

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-388B
Date Received: 7/29/1999
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

THE PATRICIA ENGLUND LIVING TRUST UAD
C/O PATRICIA ENGLUND, TRUSTEE
PO BOX 63
FAIRFIELD ID USA 83327

Phone: (208)764-3337

GLENN R KOCH
PO BOX 63
FAIRFIELD ID USA 83327

Phone: (208)764-3337

2. Date of Priority: 05/01/1887

3. Source: CHIMNEY CREEK WEST FORK Trib. to: CHIMNEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	12E	27	SE SE	CAMAS	

5. Description of diverting works:

HEADGATE AND DITCHES, CANVAS DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/31	0.2	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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01N	12E	34	NW	NE	IRRIGATION	6.5
			NE	NE	IRRIGATION	3.9
					Section Acres	10.4
					Total Acres	10.4

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

POINT OF DIVERSION TAKEN FROM MAP SUBMITTED. NO 40 ACRE TRACT SPECIFIED ON NOTICE OF CLAIM FORM. -VH PER PHONE CONVERSATION WITH REALTOR ED SMITH, PAMELA DALTON IS THE SURVIVING WIDOW OF KEVIN DALTON.

***** 11/29/99, CHANGED OWNERSHIP: DALTON TO ENGLUND AND KOCH AS PER FORM 1409 AND WARRANTY DEED REC'D 8/9/99. SECOND ADDRESS GIVEN AS PO BOX 187, HAGERMAN ID 83332. C.T.

| CLAIM IS PART OF SPLIT OF 37-00388 AS ABOVE AND WITH 2ND OWNER- SHIP SPLIT FROM GONSALES; SCC 2/25/00.

15. Basis of Claim: Decreed

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IN AND FOR THE COUNTY OF TWIN FALLS

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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THE PATRICIA ENGLUND LIVING TRUST UAD Phone: (831)444-7475
740 OLD STAGE RD
SALINAS CA USA 98901

GLENN R KOCH Phone: (831)444-7475
740 OLD STAGE RD
SALINAS CA USA 93901

2. Date of Priority: 05/01/1887

3. Source: CHIMNEY CREEK WEST FORK Trib. to: CHIMNEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
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0.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

37-388B

02/10/2004

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	12E	34	NW	NE	IRRIGATION	6.5
			NE	NE	IRRIGATION	3.9
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15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 9, 2004

GLENN R KOCH & PATRICIA ENGLUND
TRUSTEE OF THE PATRICIA ENGLUND LIVING TRUST UAD
740 OLD STAGE RD
SALINAS CA 93901

Re: SRBA Claim #37-388B

To whom it may concern:

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

Sincerely,

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

Carrie Hahn
Office Specialist

Enc.

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
FEB 09 2004
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>A37-00388B</u>	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Glenn R. Koch & Patricia R. England
PO Box 2394, Hollister CA 95024

4. New Owner/Claimant(s)

Glenn R. Koch & Patricia England, Trustee of the Patricia
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or England Living Trust uad

New Mailing Address

740 Old Stage Rd 07/30/02

City, State and ZIP Code

Salinas CA 93901

New Telephone Number

(831) 444-7475

5. Date you acquired the property

January 14, 2004

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

Patricia R. Englund, Trustee
(of the Patricia R. Englund Living Trust)
 JAD 07/30/2002

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

COPY

QUITCLAIM DEED

FOR VALUE RECEIVED, **PATRICIA R. ENGLUND**, hereinafter called the "Grantor", hereby remises, releases, and forever quitclaims unto **PATRICIA ENGLUND, TRUSTEE OF THE PATRICIA ENGLUND LIVING TRUST UAD 07/30/2002**, whose address is 740 Old Stage Road, Salinas, California, 93901, hereinafter called the "Grantee", all her right, title and interest in the following described real property in **Camas** County, Idaho, to-wit:

Parcel 1:

TOWNSHIP 1 NORTH, RANGE 12 EAST, BOISE
MERIDIAN, CAMAS COUNTY,
IDAHO

Section 34: The Northeast Quarter of the Northwest Quarter; and
Northeast Quarter

EXCEPTING THEREFROM that portion which lies North of the center line of the
Chimney Creek Road.

TOGETHER WITH WATER RIGHTS WITH THE IDAHO DEPARTMENT OF
WATER RESOURCES, WATER RIGHT NOL. 370388, 2.2 CFS-110"

Parcel 2:

TOWNSHIP 1 NORTH, RANGE 12 EAST OF THE BOISE MERIDIAN, CAMAS
COUNTY, IDAHO

Section 34: That part of the Northeast Quarter lying North of the center
line of Chimney Creek Road.

SUBJECT TO road rights of way.

RESERVING UNTO THE GRANTOR an underground easement for utility
purposes beginning at the intersection of Chimney Creek Road (being the South
boundary of the before described parcel) and the West boundary of the NE ¼ NE
¼ to the North Section line of Section 34, Township 1 North, Range 12 East of
the Boise Meridian.

TOGETHER WITH IDAHO DEPARTMENT OF WATER RESOURCES WATER
RIGHT #A37-00388B

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

DATED this 14th day of JANUARY, 2004.

"GRANTOR"

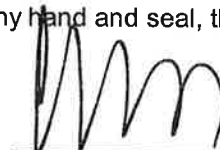

PATRICIA ENGLUND

STATE OF California)

County of Monterey)

On this 14th day of January, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared PATRICIA ENGLUND, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same.

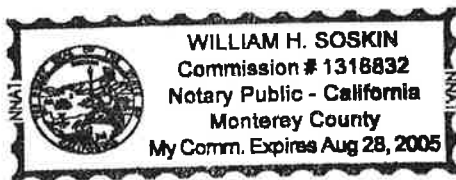
IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



NOTARY PUBLIC

Residing at: Carmel, California

Commission Expires: August 28, 2005



076798

Recorded at the Request of
William Soskin
at 10:55 AM
FEBRUARY 3rd, 2004
in Book 34 Page 77
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Rollie Bennett
Fees \$ 6.00

WILLIAM H. SOSKIN, J.D., C.P.A.
FELLOW, THE AMERICAN COLLEGE
OF TRUST AND ESTATE COUNSEL

LAW OFFICES OF
WILLIAM H. SOSKIN
2100 GARDEN ROAD, SUITE F
MONTEREY, CALIFORNIA 93940

AREA CODE 831
TELEPHONE 649-8006
TELEFAX 655-3432

February 6, 2004

**VIA CERTIFIED MAIL - RETURN
RECEIPT REQUESTED**

RECEIVED
FEB 09 2004
Department of Water Resources
Southern Region

IDWR Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Dear Sir/Madam:

Enclosed is a completed and signed "Notice of Change in Water Right Ownership" form for **Water Right No. A37-00388B**. It is my understanding that there is no applicable filing fee.

If you have any questions or there are any problems with this filing, please do not hesitate to call our office COLLECT.

