

RECEIVED

JAN 19 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

Form No. 42-1409 (2) a 1/88

**AMENDED**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FORM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-882

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

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

Please type or print clearly

1. Name of Claimant (s) Nick Vanoff Presents, Inc. c/o Nick Vanoff Jr. Phone (208) 726-9572Mailing Address P.O. Box 834, Sun Valley, ID Zip 833532. Date of Priority (Only one (1) per claim) 6/1/18833. Source of water supply (a) Big Wood Riverwhich is tributary to (b) Malad River4. a. Location of existing point of diversion is: Township 2N Range 18E Section 22,  
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, 1/4 of 1/4 of 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, 1/4 of 1/4 of1/4, Govt. Lot B.M., County of5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed  
and as enlarged and the depth of each well. Water is diverted from the Big Wood River at the  
Rockwell Bypass headgate. Watermaster delivers water from the Rockwell Bypass to a  
feeder ditch at the Fleming #34 headgate.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/1 to 11/1 amount 4.0 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 4.0 (cfs) and / or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) \_\_\_\_\_

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for together purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 2N  | 18E | 22  |        |        |        |        |        |        |        |        | 5.7    |        |        | 2.0    |        | 2.1    |        |        | 9.8    |
| 2N  | 18E | 27  | 4.9    |        |        | 26.2   |        |        |        |        |        |        |        |        | 10.0   |        |        |        | 41.1   |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 50.9

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

\_\_\_\_\_ Or None ☒

14. Remarks:

The claimed acreages reflect land that was historically irrigated, based on a review of aerial photos. The place of use is shown on the attached aerial map.

ALL REMARKS IN ORIGINAL CLAIM FILING STILL APPLY.

Last Name \_\_\_\_\_ Ident. No. \_\_\_\_\_

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree X

If applicable provide IDWR Water Right Number 37-0882  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date 1-18-07  
\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

Of \_\_\_\_\_ Title \_\_\_\_\_  
Organization \_\_\_\_\_ that I have signed the foregoing  
Document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title \_\_\_\_\_ Organization \_\_\_\_\_

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_  
Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Virginia )  
County of Fauquier ) ss.

Subscribed and sworn (or affirmed) before me this 18 day of January, 20 07

SEAL

Kimberly D. Rosenberry

Notary Public

Residing at

Kimberly D. Rosenberry

Winchester, Virginia

My Commission Expires March 31, 2009

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf  
Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing  
above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-882

WATER RIGHT NUMBER: 37-882

|                   |                         |
|-------------------|-------------------------|
| <u>Owner Type</u> | <u>Name and Address</u> |
| Current Owner     | SARAH CAMPBELL          |
|                   | , ZZ                    |
| Current Owner     | FRANK CAMPBELL          |
|                   | , ZZ                    |

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

|                |                  |
|----------------|------------------|
| <u>Source</u>  | <u>Tributary</u> |
| BIG WOOD RIVER | MALAD RIVER      |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION            | / to /                  | 4.000 CFS             |                      |
|                       | <u>Total Diversion:</u> | 4.000 CFS             |                      |

Location of Point(s) of Diversion

|                |               |                                 |
|----------------|---------------|---------------------------------|
| BIG WOOD RIVER | NW1/4SW1/4    | Sec. 22, Twp 02N, Rge 18E, B.M. |
| BLAINE County  |               |                                 |
| BIG WOOD RIVER | SW1/4SE1/4    | Sec. 22, Twp 02N, Rge 18E, B.M. |
| BLAINE County  | (Rediversion) |                                 |

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 |        |
| 02N | 18E | 22  |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    | X  | X      |
| 02N | 18E | 27  | X  | X   |    | X  |    |    |    |    |    |    |    |    | X  |    |    |    |        |
|     |     |     |    | L 1 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:

1. AC. IRRIG. NOT SPECIFIED. FARM = 217 AC.  
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

Remarks:



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JAN 19 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

January 19, 2007

Mr. Kelly Christensen  
Idaho Department of Water Resources  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301

Re: NOE forms and amended claim – Nick Vanoff

Dear Kelly:

Enclosed please find a Notice of Error Reply for water rights 37-4185 and 37-882 in the name of Nick Vanoff Presents, Inc. Also, an amended claim is being submitted for 37-882 for the purpose of correcting the priority date, which was inadvertently claimed different than the decreed priority date. Included with the NOE for 37-4185 is a 1964 aerial photo which clearly shows the ditch which delivered water from the spring pond under this right.

Cordially,

Charles G. Brockway, P.E.

Cc: Barry Lubovski

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

NOTICE OF ERROR REPLY

RECEIVED

Water rights: 37-882

JAN 19 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

Claimant: Nick Vanoff Presents, Inc.  
c/o Nick Vanoff  
P.O. Box 834  
Sun Valley, ID 83353

Prepared by Brockway Engineering, PLLC

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

Diversion rate, priority date, place of use

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

Diversion rate should be 4.0 cfs.  
Priority date should be 6/1/1883.  
Place of use should be 50.9 acres rather than 45.2 acres.

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

The decreed diversion rate in the Frost decree is 4.0 cfs, which is the rate carried on the watermaster decree book to this day. According to Allen Merritt, Southern Region Director, IDWR staff has been routinely relying upon the amounts shown in the watermaster book in order to prepare recommendations. Right 37-882 should be no exception.

The priority date decreed in Frost is 6/1/1883. There apparently was an error on the amended claim filed for this right. A second amended claim is included with this Notice of Error to correct the priority date.

The historically-irrigated place of use, which coincides with the currently irrigated place of use, was submitted with the amended claims to IDWR in June 2002. This shape represents 50.9 acres of irrigation as asserted by the claimant.

DATE: 1-18-07

SIGNATURE:

PRINTED NAME:

NICK VANOFF

**NOTICE OF ERROR REPLY**

RECEIVED  
JAN 19 2007  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

**Water rights: 37-4185**

**Claimant: Nick Vanoff Presents, Inc.  
c/o Nick Vanoff  
P.O. Box 834  
Sun Valley, ID 83353**

**Prepared by Brockway Engineering, PLLC**

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

All.

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

Recommend as claimed for irrigation and stockwater.

