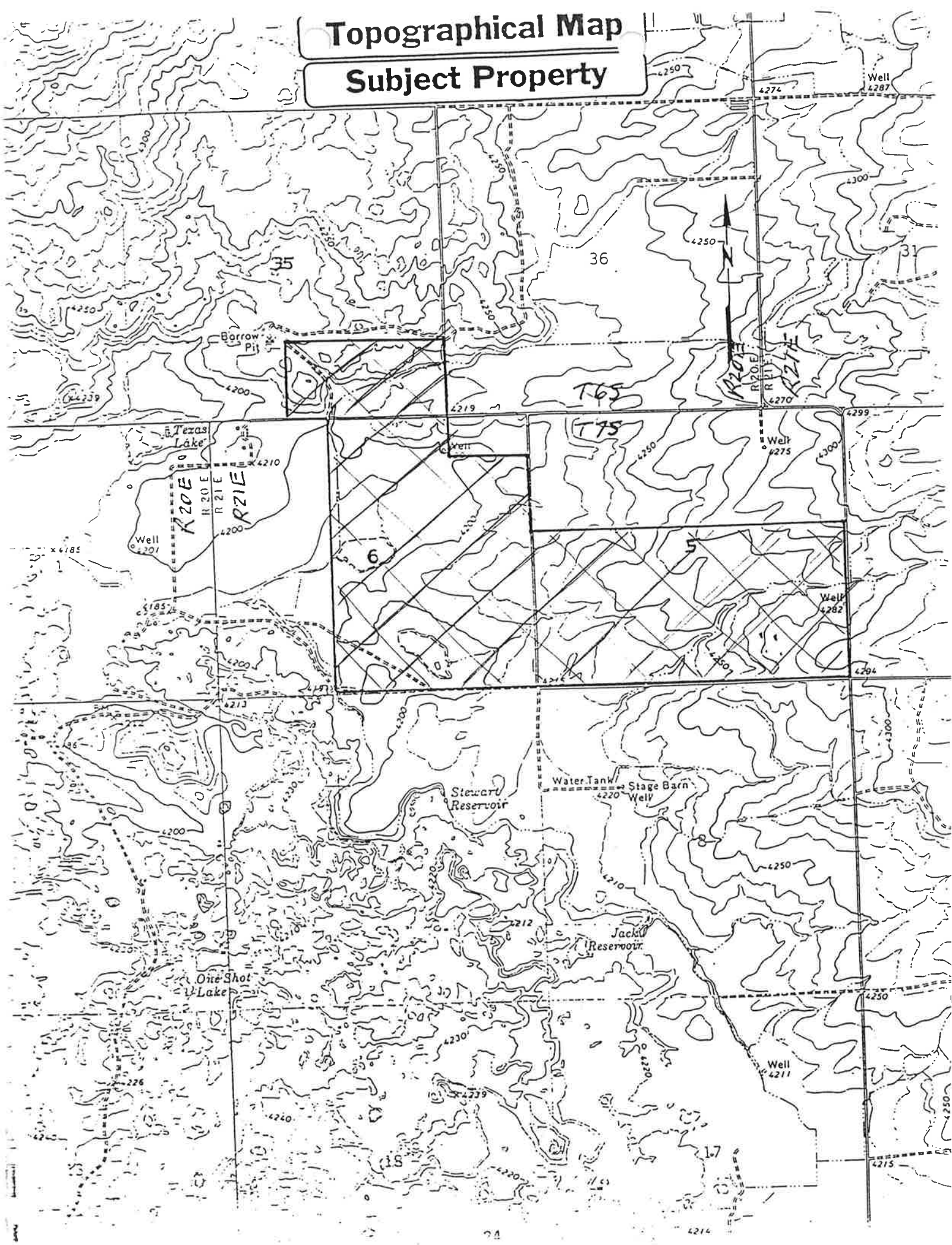
1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.
6. Taxes for 1996 and subsequent years, a lien, but not yet due and payable.
7. Power Line Easement given by Fred Stewart and Phyllis S. Stewart, husband and wife, to Idaho Power Company, a corporation, dated April 26, 1966, recorded May 2, 1967 as Instrument Number 119811, Lincoln County records, affecting the East 200 feet of the SE¼ of Section 5, Township 7 South, Range 21, East Boise Meridian.
8. Power Line Easement given by Fred Stewart and Phyllis Stewart, husband and wife, to Idaho Power Company, a corporation, dated July 15, 1966, recorded May 2, 1967 as Instrument Number 119812, Lincoln County records, affecting the West 10 feet of Lot 1, the West 5 feet of the SE¼NE¼ and the East 5 feet of the SW¼NE¼ of Section 6, Township 7 South, Range 21, East Boise Meridian.