Very truly yours,

Karen Lee Halliwell

Karen Lee Halliwell
Legal Assistant

KLH
Enclosure

cc: Patricia Englund

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
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CIVIL CASE NUMBER: 39576

Ident. Number 37-388B
Date Received: 7/29/1999
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GLENN R KOCH Phone: (831)444-7470
PO BOX 2394
HOLLISTER CA 95024

PATRICIA R ENGLUND Phone: (831)444-7470
PO BOX 2394
HOLLISTER CA 95024

2. Date of Priority: 05/01/1887

3. Source: CHIMNEY CREEK WEST FORK Trib. to: CHIMNEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
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12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

POINT OF DIVERSION TAKEN FROM MAP SUBMITTED. NO 40 ACRE TRACT SPECIFIED ON NOTICE OF CLAIM FORM. -VH PER PHONE CONVERSATION WITH REALTOR ED SMITH, PAMELA DALTON IS THE SURVIVING WIDOW OF KEVIN DALTON.

***** 11/29/99, CHANGED OWNERSHIP: DALTON TO ENGLUND AND KOCH AS PER FORM 1409 AND WARRANTY DEED REC'D 8/9/99. SECOND ADDRESS GIVEN AS PO BOX 187, HAGERMAN ID 83332. C.T.

| CLAIM IS PART OF SPLIT OF 37-00388 AS ABOVE AND WITH 2ND OWNER- SHIP SPLIT FROM GONSALES; SCC 2/25/00.

15. Basis of Claim: Decreed

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

RECEIVED**NOV 23 2001**

Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>A37-00388B</u>	☐			☐
		☐			☐
		☐			☐
		☐			☐
		☐			☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Ben A. Glauner
P. O. Box 333, Bellevue, ID 83313
4. New Owner/Claimant(s) Patricia R. Englund & Glenn R. Koch
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P. O. Box 2394, Hollister, CA 95024
- City, State and ZIP Code _____
- New Telephone Number (831) 444-7470
5. Date you acquired the property November 21, 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____ Patricia R. Englund
(include title if applicable) Glenn Koch _____ Glenn R. Koch

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by [Signature] Date 11/29/01 Fee 0
 Received by [Signature] Date _____ Receipt No. _____
 Processed by [Signature] Date 11/30/01 WR _____ Date _____

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

Patricia R. Englund Patricia R. Englund
Glenn R. Koch Glenn R. Koch

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
Receipted by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date _____ WR _____ Date _____

Order No. C010115

WARRANTY DEED

For Value Received

MELANIE J. GONSALES, A MARRIED WOMAN DEALING AS HER SOLE AND SEPARATE PROPERTY

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

PATRICIA R. ENGLUND and GLENN R. KOCH,

the grantee(s), whose current address is P.O. Box 2394, Hollister, CA 95024

the following described premises, to-wit:

Township 1 North, Range 12 East of the Boise Meridian, Camas County, Idaho

Section 34: That part of the Northeast Quarter lying North of the center line of Chimney Creek Road.

SUBJECT TO road rights of way.

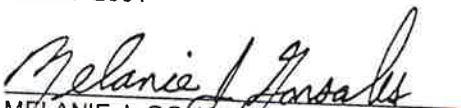
RESERVING UNTO THE GRANTOR an underground easment for utility purposes beginning at the intersection of Chimney Creek road (Being the South boundary of the before described parcel) and the West boundary of the NE 1/4 NE 1/4 to the North Section line of Section 34, Township 1 North, Range 12 East of the Boise Meridian.

Together with Idaho Dept. of Water Resources water right #A37-00388B.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

November 16,

Dated: 2001


MELANIE J. GONSALES

By 
Rodney Ray Gonsales, Atty-In-Fact

STATE OF IDAHO : ss
COUNTY OF CAMAS

On This _____ day of November, in the year 2001, before me, a Notary Public in and for said State, personally appeared MELANIE J. GONSALES, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

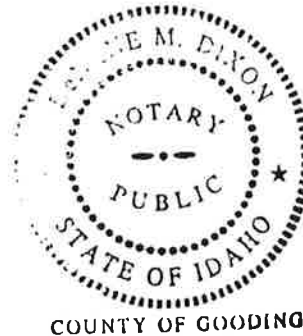
WITNESS my hand and official seal.

Notary Public of Idaho
Residing at Wendell, Idaho
Commission Expires:

State of Idaho)
) ss.
County of Gooding)

On this 16th day of November, 2001, personally appeared RODNEY RAY GONSALES, known or identified to me to be the person whose name is subscribed to the within instrument as the Attorney In Fact of MELANIE J. GONSALES, and acknowledged to me that he subscribed the name of MELANIE J. GONSALES as principal, and his own name as Attorney In Fact.

Wendell M. Dixon
Notary Public For Idaho
Residing at: Wendell, ID
Commission Expires: 3-27-06



74870

Recorded at the Request of
Geopink Title
at 1:55 P.M.
November 19, 2001
in Book 32 Page 658
of Deeds
RECORDED
By Karen Blodgett
Fees \$ 6.00

*****SPACE ABOVE THIS LINE FOR RECORDER'S USE*****
Order No.

POWER OF ATTORNEY - SPECIAL (SPECIFIC PROPERTY ONLY)

KNOW ALL MEN BY THESE PRESENTS

That **MELANIE GONSALES, A MARRIED WOMAN**
aka Melani J. Gonsales
has made, constituted and appointed, and by these presents do(es) hereby make, constitute and appoint
RODNEY GONSALES, A MARRIED MAN
aka Rodney Ray Gonsales

my (our) true and lawful Attorney(ies) and in my (our) name(s), place(s) and stead to do and perform
the following act or acts, which are hereby limited, however, to the following described real property
and any improvements and fixtures located thereon:

Township 1 North, Range 12, E.B.M., Camas County, Idaho

Section 34: That part of the Northeast Quarter lying North of the centerline of Chimney Creek Road.

to ask, demand, sue for, recover, collect, and receive all such sums of money, debts, and demands whatsoever as are now or shall hereafter become due,
owing, payable, or belonging to the undersigned; and have, use, and take all lawful ways and means in the name of the undersigned, or otherwise, for
the recovery thereof, by legal process, and to compromise and agree for the same, and grant acquittances or other sufficient discharges for the same, for
the undersigned, and in the name of the undersigned to make, seal, and deliver the same; to compromise any and all debts owing by the undersigned,
and to convey, transfer, and/or assign said property in satisfaction of possession thereof, and all deeds, and other assurances in the law thereof, and to
lease, let demise, bargain, sell, remise, release, convey, mortgage, convey in trust, and hypothecate said property, upon such terms and conditions, and
under such covenants as said Attorney shall think fit; to exchange said property for other real or personal property, and to execute and deliver the
necessary instruments of transfer or conveyance to consummate such exchange; to execute and deliver subordination agreements subordinating any lien,
encumbrance or other right in said property to any other lien, encumbrance, or other right therein; also to bargain and agree for, buy, sell, mortgage,
hypothecate, convey in trust or otherwise, and in any and every way and manner deal in and with the improvements and fixtures located on said real
property, including authority to utilize my eligibility for VA Guaranty; and, also, for the undersigned and in the name(s) agreements, mortgages, deeds
of trust, hypothecation's, assignments, notes, receipts, evidences of debts, assumption agreements, settlement documents, releases and satisfactions of
mortgage, and such other instruments in writing of whatever kind or nature, as may be reasonable, advisable, necessary, or proper in the premises, but
only with respect to said property.

