

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: A37-00604C
Date Received: 10/26/1988
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: VICKI FRANCES CARNES
Address: PO BOX 2949
KETCHUM ID

208-788-1830

83340

2. Date of Priority: JUN 3, 1887

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	12	NW	SE	SW		BLAINE

5. Description of diverting works:
DIVERSION DAM, HEADGATE, CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.532		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	22	NE	SE		IRR	10.0
			NW	SE		IRR	10.0

Section Acres 20.0

10. Place of Use: Continued

Total Acres 20.0

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:
 37-07775C

14. Remarks:

CLAIM SPLIT ON 5-2-95 BASED UPON AN ASSIGNMENT OF PERMIT FORM
COMPLETED AND SIGNED BY ROD KEGLEY. KKC
THE PLACE OF USE IS LOCATED WITHIN LOT 3B, ROCKING CHAIR R RANCH
SUBDIVISION.

3/7/2000 TF; OWNERSHIP CHANGED DALEY TO CARNES PER 1409(6) AND
DEEDS REC'D 2/14/2000.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET AL

Decree Plaintiff

ALTURAS WATER CO., ET AL

vs Decree Defendant



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

March 7, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

VICKI FRANCES CARNES
PO BOX 2949
KETCHUM ID 83340

RE: SRBA Claim(s) A37-00604C, A37-07775C

Dear Ms. Carnes:

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

Sincerely,

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

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED
FEB 14 2000
Department of Water Resources
Snake River Basin

**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 No(s): A37-07775C
Adjudication Claim No(s): A37-00604C
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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim 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 JOHN W. DALEY and CONSTANCE ARONSON-DALEY
P.O. BOX 2949, KETCHUM, ID 83340
4. New Owner/Claimant(s) VICKI FRANCES CARNES
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P.O. BOX 2949
City, State and ZIP Code KETCHUM, ID 83340
New Telephone Number (208) 788-1830
5. Date you acquired the property February 19, 1999
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners**. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____
7. Signature of New Owner(s) or Claimant(s) Vicki Frances Carnes
- 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.

QUITCLAIM DEED

For Value Received

John W. Daley, an unmarried individual, as to an undivided 1/2 interest and Vicki Carnes, an unmarried individual, as to an undivided 1/2 interest

do hereby convey, release, remise and forever quit claim unto

Vicki Frances Carnes, an unmarried woman

whose address is: P.O. Box 2949, Ketchum, ID 83340

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

Lot 3B and an undivided 1/4 interest in Parcel B of A REPLAT OF LOT 3A OF ROCKING CHAIR R RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 348483, records of Blaine County, Idaho.

together with their appurtenances.

Dated: February 19, 1999

John W. Daley
John W. Daley

Vicki Carnes
Vicki Carnes

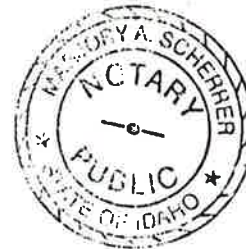
State of Idaho

County of Blaine

On February 24, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared John W. Daley personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Signature Margaret A. Scherer
Residing: Hq. 1st
Commission Expires: 5-15-2004



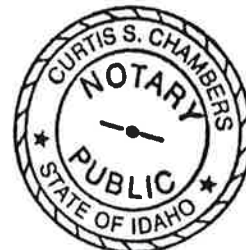
State of Idaho

County of Blaine

On FEBRUARY 22, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Vicki Carnes personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS my hand and official seal.

Signature Curtis S. Chambers
Residing: HAILEY
Commission Expires: 5-15-2004





Order No. 19248

QUITCLAIM DEED

For Value Received Constance L. Aronson, who acquired title as Constance L. Aronson-Daley

does hereby convey, release, remise and forever quit claim unto John W. Daley, a single man and Vicki F. Carnes, a single woman, each as to an undivided 1/2 interest

whose address is: P. O. Box 2949, Ketchum, Idaho 83340

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

ANY AND ALL INTEREST THAT SAID GRANTOR HAS IN THE FOLLOWING DESCRIBED PROPERTY:

Parcel B of A REPLAT OF LOT 3A OF ROCKING CHAIR R RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 348483, records of Blaine County, Idaho.

THIS DEED IS BEING RECORDED TO CORRECT THE LEGAL DESCRIPTION OF THAT CERTAIN QUITCLAIM DEED RECORDED AS INSTRUMENT NO. 374518 TO INCLUDE PARCEL B.

together with their appurtenances.

Dated: June 26, 1996

Constance L. Aronson
Constance L. Aronson

State of Idaho

County of Blaine

On this 27th day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared Constance L. Aronson personally known to me (or proved to me on the basis of satisfactory evidence) 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.

Signature Constance L. Aronson

Commission Expires: 7-12-2000



031972

Deed

ON REQUEST
FIRST AMERICAN TITLE CO.

'96 JUN 3 PM 3 47
Mary Greenclerk ymPP
FEES: 3.00

Order No. 19248

For Value Received John W. Daley and Vicki F. Carnes interest and Vicki F. Carnes interest

do hereby convey, release, remise and forever quit claim unto

John W. Daley, a single man and Vicki F. Carnes, a single woman, each as to an undivided 1/2 interest whose address is: P. O. Box 2949, Ketchum, Idaho 83340

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

Lot 3B and all of ROCKING CHAIR R RANCH SUBDIVISION, recorded as Instrument No. 348483, records of Blaine County, Idaho.

together with their appurtenances.

