

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 37-861
Date Received: 8/17/1988
Receipt No: S001526
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PENSCO TRUST COMPANY Phone: (415) 274-5600
CUSTODIAN FBO RICHARD SAIYA
450 SANSOME ST 14TH FLOOR
SAN FRANCISCO CA 94111-3306

2. Date of Priority: 03/01/1886

3. Source: DRY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	14E	28	NE SW NW	GOODING	

5. Description of diverting works:

HEADGATE AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.6	

7. Total Quantity Appropriated is:
0.6 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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04S	14E	33	SE	NE		IRRIGATION	2
			SE	NW		IRRIGATION	10
			NW	NE		IRRIGATION	4
			SW	NE		IRRIGATION	36
			NE	SE		IRRIGATION	25
			NW	SE		IRRIGATION	31
			SE	SE		IRRIGATION	40
			NE	SW		IRRIGATION	2
			SW	SE		IRRIGATION	4
						Section Acres	154
04S	14E	34	SW	SW		IRRIGATION	15
						Section Acres	15
05S	14E	3	NW	NW	4	IRRIGATION	41
						Section Acres	41
05S	14E	4	NE	NE	1	IRRIGATION	33
						Section Acres	33
						Total Acres	243

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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FEB 03 2005

WATER RESOURCES
WESTERN REGION

RECEIVED

FEB 10 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.Department of Water Resources
Southern Region

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
37-861					
37-1186					
37-10963					

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) May Kinney
4. New Owner/Claimant(s) PENSCO TRUST COMPANY, Custodian FBO
Name Connector (Check one): [] and, [] or, [] and/or
Richard Saiya, IRA Account No. SAIBJ
 New Mailing Address 450 Sansome Street, 14th Floor
 City, State and ZIP Code San Francisco, CA 94111-3306
 New Telephone Number (415) 274-5600
5. Date you acquired the property _____

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Department of Water Resources
Southern Region

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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)

Richard D. Davis

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 H. West Date 4/11/05 Fee 25.00
 Receipted by H. West Date 4/11/05 Receipt No. 5027558
 Processed by _____ AJ Date _____ WR _____ Date _____

RECORDED
APR 14 2005

03/04/2005

17:08

LAND TITLE GOODING → 12087263567

NO.111

0002

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Department of Water Resources
Southern Region

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by ROGER KINNEY, Personal Representative of the estate of MAY KINNEY, deceased, Grantor, to PENSICO TRUST COMPANY, Custodian FBO RICHARD SAIYA, IRA Account No. SA1BJ, Grantee, whose address is 450 Sansome Street, 14th Floor, San Francisco, CA 94111-3306.

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Probate Number SP-02-00079, in Gooding County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee the following described real property in Gooding County, Idaho:

See Exhibit A attached hereto and by this reference made a part hereof as if set forth in full.

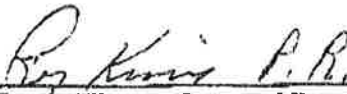
Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or used in connection therewith. Including easements of records, including, but not limited to, that certain easement dated January 19, 2005 and recorded as Instrument No.209536 records of Gooding County, Idaho.

The water rights associated with this property are as follows:

No. 37-861	.6 cfs
No. 37-1186	8.0 cfs
No. 37-10963	.06 cfs

Seller makes no guarantee as to the validity of the above water rights, their priority date or their eventual decree in the SRBA. It will be Buyers responsibility to transfer the rights and complete any action necessary in the SRBA.

DATED THIS 27th day of January, 2005.



Roger Kinney - Personal Representative
of the estate of May Kinney

PERSONAL REPRESENTATIVE'S DEED

Page 1 of 2

SCANNED

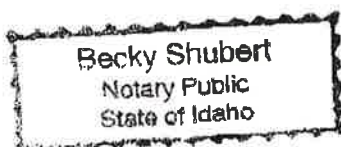
APR 14 2005

03/04/2005 17:08 LAND TITLE GOODING → 12087263567

STATE OF IDAHO)
)ss.
County of Gooding)

On this 21st day of January, 2005, before me, a Notary Public in and for said State, personally appeared ROGER KINNEY, known to me or proved to me on oath, to be the Personal Representative of the estate of MAY KINNEY, and the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as said Personal Representative.

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



Becky Shubert
NOTARY PUBLIC FOR THE STATE OF IDAHO
Residing at: Gooding, ID
Commission Expires: 02-28-05

PERSONAL REPRESENTATIVE'S DEED

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Page 2 of 2

EXHIBIT A

TOWNSHIP 4 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO

Section 28: SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 33: W $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; S $\frac{1}{4}$;
Section 34: S $\frac{1}{4}$
Section 35: W $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO

Section 2: Lot 4;
Section 3: Lots 1, 2, 3 and 4;
Section 4: Lots 1, 2, 3 and 4; SW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$; W $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 9: N $\frac{1}{2}$ N $\frac{1}{2}$

Instrument # 209692

GOODING, GOODING, IDAHO

2005-01-28

03:43:61 No. of Pages: 3

Recorded for : LAND TITLE

HELEN EDWARDS

Fee: 9.00

Ex-Officio Recorder Deputy

EXHIBIT A to P.R. Deed (Kinney/Pensco)

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APR 14 2005



First American Title Company, Inc.
120 2nd Avenue N, Ste. 101/P.O. Box 7999
Ketchum, ID 83340
(208)726-5688 Fax (208)726-3567

RECEIVED

APR 11 2005

Department of Water Resources
Southern Region

FAX TRANSMITTAL SHEET

No. of Pages Including Cover Sheet: _____

DATE: 3-4-05

TIME: _____

PLEASE DELIVER TO: DickCOMPANY: 650-592-4276

FAX NO.: _____

FROM: Melissa

RE: _____

MESSAGE: Following please find the
vesting deed for your gooding
property.
Please call with any questions,
Melissa

If you have any problems receiving this message or have any questions regarding our transmittal please contact us at (208)726-5688.

CONFIDENTIALITY NOTE: The information transmitted in the fax message is intended to be confidential and for the use of only the individual or entity named above, and may be privileged. If the reader of this message is not the intended recipient, you are hereby notified that any retention, dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone. Thank you!