Giving and granting unto said Attorney(s) full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to
be done in and about the premises, as fully to all intents and purposes as the undersigned might or could do if personally present, the undersigned hereby
expressly ratifying and confirming all that said Attorney shall lawfully do or cause to be done by virtue of these presents.

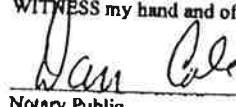
Dated: November 14, 2001


Melanie Gonsales

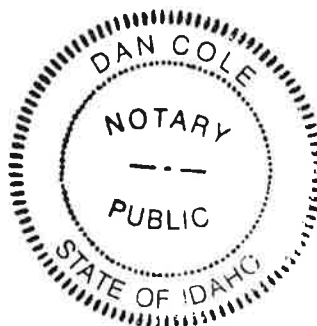
State of Idaho)
County of Camas) ss.

On this 16 day of November, in the year 2001, before me, the undersigned, personally appeared MELANIE
GONSALES, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public
Residing At: Lincoln Co.
Commission Expires: Sept 15, 2004

Recorded at the Request of
Gooding Title
at 9:50 P M
November 19, 2001
in Book 2 Page 688
of POWER OF ATTORNEY
FOLLIE BENNETT
CAMAS COUNTY RECORDER



TRUSTEE'S DEED

GOODING TITLE AND ESCROW, INC., an Idaho corporation, herein called Trustee, as Trustee under the Deed of Trust hereinafter, particularly described, does hereby bargain, sell, and convey, without warranty, to MELANIE J. GONSALES, dealing with her sole and separate property, herein called the Grantee, all of the real property situated in the County of Camas, State of Idaho described as follows:

Township 1 North, Range 12, E.B.M., Camas County, Idaho

Section 34: That part of the Northeast Quarter lying North of the centerline of Chimney Creek Road.

This conveyance is made pursuant to the powers conferred upon the Trustee by Deed of Trust between BEN A. GLAUNER as Grantor, the Trustee herein, and MELANIE J. GONSALES, a married woman dealing with her sole and separate property, as Beneficiary, recorded May 24, 2000 as Instrument No. 73906, records of Camas County, Idaho, and after the fulfillment of the conditions specified in the Deed of Trust authorizing this conveyance, as follows:

- (a) Default occurred in the obligation for which such Deed of Trust was given as security and the Beneficiary made demand upon the Trustee to sell the property pursuant to the terms of the Deed of Trust. Notice of Default was recorded as Instrument No. 74536, records of Camas County, Idaho, being the county in which the property described in the Deed of Trust was located and the nature of such default being as set forth in the Notice of Default. The Default still existed at the time of sale.
- (b) After recordation of the Notice of Default, the Trustee gave notice of the time and place of sale of said property by registered or certified mail, by personal service upon the occupant of the real property or by posting in a conspicuous place on said premises and by publishing in a newspaper of general circulation in the County in which the property is situated as more fully appears in the affidavits recorded at least twenty (20) days prior to the date of this sale as Affidavit of Posting and Service Instrument No. 074754, Affidavit of Publication Instrument No. 74753 records of Camas County, Idaho.
- (c) The provisions, recitals, and contents of the Notice of Default referred to in paragraph (a) supra, and of the affidavits referred to in paragraph (b), supra, shall be, and they are hereby incorporated herein and made an integral part hereof for all purposes as though set forth at length.
- (d) All requirements of law regarding the mailing, personal service, posting, publication, and recording of Notice of Default, and Notice of Sale and all other notices have been complied with.

TRUSTEE'S DEED 1-

- (e) Not less than one hundred twenty (120) days elapsed between the giving of the Notice of Sale by registered or certified mail and the sale of said property.
- (f) Trustee, at the time and place of sale fixed by the Notice, at public auction, in one parcel, stuck off to Grantee, being the highest bidder therefore, the property herein described, for the sum of \$157,895.44, subject however, to all prior liens and encumbrances. No person or corporation offered to take any part of the property less than the whole thereof for the amount of the principal, interest, advances and costs.

5th IN WITNESS WHEREOF, the Trustee has caused its name to be hereunto subscribed this day of November, 2001.

GOODING TITLE AND ESCROW, INC.

By

Jarrold Ball

Executive Vice President

STATE OF IDAHO)

) SS.

County of Gooding)

On this 6th day of November, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared JARROD BALL, known to me to be the Executive Vice President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Gwen A. Sherman
NOTARY PUBLIC FOR IDAHO
Residing at: Shoshone
Commission Expires: 3-27-06

TRUSTEE'S DEED 2-

74846

Recorded at the Request of
HARVEY L. HARVEY
at 11:30 A M
11-7, 2001
In Book 32 Page 643
of DEEDS
ROLLIE BENNETT
CASSIA COUNTY RECORDER
By [Signature]
Fees 6.00

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-388B
Date Received: 7/29/1999
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

X BEN A GLAUNER Phone:

PO BOX 333
BELLEVUE ID USA 83313

2. Date of Priority: 05/01/1887

3. Source: CHIMNEY CREEK WEST FORK Trib. to: CHIMNEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	12E	27	SE SE	CAMAS	

5. Description of diverting works:

HEADGATE AND DITCHES, CANVAS DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/31	0.2	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	12E	34	NW	NE	IRRIGATION	6.5
			NE	NE	IRRIGATION	3.9
					Section Acres	10.4
					Total Acres	10.4

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

POINT OF DIVERSION TAKEN FROM MAP SUBMITTED. NO 40 ACRE TRACT SPECIFIED ON NOTICE OF CLAIM FORM. -VH PER PHONE CONVERSATION WITH REALTOR ED SMITH, PAMELA DALTON IS THE SURVIVING WIDOW OF KEVIN DALTON

***** 11/29/99, CHANGED OWNERSHIP: DALTON TO ENGLUND AND KOCH AS PER FORM 1409 AND WARRANTY DEED REC'D 8/9/99. SECOND ADDRESS GIVEN AS PO BOX 187, HAGERMAN ID 83332. C.T

| CLAIM IS PART OF SPLIT OF 37-00388 AS ABOVE AND WITH 2ND OWNER- SHIP SPLIT FROM GONSALES; SCC 2/25/00

15. Basis of Claim: Decreed

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
MAY 26 2000
Department of Water Resources
Southern Region

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

1. Water Right No(s).: _____
 Adjudication Claim No(s).: A37-00388B

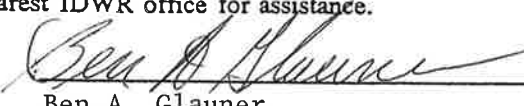
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Melanie J. Gonsales
Route 1, Box 1056, Fairfield, ID 83327

4. New Owner/Claimant(s) Ben A. Glauner
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address P. O. Box 333
 City, State and ZIP Code Bellevue, ID 83313
 New Telephone Number () _____

5. Date you acquired the property May 24, 2000

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) 
Ben A. Glauner

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

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

WARRANTY DEED

For Value Received

Melanie J. Gonsales, a married woman dealing as her sole and separate property

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

Ben A. Glauner, a single man

the grantee(s), whose current address is:

P.O. Box 333
Bellvue, ID 83313

the following described premises, to-wit:

Township 1 North, Range 12, East of the Boise Meridian, Camas County,
Idaho

Section 34: That part of the Northeast Quarter lying North
of the center line of Chimney Creek Road.