Dated: June 26, 1996

John W. Daley
John W. Daley

State of Idaho

County of Blaine

On June 27, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared John W. Daley and Vicki F. Carnes, the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

Signature John W. Daley
Residing at: P.O. Box 2949, Ketchum, Idaho 83340
Commission Expires: 7-12-2000

Order No. 19248

QUITCLAIM DEED

For Value Received John W. Daley, a single man, as to an undivided 1/2 interest and Vicki F. Carnes, a single woman, as to an undivided 1/2 interest

do hereby convey, release, remise and forever quit claim unto

John W. Daley, an unmarried individual, as to an undivided 1/2 interest
and Vicki Carnes, an unmarried individual, as to an undivided 1/2
interest
whose address is: P.O. Box 2919, Ketchum, ID 83340

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

Lot 3B and an undivided 1/4 interest in Parcel B of A REPLAT OF LOT 3A OF ROCKING CHAIR R RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 348483, records of Blaine County, Idaho.

together with their appurtenances.

Dated: June 28, 1996

John W. Daley

Vicki F. Carnes

State of Idaho

County of Blaine

County of Blaine

On Dec 28 1992 before me, the undersigned, a Notary Public in and for said State, personally appeared John W. Daley and Vicki F. Carnes 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: [Signature]
Residing at: Pleabo, ID
Commission Expires: 2-21-97



491973

12. REQUEST
FIRST AMERICAN TITLE CO.

56 JUL 3 PM 3 47
Mary Green CLERK YNPP
FEES 3

QUITCLAIM DEED

FOR VALUE RECEIVED, CONSTANCE L. ARONSON, does hereby convey, release, remise and forever quit claim unto JOHN W. DALEY, as his sole and separate property, of P.O. Box 2949, Ketchum, Idaho, 83340, all of her right, title and interest in the following described premises situated in the County of Blaine, State of Idaho, to-wit:

Lot 3B, Block 1 of A REPLAT OF LOT 3A, ROCKING CHAIR R RANCH SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded December 31, 1992, as Instrument No. 348483, records of Blaine County Idaho.

Together with an undivided one-sixth (1/6) interest in State of Idaho Water Right No. 37-07775A and 26 inches of State of Idaho Water Right No. A37-00604.

and

1/7 undivided interest in irrigation main line and well in "as in" condition.

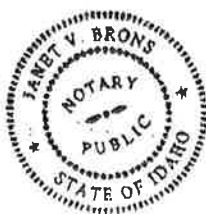
together with their appurtenances.

DATED this 29 day of December, 1994.

C. ARONSON
CONSTANCE L. ARONSON

STATE OF IDAHO)
) ss.
County of Blaine)

On this 29th day of December, 1994, before me, a Notary public in and for said State, personally appeared CONSTANCE L. ARONSON, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Janet V. Brons
Notary Public for Idaho
Residing at: Boise, Idaho
My commission expires: 12/24/2000

REQUEST

Luboviski, Et al

1995 JAN - 11 AM 13

CLERK

3

374518

When recorded, return to:
Blaine County Title
P.O. Box 3176
Ketchum, Idaho 83340



THIS DEED OF 1
Between

(Donor)

whose address is:

BLAINE COUNTY

(Secured Party)

whose address is:

WITNESSETH:
TRUST, WITH P
follows, either loc

Lot 3B, BL
BLAINE COU
December 2
Idaho.

Together w
Water Right
No. A37-00

and

1/7 undiv
condition.

TOGETHER WITH
encumbrances, liens
with the premises,
right, buildings, or
to be fixtures and

TOGETHER WITH
after given to and
again in collection

FOR THE PURPOSE
other documents

DOLLARS (\$
further sums as
protect the same
advances of extra
making of such
that it shall stand
note

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

RECEIVED

JUN 12 1991

Ident. Number: A37-00604A
Date Received: 10/26/1988
Receipt No: M001776
Received By: _____

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROD KEGLEY 208-726-8190
Address: BOX 2063
KETCHUM, ID 83340

2. Date of Priority: JUN 3, 1887

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	12	NW	SE	SW		BLAINE

5. Description of diverting works:
DIVERSION DAM, HEADGATE, CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 362.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	22	SW	NE		IRR	40.0
			SE	NE		IRR	39.1
			NE	SE		IRR	39.1
			NW	SE		IRR	26.8

A37-00604A

Page 1

Date: 05/24/91

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Section Acres 145.0

Total Acres 145.0

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:
APPLICATION FOR PERMIT 37-7775

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET AL
Decree Plaintiff

ALTURAS WATER CO., 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 _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

JUN 12 1991

Department of Water Resources
Southern Region Office

MICROFILMED

FEB 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 24, 1991

Rod Kegley
Box 2063
Ketchum, ID. 83340

RECEIVED

JUN 12 1991

Department of Water Resources
Southern Region Office

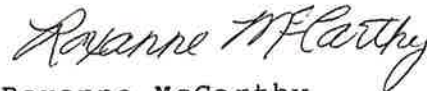
RE: Snake River Basin Adjudication (SRBA)
Blaine County - A37-00604A
Identification Number Change

Dear Mr. Kegley,

The Identification Number of your Notice of Claim to a Water Right has been changed from A37-00604 to A37-00604A. The suffix "A" has been added to the number in order to distinguish your claim from other claims that may claim a portion of the same original water right. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this record number in any future inquiries or correspondence.

Sincerely,



Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

Enclosure:
Claim A37-00604A

Attach to this
one and file
under A37-00604A

MICROFILMED

FEB 23 1993

LUBOVISKI, WYGLE, FALLOWFIELD & WILLIAMSON, P.A.

ATTORNEYS AT LAW

SUITE 205 • THE STATION
460 SUN VALLEY ROAD
P.O. BOX 1172
KETCHUM, IDAHO 83340-1172
(208) 726-8219
FAX (208) 726-3750

BARRY J. LUBOVISKI
JANET C. WYGLE
ROBERT L. FALLOWFIELD
NED C. WILLIAMSON

February 7, 2000

RECEIVED
FEB 14 2000
Department of Water Resources
Griffiths Hall

Mr. Kelly K. Christensen
Senior Water Resource Agent
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: Change of Ownership of Snake River Basin Adjudication Claim A37-00604C and
Water Right No. A37-07775C

Dear Mr. Christensen:

Pursuant to our phone conversation of February 4, 2000, enclosed please find a Notice of Change of Water Right Ownership regarding the above-referenced claim and water right. In addition, I have enclosed copies of Deeds which reflect the chain of title from the previous holders, John W. Daley and Constance Aronson-Daley, to Vicki Frances Carnes. Pursuant to our phone conversation, it is my understanding that there are aerial photos showing the irrigated acres and the points of diversion in the files regarding this water right and this claim.