9.

Mineral Lease from Wallace Bingham and Claire S. Bingham, husband and wife, to Rio Vista Oil Ltd., dated December 27, 1973, recorded January 30, 1974 as Instrument Number 128377, ASSIGNED to Arjay Oil Company by Assignment of Leases, dated November 20, 1975, recorded December 15, 1975 as Instrument Number 130943, Lincoln County records. ASSIGNMENT OF MINERAL LEASE by and between Arjay Oil Company, a Utah Corporation, Assignor, and Emery Coal, Inc., a Utah Corporation, Assignee, dated January 13, 1977, recorded February 3, 1977 as Instrument Number 132717, Lincoln County records, wherein Assignor does hereby assign unto Assignee an undivided thirty-four percent interest in those certain Mineral Leases. ASSIGNMENT OF UNDIVIDED INTEREST IN MINERAL LEASES by and between Arjay Oil Company, Assignor, and Altex Oil Corporation, a Utah corporation, Assignee, dated November 22, 1976, recorded March 7, 1977 as Instrument Number 132864, Lincoln County records, wherein Assignor does hereby assign to Assignee thirty-five percent of those mineral leases. ASSIGNMENT OF UNDIVIDED INTEREST IN MINERAL LEASES by and between Altex Oil Corporation, Assignor, and Royal Resources Exploration, Inc., Assignee, dated March 9, 1977, recorded September 13, 1977 as Instrument Number 133898, Lincoln County records, wherein Assignor does hereby assign to Assignee ten percent of eight-eighths in those mineral leases. ASSIGNMENT OF UNDIVIDED INTEREST IN MINERAL LEASES by and between Arjay Oil Company, Assignor, and Ceron Oil Company, a Utah Corporation, Assignee, dated march 26, 1980, recorded July 14, 1980 as Instrument Number 139401, Lincoln County records, ASSIGNMENT by and between Royal Resources Exploration, Inc., a Delaware Corporation, Assignor, and Kenneth W. Nickerson, Michael Owen and Robert M. Olmsted, Assignees, each a one percent of ten percent, dated November 14, 1980, recorded November 17, 1980 as Instrument Number 139977, Lincoln County records.