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

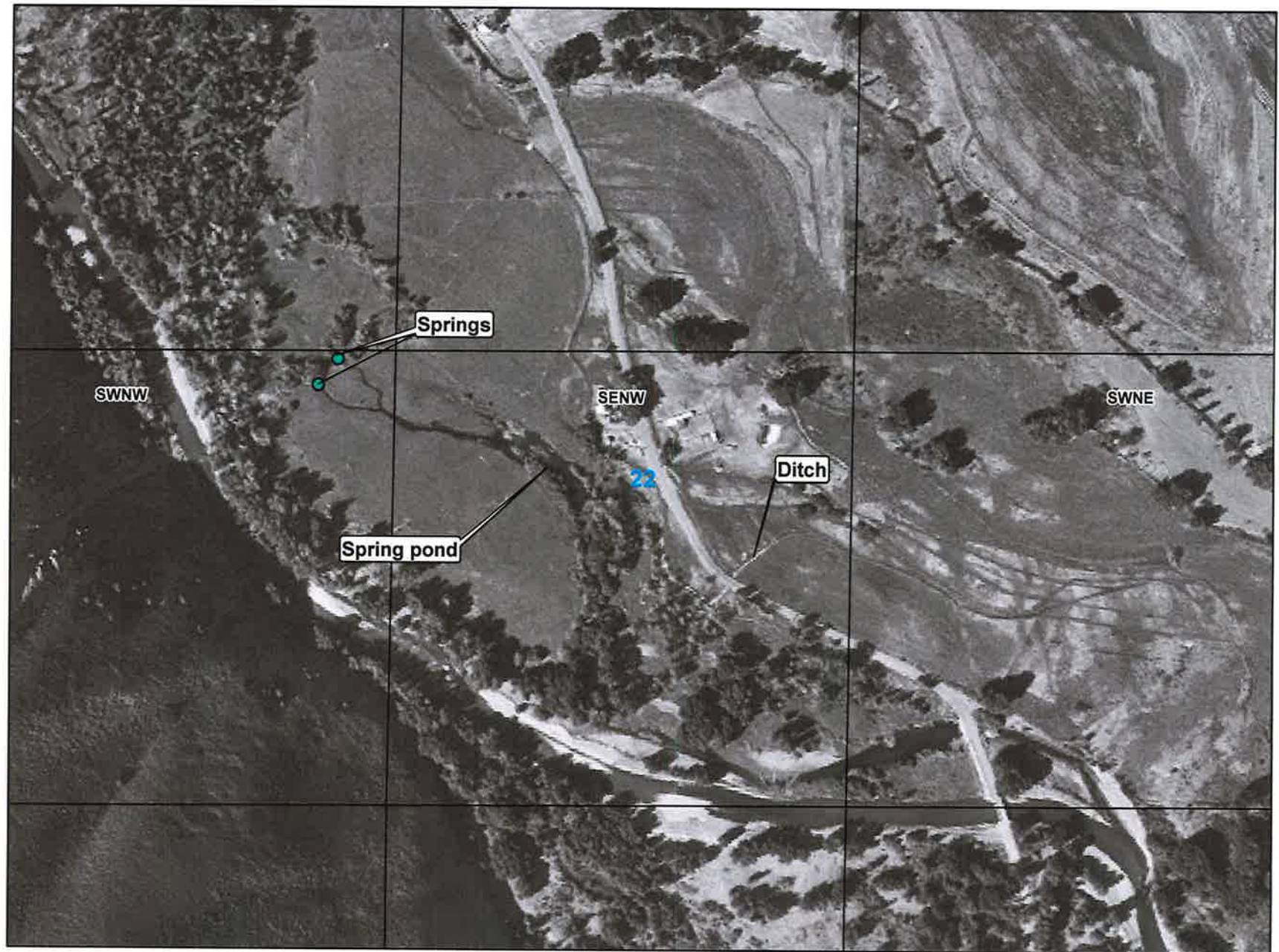
The irrigation portion of this right was recommended for disallowal due to insufficient proof of priority. In fact, water from the springs has been used for irrigation on 19.8 acres east of Broadford Road via a gravity ditch for many years. IDWR field agent Sandy Hemenway verified this usage. Aerial photos submitted with the claim also show the ditch. Submitted with this Notice of Error is a 1964 aerial photo showing usage from the spring pond. An affidavit is forthcoming from prior owner(s) of the ranch to confirm the usage and priority date.

DATE: 1-18-07

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

Nick Vanoff



**BEND OF THE RIVER RANCH  
T.02N. R.18E. SEC 22  
FSA 1964 Aerial photo**

BROCKWAY ENGINEERING, PLLC.  
ALR - JAN. 19, 2007

**Legend**  
Sections  
t02n18e  
Springs



FEB 16 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

## AMENDED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FORM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Nick Vanoff Presents, Inc. c/o Nick Vanoff Jr. Phone (208) 726-9572Mailing Address P.O. Box 834, Sun Valley, ID Zip 833532. Date of Priority (Only one (1) per claim) 6/1/18833. Source of water supply (a) Big Wood Riverwhich is tributary to (b) Malad River4. a. Location of existing point of diversion is: Township 2N Range 18E Section 22,  
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed  
and as enlarged and the depth of each well. Water is diverted from the Big Wood River at the  
Rockwell Bypass headgate. Watermaster delivers water from the Rockwell Bypass to a  
feeder ditch at the Fleming #34 headgate.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/1 to 11/1 amount 4.0 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 4.0 (cfs) and / or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) \_\_\_\_\_

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.  
 b. If water is used for together purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 2N  | 18E | 22  |        |        |        |        |        |        |        |        | 5.7    |        |        | 2.0    |        | 2.1    |        |        | 9.8    |
| 2N  | 18E | 27  | 4.9    |        |        | 26.2   |        |        |        |        |        |        |        |        | 10.0   |        |        |        | 41.1   |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 50.9

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

\_\_\_\_\_ Or None ☒

14. Remarks:

The claimed acreages reflect land that was historically irrigated, based on a review of aerial photos. The place of use is shown on the attached aerial map.  
ALL REMARKS IN ORIGINAL CLAIM FILING STILL APPLY.

Last Name \_\_\_\_\_ Ident. No. \_\_\_\_\_

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree ☒ \_\_\_\_\_  
If applicable provide IDWR Water Right Number 37-0882  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_

Date 1-18-07

Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_

Title \_\_\_\_\_

Of \_\_\_\_\_, that I have signed the foregoing

Organization \_\_\_\_\_

Document in the space below as \_\_\_\_\_ of \_\_\_\_\_

Title \_\_\_\_\_

Organization \_\_\_\_\_

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_

Date \_\_\_\_\_

State of Virginia or \_\_\_\_\_ )

County of Fauquier )

SS.

Subscribed and sworn (or affirmed) before me this 18 day of January, 20 07

SEAL

Kimberly D. Rosenberry

Notary Public

Residing at

Winchester, Virginia

My Commission Expires

March 31, 2009

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

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 37-882  
Date Received: 10/25/1988  
Receipt No: C003854  
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

NICK VANOFF PRESENTS INC  
A CALIFORNIA CORPORATION  
C/O NICK VANOFF JR  
PO BOX 834  
SUN VALLEY ID 83353

Phone: (208)762-9572

2. Date of Priority: 07/10/1884

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 02N      | 18E   | 22      | NE SW                 | BLAINE |      |

5. Description of diverting works:

Water is diverted from the Big Wood River at the Rockwell Bypass headgate.  
Watermaster delivers water from the Rockwell Bypass to a feeder ditch at the  
Fleming #34 headgate.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 4      |            |

7. Total Quantity Appropriated is:  
4 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 |
|-------------|-------|---------|----------------|----|------------|-------|
| 02N         | 18E   | 22      | NE             | SW | IRRIGATION | 5.7   |
|             |       |         | SE             | SW | IRRIGATION | 2     |
|             |       |         | NW             | SE | IRRIGATION | 2.1   |
|             |       |         | Section Acres  |    |            | 9.8   |
| 02N         | 18E   | 27      | SE             | NE | IRRIGATION | 26.2  |
|             |       |         | NE             | SE | IRRIGATION | 10    |
|             |       |         | NE             | NE | IRRIGATION | 4.9   |
|             |       |         | Section Acres  |    |            | 41.1  |
| Total Acres |       |         |                |    |            | 50.9  |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN- JECTION NOT LISTED.  
 | CHANGE OF OWNERSHIP\*\*\*\*\* WARRANTY DEED ATTACHED, ORIGINALS FILED WITH A37-00707 (10-19-1989 SCC)  
 \*\*\*\*\*  
 \*\*\*\*\*9/12/00 TF; CLAIM AMENDED TO REFLECT ACTUAL PLACE OF USE.