If you have any questions or if I can provide any further information, please don't hesitate to contact me at your earliest convenience and thank you for your assistance.

Sincerely,

LUBOVISKI, WYGLE, FALLOWFIELD
& WILLIAMSON, P.A.

Barry J. Luboviski

Barry J. Luboviski

BJL/jrs
encl.

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: **A37-00604C**

Date Received: 10/26/1988

Receipt No: X777777

Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN W DALEY

Address: PO BOX 2949

KETCHUM ID

83340

AND

Name: CONSTANCE ARONSON-DALEY

Address: PO BOX 2949

KETCHUM ID

83340

2. Date of Priority: JUN 3, 1887

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	12	NW	SE	SW		BLAINE

5. Description of diverting works:

DIVERSION DAM, HEADGATE, CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.532		

7. Total Quantity Appropriated is:

0.532 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

**MICROFILMED
NOV 22 1996**

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	22	NE	SE		IRR	10.0
			NW	SE		IRR	10.0
Section Acres							20.0
Total Acres							20.0

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:
37-07775C

14. Remarks:

CLAIM SPLIT ON 5-2-95 BASED UPON AN ASSIGNMENT OF PERMIT FORM
COMPLETED AND SIGNED BY ROD KEGLEY. KKC
THE PLACE OF USE IS LOCATED WITHIN LOT 3B, ROCKING CHAIR R RANCH
SUBDIVISION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET AL
Decree Plaintiff

ALTURAS WATER CO., ET AL
vs Decree Defendant

MICROFILMED
NOV 22 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

RECEIVED

JUN 20 1994

I, Rod Kegley, hereby assign to John W. Daley
(Permit Holder) Department of Water Resources
 of P. O. Box 2949, Ketchum, ID. 83340 and Constance Aronson Daley
(Full Address) Southern Region Office

All my right, title, and interest in and to Permit No. N/A
 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
 Permit No. A37-00604A to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

Assignment of 26.6 inches of surface water

Right A37-00604A for use on 20 acre parcel

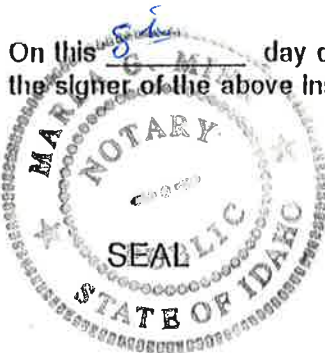
Lot #3B Rocking Chair R Ranch Sub.

Made this 8 day of June, 19 94.

Rod Kegley
 Permit Holder(s)

State of Idaho)
 County of Blaine) ss

On this 8th day of June, 1994, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Mark G. Mink
 Notary Public

My commission expires: 12/01/94

Signature

MICROFILMED

NOV 22 1996

This map is a photographic reproduction of that on file in either the Recorder's or the Surveyor's Office. The company assumes no liability for variation, if any, with another or re-survey. Courtesy Of:
First American Title Co.
Box 756
Ketchum, Idaho 83340

ROCKING CHAIR R RANCH SUBDIVISION

A REPLAT OF LOT 1, BLOCK 1, BITTON RANCH SUBDIVISION
IN THE E.1/2, S.22, T.1N., R.18E., B.M., BLAINE COUNTY, IDAHO
OCTOBER 1988



