

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 37-577BH
Date Received: 9/22/1988
Receipt No: S002471
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MICHAEL B BRUNKER Phone: (208)788-0930
126 FRIEDMAN LN
BELLEVUE ID 83313

BUFFY R BRUNKER Phone: (208)788-0930
126 FRIEDMAN LN
BELLEVUE ID 83313

2. Date of Priority: 03/24/1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	16	SW NE	BLAINE	

5. Description of diverting works:

5 HP PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.18	

7. Total Quantity Appropriated is:
0.18 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	18E	36	NE	NE	IRRIGATION	2
			SE	NE	IRRIGATION	4
					Section Acres	6
					Total Acres	6

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

A CHANNEL LOSS OF 0.02 CFS IS CHARGED AGAINST THIS RT.

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

15. Basis of Claim: Decreed

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

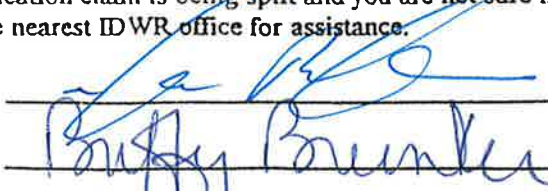
RECEIVED

DEC 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 Number(s) 37-11384, A37-00577BH, R37-12746B
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) Frank J. Lanier then to Joni Benson
3238 N 3250 E , Twin Falls ID 83301
4. New Owner/Claimant(s) Michale B. Bruner and Buffy R. Bruner
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 126 ~~Freedom~~ Lane Friedman Lane
City, State and ZIP Code ~~Twin Falls ID 83301-0550~~ Bellevue 83313
New Telephone Number () 788 - 0930
5. Date you acquired the property 12/14/00
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 12/13/00
Buffy Bruner Date 12/13/00
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.

Order No. 17900

WARRANTY DEED

For Value Received **Frank Lanier and Marilyn E. Lanier, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
Doug M. Benson and Joni L. Benson, husband and wife
whose address is: **2343 A East 3100 South, Jerome, ID 83338**

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

**Lot 2 of Canal Ranch Subdivision, according to the official plat thereof,
recorded as Instrument No. 155744, records of Blaine County, Idaho.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner 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 Grantor will warrant and defend the same from all claims whatsoever.

Dated: **December 13, 1994**

Frank L. Lanier
Frank Lanier

Marilyn E. Lanier
Marilyn E. Lanier

State of Idaho

County of Blaine

On *December 16, 1994* before me, the undersigned, a Notary Public in and for said State, personally appeared **Frank Lanier and Marilyn E. Lanier** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

Signature *Eric M. Quinn*
Residing at Pocatello
Commission Expires: **2/21/97**



BLAINE CO. REQUEST
OF **FIRST AMERICAN TITLE CO.**

1994 DEC 19 A 11:30

DAY GREEN CLERK

FEES *3*

373997

Seed

00-16116

QUITCLAIM DEED

For Value Received **Joni L. Benson, an unmarried woman**

Do hereby convey, release, remise and forever quitclaim unto

Michale B. Bruner and Buffy R. Bruner, husband and wife

Whose current address is **126 Freedom Lane**
Bellevue ID 83313

the following described premises, to-wit:

Any all water rights included but not limited to the following:

WATER RIGHTS NO. 37-11384, A37-00577BH, R37-12746B Located at:

Lot 2, Block 1, of CANAL RANCH SUBDIVISION, Blaine County, Idaho, according to the official plat thereof, recorded in Book 12 of Plats, Page 2, records of Blaine County, Idaho

COPY

Together with their appurtenances.

Dated: December 12, 2000

Joni L. Benson
Joni L. Benson

State of Idaho
County of Blaine

On this 12th day of December 2000, before me, a Notary Public in and for said State, personally appeared Joni L. Benson 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.

