

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 37-679A
Date Received: 11/13/1989
Receipt No: S010433
Received By:

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

1. Name of Claimant(s)

KEITH CLARK
PO BOX 334
GOODING ID USA 83330

Phone: (208)358-3733

2. Date of Priority: 06/01/1885

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	14E	5	SW NE NE 1	CAMAS	

5. Description of diverting works:

PUMP ON STREAM TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	4/01	11/01	0.08	

7. Total Quantity Appropriated is:
0.08 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	14E	5	NE NE 1	DOMESTIC	

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:

P/U IS N1/2 OF LOT 4 OF PHILLIPS CREEK SUBD.

15. Basis of Claim: Decreed

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: A37-00679A
Date Received: 11/13/1989
Receipt No: 5010433
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEITH CLARK 208-934-5918
Address: P.O. BOX 334
GOODING, ID 83330

2. Date of Priority: JUN 01, 1885

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	14E	5	SW	NE	NE	1	CAMAS

5. Description of diverting works:
PUMP ON STREAM TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	04/01	11/01	0.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ WATERING OF 1/2 ACRE AROUND CABIN SITE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	14E	5	NE	NE	1	DOMEST	

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:
A37-13306 FOR CULINARY USE

14. Remarks:
P/U IS N1/2 OF LOT 4 OF PHILLIPS CREEK SUBD.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Keith Clark Date: 11-13-89

Date: _____

State of Idaho)

County of Thur) SS.