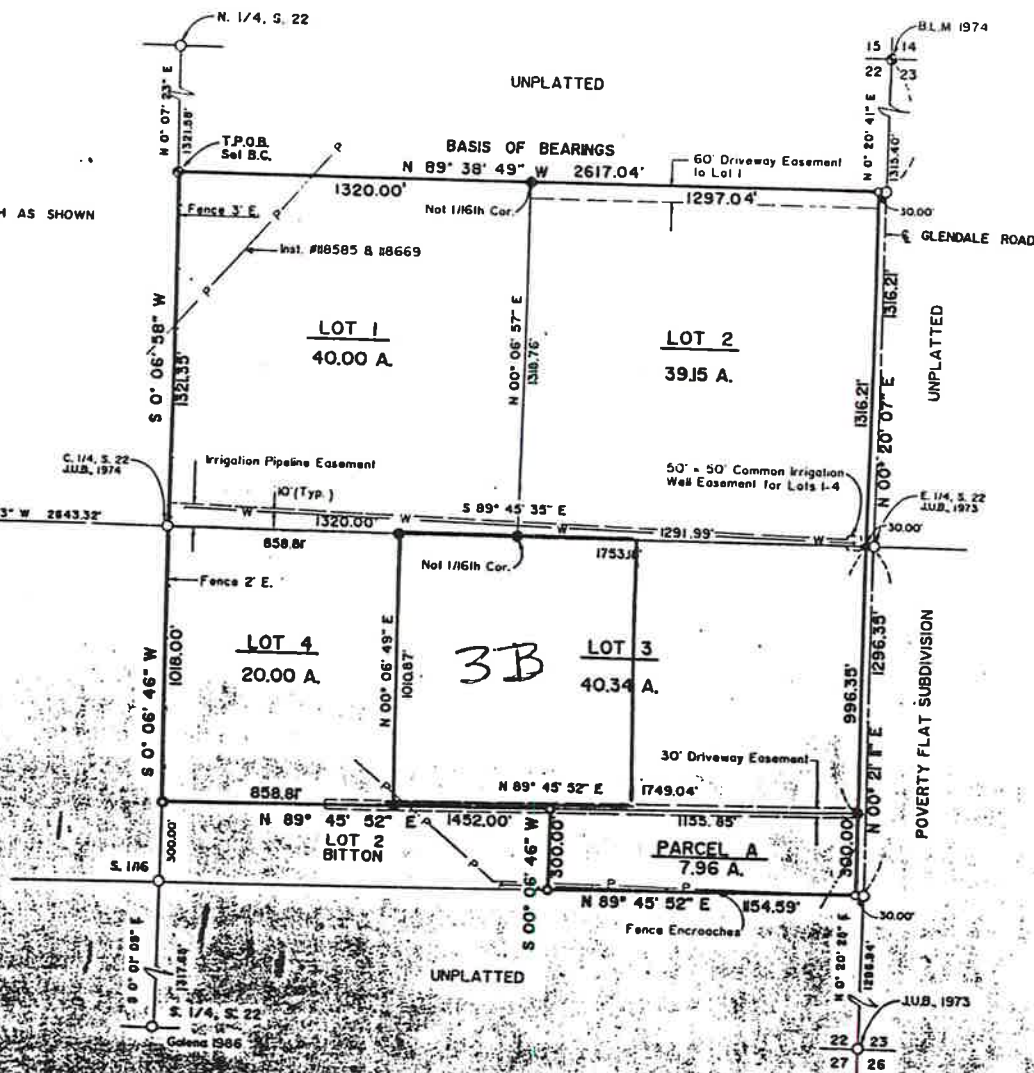
RECEIVED

JUN 20 1994

Department of Water Resources
Southern Region Office

LEGEND

- BRASS CAP
- FOUND 5/8" REBAR, JUB. 1974
- FOUND 1/2" REBAR, JUB.
- SET 1/2" REBAR
- FOUND 1/2" REBAR, L.S. 3621, 1987
- P- POWER LINE EASEMENT
- C- 10' CANAL EASEMENT
- W- IRRIGATION PIPE LINE EASEMENT, WIDTH AS SHOWN
- SET 5/8" REBAR



NOTES

1. All new utilities will be underground.
2. Maintenance and weed control for all lots are the responsibility of the developer until the lot is sold and thereafter the responsibility of the owner of the lot.
3. Any roads will be privately owned and maintained.
4. A 10' Canal and Utility Easement exists along all exterior boundaries and as shown on Parcel A.
5. Parcel A shall be considered unbuildable and must be attached to Lot 2, Bitton Ranch Subdivision.
6. A Power Line Easement of unidentified location exists across N 1/2, SE 1/4, of said Section 22 (Inst. No. 95240).
7. Due to lack of fire protection, there shall be a minimum of 100 foot setbacks from property lines, except for the West side of Lot 3 which shall have a minimum setback of 200 feet.
8. The existing irrigation well located on Lot 2 is designated for the common use of Lots 1-4.

Richard D. Fasbury
10/26/88

Richard D. Fasbury, L.S. 3621

ROCKING CHAIR R RANCH SUBDIVISION

GALDRA ENGINEERING, INC.
KETCHUM, ID.

SHEET 1 OF 2

MICROFILMED
NOV 22 1995

MICROFILMED
NOV 22 1995

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: A37-00604
Date Received: 10/24/1988
Receipt No: MOO 1776
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROD KEGLEY
Address: BOX 2063
KETCHUM, ID 83340
208-726-8190

2. Date of Priority: JUN 03, 1887

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
01N	18E	12	NW	SE	SW		BLAINE

5. Description of diverting works:
DIVERSION DAM, HEADGATE, CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 362.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	22	SW	NE		IRR	40.0
			SE	NE		IRR	39.1
			NE	SE		IRR	39.1

A37-00604

Page 1

Date: 10/24/88

MICROFILMED

FEB 23 1993

KEGLEY

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	22	NW SE		IRR	26.8

Section Acres 145.0

Total Acres 145.0

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:
APPLICATION FOR PERMIT__37-7775

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET AL
Decree Plaintiff

vs

ALTURAS WATER CO., ET AL
Decree Defendant

KEGLEY

MICROFILMED

FEB 23 1993

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: 3

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): Paul 158 Date: 10-26-88
_____ Date: _____

State of Idaho)
County of BLAINE) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of October 19 88 Barry J. Sulowski
Notary Public

Seal

Residing at Ketchum
My Commission Expires 1991

KEELEY

MICROFILMED
FEB 23 1993

COPY

DISTRICT COURT - 5th JUDICIAL DISTRICT
TWIN FALLS, IDAHO
FILED
2008 APR 4 10 11 AM '08

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

SUBCASE NO. 37-604C, 37-7775C

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

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 *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:

4/3/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4/4, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Vicki Frances Carnes
PO Box 1812
Ketchum ID 83340



Signature of person or attorney mailing the form

03/27/2008

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

RIGHT NUMBER: 37-7775C

NAME AND ADDRESS: VICKI FRANCES CARNES
PO BOX 1812
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.400 CFS
70.00 AFY

PRIORITY DATE: 08/02/1988

POINT OF
DIVERSION:

T01N R18E S22 SESENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.400 CFS
70.00 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S22	NESE	10.00	T01N R18E S22	NWSE	10.00
---------------	------	-------	---------------	------	-------

20 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 20.0 acres in a single irrigation season. Combined Right Nos.: 37-604C and 37-7775C.

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 - License

The place of use is located within Lot 3B, Rocking Chair R Ranch Subdivision.

03/27/2008

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

RIGHT NUMBER: 37-604C

NAME AND ADDRESS: VICKI FRANCES CARNES
PO BOX 1812
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.530 CFS

PRIORITY DATE: 06/03/1887

POINT OF
DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.530 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R18E S22 NESE 10.00	T01N R18E S22 NWSE 10.00	
	20 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 20.0 acres in a single irrigation season. Combined Right Nos.: 37-604C and 37-7775C.