Carolyn David
Notary Public
Residing at: Hailey
Comm. Expires: 3-14-2003



SUN VALLEY
TITLE
C O M P A N Y



December 22, 2000

IDAHO DEPARTMENT OF WATER RESOURCES
Southern Region
1341 Filmore Ste. 200
Twin Falls, ID 83301-6105

RECEIVED

DEC 26 2000

Department of Water Resources
Southern Region

Re: Our Order No. 00-16116
Benson (seller) Brunker (buyer)
Lot 2, Canal Ranch Sub.

To Whom It May Concern:

Regarding the above, I have enclosed the following:

- Quitclaim Deed COPY
- Warranty Deed COPY
- Notice of Change of Water Right Ownership Form ORIGINAL

If you have any questions, please call our office.

Sincerely,

Carolyn Baird
Escrow Closing Agent

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: A37-00577BH
Date Received: 9/22/1988
Receipt No: S002471
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK J. LANIER 208-788-2546
Address: P.O. BOX 1007
126 FREEDMOND LN.
HAILEY, ID 83333-0000

2. Date of Priority: MAR 24, 1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	16	SW	NE			BLAINE

5. Description of diverting works:
5 HP PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.180		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	36	NE	NE		IRR	2.0
			SE	NE		IRR	4.0
						Section Acres	6.0

10. Place of Use: Continued

Total Acres 6.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

A CHANNEL LOSS OF 0.02 CFS IS CHARGED AGAINST THIS RT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

HARRIS

Decree Plaintiff

vs

SMITH ET. AL.

Decree Defendant

(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.

MICROFILMED
FEB 23 1993

11/28/2006

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

RIGHT NUMBER: 37-577BH

NAME AND ADDRESS: MICHAEL B BRUNKER
126 FRIEDMAN LN
BELLEVUE ID 83313

BUFFY R BRUNKER
126 FRIEDMAN LN
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.180 CFS

Total rate of diversion includes 0.02 cfs charged for channel loss. The right is limited to 0.16 cfs at the point of redirection.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01N R18E S25 NWSESW Rediversion Within BLAINE County

This right is measured and administered at the point of redirection.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.020 CFS
IRRIGATION	04/15 10/31	0.160 CFS

Mitigation Use is water charged for channel loss.

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S36 NENE 1.60 T01N R18E S36 SENE 4.10

MITIGATION same as IRRIGATION

5.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 5.7 acres in a single irrigation season. Combined Right Nos.: 37-577BH and 37-12746B.

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.

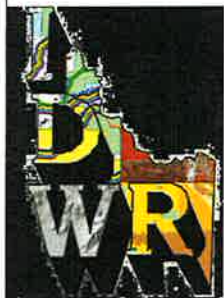
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

Use of this right is combined with water from Base Line Canal Co.

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

This claim represents a portion of water right No. 37-577.



Idaho Department of Water Resources

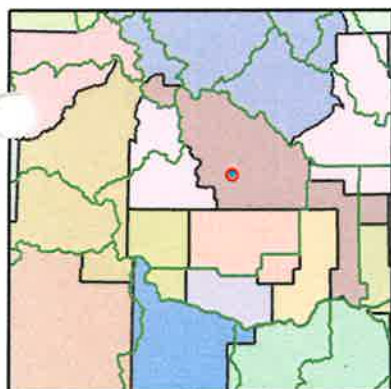
SRBA Recommendation:

37-577BH

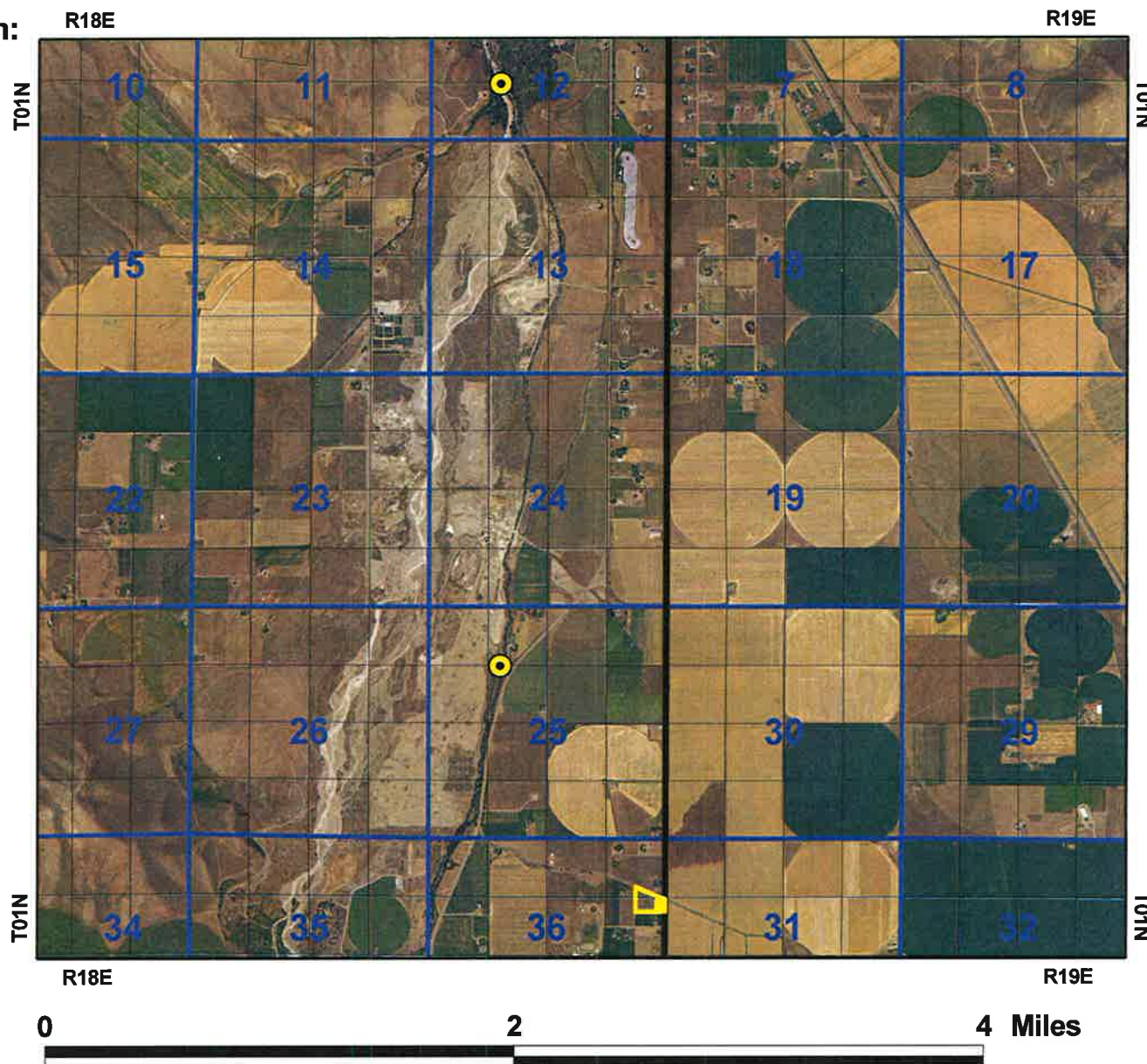
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Owner: Michale B Bruner

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by A. Merritt
On Monday, November 27, 2006
2004 Aerial Photography

37-577BH



11/27/06

Use confirmed by review of WH records.


00	55-C		BASELINE LEXYIS WILLIAM DYE	37-0704	00	/	13	/	1891	1.10	37-1046	2.2
01	55-C	x	BASELINE MICHAEL B BRUNKER	37-0577AE	03	/	24	/	1883	0.10	37-12746B	0.1
02	55-C		BASELINE MICHAEL B BRUNKER-RLR-3	37-0577BH	03	/	24	/	1883	0.16	37-577BH	0.18
03	55-C	y	BASELINE NACHTMAN / WILSON	37-0577-3000000	03	/	24	/	1883	0.23	37-20573	0.23



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

D. Jones

June 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

JUN 23 2000

Department of Water Resources
Southern Region

J D SPRING CREEK RANCH
C/O JUDITH W DAVIS
17645 U S HWY 20
BELLEVUE ID 83313

RE: APPLICATIONS TO LEASE WATER RIGHT NOS. 37-00191, 37-00483, 37-00577BK, 37-00577BH, 37-00648A, 37-00648B, TO THE WATER SUPPLY BANK