SUBJECT TO road rights of way.

RESERVING unto the Grantor, heirs and/or assigns, an easement along the east boundary
of the above described property for the purpose of constructing, maintaining and
repairing a power line, either underground or overhead.
Together with State of Idaho, Department of Water Resources water adjudication
claim #A37-00388B.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s),
his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and
with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that
said premises are free from all encumbrances except current years taxes, levies, and assessments,
and except U. S. Patent reservations, restrictions, easements of record, and easements visible
upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: May 22, 2000


MELANIE J. GONSALES

RECEIVED
MAY 26 2000
Department of Water Resources
Southern Region
73905
recorded at the request of
Gooding Title
at 4:25 P.M.
May 24th, 2000
in Book 32 Page 109
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Kelli Budgett
Fees \$ 3.00

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-00388B**
Date Received: 7/29/1999
Receipt No: X777777
Received By: Scu

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

1. Name: RODNEY GONSALES 208-764-2033
Address: RT 1 BOX 1056
FAIRFIELD ID 83327

AND

Name: MELANIE GONSALES 208-764-2033
Address: RT 1 BOX 1056
FAIRFIELD ID 83327

2. Date of Priority: MAY 1, 1887

3. Source: CHIMNEY CREEK, WEST FORK Trib. to: CHIMNEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	12E	27	SE	SE			CAMAS

5. Description of diverting works:
HEADGATE AND DITCHES, CANVAS DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/31	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER 100 COWS

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	12E	34	NE		NE		IRR	3.9
			NW		NE		IRR	6.5

Section Acres 10.4

Total Acres 10.4

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

POINT OF DIVERSION TAKEN FROM MAP SUBMITTED. NO 40 ACRE TRACT SPECIFIED ON NOTICE OF CLAIM FORM. -VH
PER PHONE CONVERSATION WITH REALTOR ED SMITH, PAMELA DALTON IS THE SURVIVING WIDOW OF KEVIN DALTON.

11/29/99, CHANGED OWNERSHIP: DALTON TO ENGLUND AND KOCH AS PER FORM 1409 AND WARRANTY DEED REC'D 8/9/99. SECOND ADDRESS GIVEN AS PO BOX 187, HAGERMAN ID 83332. C.T.

|
CLAIM IS PART OF SPLIT OF 37-00388 AS ABOVE AND WITH 2ND OWNERSHIP SPLIT FROM GONSALES; SCC 2/25/00.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 20 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 22 2000
Department of Water Resources
Boise, Idaho

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: _____
Adjudication Claim No(s).: A37-0388

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant A Pamela I. Dalton
811 E. 3550 N., North Ogden, UT 84414

4. New Owner/Claimant(s) Rodney Gonsales & Melanie Gonsales
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address Route 1, Box 1056, Fairfield, ID 83327
City, State and ZIP Code _____
New Telephone Number (208) 764-2033

5. Date you acquired the property _____

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. ** Based upon deed attached.*

By scu { Number of acres you irrigate 10.4 Number and type of stock _____
Diversion rate in CFS 0.20 Number of homes _____ Other uses _____

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

7. Signature of New Owner or Claimant(s) Rodney R. Gonsales Melanie J. Gonsales
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

✓ Review & D. Entay: scu 2/25/00

A37-00388 B

WARRANTY DEED

73732

For Value Received

Pamela I. Dalton, A Widow,

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto of

Rodney R. Gonsales And Melanie J. Gonsales,
Husband And Wife.

the grantee(s), whose current address is

Route 1, Box 1056, Fairfield, ID 83327

the following described premises, to-wit:

Township 1 North, Range 12, East of the Boise Meridian, Camas County, Idaho

Section 27: Northwest Quarter of the Southeast Quarter; and
South one-half of the Southeast Quarter.

SUBJECT TO road rights of way.

Section 34: That part of the Northeast Quarter lying North
of the center line of Chimney Creek Road.

SUBJECT TO road rights of way.

Together with Idaho Dept. of Water Resources water right #370388 for .2 CFS-110".

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: February 1, 2000

Pamela I. Dalton
Pamela I. Dalton

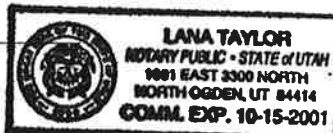
STATE OF UTAH

COUNTY OF WEBER

On This 15TH day of FEB, in the year 2000, before me, a Notary Public in and for said State, personally appeared Pamela I. Dalton, known or identified to me to be the person whose name is subscribed to the within Instrument, and acknowledged to me that she executed the same.

WITNESS my hand and official seal.

Lana Taylor
Notary Public of Utah
Residing at: North Ogden UT
Commission Expires: 10-15-2001



Recorded at the Request of
Gooding Title & Escrow Co
at 3:40 P.M.
FEBRUARY 15, 2000
in Book 32 Page 28
of DEEDS
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Jodi
Fees \$ 3.00

PERSONAL REPRESENTATIVE DEED

PAMELA I. DALTON, Personal Representative of the Estate of KEVIN KING
DALTON, GRANTOR,

conveys to RODNEY R. GONSALES AND MELANIE J. GONSALES, HUSBAND AND
WIFE, GRANTEE

whose address is Route 1, Box 1056, Fairfield, ID 83327,
all right, title, and interest of KEVIN KING DALTON, deceased, in and to the following
described property located in Corral, situated in the County of Camas, State of Idaho:

**Township 1 North, Range 12, East of the Boise Meridian, Camas County, Idaho
Section 27: Northwest Quarter of the Southeast Quarter; and
South one-half of the Southeast Quarter.**

SUBJECT TO road rights of way.

**Section 34: That part of the Northeast Quarter lying North
Of the center line of Chimney Creek Road.**

SUBJECT TO road rights of way.

Together with Idaho Dept. of Water Resources water right #370388 for .2 CFS-110".

Dated this 1st day of February, 2000.