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

The place of use is located within Lot 3B, Rocking Chair R Ranch Subdivision.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

April 4, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

VICKI FRANCES CARNES
PO BOX 1812
KETCHUM ID 83340

RE: SRBA Claim(s) 37-604C, 37-7775C

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

RECEIVED

MAR 27 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): 37-7775C V1

37-604C V1

[] Name(s): Vicki Frances Carnes

[] Old Mailing Address: Box 2949

Ketchum Id

83340

[] New Mailing Address: P.O. Box 1812

Ketchum

Idaho 83340

Telephone Number: (208) 460 - 9011

[] Signature(s) of Owner(s) Vicki Carnes

(Include your title if on behalf of company or organization)

Date: 03/15/2008

SCANNED
APR 17 2008

Adjudication Bureau
P. O. Box 83720
 Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$ 00.87
0004389393 NOV 24 2006
MAILED FROM ZIP CODE 83703

a
RECEIVED
DEC 21 2006
DEPARTMENT OF
WATER RESOURCES

VICKI FRANCES CARNES
PO BOX 2949
KETCHUM ID 83340

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

37-604C
37-7775C

12/11/2006

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

RIGHT NUMBER: 37-604C

NAME AND ADDRESS: VICKI FRANCES CARNES
PO BOX 2949
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.530 CFS

PRIORITY DATE: 06/03/1887

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.530 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R18E S22

NESE

10.00

T01N R18E S22

NWSE

10.00

20 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 20.0 acres in a single irrigation season. Combined Right Nos.: 37-604C and 37-7775C.

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

The place of use is located within Lot 3B, Rocking Chair R Ranch Subdivision.



Idaho Department of Water Resources

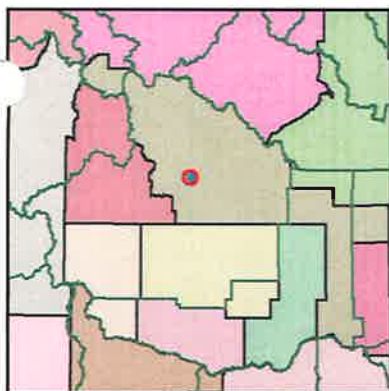
SRBA Recommendation:

37-604C

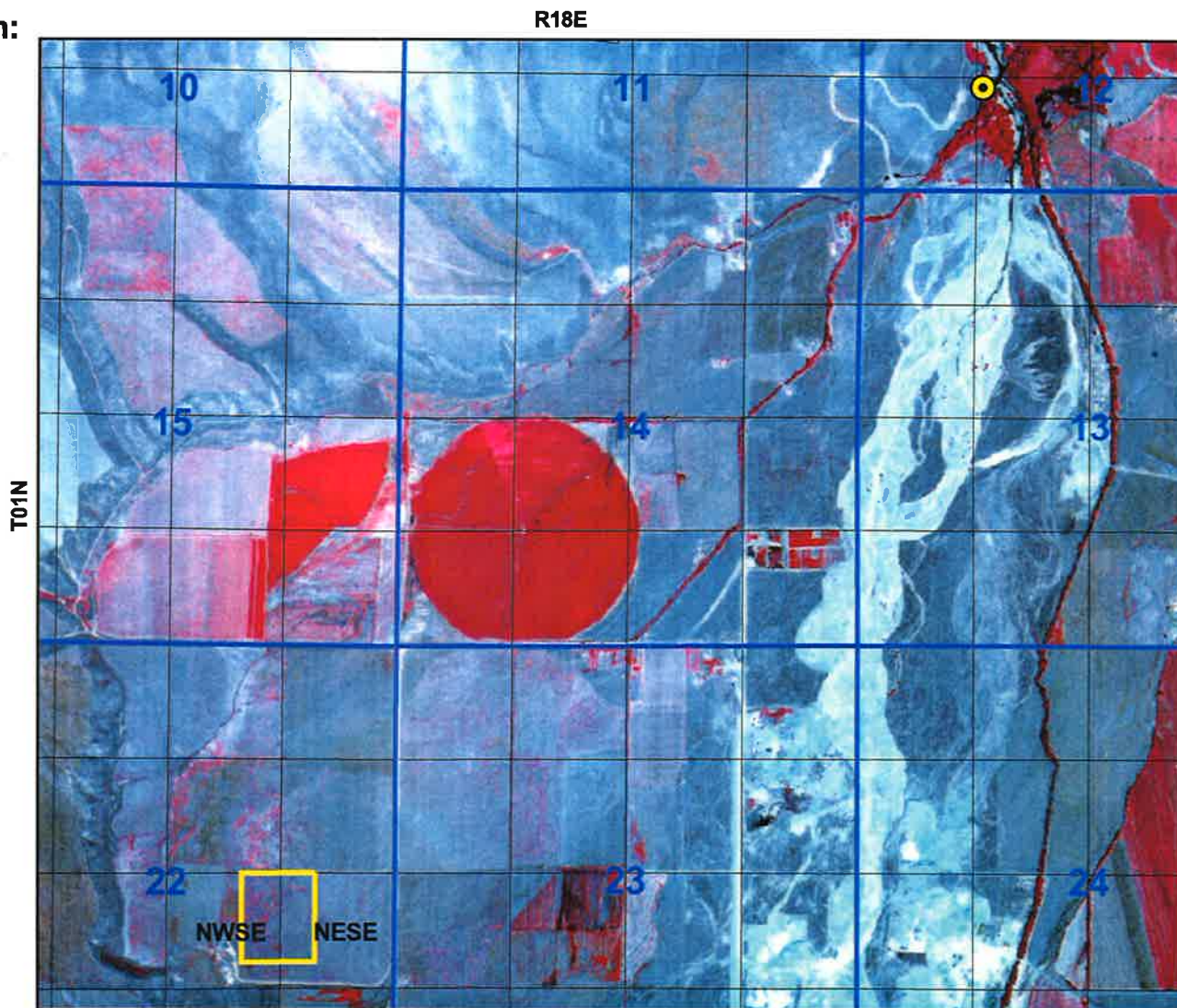
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37