Dear Ms Davis:

Returned are the above referenced applications which you submitted to the department on June 14, 2000. I have reviewed the applications together with department records and have determined that the rights can not be accepted into the Water Supply Bank ("bank") for the reasons described below:

- 37-0019 - Water right has been forfeited through more than 5 consecutive years of non-use and is not valid. See Preliminary Order of the department dated May 6, 1994.
- An adjudication claim has been filed on this right in the Snake River Basin Adjudication ("SRBA")
- 37-00483 - Water right has been forfeited through more than 5 consecutive years of non-use and is not valid. See Preliminary Order of the department dated May 6, 1994.
- Adjudication claims showing parts A thru D have been filed in the SRBA

37-00577BH and 37-00577BK

- The place of use for the parts is described as Section 20, T3N, R18E, B.M. which land was determined to have not been irrigated for more than 5 consecutive years in the May 6, 1994 order of the department.
- Adjudication claim no A37-11483 has been filed and claims a total rate which is the sum of the parts of 37-00577BH and 37-00577BK

37-00648A and 37-00648B

- Water right parts have been forfeited through more than 5 consecutive years of non-use and are not valid. See Preliminary Order of the department dated May 6, 1994.
- Claims were not filed on these parts in the SRBA

Enclosed for your information is a copy of the Preliminary Order issued by the department on May 6, 1994. If you have questions, please feel free to contact the department.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." being small and the last name "Saxton" being larger and more prominent.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 7

c: IDWR Regional Office
✓ Doug Jones

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A37-00577BH,

A37-11384 & A37-12746

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

IDWR Employee/Agent Steve Clelland

December 16, 1994 10:20am

NAME:
NINA @ FIRST AMERICAN TITLE

RE:
FRANK LANIER CLAIMS

SHE CALLED TO ASK WHAT THEY NEED TO DO TO CHANGE A WATER RIGHT TO A NEW OWNER. THEY PLAN TO LIST 37-00577BH AND A37-11384 IN THE WARRANTY DEED... I EXPLAINED THE WATER RIGHTS AUTOMATICALLY GO TO THE NEW OWNER IN A SALE. THE NEW OWNER IS RESPONSIBLE TO FILE A CHANGE OF OWNER IN THE SRBA, I WILL SEND THE FORMS AND SUMMARIES OF THE WATER RIGHTS YOU GAVE ME.

SEND TO: FIRST AMERICAN TITLE
ATTN: NINA
PO BOX 756, KETCHUM 83340

PHONE: 726-5688

December 16, 1994 10:28am

NAME:
FRANK LANIER CALLBACK

RE:
MORE CLAIMS

HE SAID HE HAS MORE WATER RIGHTS THAN MENTIONED BEFORE. AJQ1 SEARCH OF HIS NAME SHOWS: A37-00577BH & A37-11384. ONE FOR 9" AND ONE FOR A DOMESTIC USE. HE SAYS HE HAS 5" W/ ANOTHER RIGHT FROM JAN LEE. AJQ1 SEARCH SHOWS JANET LEE/JANET ARGILE A37-12746 7.5". HE SAYS A TRANSFER WAS FILED IN ~1990 TO GIVE HIM 5". I WILL LOOK FOR THE TRANSFER WHICH MAY BE IN PROCESS OF AJ UPDATE AND CALLBACK OR HE CAN CALLBACK LATER ALSO.

MICROFILMED
NOV 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 16, 1994

FIRST AMERICAN TITLE
ATTN: NINA
PO BOX 756
HAILEY ID 83333

RE: Change of Ownership Information

Dear Nina,

Enclosed please find the Change of Ownership form 42-1409(7) used to notify IDWR of ownership changes in the SRBA. Included are the proof reports of the SRBA claims listed in the name of Frank Lanier: A37-00577BH, A37-11384 & A37-12746B.

If you have further questions please contact our office.

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

MICROFILMED
NOV 22 1996