E-Mail Address: es.ketchum.id@firstam.com
Visit Our Web Page at: <http://www.firstam.com>

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APR 14 2005



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

April 14, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PENSCO TRUST COMPANY
CUSTODIAN FBO RICHARD SAIYA
IRA ACCOUNT NO. SAIBJ
450 SANSOME ST 14TH FLOOR
SAN FRANCISCO CA 94111-3306

Re: SRBA Claims #37-861, #37-1186

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims 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 dark ink, appearing to read 'Carrie Hahn', is written over a light blue horizontal line.

Carrie Hahn
Office Specialist

Enc.

SCANNED

APR 14 2005



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 16, 2005

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PENSCO TRUST COMPANY
RICHARD SAIYA
450 SANSOME ST 14TH FLOOR
SAN FRANCISCO CA 94111-3306

Department of Water Resources
Southern Region

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FEB 22 2005

PENSCO

RE OWNERSHIP CHANGE: IRA Account SAIBJ,
Adjudication Claims #37-861, #37-1186
Water Right # 37-10963

Dear Claimant):

Thank you for submitting the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without the required information listed under item 2 of the ownership change form. Specifically, we need a copy of your warranty deed, title policy or contract of sale with attached legal description. Also, a fee of \$25 (Twenty-five dollars) is required for Water Right #37-10963 since this right has been decreed in the Snake River Basin Adjudication.

Enclosed is your original ownership change form. Please attach the required information and return the entire packet in the enclosed self-addressed envelope. As soon as this information is received, our records will be updated and you will be notified by mail that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Carrie Hahn
Clerk
enc.

SCANNED

APR 14 2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-861

WATER RIGHT NUMBER: 37-861

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MAY A KINNEY 311 4TH AVE W GOODING, ID 83330 (208)934-5087

Priority Date: 03/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
DRY CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.600 CFS	
	<u>Total Diversion:</u>	0.600 CFS	

Location of Point(s) of Diversion

DRY CREEK	NE1/4SW1/4NW1/4	Sec. 28, Twp 04S, Rge 14E, B.M.
GOODING County		

Place of Use

IRRIGATION

Dept of Interior

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	14E	33		4.0	36.0	2.0				10.0	2.0				25.0	31.0	4.0	40.0	154.0
04S	14E	34											15.0						15.0
05S	14E	3						41.0											41.0
								L 4											
05S	14E	4	33.0																33.0
			L 1																

Total Acres: 243

Conditions of Approval:Remarks:

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APR 14 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-861

Comments:Dates and Other Information:

Claim Received Date: 8/17/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

SCANNED
APR 14 2005

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

AUG 16 1988

Ident. Number: A37-00861
Date Received: 8/11/1988
Receipt No: 5001526
Received By: Adm

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAY A. KINNEY 208-934-5087
Address: 311 ~~XXXXXX~~ 3rd Ave. West
GOODING, ID 83330

2. Date of Priority: MAR 01, 1886

3. Source: DRY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	14E	28	NE	SW	NW		GOODING

5. Description of diverting works:
HEADGATE AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.600		

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

8. Total consumptive use is 729.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATER USE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	14E	33	NW	NE		IRR	4.0
			SW	NE		IRR	36.0
			SE	NE		IRR	2.0

A37-00861

Page 1

Date: 08/11/88

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04S	14E	33	SE		NW		IRR	10.0
			NE		SW		IRR	2.0
			NE		SE		IRR	25.0
			NW		SE		IRR	31.0
			SW		SE		IRR	4.0
			SE		SE		IRR	40.0
						Section Acres	154.0	
		34	SW		SW		IRR	15.0
						Section Acres	15.0	
05S	14E	3	NW		NW	4	IRR	41.0
							Section Acres	41.0
		4	NE		NE	1	IRR	33.0
							Section Acres	33.0
						Total Acres	243.0	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A37-01186

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

SCHREIBER ET. AL.

Decree Plaintiff

vs

CRIST ET. AL.

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): May A. Kinney Date: 8/12/88

Date: _____

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of August 19 88

Susan R. Kilson
Notary Public

Seal

Residing at Gooding, Idaho
My Commission Expires Feb. 1992

MICROFILMED
FEB 23 1993

MAY KINNEY

T4S R14

SECTIONS

28

33

34

T5S R14E

SECTIONS

33 4

POD

SECTION 28

NE SW NW

28

34

33

3

4

MODIFIED
FEB 1980

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

A. Subcase 37-00861
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Pensco Trust Company, Custodian FBO Richard Saiya
Address: 450 Sansome St., 14th Floor; San Francisco, CA 94111-3306

Name:
Address: ;

Name:
Address: ;

Name:
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:

2. ☐ **Source**
Should be:

3. ☐ **Quantity**
Should be:

4. ☐ **Priority Date**
Should be:

5. ☐ **Point(s) of Diversion**
Should be:

6. ☐ **Instream Flow Description**
Should be:

7. ☐ **Purpose(s) of Use**
Should be:

8. ☐ **Period of Year**
Should be:

9. ☒ **Place of Use**
Should be: See attached.

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

May 22, 2007



Jacqueline L. Simmons
Jacqueline L. Simmons
Notary Public for State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 04-07-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on May 22nd, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

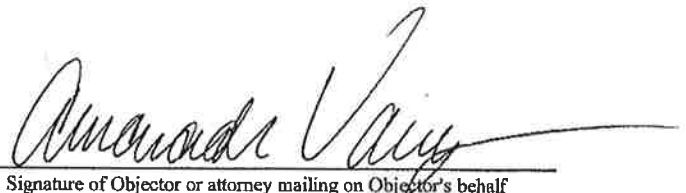
Name: Pensco Trust Company, Custodian FBO Richard Saiya
Address: 450 Sansome St., 14th Floor; San Francisco, CA 94111-3306
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney mailing on Objector's behalf

POU on BLM:
-Claimant is not authorized to farm public land.

PURPOSE AND
PERIOD OF USE:

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 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.