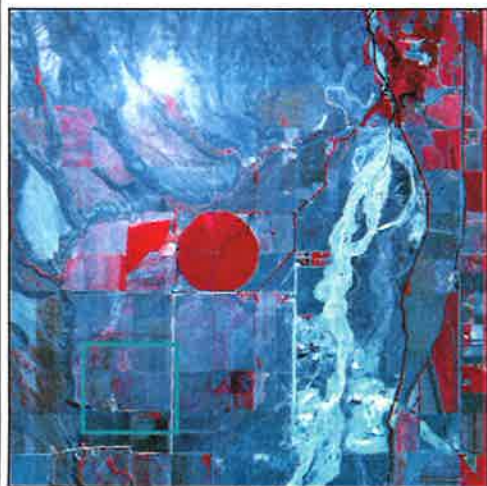
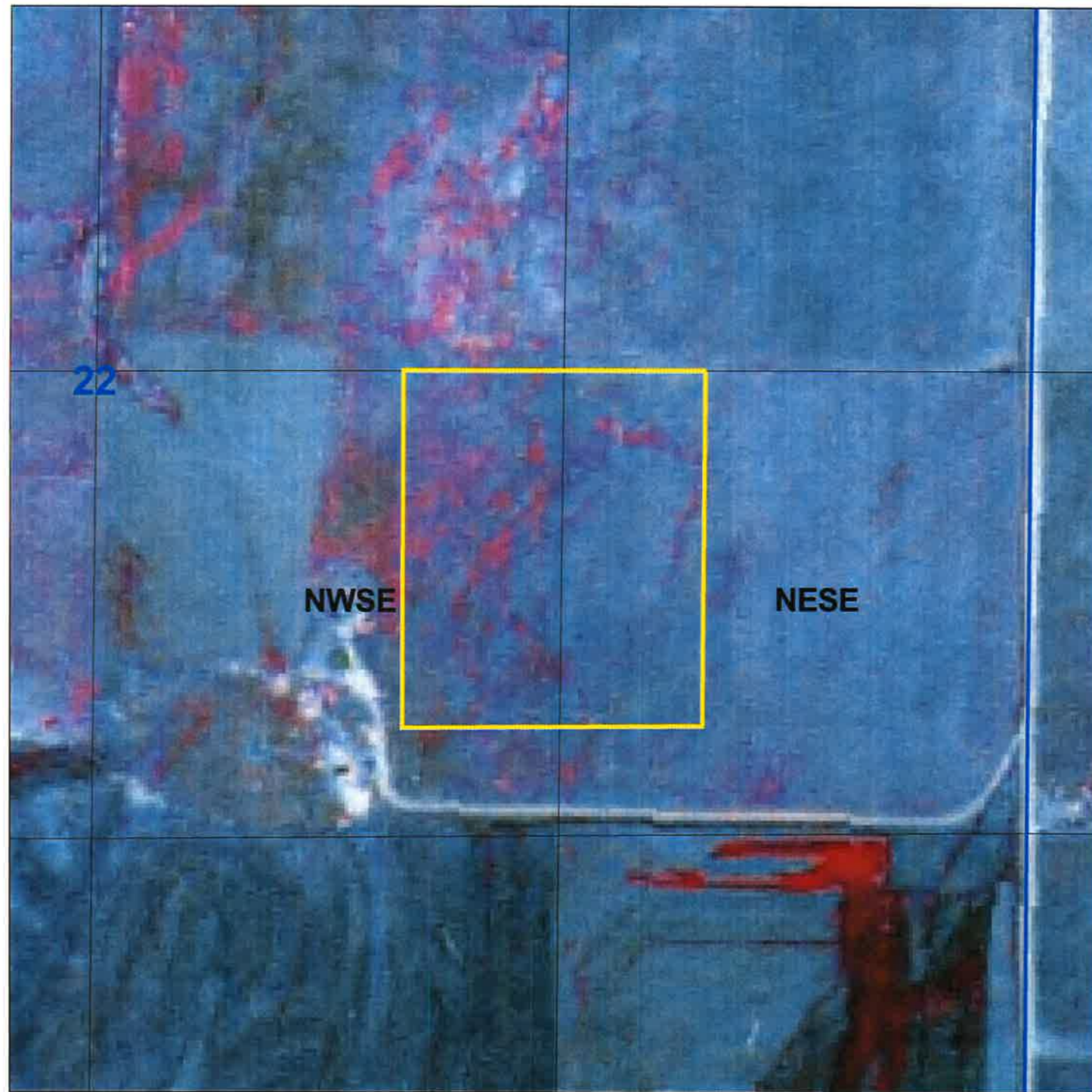