**Amended Claim**

The claimed acreages reflect land that was historically irrigated, based on a review of aerial photos. The place of use is shown on the attached aerial map. ALL REMARKS IN ORIGINAL CLAIM FILING STILL APPLY.

(Amendment changed priority date, point of diversion, and place of use.)

15. Basis of Claim: Decreed

AMENDED

3: 882

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FORM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number \_\_\_\_\_

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAWRECEIVED  
APR 30 2002  
Department of Water Resources  
Southern Region

Please type or print clearly

1. Name of Claimant (s) Nick Vanoff Presents, Inc. c/o Nick Vanoff Jr. Phone (208) 726-9572Mailing Address \_\_\_\_\_ P.O. Box 834, Sun Valley, ID \_\_\_\_\_ Zip 833532. Date of Priority (Only one (1) per claim) 7/10/18843. Source of water supply (a) Big Wood Riverwhich is tributary to (b) Malad River4. a. Location of existing point of diversion is: Township 2N Range 18E Section 22,  
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of

\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed  
and as enlarged and the depth of each well. Water is diverted from the Big Wood River at the  
Rockwell Bypass headgate. Watermaster delivers water from the Rockwell Bypass to a  
feeder ditch at the Fleming #34 headgate.

COPY

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/1 to 11/1 amount 4.0 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 4.0 (cfs) and / or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) \_\_\_\_\_

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for together purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 2N  | 18E | 22  |        |        |        |        |        |        |        |        | 5.7    |        |        | 2.0    |        | 2.1    |        |        | 9.8    |
| 2N  | 18E | 27  | 4.9    |        |        | 26.2   |        |        |        |        |        |        |        |        | 10.0   |        |        |        | 41.1   |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 50.9

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes x No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

\_\_\_\_\_ Or None ☒

14. Remarks:

The claimed acreages reflect land that was historically irrigated, based on a review of aerial photos. The place of use is shown on the attached aerial map.

ALL REMARKS IN ORIGINAL CLAIM FILING STILL APPLY.

Last Name \_\_\_\_\_

Ident. No. \_\_\_\_\_

COPY

15. Basis of Claim (check one) ☐ Official Use ☐ Posted Notice ☐ License ☐ Permit ☒ Decree  
If applicable provide IDWR Water Right Number 37-0882  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date 6/6/1913  
Plaintiff vs 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 2 maps

**For Individuals:** I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am NICIC VANOFF, PRESIDENT  
Of NICIC VANOFF Presents, Inc. that I have signed the foregoing  
Document in the space below as PRESIDENT of NICIC VANOFF PRESENTS, INC.  
Title Organization

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_  
Title and Organization PRESIDENT NICIC VANOFF PRESENTS, INC. Date 4/15/02

State of ~~Idaho~~ / or CALIFORNIA )  
County of LOS ANGELES ) SS.

Subscribed and sworn (or affirmed) before me this 15 day of APRIL, 20 02

SEAL



Notary Public MICHELLE Y. JAURE  
Residing at LOS ANGELES, CA  
My Commission Expires 3/2/04

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

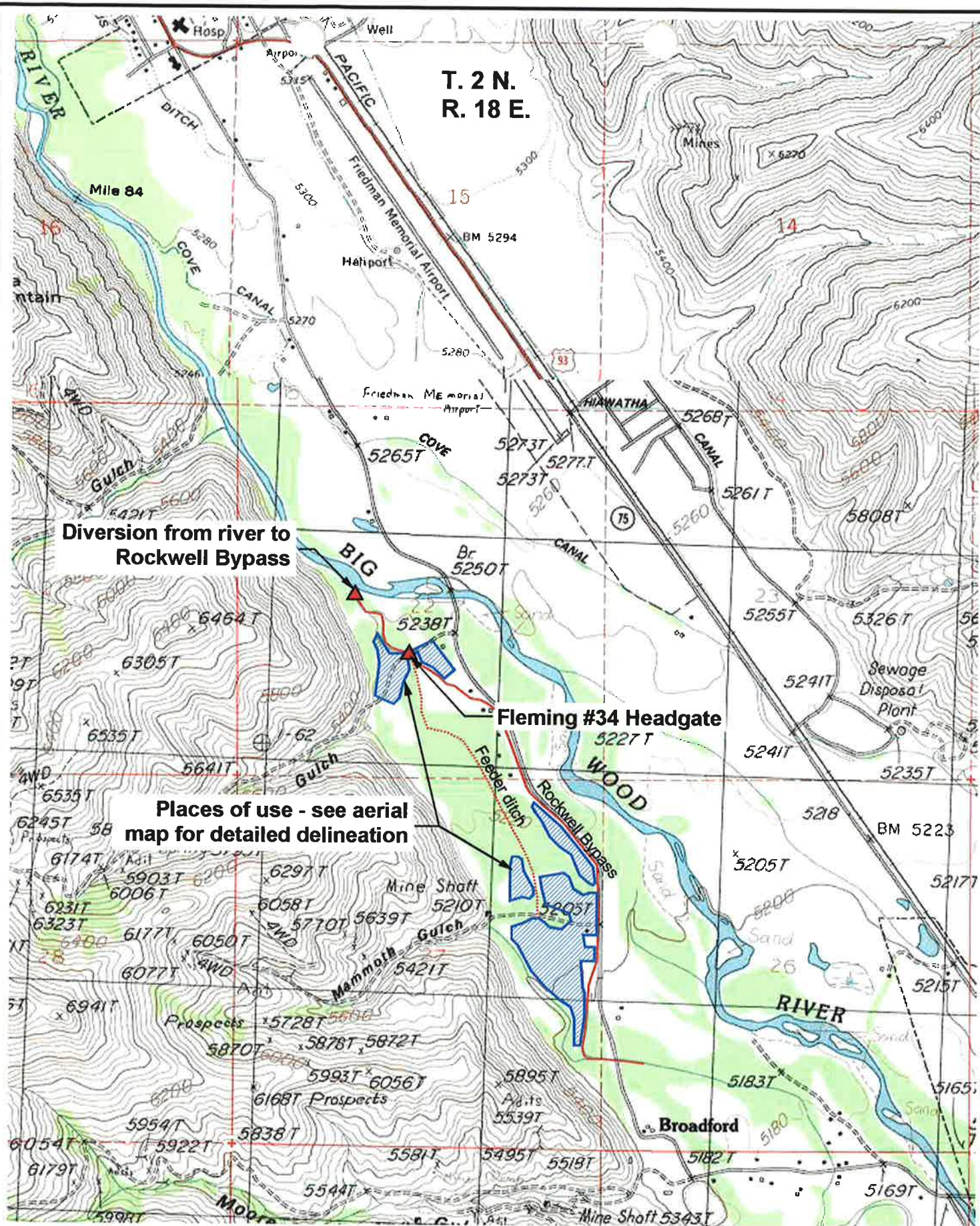
Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