BLM	T04S R14E S33	NWNE	2.50	T04S R14E S33	SWNE	32.00
	T04S R14E S33	SENE	1.40	T04S R14E S33	SENE	11.00
	T04S R14E S33	NESE	1.60	T04S R14E S33	NESE	17.00
	T04S R14E S33	NWSE	29.00	T04S R14E S33	SWSE	5.20
	T04S R14E S33	SESE	35.00	T04S R14E S34	NWSW	0.20
	T04S R14E S34	SWSW	15.00	T05S R14E S03 Lot 3	NENW	3.10
	T05S R14E S03 Lot 4	NWNW	29.00	T05S R14E S04 Lot 1	NENE	27.00

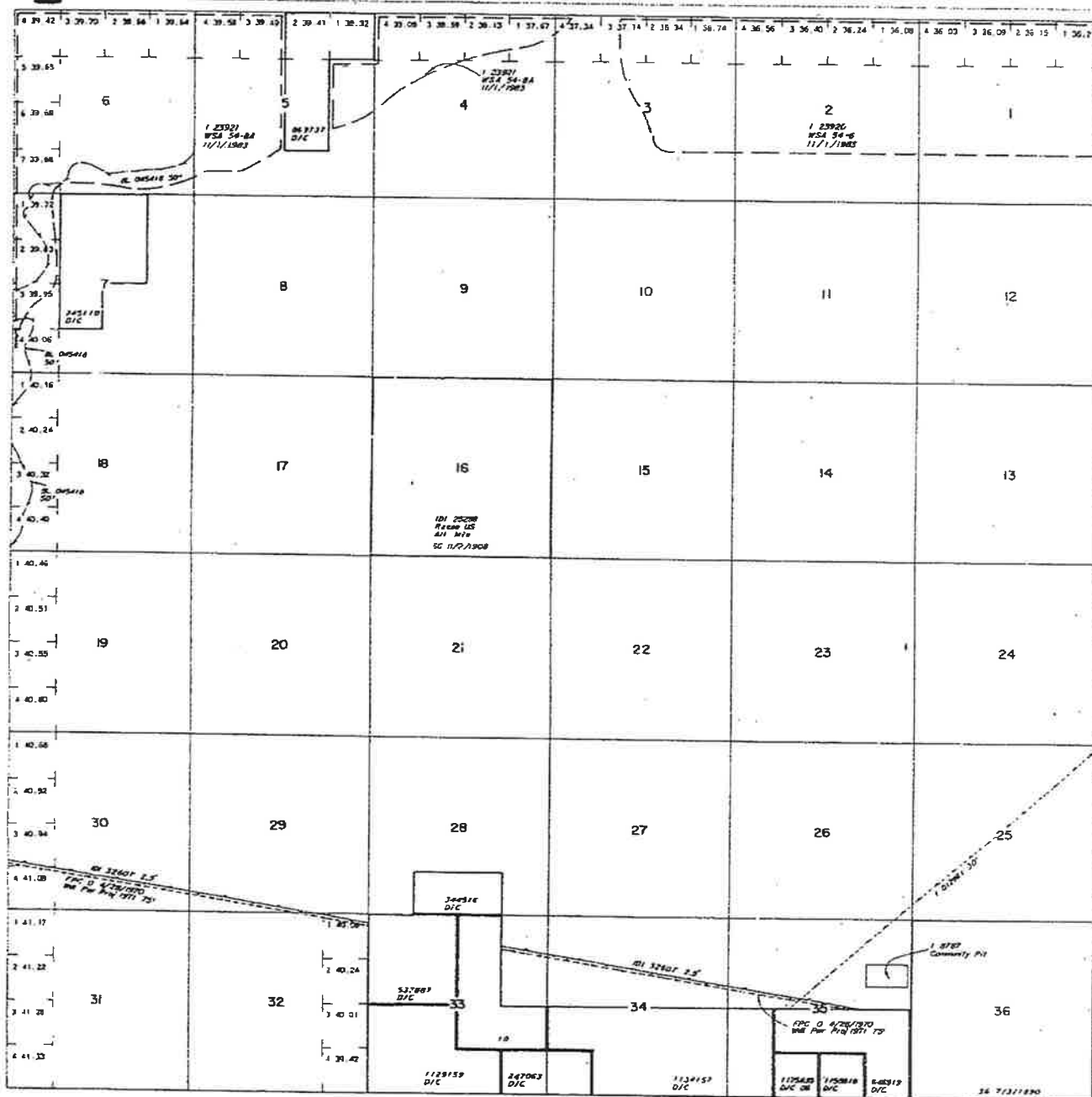
The rights listed below are limited to the irrigation of a combined total of 209 acres in a single irrigation season. Combined Right Nos.: 37-861 and 37-1186.

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.

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

45 14E

MT - PLAT

[illegible]

BL 643852 American Falls Reser Dist No 2
[Act of Cong 8/11/1915] affects lands within
• Sec 35