0 0.8 1.6 Miles



Prepared by C. Skinner
On Thursday, November 16, 2006
1987/88 Aerial Photography

37-604C



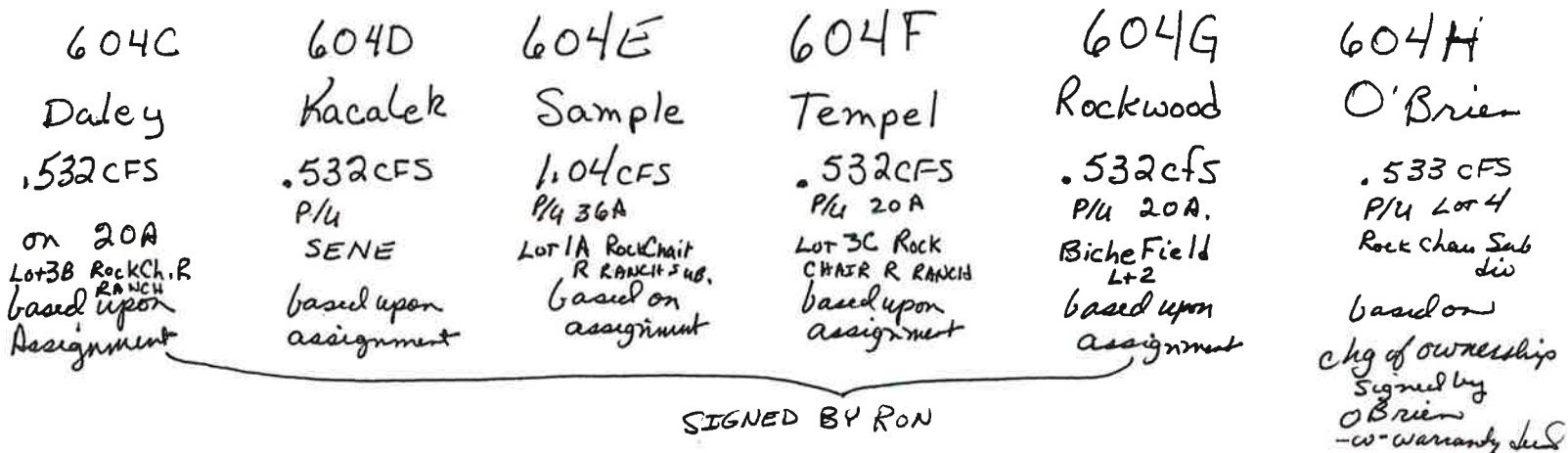
KKC
5-1-95

37-00604 Deeded for 4.00 CFS
CLAIMED AS

A37-00604A
Rod Kegley
4.00 CFS on 145A

A37-00604B
Jeff Bitton
.22 CFS, Sec 22
NWSE 10A

Pending split



Split Totals

604B	.22 CFS
C	.532 CFS
D	.532 CFS
E	1.04 CFS
F	.532 CFS
G	.532 CFS
H	.533 CFS
	3.93 CFS

MICROFILMED
NOV 22 1996

Permit 37-7775

KKC
5-1-95

3.20 CFS for 145 acres

extension of time filed on Aug 31, 1992
for 2.74 CFS & 137 acres

37-7775A

KEGLEY

37-7775B

Dennis O'Brien

.40 CFS Sec 22 NWSE 20A
8-8-94

37-7775C

John W Daley

.40 CFS for Sec 22
NE SE 10 }
NW SE 10 } 20A

transferred 8-8-94

37-7775D

MARGARET KACALEK

.40 CFS for Sec 22

SE NE 20A

transfer 4461 filed

8-8-94

37-7775E

WK SAMPLE

.72 CFS Sec 22

SW NE - 36A

8-8-94

37-7775F

BRIAN W TEMPEL

.40 CFS Sec 22

NE SE 20A

8-8-94

37-7775G

Kelly M Rockwood

.40 CFS Sec 22

SE NE 20A

8-8-94

Split Totals

7775B .40 CFS & 20A

C .40 CFS 20A

D .40 CFS 20A

E .72 CFS 36A

F .40 CFS 20A

G .40 CFS 20A

Totals 2.72 CFS 136 Acres.

MICROFILMED

NOV 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

~~Phillip E. Batt~~
Governor PHILLIP E BATT

R. KEITH HIGGINSON
Director

May 2, 1995

JOHN W DALEY
PO BOX 2949
KETCHUM ID 83340

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A37-00604C
CHANGE OF OWNERSHIP

Dear Mr Daley

Enclosed is your copy of the above listed claim as changed and a copy of your ownership change request. Please review this claim to verify that the data is correct.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

MICROFILMED

NOV 22 1996

Old (D) Number -

+ - - - - - Address - - - - - = - +

State- Zip-

+ - - - Status - - - - +

+ - - - - - Tributary - - - - - +
MALAD RIVER

01N 18E 12 SW SW (13) BLAINE

4.000

01N	18E	22	NW NE	01	IRRIGATION	(13)	BLAINE
01N	18E	22	SW NE	01	IRRIGATION	(13)	BLAINE
01N	18E	22	NE SE	01	IRRIGATION	(13)	BLAINE
01N	18E	22	NW SE	01	IRRIGATION	(13)	BLAINE

+ - - Other Rights for Same Use -

+ - Decree Date - +
12/13/1909

FEB 23 1993

W. G. ROFFIN, JR.

Water right number - 37-00604

Adj. flag translation: Standard Water Right Number

+ - - Microfilm Rolls -

+ - - Audit Fields - 02/11/86

05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 08/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 12/13/1909				

KEGLEY

FEB 23 1993

MICROFILMED

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: M001776

Date: 10/26/88
Time: 14:49:19

Received
From: KEGLEY, ROD

Type of Payment	Program A cct	Amount
ADJUDICATION FEE	0410162 9337 6490	\$245.00
Total		\$245.00

CHECK 657

WR/NO: A37-00604 A37-07775

Idaho Department of Water Resources

Region:

Signature:

Ernest Carlier

MICROFILMED

FEB 23 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 24, 1991

Rod Kegley
Box 2063
Ketchum, ID. 83340

RE: Snake River Basin Adjudication (SRBA)
Blaine County - A37-00604X
Identification Number Change

RECEIVED

JUN 12 1991

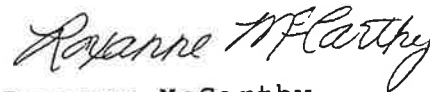
Department of Water Resources
Southern Region Office

Dear Mr. Kegley,

The Identification Number of your Notice of Claim to a Water Right has been changed from A37-00604 to A37-00604A. The suffix "A" has been added to the number in order to distinguish your claim from other claims that may claim a portion of the same original water right. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this record number in any future inquiries or correspondence.