Topographical Map

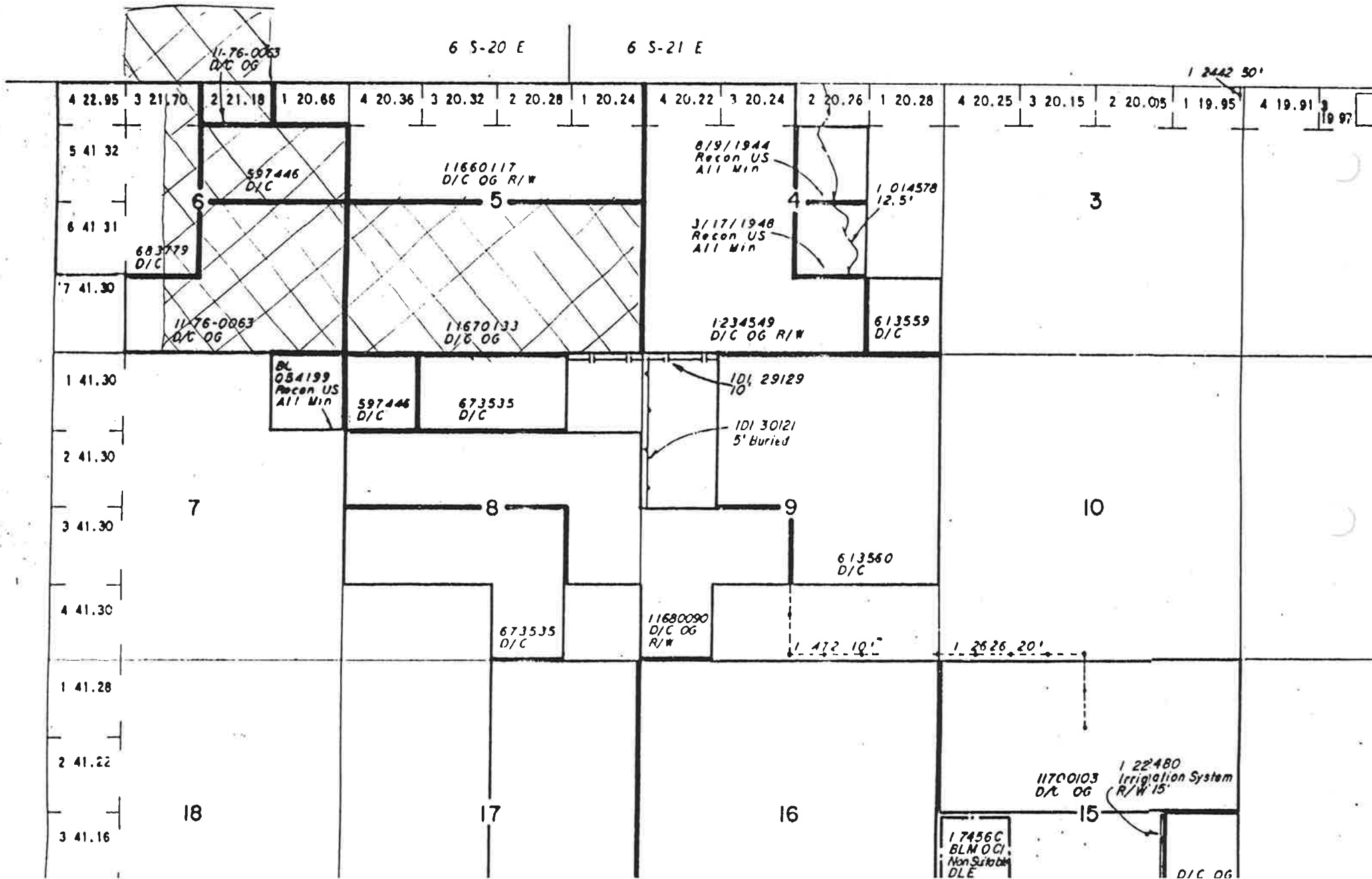
Subject Property



TOWNSHIP 7 SOUTH RANGE 21 EAST OF THE

LINCOLN COUNTY 063

SHOSHONE DISTRICT SEC 3



HAWLEY TROXELL ENNIS & HAWLEY LLP

A LIMITED LIABILITY PARTNERSHIP OF ATTORNEYS AND COUNSELORS

THOMAS A. MILLER
(208)388-4811

EMail: TAM@hteh.com

877 MAIN STREET, SUITE 1000
POST OFFICE BOX 1617
BOISE, IDAHO 83701-1617

TELEPHONE (208) 344-6000

FACSIMILE (208) 342-3829

RECEIVED

JAN 17 1997

Department of Water Resources
Southern Region

January 16, 1997

Idaho Department of Water Resources
Southern Region
1341 Fillmore Street North
Twin Falls, ID 83301-3380

Re: Bingham - Connecticut General Life Insurance
Company Water Right Nos. 36-02593, 36-02693;
36-02432A, 36-02694A, 36-07053, 36-07479 and
36-07588

Gentlemen:

Enclosed herewith in connection with the above-referenced water right numbers/adjudication claim numbers are the following:

1. An extra copy of this letter and a self-addressed, stamped envelope

2. Original and one copy of Notice of Change of Water Right Ownership executed by our client Connecticut General Life Insurance Company with certification of authority to sign attached to each.

3. One copy of Deed of Personal Representative from Claire S. Bingham as Personal Representative of the Estate of Wallace S. Bingham to Claire S. Bingham, a widow, dated May 4, 1995 and recorded May 8, 1995 as Instrument No. 159315, records of Lincoln County, Idaho.

4. One copy of Deed in Lieu of Foreclosure from Claire S. Bingham, a widow, to Connecticut General Life Insurance Company dated November 9, 1995 and recorded July 16, 1996 as Instrument No. 161087, records of Lincoln County, Idaho.

5. Copies of the following plats:

a. Traced on USGS quadrangle map.

877 MAIN STREET, SUITE 1000
POST OFFICE BOX 1617
BOISE, IDAHO 83701-1617
TELEPHONE (208) 344-6000
FACSIMILE (208) 342-3829

371 WALNUT AVENUE
POST OFFICE BOX 297
KETCHUM, IDAHO 83340-0297
TELEPHONE (208) 726-1700
FACSIMILE (208) 726-9743

333 SOUTH MAIN STREET
POST OFFICE BOX 100
POCATELLO, IDAHO 83204-0100
TELEPHONE (208) 233-0845
FACSIMILE (208) 233-1304

HAWLEY TROXELL ENNIS & HAWLEY LLP

IDWR - Twin Falls
January 16, 1997
Page 2

b. Traced on original survey map of 7 South,
21 East.

6. USDA Consolidated Farm Service Agency aerial
photograph of the subject property outlined in aqua.

If you have any questions or need anything further,
please give me a call. You might call (208) 344-6000 and have me
paged.