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
SEP - 8 1996	

USE PLATE

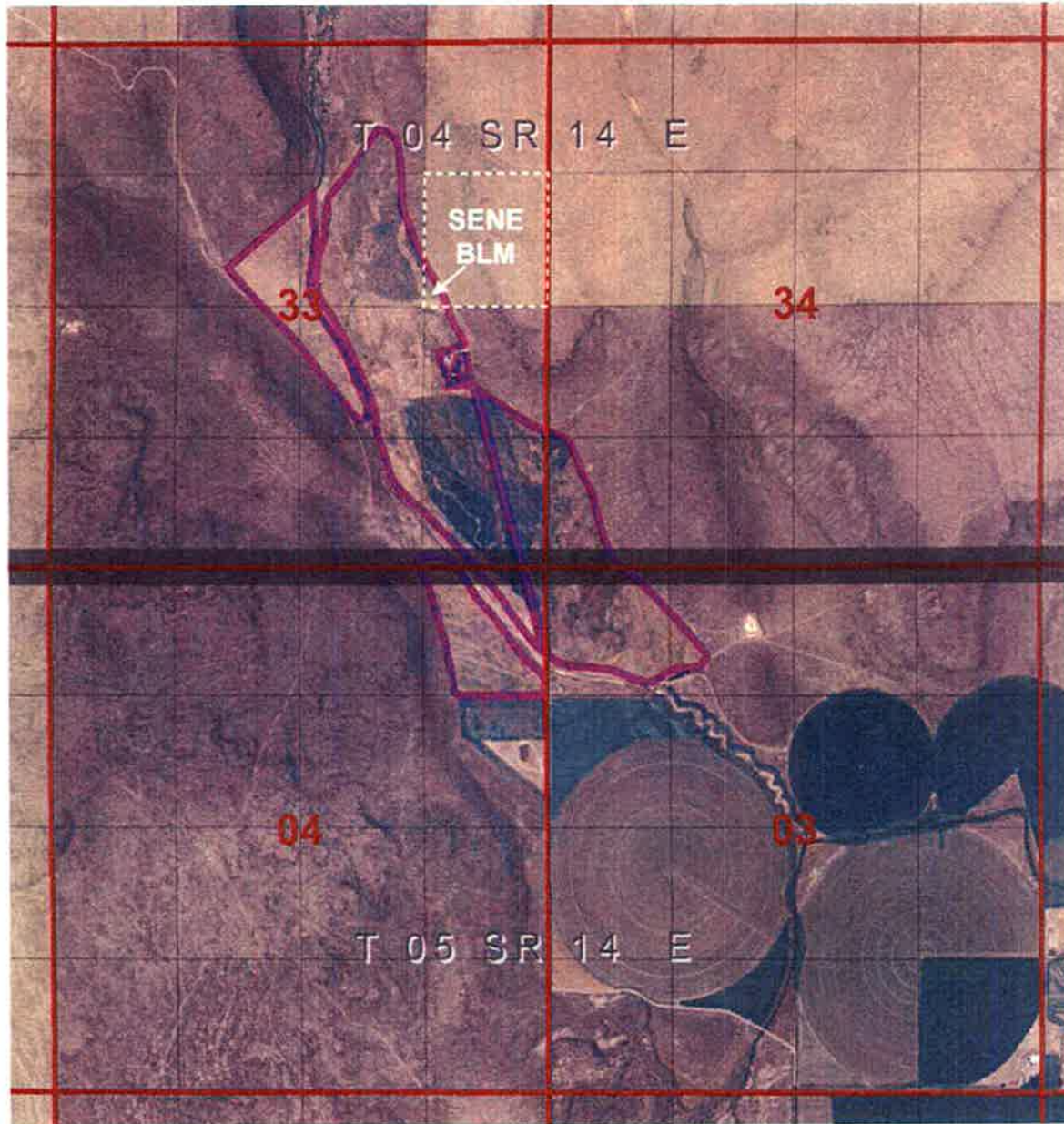
SCALE in Inches

WARNING STATEMENT
This plot is the Bureau's Record of Tals, and should be used only as a graphic display of the telemarketing survey data. Records should be used to reflect only changes which may be made without affecting the internal movements of charts or other bodies of water. Refer to the individual services for other, more information.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER

Answer: $\frac{1}{2}$
T
E

37-00861 & 37-01186
Pensco Trust Company



POU on BLM:

- Claimant is not authorized to farm public land.
- Remove T04S R14E S33 SENE 1.40 acres from recommendation and adjust shapefile accordingly.

07/18/2006

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

RIGHT NUMBER: 37-861

NAME AND ADDRESS: PENSICO TRUST COMPANY
CUSTODIAN FBO RICHARD SAIYA
450 SANSOME ST 14TH FLOOR
SAN FRANCISCO CA 94111-3306

SOURCE: DRY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 03/01/1886

POINT OF DIVERSION:

T04S R14E S28 NESWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.600 CFS
The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 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 Within GOODING County

T04S R14E S33	NWNE	2.50	T04S R14E S33	SWNE	32.00
T04S R14E S33	SENE	1.40	T04S R14E S33	SENW	11.00
T04S R14E S33	NESW	1.60	T04S R14E S33	NESE	17.00
T04S R14E S33	NWSE	29.00	T04S R14E S33	SWSE	5.20
T04S R14E S33	SESE	35.00	T04S R14E S34	NWSW	0.20
T04S R14E S34	SWSW	15.00	T05S R14E S03 Lot 3	NENW	3.10
T05S R14E S03 Lot 4	NWNW	29.00	T05S R14E S04 Lot 1	NENE	27.00

209 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 209 acres in a single irrigation season. Combined Right Nos.: 37-861 and 37-1186.

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.



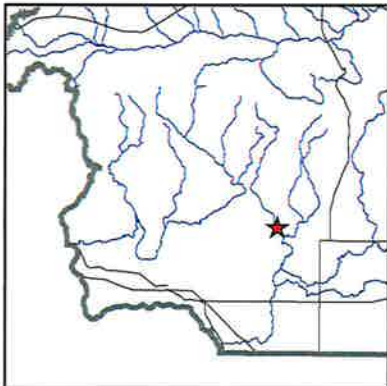
Idaho Department of Water Resources

SRBA Recommendation:

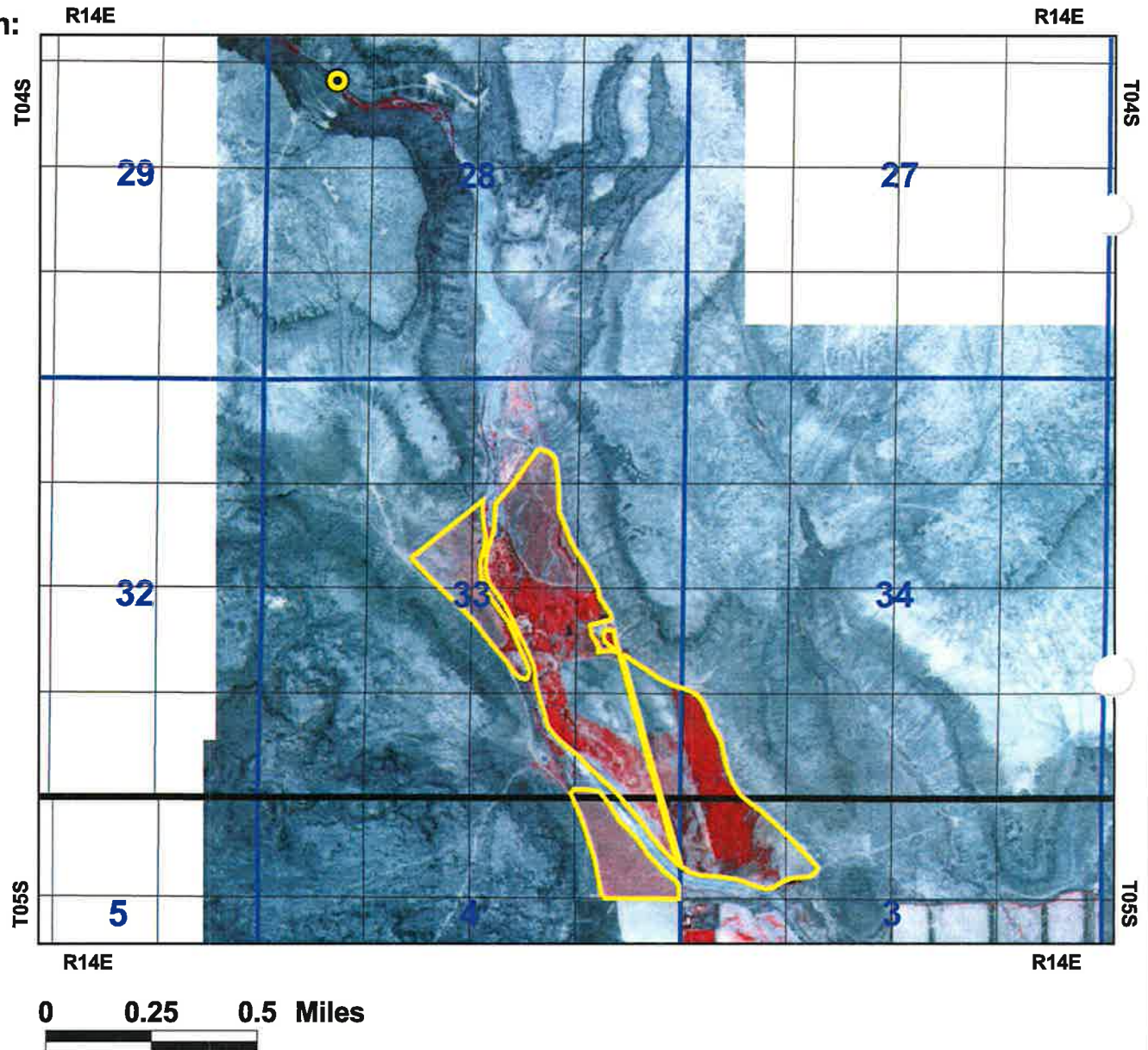
37-861
37-1186

Legend

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



Gooding County
IDWR Basin 37



Prepared by M. Anders
On Tuesday, July 18, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-861, 37-1186

Background Data

37-861

- Source is Dry Creek tributary to Big Wood River
- Decreed for 0.6 cfs on 10 QQ
- Claimed 0.6 cfs for Irrigation of 243 acres

37-1186

- Source is Dry Creek tributary to Big Wood River
- Decreed for 8.0 cfs on 10 QQ
- Claimed 8.0 cfs for Irrigation of 243 acres

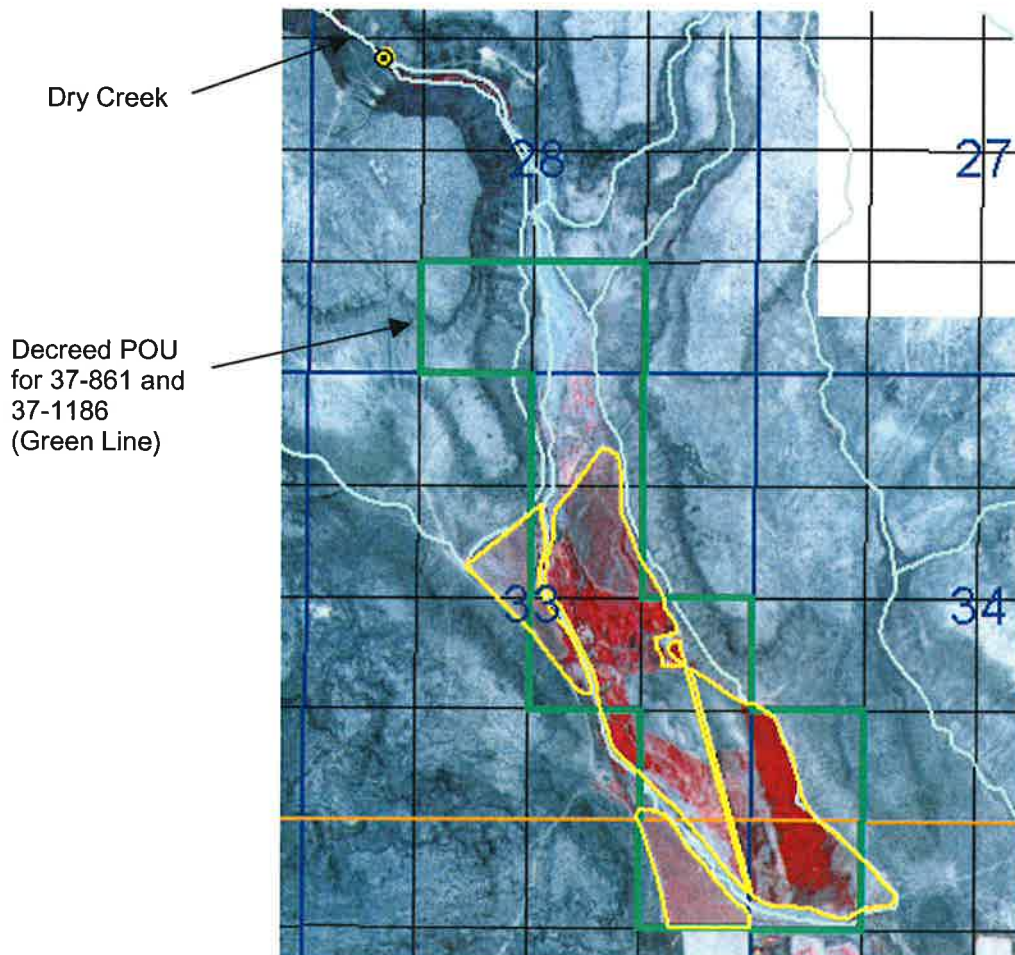
Place Of Use Data

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

T1S R14E Sections 28, 33, & 34; T2S R14E Sections 3 & 4

- Found 209 acres.
- Claimant owns entire decreed POU. About 30 irrigable acres in the decreed POU do not appear to be irrigated and were not claimed. The duty of water will be much greater than 0.02 cfs per acre regardless of that land, so recommended all the decreed water on the irrigated acres.
- Assuming accomplished transfer of POU.
- Recommended season of use as 4/1-10/31 based on affidavits and decree in back-file which indicate water from Dry Creek is diverted to Bray Lake reservoir 11/1-3/31 and diverted to irrigation water rights 4/1-10/31.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-861