Subscribed and sworn (or affirmed) before me this 13th day

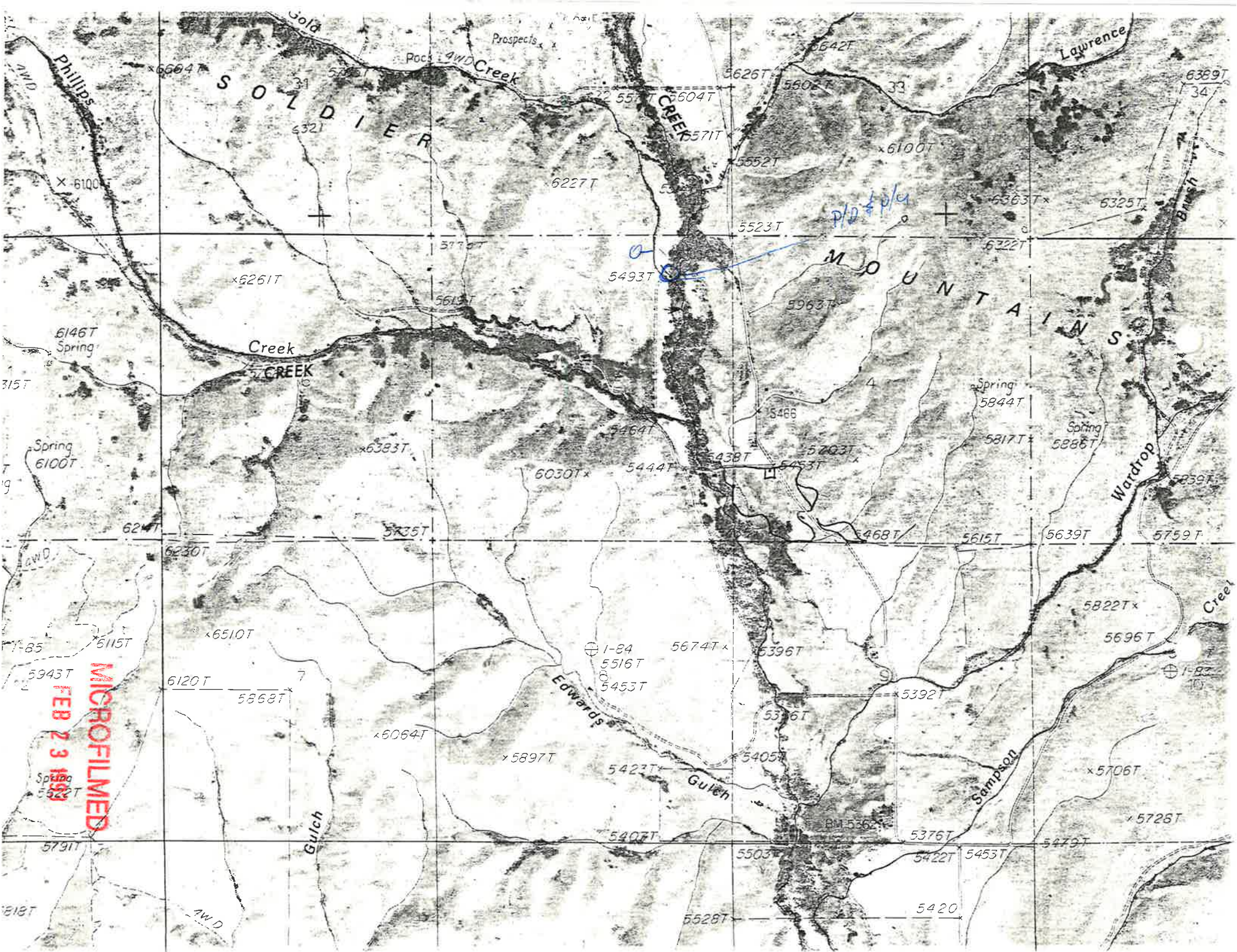
of Nov 19 89

[Signature]
Notary Public

Seal

Residing at Kinsley, Id

My Commission Expires 6/30/92



MICROFILMED

FEB 23 1999

F IDAHO
MENT OF WATER RESOURCES
ore Street, Suite 200
Idaho 83301-3380

SERVICE REQUESTED

37-679A

RECEIVED

AUG 16 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

KEITH CLARK
PO BOX 334
GOODING ID



SCANNED
DEC 10 2010

NIXIE -- RETURN TO SENDER 08-09-10
UNABLE TO FORWARD
UNDELIVERABLE AS ADDRESSED
RETURN TO SENDER --- RETURN TO SENDER

83301334 8003

COPY

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUL 27 2010

By _____ Clerk
Deputy Clerk

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. 37-679A

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

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

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

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

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 7/27/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7-27, 2010, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

2. 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

Blue Lakes Place LLC
3702 Meadow Dr
Boise ID 83706

Keith Clark
PO Box 334
Gooding ID 83330



Signature of person or attorney mailing the form

07/27/2010

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

RIGHT NUMBER: 37-679A

NAME AND ADDRESS: BLUE LAKES PLACE LLC
3702 MEADOW DR
BOISE ID 83706

SOURCE: SOLDIER CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.030 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1885

POINT OF
DIVERSION:

T01N R14E S5 NWNENE Lot 1 Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.030 CFS

PLACE OF USE:

DOMESTIC in CAMAS County

T01N R14E S05 Lot 1 NENE

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



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

July 27, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

BLUE LAKES PLACE LLC
3702 MEADOW DR
BOISE ID 83706

RE: SRBA Claim(s) 37-679A

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

cc: Keith Clark
PO Box 334
Gooding ID 83330

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

RECEIVED
 JUL 26 20
 DEPT. OF WATER RESO
 SOUTHERN REGIC

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
37-679A <u>AD</u>					
37-679A1					
37-13306 <u>PL</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)

Keith Clark

PO Box 334, Gooding, ID 83330

4. New Owner/Claimant(s)

Blues Lakes Place L.L. C.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

3702 Meadow Drive

City, State and ZIP Code

Boise, ID 83706

New Telephone Number

()

5. Date you acquired the property

July 23, 2010

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) Blue Lakes Place L.L.C. by James M. Paxton, member

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 7-26-2010 Fee \$75
 Received by [Signature] Date 7/27/2010 Receipt No. 3031551
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

#EC-483

For Value Received

Teri A. Stone, aka Teri Lester, an unmarried woman

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

Blue Lakes Place, L.L.C., an Idaho Limited Liability Company
Address: 3702 Meadow Dr., Boise, ID 83706

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

LOT 2 OF PHILLIPS CREEK SUBDIVISION, CAMAS COUNTY, IDAHO, ACCORDING TO THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

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

2010 taxes are an accruing line, not yet due and payable until the fourth Monday in November of the current year. The first one-half is not delinquent until after December 20 of the current year, the second one-half is not delinquent until after June 20th of the following year. Taxes which may be assessed and entered on the property roll for 2010 with respect to new improvements and first occupancy, which may be included on the regular property, which are an accruing line, not yet due and payable.

Easements on the recorded plat of said subdivision.