Pamela I. Dalton, Personal Representative
Pamela I. Dalton, Personal Representative of the
Estate of Kevin King Dalton

STATE OF UTAH }
 }ss.
County of WEBER }

On this 1st day of FEB, 2000, before me, the undersigned, a Notary Public in and
for said State, personally appeared PAMELA I. DALTON, known to me to be the Personal Representative of the
Estate of KEVIN KING DALTON, deceased, and acknowledged to me that she executed the same as such
Personal Representative.

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

Lana Taylor
Notary Public
Residing at: North Ogden UT
My commission expires: 10-15-2001



73731
Recorded at the Request of
Gooding Title & Escrow
at 3:35 PM
February 15th, 2000
in Book 32 Page 27
of Deeds
ROLLIE HUBBETT
CAMAS COUNTY RECORDER
By Korri Blodgett
Fees \$ 3.00



GOODING
TITLE & ESCROW
COMPANY

February 18, 2000

Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380

RECEIVED
FEB 22 2000
Department of Water Resources
Bozeman, Montana

Re: 37-0388

Dear Sir or Madame:

Enclosed please find a Notice of Change of Water Right Ownership on the above-referred to water claim. Also enclosed are copies of the recorded Warranty Deeds transferring ownership.

If you need anything further, please feel free to contact our office.

Sincerely,

GOODING TITLE & ESCROW CO.

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.

11/16/2006

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

RIGHT NUMBER: 37-388B
NAME AND ADDRESS: GLENN R KOCH
PO BOX 63
FAIRFIELD ID 83327

THE PATRICIA ENGLUND LIVING TRUST UAD
C/O PATRICIA ENGLUND TRUSTEE
PO BOX 63
FAIRFIELD ID 83327

SOURCE: WEST FORK CHIMNEY CREEK TRIBUTARY: CHIMNEY CREEK
QUANTITY: 0.120 CFS
PRIORITY DATE: 05/01/1887
POINT OF DIVERSION:

T01N R12E S27 NWSEW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.120 CFS

PLACE OF USE: IRRIGATION in CAMAS County

T01N R12E S34	NENE	3.00	T01N R12E S34	NWNE	3.00
---------------	------	------	---------------	------	------

6 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



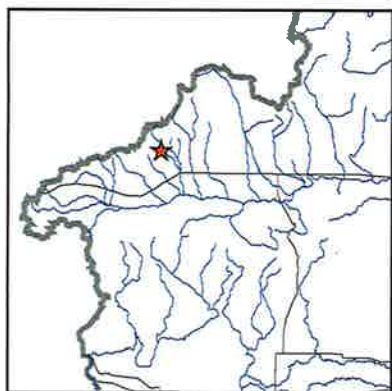
Idaho Department of Water Resources

SRBA Recommendation:

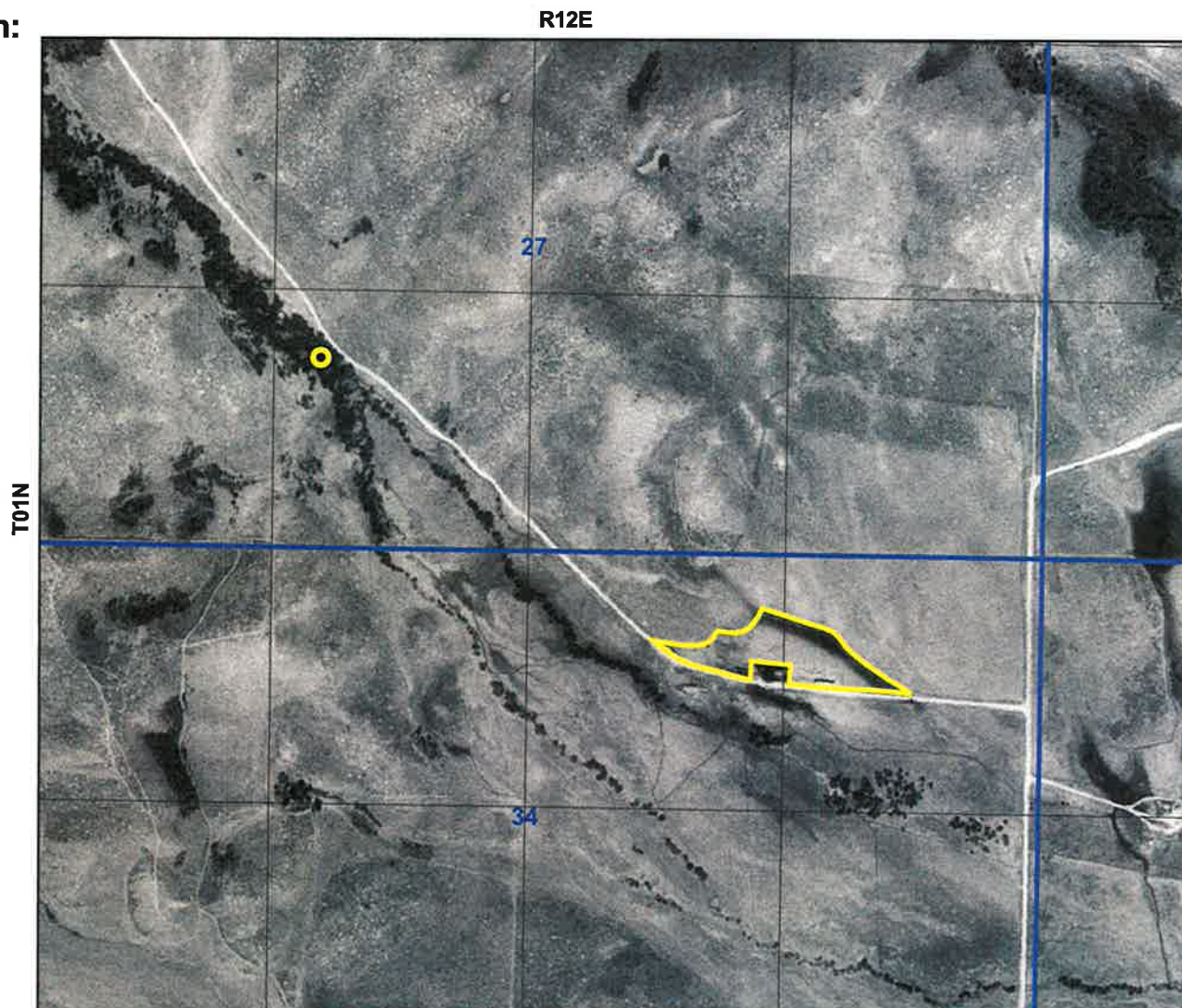
37-388B

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Camas County
IDWR Basin 37



0 0.25 0.5 Miles

Prepared by M. Anders
On Thursday, November 16, 2006
1992 Aerial Photography

RECEIVED

NOV 14 2006

DEPARTMENT
WATER RESOURCES

11/01/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 21, 2006

Water right number: 37-388B

GLENN R KOCH
740 OLD STAGE RD
SALINAS CA 93901
Telephone Number: (831) 444-7475

& The Patricia Englund Living Trust UAD
P.O. Box 63, Fairfield Id 83327

(208) 764-3337 Daytime 208890-3960

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

Acres - 10.4 Quantity CFS - 0.200

3. Give a brief explanation as to why you disagree with these portions:

We purchased this 33 Acres from Rodney Gonzales
With the water rights A 37-00388B melanie "

I AGREE with this proposed recommendation: no changes need to be made.