WATER RIGHT NUMBER: 37-861

Owner Type Name and Address

Current Owner J W PETERSON

, ZZ

Priority Date: 03/01/1886

Basis: Decreed

Status: Active

Source

DRY CREEK

Tributary

BIG WOOD RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

0.600 CFS

Annual VolumeTotal Diversion: 0.600 CFSLocation of Point(s) of Diversion

DRY 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	
04S	14E	28											X				X		
04S	14E	33		X	X										X	X		X	
04S	14E	34										X							
05S	14E	3						X											
								L 4											
05S	14E	4	X																
			L 1																

Conditions of Approval:Remarks:

Decree set season 4-1 to 10-31
 Kelso v Strout
 8-8-1945 (see copy in pdocs file)

RECEIVED

AUG 23 2005

DEPARTMENT OF
WATER RESOURCES

August 23, 2005

Re: Water Right Numbers 37-856, 37-2780, 37-2778 and
37-7754

Dear Carter,

Enclosed are three affidavits and a
Gooding County District Court Decree concerning
the above water rights for Bray Lake Ranch.

Sincerely,

Helen DeMoss
Bray Lake Ranch
P.O. Box 61
Bliss, ID 83314
(208) 352-4385

RECEIVED
AUG 25 2005
DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT

BE IT ACKNOWLEDGED, that Gary A. DeMoss of 1350S 842E, Bliss, Idaho 83314, the undersigned deponent, being of legal age, does hereby depose and say under oath as follows:

My wife Helen and I purchased Bray Lake Ranch in June of 1990. At that time I took over duties as watermaster and operator of the Bray Lake water system. The previous owner of Bray Lake Ranch was Idaho State Bank. James E. Kevan was president of the Glenns Ferry branch of Idaho State Bank and S. Donald Rowe was the property manager for Bray Lake Ranch. Mr. Rowe was authorized to sign all necessary documents involving Bray Lake Ranch water rights for the Idaho Department of Water Resources. Mr. Rowe and Mr. Kevan informed me of the historical operation of the Bray Lake water and irrigation system. They told me that the time of exclusive use of Dry Creek water for diversion to Bray Lake was from November 1 to April 1. Water right holders in the Gooding valley had the right to Dry Creek water from April 1 to October 31 and they used approximately 10 cfs of water. The right for Bray Lake to divert water was year round and if the flow of Dry Creek allowed, I could divert any excess more than 10 cfs to Bray Lake.

From 1990 to present I have been the sole operator of the Bray Lake water system. I have repaired and maintained the Bray Lake diversion on Dry Creek, the canal from Dry Creek to Bray Lake, the Bray Lake Dam, the canal from Bray Lake to Bray Lake Ranch, and the Bray Lake Ranch irrigation system. I have diverted water from Dry Creek to Bray Lake from November 1 to April 1 every year without any interference with the exception of one year, 1992 (see August 11, 2005 Affidavit of Gary A. DeMoss, copy attached). From 1973 through 1995, Don and Marilee Bellamy owned water right #37-859A out of Dry Creek, below the Bray Lake diversion. They did not call for water before April 1 and they did not have any complaints of how I managed the water. I have never been told by anyone during my operation of the system that they did not receive any of their rightful water.

During April 1 to November 1 when there is sufficient water to meet the demands of downstream water users on Dry Creek, it has been my practice to divert water excess to their needs from Dry Creek to refill Bray Lake. A thunderstorm over the Dry Creek drainage can run the canal from the Dry Creek diversion to Bray Lake storage full for twelve hours and run half full for another twelve hours. I have never received any protests of this practice, but have received praise for reducing the effects of flood damage in the Dry Creek drainage where it meets the Gooding valley. From reading Soil Conservation Service historical data, one of the benefits of rebuilding the Dry Creek diversion and enlarging Bray Lake was flood control.

Most years a significant portion of the diversion from Dry Creek to storage in Bray Lake has come during the time period between March 15 and April 1. If other water users are permitted to call for water or otherwise interfere with diversions from Dry Creek to storage in Bray Lake during the November 1 to April 1 period then this will alter the historical practice and will irreparably harm the Bray Lake storage water rights.

To my knowledge all past practices have been conducted the same as mine and there have been no calls or protests from our practices from 1990 to present.

And I affirm that the foregoing is true except as to statements made upon information and belief, and as to those I believe them to be true.

Witness my hand under the penalties of perjury this 23rd day of August, 2005.

Monaleen M Allen

Signature of Witness

Monaleen M Allen

Name of Witness

1854 S 750 E Bliss, Id 83314

Address of Witness

Gary A De Moss

Signature of Deponent

GARY A DeMOSS

Name of Deponent

PO Box 61 BLISS IDAHO 83314

Address of Deponent

STATE OF Idaho

COUNTY OF Gooding

On 8/23/05 Before me, David M. Davis, personally appeared

Gary A DeMoss

, 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 he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.

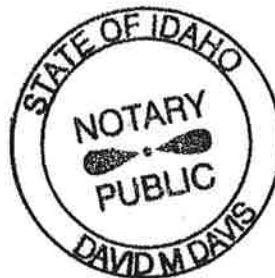
Affiant ☒ Known ☐ Unknown

ID Produced _____

(Seal)

Signature David M. Davis

Comm. Expires 8/25/11



AFFIDAVIT

BE IT ACKNOWLEDGED, that Gary A. DeMoss of 1350S 842E, Bliss, Idaho 83314, the undersigned deponent, being of legal age, does hereby depose and say under oath as follows:

In February of 1992 a person unknown to me pulled the boards on our diversion dam on Dry Creek and stopped the flow of water to Bray Lake. I called Corey Skinner of IDWR in Twin Falls. He contacted the watermaster in Gooding Valley and reported to me that the official irrigation season in the Gooding area started April 1, and I had the right to divert the water until April 1. Mr. Skinner stated I could lock the diversion or call the sheriff. Since I have no way of locking the diversion, I called the Gooding Sheriff's office. May Kinney answered the call and said her husband, Vic Kinney, was diverting the water, there was no need for the involvement of the Gooding Sheriff, and suggested that I call Vic. I went back up to the diversion and Vic Kinney was waiting for me. We had a talk about the water and agreed that he would not take any water before April 1 unless Bray Lake was already full. He knew I had the right to divert the water until April 1 of each year. It was an amicable meeting and we both agreed to work together.