COPY



**Nick Vanoff  
Presents, Inc.**

**Vicinity map for amended  
SRBA claim 37-0882**

**Brockway Engineering, PLLC  
April 4, 2002**



**Central Area**  
**Bend of the River Irrigation**  
T02N, R18E, Section 22

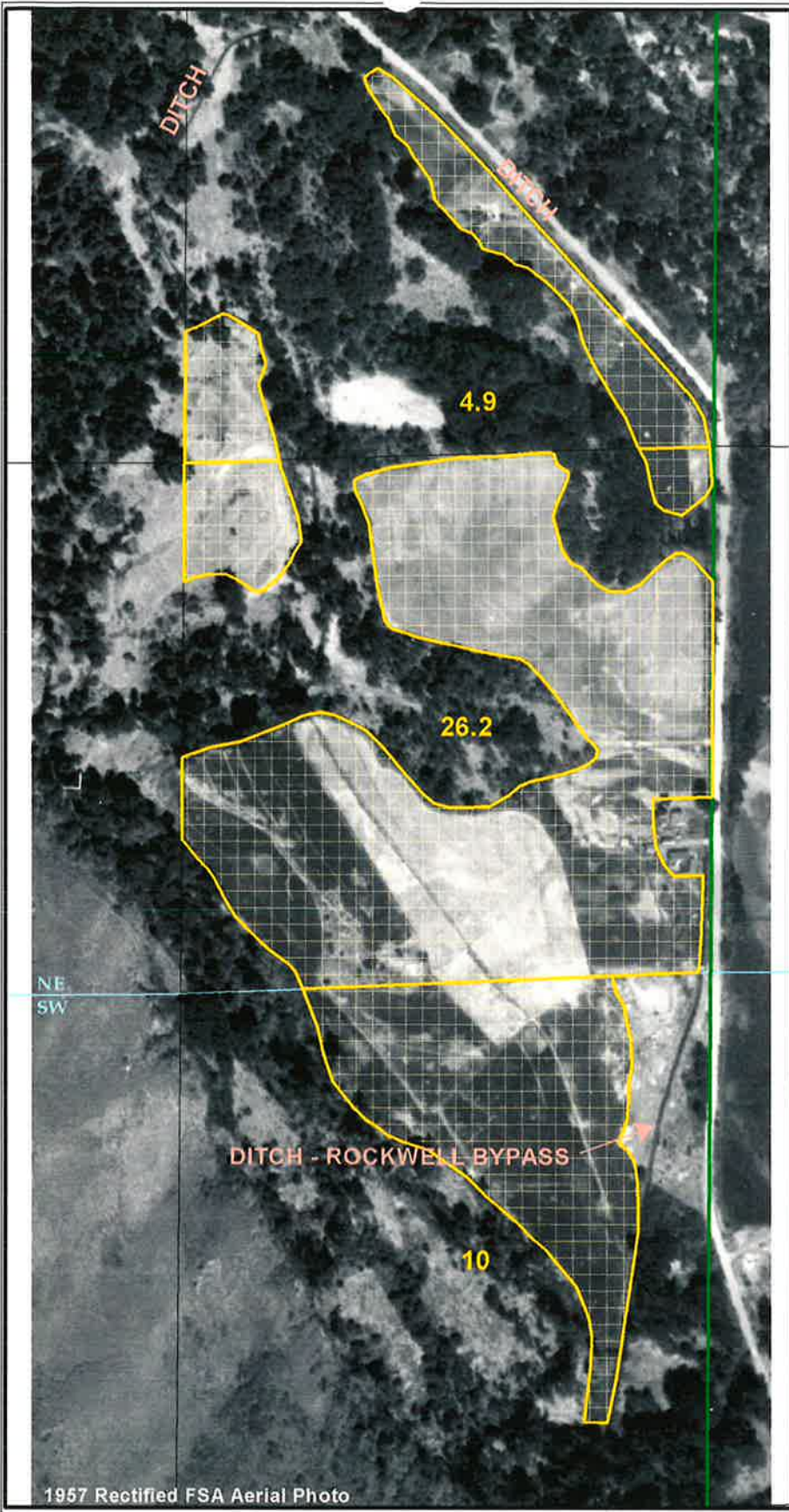


100 0 100 200 300 400 Feet

-  Irrigated Acreage  
Total Acres Irrigated = 9.8 ac.
-  Quarter Section Lines
-  Quarter Quarter Section Lines

1964 Rectified FSA Aerial Photo

**Brockway Engineering, PLLC**  
MLA 3/28/2002



**South Area  
Bend of the River Irrigation  
T02N, R18E, Section 27**



-  Irrigated Acreage  
Total Acres Irrigated = 41.1 ac.
-  Section Lines
-  Quarter Section Lines
-  Quarter Quarter Section Lines

200 0 200 400 600 800 Feet

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 37-882  
Date Received: 10/25/88  
Receipt No:  
Received By:

37-00882

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

NICK VANOFF PRESENTS INC Phone: (208)762-9572

A CALIFORNIA CORPORATION  
C/O NICK VANOFF JR  
PO BOX 834  
SUN VALLEY ID 83353

2. Date of Priority: 06/01/1883

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County |
|----------|-------|---------|-----------------------|--------|
| 02N      | 18E   | 22      | SW SE                 | BLAINE |
| 02N      | 18E   | 22      | NW SW                 | BLAINE |

5. Description of diverting works:

FLEMING #34 HEADGATE FROM BROADFORD SLOUGH TO ROCKWELL BYPASS CAN

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:  
4 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 |
|----------|-------|---------|------------|-----|---------------|-------|
| 02N      | 18E   | 22      | NW         | SE  | IRRIGATION    | 10    |
|          |       |         |            |     | Section Acres | 10    |
| 02N      | 18E   | 27      | SE         | NE  | IRRIGATION    | 26    |
|          |       |         | NE         | SE  | IRRIGATION    | 12    |
|          |       |         |            |     | Section Acres | 38    |
|          |       |         |            |     | Total Acres   | 48    |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN- JECTION NOT LISTED

| CHANGE OF OWNERSHIP\*\*\*\*\* WARRANTY DEED ATTACHED, ORIGINALS FILED WITH A37-00707 (10-19-1989 SCC)

\*\*\*\*\*  
9/12/00 TF; CLAIM AMENDED TO REFLECT ACTUAL PLACE OF USE.