DATE:

11-9-06

SIGNATURE:

Patricia Englund

Please print your name:

Patricia Englund

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (800)451-4129

11/16/07 - Glenn Koch requested an amended claim to increase diversion rate
for 37-388A to 2.27 cfs, which is the amount of water not
recommended in 37-388B.

SCANNED
NOV 14 2006

Adjudication Claim Notes

Claim(s): 37-388B

Background Data

- Source is West Fork chimney Creek tributary to Chimney Creek
- 37-388 originally decreed for 2.4cfs on 4 QQ
- SRBA Claims:
 - 37-388A claimed 2.2 cfs for Irrigation of 114.6 acres
 - 37-388B claimed 0.2 cfs for Irrigation of 10.4 acres
 - **Total claimed: 2.4 cfs for Irrigation of 125 acres**

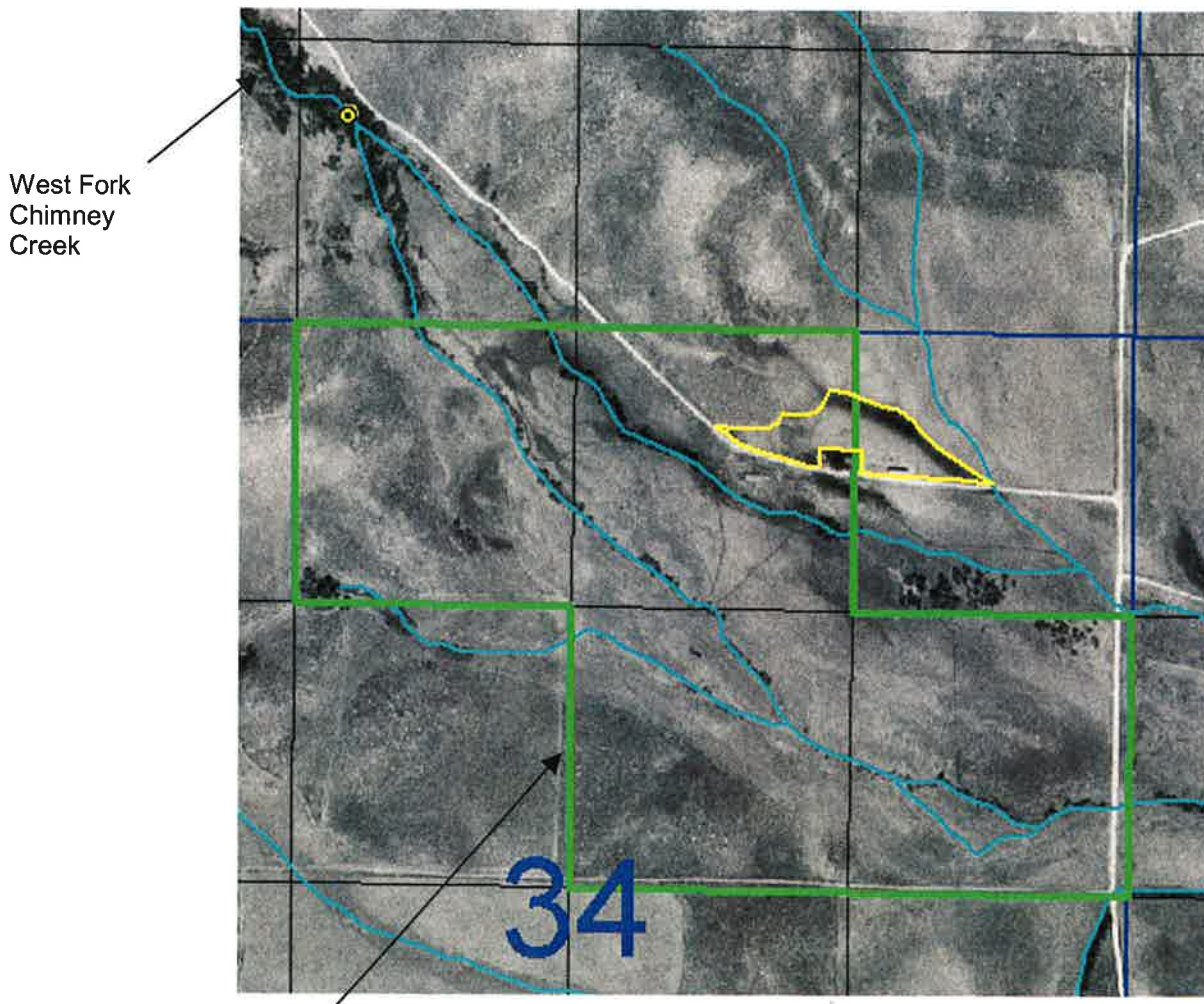
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1992 Aerial Photo