Agreement upon the terms, conditions and provisions contained therein:

Parties: Richard B. Strickland et al and John F. Schoettger, et al

Recorded: June 17, 1987, Instrument No. 63178

Covenants, Conditions and Restrictions recorded as Instrument No. 64481, 64551 and 72307, but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status, or national origin to the extent that such covenants, conditions or restrictions violate 42 USC 3604(c).

Easement granted to Prairie Power Cooperative, Inc., recorded November 26, 1991, as Instrument No. 67027.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 14, 2010

 **CAMAS COUNTY**
RECORDED FOR:
LAND TITLE & EESCROW. IN
11:29:21 am 07-23-2010
2010-083212
NO. PAGES: 2 **FEE: \$13.00**
ROLLIE BENNETT
COUNTY CLERK
DEPUTY: KBLDGETT

Teri A. Stone
Teri A. Stone

STATE OF IDAHO)
COUNTY OF Camas) ss.

On this 19 day of July, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared **Teri A. Stone**, 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.

[Signature]
Notary Public
Residing at: Gooding, ID
My Commission expires: 10/8/10

Lisa Ritter
Notary Public
State of Idaho

06/27/2006

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

RIGHT NUMBER: 37-679A
NAME AND ADDRESS: KEITH CLARK
PO BOX 334
GOODING ID 83330
SOURCE: SOLDIER CREEK TRIBUTARY: CAMAS CREEK
QUANTITY: 0.030 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.
PRIORITY DATE: 06/01/1885
POINT OF DIVERSION:
T01N R14E S5 NWNENE Lot 1 Within CAMAS County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.030 CFS

PLACE OF USE: DOMESTIC Within CAMAS County
T01N R14E S05 Lot 1 NENE

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

RECEIVED

NOV 14 2006

DEPARTMENT OF
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: 37-679A

KEITH CLARK

PO BOX 334

GOODING ID 83330

Telephone Number: (208) 934-5918 - 358 3733

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:

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

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

DATE: 11-9-06

SIGNATURE: Keith Clark

Please print your name: KEITH CLARK

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

SCANNED

NOV 14 2006

Adjudication Claim Notes

Claim(s): 37-679A

Background Data

- Source is Soldier Creek tributary to Camas Creek
- Originally decreed for 2.5 cfs on 4 QQ
- SRBA claims:
 - 37-679A claimed 0.08 cfs for Domestic (irrigation of 0.5 acres)
 - 37-679B claimed 0.08 cfs for Domestic (irrigation of 0.5 acres)
 - 37-679C claimed 0.08 cfs for Domestic (irrigation of 0.5 acres)
 - 37-679D claimed 2.5 cfs for Irrigation of 75 acres