15. Basis of Claim: Decreed

SEP 12 2000

Department of Water Resources  
Southern Region

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 37-00882  
Date Received: 10/25/88  
Receipt No: C003854  
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

## 1. Name of Claimant(s)

Name: NICK VANOFF PRESENTS INC Phone: (208)762-9572

Address: A CALIFORNIA CORPORATION C/O NICK VANOFF JR  
PO BOX 834  
SUN VALLEY ID USA 83353

## 2. Date of Priority: 06/01/1883

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

## 4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County |
|----------|-------|---------|-----------------------|--------|
| 02N      | 18E   | 22      | SW SE                 | BLAINE |
| 02N      | 18E   | 22      | NW SW                 | BLAINE |

## 5. Description of diverting works:

FLEMING #34 HEADGATE FROM BROADFORD SLOUGH TO ROCKWELL BYPASS CAN

## 6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:  
4 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 |
|----------|-------|---------|------------|-----|---------------|-------|
| 02N      | 18E   | 22      | NW         | SE  | IRRIGATION    | 10    |
|          |       |         |            |     | Section Acres | 10    |
| 02N      | 18E   | 27      | SE         | NE  | IRRIGATION    | 26    |
|          |       |         | NE         | SE  | IRRIGATION    | 12    |
|          |       |         |            |     | Section Acres | 38    |
|          |       |         |            |     | Total Acres   | 48    |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN- JECTION NOT LISTED. | CHANGE OF OWNERSHIP\*\*\*\*\* WARRANTY DEED ATTACHED, ORIGINALS FILED WITH A37-00707 (10-19-1989 SCC)

This record is an amended claim draft changing PoU from NESW to NESE.

15. Basis of Claim: Decreed

T2N R18E

37-12246 = Dom

37-12249 = STK

A37-00707 = 49ac

A37-00882 = 48ac

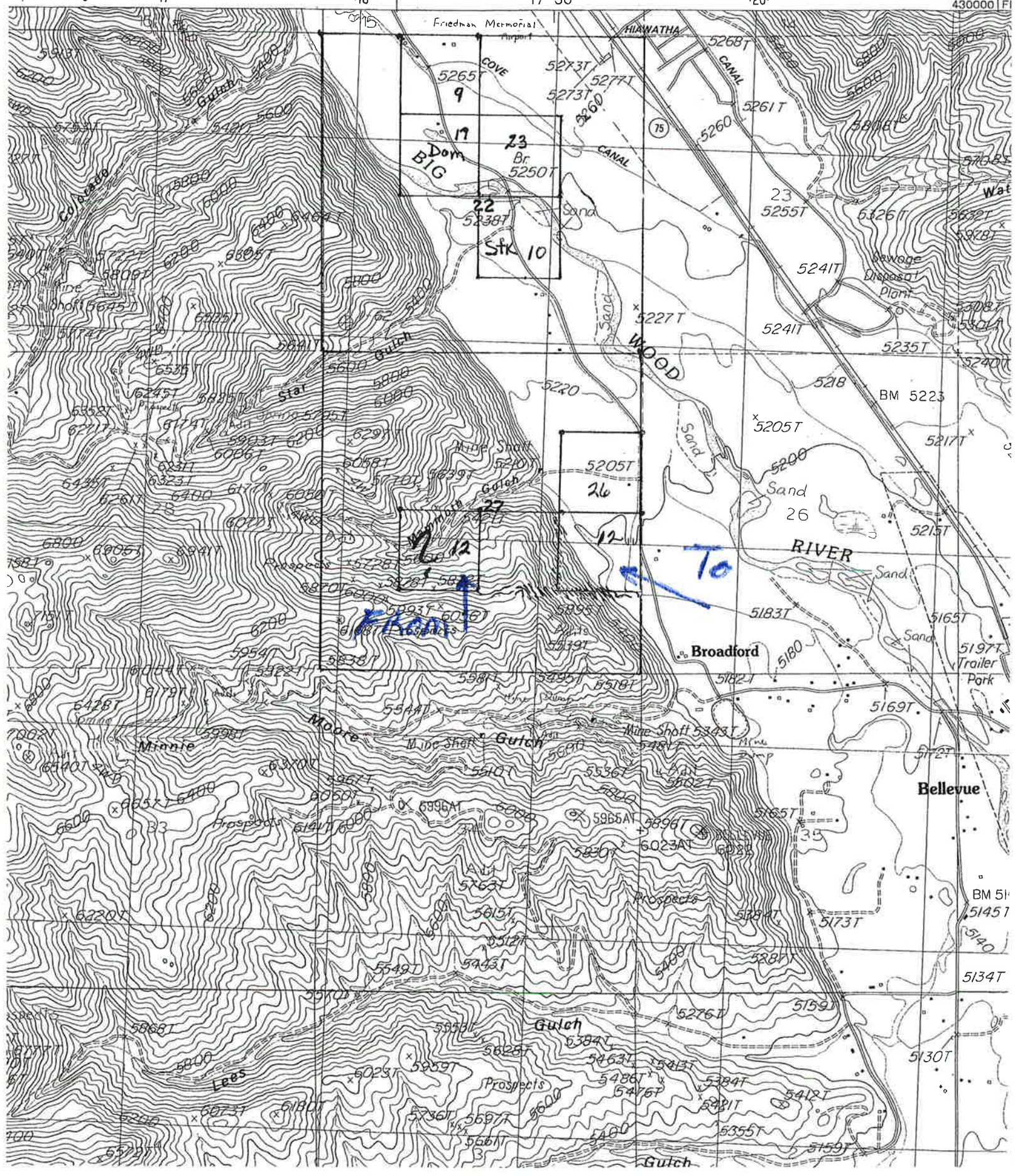
A37-04185

717

718

17' 30"

430000 | F



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 Organizations:

I do solemnly swear or affirm that I am \_\_\_\_\_ of  
Title

\_\_\_\_\_, that I have signed the foregoing

Organization

document in the space below as \_\_\_\_\_ of

Title

\_\_\_\_\_, and that the statements contained in the

Organization

foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of California )

County of Los Angeles )

SS.