Sincerely,



Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

Enclosure:
Claim A37-00604A

Attach to this
one and file
under A37-00604A

MICROFILMED

FEB 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

~~*CECIL D. ANDRUS*~~
Governor PHILLIP E BATT

R. KEITH HIGGINSON
Director

May 2, 1995

ROD KEGLEY
PO BOX 2063
KETCHUM ID 83340

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A37-00604A SPLIT AND
OWNERSHIP CHANGE

Dear Mr Kegley

Enclosed are copies of the claims as split from the above listed claim. Please review these claims to verify the data entry changes and that these claims were intended to be conveyed to the new owner.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

MICROFILMED
NOV 22 1996

CLAIM NUMBER _____ DATE _____

ADJUDICATION

AGENT _____

	CLAIM NUMBER				NE				NW				SW				SE				TOTAL ACRES
		T N S	R N G	S E C	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	
KEGLEY →	A37-00604A	1N	18E	22			40	39.1									39.1	26.8			145
BUTTON	A37-00604B	1N	18E	22														10			10
KEGLEY	A37-07775						40	39.1									39.1	26.8			145

WATER RIGHTS

	CLAIM NUMBER				NE				NW				SW				SE				TOTAL ACRES
		T N S	R N G	S E C	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	
SPLIT	37-7775	1N	18E	22			40	40									40	40			160
Kegley	37-7775A	1N	18E	22			40	39									29.7	28.3			137
O'Brien	37-7775B	1N	18E	22														20			20

MICROFILMED
NOV 22 1996

KKC.
5-1-95

37-00604 Decreed for 4.00 CFS
CLAIMED AS

A37-00604A
Rod Kegley
4.00 CFS on 145A

A37-00604B
Jeff Bitton
.22 CFS, Sec 22
NWSE 10A

Pending split

604C
Daley
.532 CFS
on 20A
Lot 3B Rock Ch. R.
RANCH
based upon
Assignment

604D
Kacalek
.532 CFS
P/U
SENE
based upon
assignment

604E
Sample
1.04 CFS
P/U 36A
Lot 1A Rock Chait
R RANCH Sub.
Based on
assignment

604F
Tempel
.532 CFS
P/U 20A
Lot 3C Rock
Chait R RANCH
based upon
assignment

604G
Rockwood
.532 CFS
P/U 20A.
Biche Field
L+2
based upon
assignment

604H
O'Brien
.533 CFS
P/U Lot 4
Rock Chait Sub
div
based on
chg of ownership
Signed by
O'Brien
-w- warranty deed

SIGNED BY RON

Split Totals

604B .22 CFS
C .532 CFS
D .532 CFS
E 1.04 CFS
F .532 CFS
G .532 CFS
H .533 CFS
3.93 CFS

MICROFILMED
NOV 22 1996

Permit 37-7775

KKC
5-1-95

3.20 CFS for 145 acres

extension of time filed on Aug 31, 1992
for 2.74 CFS & 137 acres

37-7775A

KEGLEY

37-7775B

Dennis O'Brien

.40 CFS Sec 22 NWSE 20A
8-8-94

37-7775C

John W Daley

.40 CFS for Sec 22
NE SE 10 }
NW SE 10 } 20A

time increased 8-8-94

37-7775D

MARGARET KACALEK

.40 CFS for Sec 22
SE NE 20A

transfer 4461 filed

8-8-94

37-7775E

WK SAMPLE

.72 CFS Sec 22
SW NE-36A

8-8-94

37-7775F

BRIAN W TEMPEL

.40 CFS Sec 22
NE SE 20A

8-8-94

37-7775G

Kelly M Rockwood

.40 CFS Sec 22
SE NE 20A

8-8-94

Split Lots

7775B .40 CFS & 20A

C .40 CFS 20A

D .40 CFS 20A

E .72 CFS 36A

F .40 CFS 20A

G .40 CFS 20A

Lots

2.72 CFS 136 Acres.

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

29-Jun-1993

ROD KEGLEY
PO BOX 2063
KETCHUM ID 83340

RE: CHANGE OF OWNERSHIP FOR A37-00604 AND A37-07775

Dear Mr Kegley

In reviewing your request to split A37-00604 several minor problems were found that require your input. I have enclosed a short place of use summary that gives acreage comparison by claim and quarter quarter.

As another claim has been filed against the original decreed right 37-00604, (claim A37-00604B) your claim has been renumbered from A37-00604 to A37-00604A. Future reference to your adjudication claim should include the suffix 'A'.

Your warranty deed has improperly identified the existing rights with their respective sources and has improperly entered the right numbers. The rights should read;

37-00604A a surface water right
37-07775 a groundwater right

This could present future problems and probably should be corrected with an amended warranty deed.

Adjudication claim A37-07775 was not included in the ownership change request but based upon the assignment of permit for 37-07775 which splits that permit into 37-07775A and 37-07775B and, if all records would have agreed, I would have just included A37-07775 in the change of ownership. However, 37-07775 has several inconsistencies in how the total acres irrigated are identified. The permit lists 160 acres, the total of the split acres after the assignment is 157 acres, and the adjudication claim lists 145 acres. It is not clear how you wish the acres to be identified.

MICROFILMED
NOV 22 1996

KEGLEY
PAGE 2
29-Jun-1993

You request splitting the rights on a 20/150 proportion. While this in itself does not cause a problem in splitting A37-00604A and assuming both rights are for the same place of use, applying the 20/150 rate to this claim and then splitting A37-07775 based upon the assignment of permit split creates an inconsistent place of use and potential diversion rate conflicts.

Before I can complete the change of ownership you requested, I need further direction from you.

If you have any questions please contact this office and I will discuss them with you.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

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