And I affirm that the foregoing is true except as to statements made upon information and belief, and as to those I believe them to be true.

Witness my hand under the penalties of perjury this 11th day of 2005.

Monaleen Allen

Signature of Witness

Monaleen Allen

Name of Witness

1854 S 750 E Bliss, Id 83314

Address of Witness

Gary A DeMoss

Signature of Deponent

GARY A DeMOSS

Name of Deponent

PO Box 61 BLISS ID

Address of Deponent

STATE OF Idaho
COUNTY OF Gooding

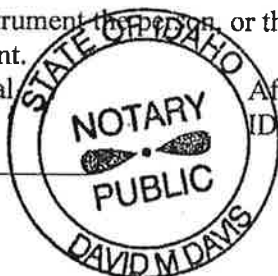
On 8/11/2005 Before me, David M. Davis, personally appeared

Gary A DeMoss, 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 he executed the same in his authorized capacity, and that by his signature on the instrument he, or the entity upon behalf of which the person acted executed the instrument.

WITNESS my hand and official seal

Signature David M. Davis

Comm. Expires: 8/25/05



Affiant ☒ Known ☐ Unknown
ID Produced _____

(Seal)

RECEIVED
AUG 25 2005
DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT

BE IT ACKNOWLEDGED, that David S. Miller of 1607 11th Ave. East, Twin Falls, Idaho 83301, the undersigned deponent, being of legal age, does hereby depose and say under oath as follows:

I managed Bray Lake Ranch for Idaho State Bank from 1985 through 1988. I became the Gooding County District Court appointed watermaster (case no. 3656) on August 4th, 1986. Dry Creek was diverted into Bray Lake for irrigation storage from November 1st through March 31st of each year. Any amount after April 1st that exceeded the amount of water required by the downstream users could be diverted into Bray Lake for additional irrigation storage. The other Dry Creek water right holders did not call for water or otherwise interfere with diversions from Dry Creek into Bray Lake between November 1st and March 31st of each year.

And I affirm that the foregoing is true except as to statements made upon information and belief, and as to those I believe them to be true.

Witness my hand under the penalties of perjury this 22nd August day of 2005.

Lodie M. Steen
Signature of Witness

Lodie M. Steen
Name of Witness

David S. Miller
Signature of Deponent

David S. Miller
Name of Deponent

464 9th ave. E. Twin Falls, Id.
Address of Witness 83301

1607 11th Ave E Twin Falls, Id
Address of Deponent 83301

STATE OF Idaho
COUNTY OF Twin Falls

On August 22, 2005 Before me, Kathi Schrader, personally appeared David S. Miller, 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 he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.

Signature Kathi Schrader

Affiant X Known Unknown
ID Produced HB 430329 ID 06
(Seal)



RECEIVED
AUG 25 2005
DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT

BE IT ACKNOWLEDGED, that Gary A. DeMoss of 1350S 842E, Bliss, Idaho 83314, the undersigned deponent, being of legal age, does hereby depose and say under oath as follows:

In February of 1992 a person unknown to me pulled the boards on our diversion dam on Dry Creek and stopped the flow of water to Bray Lake. I called Corey Skinner of IDWR in Twin Falls. He contacted the watermaster in Gooding Valley and reported to me that the official irrigation season in the Gooding area started April 1, and I had the right to divert the water until April 1. Mr. Skinner stated I could lock the diversion or call the sheriff. Since I have no way of locking the diversion, I called the Gooding Sheriff's office. May Kinney answered the call and said her husband, Vic Kinney, was diverting the water, there was no need for the involvement of the Gooding Sheriff, and suggested that I call Vic. I went back up to the diversion and Vic Kinney was waiting for me. We had a talk about the water and agreed that he would not take any water before April 1 unless Bray Lake was already full. He knew I had the right to divert the water until April 1 of each year. It was an amicable meeting and we both agreed to work together.

And I affirm that the foregoing is true except as to statements made upon information and belief, and as to those I believe them to be true.

Witness my hand under the penalties of perjury this 11th day of 2005.

Monaleen Allen
Signature of Witness

Monaleen Allen
Name of Witness

1854 S 750 E Bliss, Id 83314
Address of Witness

Gary A DeMoss
Signature of Deponent

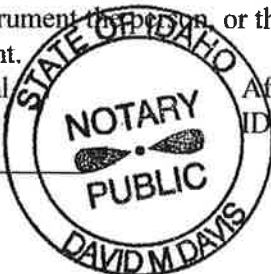
GARY A DeMOSS
Name of Deponent

PO Box 61 Bliss ID
Address of Deponent

STATE OF Idaho
COUNTY OF Gooding

On 8/11/2005 Before me, David M. Davis, personally appeared
Gary A DeMoss, 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 he executed the same in his authorized capacity,
and that by his signature on the instrument the person, or the entity upon behalf of which the
person acted executed the instrument.
WITNESS my hand and official seal

Signature David M. Davis
Comm. Expires: 8/25/05



Affiant ☒ Known ☐ Unknown
ID Produced _____

(Seal)

RECEIVED
AUG 25 2005
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING.

HOWARD H. KELSO,

Plaintiff,

-vs-

LEONARD STROUT,

Defendant.

DECREE

Now on this 8th day of July, 1945, the above matter came duly on hearing in court being in regular session; the Honorable D. H. Sutphen, Judge, present and presiding. The plaintiff, Howard H. Kelso, present in person and by his attorneys, Bissell & Bird, and the defendant not being present.

Whereupon the defendant heretofore filed a demurrer, which said demurrer was by the said defendant withdrawn, and defendant refused to plead further; And whereas, the said defendant by his attorneys aforesaid having refused to plead further, upon motion of the plaintiff, the default of the defendant for failure to plead was duly entered, and the matter came duly on for hearing as on default.

Whereupon plaintiff introduced his evidence and rested.