Subscribed and sworn (or affirmed) before me this

of Sept 7 2000

Debra Ann Bellis

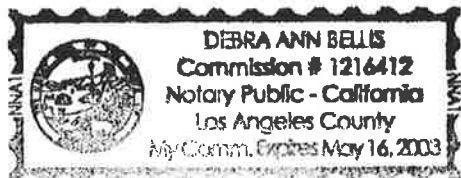
Notary Public

Residing at

4756 Sarniot Ave

My commission Expires

May 16, 2003



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: A37-00882  
Date Received: 12/12/1988  
Receipt No: C003854  
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: NICK VANOFF PRESENTS, INC. 208-762-9572  
Address: A CALIFORNIA CORPORATION  
C/O NICK VANOFF, JR.  
P.O. BOX 834  
SUN VALLEY, ID 83353

2. Date of Priority: JUN 01, 1883

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 02N      | 18E   | 22      | NW     | SW     |     |     | BLAINE |
|          |       |         | SW     | SE     |     | R   | BLAINE |

5. Description of diverting works:  
FLEMING #34 HEADGATE FROM BROADFORD SLOUGH TO ROCKWELL BYPASS CAN

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 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 02N      | 18E   | 22      | NW     | SE  |     | IRR | 10.0  |

Section Acres 10.0

A37-00882

Page 1

Date: 10/19/89

MICROFILMED

MAR 01 1993

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 02N      | 18E   | 27      | SE     | NE  |     | IRR           | 26.0  |
|          |       |         | NE     | SW  |     | IRR           | 12.0  |
|          |       |         |        |     |     | Section Acres | 38.0  |
|          |       |         |        |     |     | Total Acres   | 48.0  |

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:  
NONE

14. Remarks:

RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN-  
JECTION NOT LISTED.

|  
CHANGE OF OWNERSHIP\*\*\*\*\*

WARRANTY DEED ATTACHED, ORIGINALS FILED WITH A37-00707  
(10-19-1989 SCC)

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/16/1913

CAMPBELL

Decree Plaintiff

vs

MIZER

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 \_\_\_\_\_

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[ ] Water Right Number(s): A37-00707, A37-00882, A37-04185, A37-12249

[ ] Name and Address of

Former Claimant: Warren S. Tenney

598 Madison Avenue

New York, New York 10022

[ ] New Claimant(s): Nick Vanoff Presents, Inc.

a California corporation

[ ] New Mailing Address: c/o Nick Vanoff, Jr.

P.O. Box 834

Sun Valley, ID 83353

New Telephone Number: ( 208 ) 726 - 9572

[ ] Does the change in ownership result in a splitting of the  
water right claimed?        yes XX no

If yes, then describe the portion of the water right that is  
now claimed by the new owner:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[ X ] Attach proof of ownership

Describe proof attached: Warranty Deed

[ ] Signature of New Claimant(s): \_\_\_\_\_

Date: \_\_\_\_\_

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-19-89

By: SCC

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

RECEIVED

OCT 13 1989

Department of Water Resources  
Southern Region

MAR 01 1993

WARRANTY DEED

For Value Received

WARREN S. TENNEY and JUDY E. TENNEY, husband and wife  
the grantor s, do hereby grant, bargain, sell and convey unto

NICK VANOFF PRESENTS, INC., a California Corporation  
the grantees, whose current address is 1438 N. Gower St., Hollywood, CA. 90028  
the following described premises, in Blaine County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

308037  
Sun Valley Title Co.  
BLAINE CO. REQUEST  
of: [Signature]  
89 JUL 28 PM 2 54  
MARY GREEN, CLERK  
FEES \$125

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owner s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 20, 1989

[Signature]  
Warren S. Tenney

[Signature]  
Judy E. Tenney

STATE OF IDAHO  
COUNTY OF Blaine  
On this 20th day of July, 1989, in the year 1989, before me, a Notary Public, personally appeared Warren S. Tenney and Judy E. Tenney, known or identified to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]  
Notary Public  
Residing at Bellevue, Idaho  
Commission Expires 12-1-94

STATE OF IDAHO, COUNTY OF  
I hereby certify that this instrument was filed for record at the request of  
at \_\_\_\_\_ minutes past \_\_\_\_\_ o'clock M.,  
this \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_, in my office, and duly recorded in Book  
of Deeds at page \_\_\_\_\_

By \_\_\_\_\_ Ex-Officio Recorder

By \_\_\_\_\_ Deputy

Fees \$  
Mail to:

MICROFILMED

Chicago Title Insurance Company of Idaho

MAR 01 1993

Recorder Form No. 87413ED

EXHIBIT "A"

Lots 2, 3 & 4 of TENNEY-ANDERSON SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof on file in the office of the County Recorder, recorded July 2, 1987, as Instrument No. 285645, records of Blaine County, Idaho.

also

TOWNSHIP 2 NORTH, RANGE 18 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 22: SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;

All of the NW $\frac{1}{4}$  EXCEPTING THEREFROM the following described tracts of land:

Beginning at the Northwest corner of the NW $\frac{1}{4}$  of said Section 22, and running thence East 1375 feet; thence South 29°30' East 627 feet; thence South 25° East 394 feet; thence West 1850.3 feet to the section line; thence North along said section line 902.8 feet to the Place of Beginning.

And also EXCEPTING all of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  lying North of the existing canal.

Together with 80 miner inches of water from the Big Wood River with a decree dated July 10, 1884, said decree being in Book 6 of Judgments, page 466 of the Blaine County, Idaho, records.

SECTION 22: E $\frac{1}{2}$ SW $\frac{1}{4}$ ;

All of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  EXCEPTING THEREFROM the following described tract of land:

Beginning at the Southeast corner of said Section 22; thence South 86°27' West 1091.5 feet; thence North 21°57' West 277.59 feet; thence North 17°33' West, 83.03 feet; thence North 17°19' West 642.2 feet; thence North 62°30' West 138.3 feet to the true point of beginning; thence South 1°45' East 60.0 feet; thence South 89°37' West 1057.6 feet; thence North 1°45' West 519.2 feet; thence South 86°17' East 726.2 feet; thence South 36°04' East 194.6 feet; thence South 43°11' East 339.7 feet to the point of beginning.

SECTION 22: All that portion of the S $\frac{1}{4}$ SE $\frac{1}{4}$  lying West of the Bradford Road.

EXCEPTING THEREFROM a strip of land sixty (60) feet wide being thirty (30) feet left and thirty (30) feet right of the following described centerline located within Section 22, T.2N., R.18E., B.M., Blaine County, Idaho, more particularly described as follows:

Commencing at an aluminum cap marking the North one-quarter corner of said Section 22, which point lies North 45°04'56" East 3753.85 feet from a brass cap marking the West one-quarter corner of said Section 22; thence South 8°53'14" East 3259.74 feet to centerline station 2 + 00, which point is the REAL POINT OF BEGINNING; thence North 7°36'24" East 128.16 feet to centerline station 3 + 28.16, which point is a point of curvature; thence 216.18 feet around a curve to the left with a central angle of 24°51'40", a tangent of 109.82 feet, a radius of 498.22 feet, and a long chord of 214.49 feet that bears North 4°49'26" West to a point of tangency at centerline station 5 + 44.34; thence North 17°15'16" West 327.57 feet to centerline station 8 + 71.91, which point is a point of curvature; thence 422.07 feet around a curve to the left with a central angle of 48°32'17", a tangent of 224.63 feet, a radius of 498.22 feet, and a long chord of 409.56 feet that bears North 41°31'24" West to a point of tangency at centerline station 12 + 93.98, which point is the point of ending of said right-of-way parcel.

MAR 01 1993

cont.