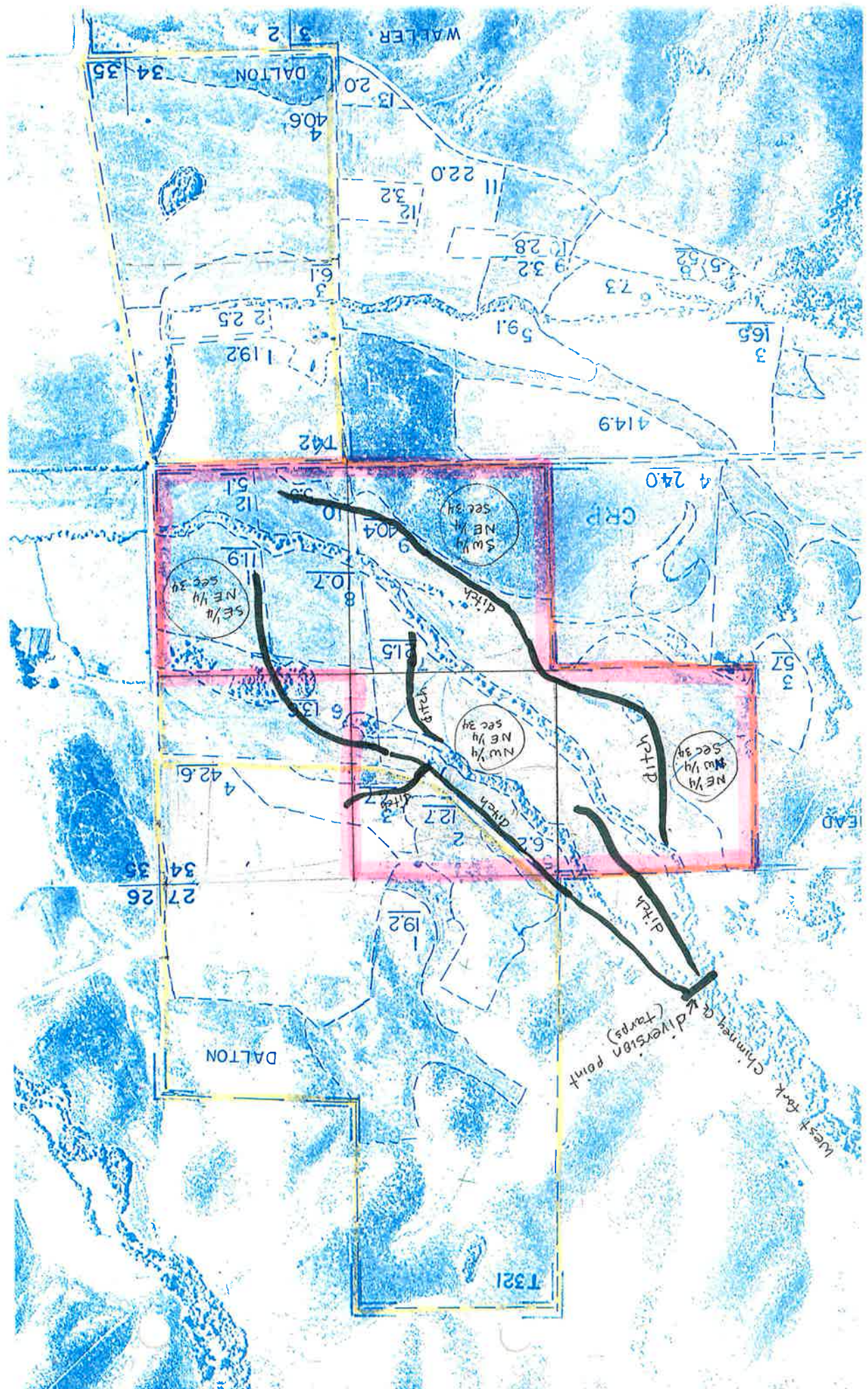
West Fork
Chimney
Creek

Licensed POU
(Green Line)

Notes

T1N R12E Section 34

- Found 6.0 acres for Irrigation
- 1987 aerial photo has error so 1992 photo also used to identify POU.
- Assuming accomplished transfer for POU.
- 11/16/06 talked with Glenn Koch on telephone. I told Mr. Koch that this claim split was proportionally into 10.4 acres north of the road (37-388B) and 114 acres south of the road (37-388A). I only found 6.0 acres of irrigation North of the road, so I only recommended 0.12 cfs. I told him I found 114 acres south of the road so he can amend claim 37-388A for an additional 0.08 cfs that was originally claimed north of the road, but was not recommended. Mr. Koch requested that I send him an amended claim for 37-388A with a diversion rate of 2.28 cfs.
- Recommendation:
 - 37-388A: 2.28 cfs for irrigation of 114 acres
 - 37-388B: 0.12 cfs for irrigation of 6.0 acres
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

November 30, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GLENN R KOCH
PATRICIA R ENGLUND
PO BOX 2394
HOLLISTER CA 95024

Re: SRBA Claim(s) 37-388B

Dear Mr. Koch and Ms. Englund:

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

Sincerely,

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

Trish Fawcett
Technical Records Specialist

Enc.

Water Right Report

[Close](#)

11/16/2001

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report

WATER RIGHT NO. 37-388B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BEN A GLAUNER PO BOX 333 BELLEVUE, ID 83313
Original Owner	PAMELA DALTON 811 E 3550 N OGDEN, UT 84414 (801)786-1574

Priority Date: 05/01/1887

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WEST FORK CHIMNEY CREEK	CHIMNEY CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/31	0.2 CFS	
Total Diversion			0.2 CFS	

Location of Point(s) of Diversion:

CHIMNEY CREEK	SESE	Sec. 27	Township 01N	Range 12E	CAMAS County
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IRRIGATION Use:

Acre Limit: 10.4

Place(s) of use:

Place of Use Legal Description: IRRIGATION CAMAS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	12E	34		NENE	3.9		NWNE	6.5						

Total Acres: 10.4

Remarks:

1.	General	POINT OF DIVERSION TAKEN FROM MAP SUBMITTED. NO 40 ACRE TRACT SPECIFIED ON NOTICE OF CLAIM FORM. -VH PER PHONE CONVERSATION WITH REALTOR ED SMITH, PAMELA DALTON IS THE SURVIVING WIDOW OF KEVIN DALTON. ***** 11/29/99, CHANGED OWNERSHIP: DALTON TO ENGLUND AND KOCH AS PER FORM 1409 AND WARRANTY DEED REC'D 8/9/99. SECOND ADDRESS GIVEN AS PO BOX 187, HAGERMAN ID 83332. C.T. CLAIM IS PART OF SPLIT OF 37-00388 AS ABOVE AND WITH 2ND OWNER- SHIP SPLIT FROM GONSALES; SCC 2/25/00.
----	---------	---

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 37

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



November 21, 2001

RECEIVED

NOV 23 2001

Department of Water Resources
Southern Region

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

Re: A37-00388B

Dear Sir or Madame:

Enclosed please find a Notice of Change of Water Right Ownership to be filed with your office. I have also enclosed a copy of the recorded Warranty Deed and a copy of the Trustee's Deed wherein Ben Glauner's interest reverted back to Melanie Gonsales.

If you need anything further to complete this transfer, please do not hesitate to contact our office.

Sincerely,

GOODING TITLE & ESCROW CO.

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

August 15, 2001

RE: OWNERSHIP CHANGE, FOR ADJUDICATION CLAIM 37-388B

Claimant(s):

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

Sincerely,

Dorothy L. Worley
SRBA Office Specialist

Enclosure
DLW

AJ5809NP
No. A37-003888

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MELANIE GONSALES	05/01/1887	IRRIGATION	04-15 10-31	0.200 CFS	
C	RODNEY GONSALES					
	RT 1 BOX 1056					
	FAIRFIELD ID 83327					
	(208) 764-2033					
TOTAL DIVERSION:					0.200 CFS	

Water Source: CHIMNEY CREEK, WEST FORK

Tributary to: CHIMNEY CREEK

Stage: DECREED

Point(s) of Diversion: TOIN R12E S27

SESE

CAMAS County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		WENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SESW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
01N	12E	34	:	03		06		:					:					:						:	10.4	
TOTAL ACRES																							10.4			

POU County: CAMAS

Non-Irrigation Uses: STOCKWATER 100 COWS

Remarks: GEN POINT OF DIVERSION TAKEN FROM MAP SUBMITTED. NO 40 ACRE TRACT SPECIFIED ON NOTICE OF CLAIM FORM. -VN
PER PHONE CONVERSATION WITH REALTOR ED SMITH, PAMELA DALTON IS THE SURVIVING WIDOW OF KEVIN DALTON.