The defendant by the making of such default having waived the making of findings of fact and conclusion of law, and the court being fully advised in the premises it is hereby ordered, adjudged, and decreed that the plaintiff and defendant are the joint owners of that certain artificial reservoir, commonly known as the Bray's Lake Reservoir, located on Sections 25, 26, 35, 36, Twp. 1, S. R. 13E. The boundary lines of such said reservoir being shown by the map submitted with the reservoir filing originally filed in the United States Land Office, Hailey, Idaho, and now on file in the United States Land Office at Blackfoot, Idaho. Said file being denominated as reservoir file map, Hailey Land Office, #162, which said map is hereby especially referred to and

made a part of this decree with the same force and effect as if actually attached hereto.

Together with that certain ditch which diverts water from Dry Creek into the said Bray's Lake Reservoir, which said ditch diverts water from Dry Creek at a point near the SE corner of Sec. 6, Twp. 4 S.R. 14 E.M. and then extending in a southwesterly direction approximately five miles to the said Bray's Lake Reservoir at a point in the NW 1/4 SW 1/4 Sec. 25, Twp. 4 S.R. 14 E.M.

That the plaintiff is the owner of an undivided one-fifth interest in and to said reservoir and ditch, and of the right to use one-fifth of the water diverted by said canal and impounded in said reservoir.

That said defendant, Leonard Strout, is the owner of four-fifths interest in said reservoir, ditch and water.

That the water so diverted from Dry Creek is impounded and reservoired during the high water season, or flood water season of Dry Creek, to be used and applied to the irrigation of the lands of plaintiff and defendant during the irrigation season of each year, beginning on April 1, and ending October 31, of each year.

That it is necessary, in order to irrigate the lands of the plaintiff and defendant that such water aforesaid be impounded in said reservoir, and diverted during the irrigation season for use upon the lands of the plaintiff and defendant.

It is ordered, adjudged, and decreed, that in order to administer the said ditch, reservoir, and impounded water, that it is essential and necessary that a suitable person be appointed to divide and distribute the water aforesaid during each irrigating season to the plaintiff and defendant in accordance with their rights aforesaid. To wit; one-fifth to the plaintiff and four-fifths to the defendant. It is further ordered, adjudged, and decreed that the expense of maintaining the diversion ditch, reservoir structure, control works, and diversion works from said reservoir, be apportioned

and assessed to and against the plaintiff and the defendant in accordance with their several interests. That is to say, that the plaintiff shall pay one-fifth of such expenses including the salary of the person designated by the court as watermaster, and that the defendant shall pay four-fifths of such expenses.

It is further ordered, adjudged, and decreed that some suitable person shall be, by the court, designated and appointed as watermaster for the irrigation season of 1945. And that A. H. Henderson of Bliss, Idaho, be appointed as such watermaster to serve in such capacity until the first day of April 1946. That the said Henderson, or in case of his refusal to act as such watermaster, then such person who is by the court appointed to so act, shall make a preliminary estimate of the necessary costs and expenses of maintaining and operating said ditch and reservoir for the irrigation season of the year, 1945. And that before either party is entitled to withdraw water from said Bray's Lake Reservoir, he shall pay to the said Henderson, or such other person who may be appointed, his proportion of the estimated costs of such operation.

It is further ordered, adjudged, and decreed that the court shall retain jurisdiction of this action, for the purpose of enforcing this decree, and that on or before the opening of the irrigating season of each succeeding year, the court may appoint some suitable person as watermaster to operate and control said water, ditch, and reservoir for the ensuing years. Said appointment be made upon request of either party upon five days notice.

It is further ordered, adjudged, and decreed that the defendant and his successors in interest, and the plaintiff and his successors in interest be perpetually enjoined and restrained from withdrawing any stored water from said reservoir during the non-irrigating season, viz: between October 31 and April 1 each year hereafter. And from, in any way, interfering with the watermaster in performing his duties. That the person appointed by this court to take charge of, manage, regulate, and control such reservoir, and

the waters therein, be and hereby is empowered to look and keep locked and regulate the discharge gate from said reservoir during the irrigation season. Such person be further empowered to deliver to the plaintiff and defendant their proportionate share of the water impounded in said reservoir, during the irrigation season of each year hereafter. That such person be further authorized and empowered to manage, repair, and clean and maintain such diversion ditch and such reservoir; to demand and receive of the plaintiff one-fifth of the expenses incurred in such operation and demand and receive four-fifths of such expenses so incurred from the defendant. That the person appointed shall be and here is authorized and empowered to withhold and refuse to make delivery of water to either party hereto until such estimated costs of maintenance apportioned to each party for the current year shall have been paid.

Dated at Gooding, Idaho this 8th day of May, 1945.

[Signature]
District Judge

IN THE DISTRICT COURT

Of the Fourth Judicial District of the State of Idaho,
In and for the County of Gooding

Plaintiff

HOWARD H. KELSO

vs.

LEONARD STREUT

Defendant

Case No. 3656

I, the undersigned, Clerk of the District Court of the Fourth Judicial District of said State, in and for said County, do hereby certify the foregoing to be a true copy of the judgment entered in the above entitled action, and recorded in Judgment Book 2.

And I further certify that the foregoing papers hereto annexed constitute the judgment Roll in said action.

WITNESS my hand and the seal of said Court this 20th day of August, A. D. 1915.

DEPT. BOWLER

Clerk

Deputy Clerk



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

July 6, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MAY A KINNEY
1994 E 1300 S
GOODING ID 83330-4811

9-5-01

response

RECEIVED

SEP 21 2001

Department of Water Resources
Southern Region

RE: Snake River Basin Adjudication (SRBA)
Water Rights #37-861, 37-1186, 37-10963

Dear Water Right Holder:

Mail sent to you by the SRBA Court was returned to the SRBA Court by the Postal Service. We received the returned mail on July 2. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

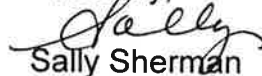
Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by July 31, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

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

Sincerely,


Sally Sherman

Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

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

Water Right Holder's Signature

Telephone No.

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

37-861
37-1186
37-10963





Water Right 37-1096.

NAME AND ADDRESS:

MAY A KINNEY
311 4th AVE W
GOODING, ID 83330

KINN311 833302018 1C99 08 01/10/01
FORWARD TIME EXP RTN TO SEND
KINNEY MAY
1994 E 1300 S
GOODING ID 83330-4811

RETURN TO SENDER

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