ALSO EXCEPTING THEREFROM a tract of land in the West  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 22, Township 2 North, Range 18 E., B.M., more particularly described as follows:

Beginning at the Southeast Corner of said Section 22; thence S.  $86^{\circ}27'$  W., 1091.50 feet; thence N.  $21^{\circ}57'$  W., 277.59 feet; thence N.  $17^{\circ}33'$  W., 83.03 feet; thence N.  $17^{\circ}19'$  W., 642.20 feet; thence N.  $62^{\circ}30'$  W., 138.30 feet; thence N. 339.70 feet to the TRUE POINT OF BEGINNING; thence W. 190.00 feet; thence N. 194.60 feet; thence E. 190.00 feet; thence S. 194.60 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM TENNEY-ANDERSON SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof on file in the office of the County Recorder, recorded July 2, 1987, as Instrument No. 285645, records of Blaine County, Idaho.

EXCEPTING THEREFROM: a tract of land in the W $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 22 described as follows:

Beginning at the Southeast corner of said Section 22; thence South  $86^{\circ}27'$  West 1091.5 feet; thence North  $21^{\circ}57'$  West 277.59 feet; thence North  $17^{\circ}33'$  West 83.03 feet; thence North  $17^{\circ}19'$  West 642.2 feet; thence North  $62^{\circ}30'$  West 138.3 feet to the true point of beginning; thence South  $1^{\circ}45'$  East 60.0 feet; thence South  $89^{\circ}37'$  West 1057.6 feet; thence North  $1^{\circ}45'$  West 519.2 feet thence South  $86^{\circ}17'$  East 726.2 feet; thence South  $36^{\circ}04'$  East 194.6 feet; thence South  $43^{\circ}11'$  East 339.7 feet to the point of beginning;

ALSO EXCEPTING a tract of land in the S $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 22 described as follows:

Beginning at the Southeast corner of said Section 22; thence South  $86^{\circ}27'$  West 1091.5 feet; thence North  $21^{\circ}57'$  West 277.59 feet; thence North  $17^{\circ}33'$  West 83.03 feet; thence North  $71^{\circ}53'$  West 1.0 feet; thence North  $18^{\circ}07'$  West 300.0 feet to the true point of beginning; thence North  $18^{\circ}57'$  West 209.3 feet; thence North  $34^{\circ}10'$  West 161.45 feet; thence South  $89^{\circ}47'$  West 337.65 feet; thence South  $18^{\circ}07'$  East 467.8 feet; thence North  $71^{\circ}53'$  East 370.0 feet to the point of beginning.

ALSO EXCEPTING a tract of land in the S $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 22 described as follows: Beginning at the Southeast corner of said Section 22; thence South  $86^{\circ}27'$  West 1091.5 feet; thence North  $21^{\circ}57'$  West 277.59 feet; thence North  $17^{\circ}33'$  West 83.03 feet thence North  $71^{\circ}53'$  West 1.0 feet to the true point of beginning; thence North  $18^{\circ}07'$  West 300.0 feet; thence South  $71^{\circ}53'$  West 370.00 feet; thence South  $18^{\circ}07'$  East 300.0 feet thence North  $71^{\circ}53'$  East 370.0 feet to the true point of beginning.

SECTION 27: Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$ );

All those portions of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Lot 5 (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ) and Lot 6 (NE $\frac{1}{4}$ SE $\frac{1}{4}$ ) lying West of the Bradford Road;

ALSO EXCEPTING a tract of land in said Sections 22 and 27 described as follows: Beginning at a point South  $86^{\circ}27'$  West 1091.5 feet from the Northeast corner of Section 27, at which point there is located a steel pin, which is the true point of beginning; running thence in a northwesterly direction North  $21^{\circ}57'$  West a distance of 22 feet to a point where the boundary line between Sections 22 and 27 intersects said line and continuing on said line a distance of 255.59 feet to a steel pin; thence North  $17^{\circ}33'$  West a distance of 83.03 feet to a steel pin; running thence South  $71^{\circ}53'$  West a distance of 369 feet to a steel pin; running thence South  $18^{\circ}07'$  East a distance of 210 feet to the intersection of the boundary line of Sections 22 and 27; continuing thence along said line a distance of 150 feet to a steel pin; running thence North  $71^{\circ}53'$  East a distance of 387.74 feet to the true point of beginning;

cont.

Together with 200 miner inches of water from the Big Wood River with a decree dated June 1, 1883, the decree being recorded in Book 7 of Judgments, page 121 of the records of Blaine County, Idaho.

Except any and all mineral rights appurtenant to the above described properties.

EXCEPTING THEREFROM any portion thereof of the QUEEN BESS Patented Mining Claim as disclosed in Survey recorded December 18, 1984, as Instrument No. 259092, records of Blaine County, Idaho; and EXCEPTING THEREFROM any portion of the County Road known as Broadford Road.

INCLUDING but not limited to any and all water rights which are appurtenant to the above described real property.

MICROFILMED

MAR 01 1993

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: A37-00882  
Date Received: 12/12/1988  
Receipt No: C003854  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: WARREN S. TENNEY  
Address: 598 MADISON AVE.  
NEW YORK, NY 10022 212-832-4903

2. Date of Priority: JUN 01, 1883

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 02N      | 18E   | 22      | NW     | SW     |     |     | BLAINE |
|          |       |         | SW     | SE     |     |     | BLAINE |

5. Description of diverting works:

FLEMING #34 HEADGATE FROM BROADFORD SLOUGH TO ROCKWELL BYPASS CAN

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 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 02N      | 18E   | 22      | NW     | SE  |     | IRR | 10.0  |

Section Acres 10.0

A37-00882

Page 1

Date: 12/19/88

MICROFILMED  
MAR 01 1993

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 02N      | 18E   | 27      | SE     | NE  |     | IRR           | 26.0  |
|          |       |         | NE     | SW  |     | IRR           | 12.0  |
|          |       |         |        |     |     | Section Acres | 38.0  |
|          |       |         |        |     |     | Total Acres   | 48.0  |

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:  
NONE

14. Remarks:  
RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN-  
SECTION NOT LISTED.

15. Basis of Claim: DECREED  
Case Number:  
Court :  
Decree date: 6/16/1913

CAMPBELL

Decree Plaintiff

vs

MIZER

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 \_\_\_\_\_

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be  
\_\_\_\_\_ Print Name  
acting as attorney at law on behalf of the claimant signing above, and that  
all notices required by law to be mailed by the director to the claimant  
signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

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: 39356  
Ident Number A37-00882  
Date Received 10/25/88  
Receipt Number C003854

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 25 1988

Department of Water Resources  
Southern Region Office

1. Name of Claimant(s): Warren S. Tenney  
Phone: (212) 832-4903  
Mailing Address: 598 Madison Avenue  
New York, NY 10022
2. Date of Priority: June 1, 1883
3. Source of water supply (a) Big Wood River  
which is tributary to (b) Malad River
4. a. Location of point of diversion is:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u>Lot</u> | <u>County</u> |
|-----------------|--------------|----------------|---------------------------------|---------------------------------|---------------------------------|------------|---------------|
| 2N              | 18E          | 22             |                                 | NW                              | SW                              |            | Blaine        |
| 2N              | 18E          | 22             |                                 | SW                              | SE                              |            | Blaine        |

Additional points of diversion if any: See above.