11/29/99, CHANGED OWNERSHIP: DALTON TO ENGLUND AND KOCH AS PER FORM 1609 AND WARRANTY DEED REC'D 8/9/99. SECOND ADDRESS GIVEN AS PO BOX 187, KAGERMAN ID 83332. C.T.
|
CLAIM IS PART OF SPLIT OF 37-00388 AS ABOVE AND WITH 2ND OWNER-SHIP SPLIT FROM GONSALES; SCC 2/25/00.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 37 Field Inspection Flag:
Presumption Flag:

Audit: 02/25/00 SCLELLAN

WRS809NP
No. 37-00388

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/18/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM E. KOONTZ	05/01/1887	IRRIGATION	00/00 00/00	2.400 CFS	
TOTAL DIVERSION:					2.400 CFS	

Water Source: CHIMNEY CREEK, WEST FORK

Tributary to: CHIMNEY CREEK

Stage: DECREED

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE								
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM	
01N	12E	34	:								:										:						:	

Pou County: CANAS

Dates:	App. Received:	Priority Date:	05/01/1887
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 37 Field Exam Fee:

Audit: 06/18/85 05/28/88 CONVERT

Post-it® Fax Note	7671	Date	# of pages
To Glen	From Jim		2
Co./Dept.	Co. IDWR		
Phone #	Phone #		
Fax #	Fax #		



GOODING
TITLE & ESCROW
COMPANY

May 25, 2000

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

RECEIVED
MAY 26 2000
Department of Water Resources
Southern Region

Re: A37-00388B

Dear Sir or Madame:

Enclosed please find a Notice of Change of Water Right Ownership to be filed with your office. Also enclosed is a copy of the Warranty Deed for your reference. If you have any questions or need anything further, please do not hesitate to contact our office.

Sincerely,

GOODING TITLE & ESCROW CO.

DeNene M. Dixon
Escrow Assisant

/dmd
Encl.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

February 25, 2000

**RODNEY & MELANIE GONSALES
RT 1 BOX 1056
FAIRFIELD ID 83327**

RE: Change of Ownership of SRBA claim 37-00388

Dear Mr. & Mrs. Gonsales,

Pursuant to your request for a change in ownership and/or the notification that you presently own the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owner as you requested for right 37-00388. This resulted in a split of the base right and your new portion is now labeled 37-00388B.

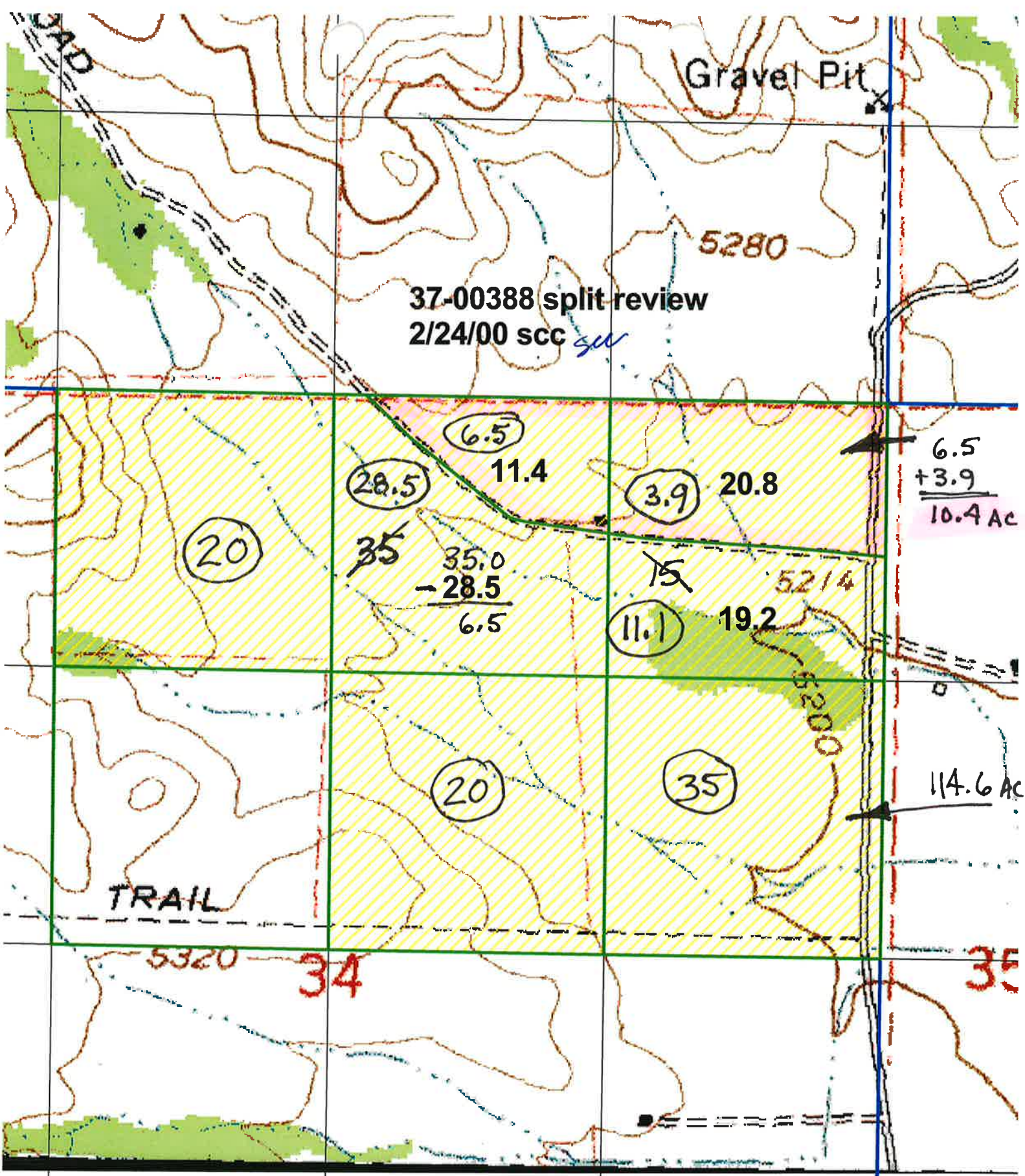
Please find enclosed a copy of your adjudication report, as it now appears in our records. Please refer to this number in your future correspondence with IDWR.

If you have any further corrections or questions please contact our office.

Sincerely,

**STEVE CLELLAND
Sr. Water Resource Agent**

ENC:



A37-00388 B

A37 - 00388 - split
Englund/Koch and Gonsales

$$\frac{2.4}{125 \text{ ac}} = .0192 \text{ per acre}$$

$$\frac{.2 \text{ cfs} - \text{identified in deed}}{.0192 \text{ per acre cfs}} = \underline{\underline{10.416 \text{ ac}}}$$

(Gonsales)

2/24/00
see

$$\frac{2.2 \text{ cfs} \text{ (Englund/Koch)}}{.0192 \text{ cfs/ac}} = \underline{\underline{114.6 \text{ Ac.}}}$$