Otherwise, please file-stamp the extra copy of this
letter and the extra copy of the Notice of Change of Water Right
Ownership and return them to me in the enclosed self-addressed,
stamped envelope.

Thank you for your consideration.

Yours truly,



Thomas A. Miller

TAM/jw
Encs.

cc: Connecticut General Life
Insurance Company
Attn: Alpha O. Nicholson III

Garland H. Crum
Richard F. Goodson
(w/o Encs.)



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

September 17, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

GLEN
C/O REMAX
BOX 1120
BURLEY ID 83318

RE: REQUEST FOR STATUS OF SRBA ON LAND AND CLAIMS

Dear Glen,

Pursuant to your request of our office I have enclosed the profile reports of the water rights that were found as a result of the queries on the lands you listed. The queries in T07, R21E, S06 & T06S, R20E, S35 listed the following rights;

A36-02432A	A36-02432B	A36-02694A	A36-07053
A36-07479	A36-07588	A36-15121	

Section 06 also show the Domestic well right of A36-15122. The queries on T07, R21E, S05 resulted in A36-02593 & A36-02693. There were other rights in S05 that belonged to Larry Gillette; if you need those also please let me know and I will send them out to you.

If you have further question or need additional help please contact our office.

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

A36-07053

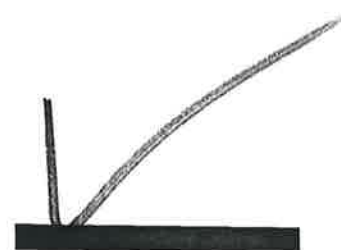
R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILM D

VERIFIED ADM

Water Right Number - R36-07053

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BINGHAM

CLAIRE

1 - RT. 2 BOX 2165

2 -

3 -

City- DIETRICH

State- ID Zip- 83324

Phone - 208-532-4454

BINGHAM

WALLACE S.

1 - RT. 2 BOX 2165

2 -

3 -

City- DIETRICH

State- ID Zip- 83324

Phone - 208-532-4454

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
02/20/1969 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 21E 6 SW SE NE (63) LINCOLN+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 3.750+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.750 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
06S 20E 35 SW SE 9.0 01 IRRIGATION (63) LINCOLN
06S 20E 35 SE SE 24.0 01 IRRIGATION (63) LINCOLN
07S 21E 6 NW NE 2 21.0 01 IRRIGATION (63) LINCOLN
07S 21E 6 SW NE 40.0 01 IRRIGATION (63) LINCOLN
07S 21E 6 SE NE 40.0 01 IRRIGATION (63) LINCOLN
07S 21E 6 NE NW 3 9.0 01 IRRIGATION (63) LINCOLN
07S 21E 6 SE NW 17.0 01 IRRIGATION (63) LINCOLN
07S 21E 6 NE SW 17.0 01 IRRIGATION (63) LINCOLN
07S 21E 6 SE SW 17.0 01 IRRIGATION (63) LINCOLN
07S 21E 6 NE SE 40.0 01 IRRIGATION (63) LINCOLN
07S 21E 6 NW SE 40.0 01 IRRIGATION (63) LINCOLN
07S 21E 6 SW SE 40.0 01 IRRIGATION (63) LINCOLN
07S 21E 6 SE SE 40.0 01 IRRIGATION (63) LINCOLN

Total Acres: 354.0

MICROFILMED

FEB 03 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	- 09/27/1991	Old Judicial District	-
Claim Received Date	- 07/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000904	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED
FFR 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:28:27
02/12/91

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07053

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			ADN	N		R. V. W 9/13/91	DB	
POINT OF DIV	Y			N	1,5			
SOURCE				N				
PLACE OF USE	Y			Y	1,5,4,6			
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE	-			N				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS								

"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.

MICROFILMED

FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:28:27
02/12/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07053

LAST: WINSOR
ADDRESS: RT. 4 BOX 165
CITY: JEROME
PHONE NUMBER: 208-000-0000

FIRST: MARIBAH
STATE: ID ZIP: 83338

OWNER CODE: O

LAST: BINGHAM
ADDRESS: RT. 2 BOX 2165
CITY: DIETRICH
PHONE NUMBER: 208-532-4454

FIRST: WALLACE S.
STATE: ID ZIP: 83324

OWNER CODE: C

LAST: BINGHAM
ADDRESS: RT. 2 BOX 2165
CITY: DIETRICH
PHONE NUMBER: 208-532-4454

FIRST: CLAIRE
STATE: ID ZIP: 83324

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

N

NO REMARKS IN CLAIM

MICROFILMED
FEB 03 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 2/12/91

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: None

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
FEB 03 1993

A. AJ CLAIM: # A36-07053 PRIORITY DATE: 02-20-1969 STAGE: L
B. WR RECORD: # 36-07053 PRIORITY DATE: 02-20-1969 STAGE: L

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N

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

REMARKS:

RECOMMENDED PRIORITY DATE:
02-20-1969

REVIEWED BY ADm

DATE 2/15/91

MICROFILMED

FEB 03 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07053	07S	21E	6	SW	SE	NE		LINCOLN

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-07479 NONE
A36-07588
A36-02694A
A36-02432A

WR RECORDS IN SAME 40 ACRE TRACT

36-02694
36-07479
36-07802A
36-07802B

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07053	07S	21E	6		SE	NE		LINCOLN

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-02694
36-07479
36-07802A
36-07802B

A36-07479 NONE
A36-07588
A36-02694A
A36-02432A

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

REMARKS:

Appears correct; well very new 1/16" lines.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

—	—	—	—	OK	—	—	—
—	—	—	—	—	—	—	—

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

ADN 2/15/91

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A. ROOT WATER RIGHT NUMBERS: A36-07053

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	21E	6	NW	NE	2	BINGHAM, WALLACE S.	A36-07053 / 8.0	36-07053 / 8.0	21.0	21	10.5
			NW	NE	2	BINGHAM, CLAIRE	A36-07479 / 11.0	36-07479 / 11.0			
			NW	NE	2	BINGHAM, WALLACE S.		36-07802A / 25.0			
07S	21E	6	SE	SW		BINGHAM, WALLACE S.	A36-07053 / 20.0	36-07053 / 20.0	25.0	17	17
			SE	SW		BINGHAM, NANCY		36-07802B / 40.0			
07S	21E	6	NE	SE		BINGHAM, WALLACE S.	A36-07053 / 40.0	36-07053 / 40.0	37.0	40	40
			NE	SE		BINGHAM, WALLACE S.		36-07802A / 40.0			
07S	21E	6	NW	SE		BINGHAM, WALLACE S.	A36-07053 / 40.0	36-07053 / 40.0	40.0	40	40.0
			NW	SE		BINGHAM, WALLACE S.		36-07802A / 40.0			
07S	21E	6	SW	SE		BINGHAM, WALLACE S.	A36-07053 / 40.0	36-07053 / 40.0	39.0	40	40
			SW	SE		BINGHAM, WALLACE S.		36-07802A / 40.0			
07S	21E	6	SE	SE		BINGHAM, WALLACE S.	A36-07053 / 40.0	36-07053 / 40.0	39.0	40	40
			SE	SE		BINGHAM, WALLACE S.		36-07802A / 40.0			
TOTAL ACRES							A36-07053	188.00	188.00	201.00	187.5

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

* Acres shuffled to cover what is
actually irrigated at present.
Note that this license was originally for
1 1/2 cws so all overlaps should be
removed including permit 36-07802 B.

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PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

187.5

REVIEWED BY:

Adm

DATE:

2/15/91

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A. AJ CLAIMED USES:

PURPOSES
A36-07053 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-30

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
3.750 CFS 750.00 AF/A
3.750 CFS 750.00 AF/A

B. WR RECORDED USES:

PURPOSES
36-07053 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-30

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
3.750 CFS 750.00 AF/A
3.750 CFS 750.00 AF/A

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)

FIELD
DATABASE EXAMINER
N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐)

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: 3.750 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.750 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

N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

N/A

, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: ~~A36-07479 AND PERMIT 36-7802~~

delete

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

None

Permit 36-07802
should not be allowed
on these acres

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-07053	GROUNDWATER	BINGHAM , WALLACE S.	3.750	0.019	750.00	3.98
A36-07479	GROUNDWATER	BINGHAM , CLAIRE	0.920	0.015		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 187.5 x 0.02 CFS/ACRE = 3.75 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 = 562.5 AF/A
ACRES 187.5 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =
TOTAL CONSUMPTIVE USE 562.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 750.00 AF/A
ACRES 187.5 x DIVERSION VOL. AF/A FOR AREA 4.0 =
TOTAL DIVERSION VOLUME 750 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

No Overlap.

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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 11-30	DATABASE 3.750 EXAMINER <u>✓</u>	DATABASE 750.00 EXAMINER <u>✓</u>	DATABASE 562.5 EXAMINER <u>✓</u>
TOTAL FOR THIS RIGHT		3.750	750.00	562.5

REVIEWED BY: AD~

DATE: 2/15/91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07053

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	3.750		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07053	3.750	-		36-07053	3.750
TOTAL CFS		3.750				3.750

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	FIELD EXAMINER
Y	

REMARKS:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

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