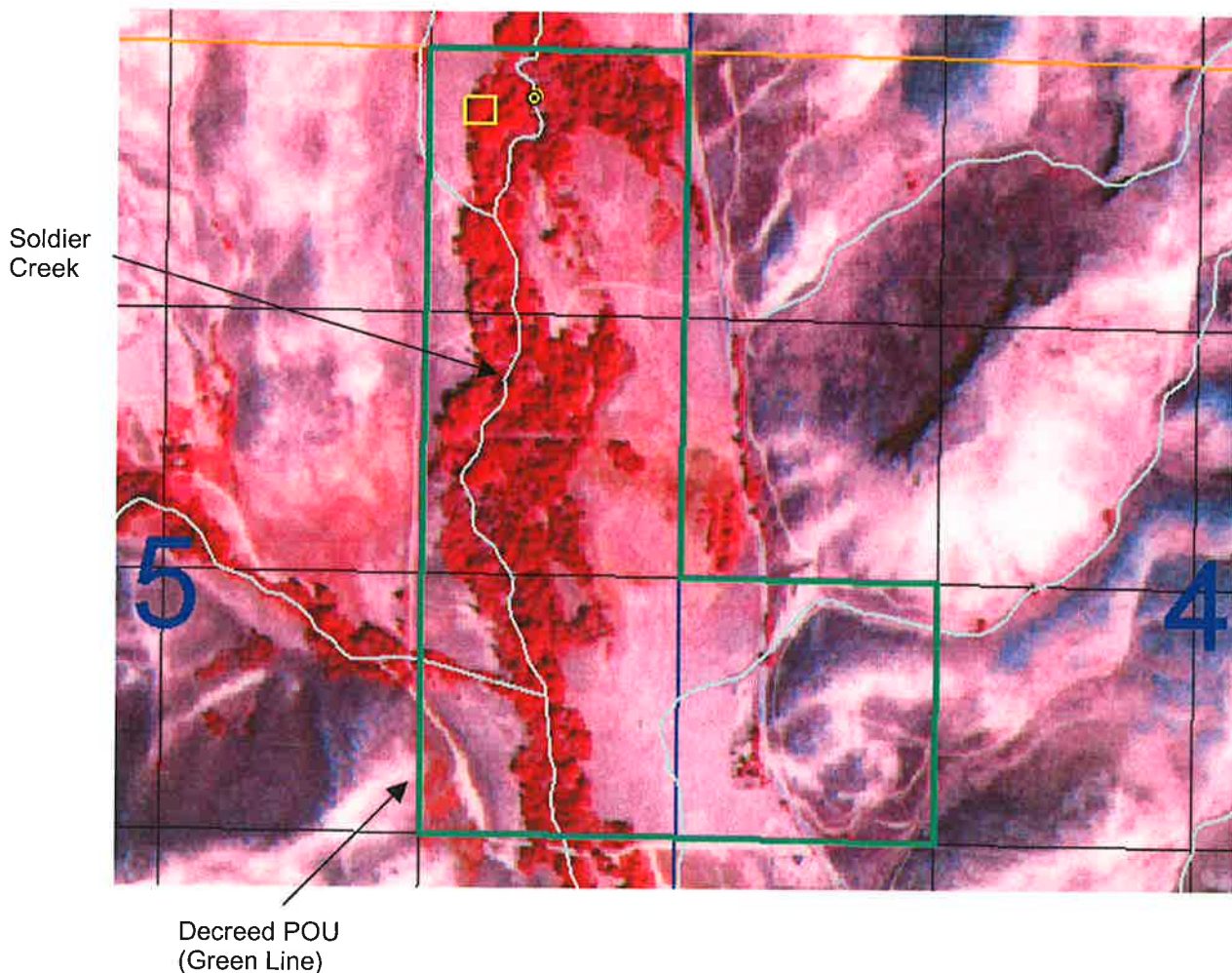
Place Of Use Data

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)

1987 Aerial Photo



Notes

T1N R14E Section 5

- Recommendations:
 - 37-679A – 0.03 cfs for Domestic – limited to 13,000 gal/day
 - 37-679B – 0.03 cfs for Domestic – limited to 13,000 gal/day
 - 37-679C – 0.03 cfs for Domestic – limited to 13,000 gal/day
 - 37-679D – 2.41 cfs for Irrigation of 54 acres

- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

37-679 A

CLARK

11/30/05
SCC

paid fees of \$50⁰⁰ on 5010433
could be for this claim & 37-13306
both de minimis claims.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-679

WATER RIGHT NUMBER: 37-679

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN WARDROP 807 CAMPUS DR TWIN FALLS, ID 83301

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SOLDIER CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.500 CFS	
	<u>Total Diversion:</u>	2.500 CFS	

Location of Point(s) of Diversion
SOLDIER CREEK

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	14E	4										X							
01N	14E	5	X												X				
			L 1																

Conditions of Approval:

1. P/U GIVEN INCORRECTLY IN FROST DECREE; SFF ARBOTT VS. REEDY, 1903 CORRECT P/U VERIFIED BY CAMAS CO. ABSTRACT CO.

Remarks:Comments:

37-679A

IDA DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

1 28/91 00:02:14
PAGE 1

OLD (D) NUMBER -

+ - - - - ADDRESS - - - - - +

STATE- ID ZIP- 83330

+ - - - STATUS - - - - +

+ - - - - - - - TRIBUTARY - - - - - +
CAMAS CREEK

MICROFILMED
OCT 24 1994

WATER RIGHT NUMBER - A37-00679A

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ ----- -COMMENTS- ----- +
NO COMMENTS FOUND

+ ----- ADJUDICATION RIGHTS DATES AND FLAGS AREA ----- +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 11/13/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- S010433	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	- D
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

0016000004A

DATA ENTRY

ENTERED 11-31-93/BS

CHECKED Healy MP

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 1 1992

CERTIFIED
MAR 2 2 1992
WATER EXAMINER