- b. If instream flow, beginning point:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u>Lot</u> | <u>County</u> |
|-----------------|--------------|----------------|---------------------------------|---------------------------------|---------------------------------|------------|---------------|
|-----------------|--------------|----------------|---------------------------------|---------------------------------|---------------------------------|------------|---------------|

Ending point:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u>Lot</u> | <u>County</u> |
|-----------------|--------------|----------------|---------------------------------|---------------------------------|---------------------------------|------------|---------------|
|-----------------|--------------|----------------|---------------------------------|---------------------------------|---------------------------------|------------|---------------|

5. Description of existing diversion works: Fleming 34 Headgate from the Broadford Slough to the Rockwell Bypass Canal; flood irrigation.

MICROFILMED  
MAR 01 1993

6. Water is claimed for following purposes:

| <u>Purpose</u> | <u>From</u> | <u>To</u>  | <u>Amount</u> |
|----------------|-------------|------------|---------------|
| Irrigation     | April 1     | November 1 | 4.0 cfs       |

7. Total Quantity Claimed: 4.0 cfs

8. Total consumptive use claimed is 120 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>1/4</u> | <u>1/4</u> | <u>Use</u> | <u>Irrig. Acres</u> |
|-----------------|--------------|----------------|------------|------------|------------|---------------------|
| 2N              | 18E          | 22             | NW         | SE         | I          | 10                  |
| 2N              | 18E          | 27             | SE         | NE         | I          | 26                  |
| 2N              | 18E          | 27             | NE         | SW         | I          | 12                  |

Total number of irrigated acres: 48

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? None.

14. Remarks: Right originally decreed to Frank & Sarah Campbell in Campbell v. Mizer. Place of use is claimed pursuant to Idaho Code §42-1416(1) to the extent it differs from the decree. Soil is extremely pourous - gravelly, sandy loam - Little Wood River Series.

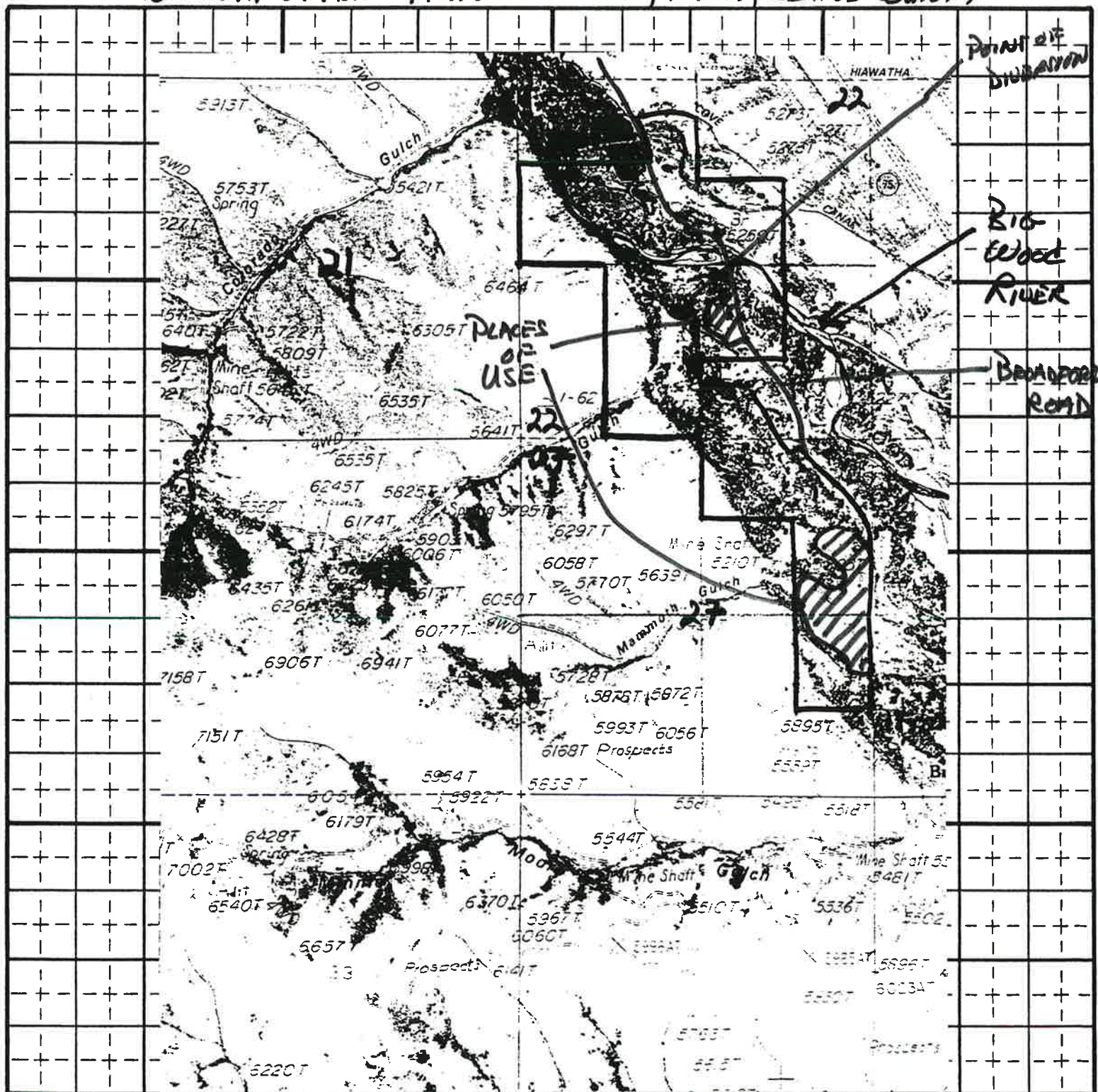
Last Name: Tenney Ident No. \_\_\_\_\_

MICROFILMED  
MAR 01 1993

Map of Project: show clearly the p. of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TOWNSHIP 2 NORTH, RANGE 18 EAST, B.M. BLAINE COUNTY



Last Name

TENNEY

Ident No.

MICROFILMED  
MAR 01 1993  
Copies: White-State, Yellow-Claimant

15. Basis of Claim: Decree  
IDWR Water Right Number: 37-0882  
Court: Blaine County  
Case Number:  
Decree Date: June 16, 1913  
Plaintiff v. Defendant:  
Campbell v. Mizer

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

Warren S. Tenney, by  
James P. Speck, his  
attorney in fact

Date

10/24/88

Date

\_\_\_\_\_

State of Idaho )

) ss.

County of Blaine )

Subscribed and sworn before me this 24<sup>th</sup> day of October, 1988.

Notary Public

Residing at

Commission Expires

Ruby Mingo Becker  
Sun Valley, ID  
11/27/93

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature:

James P. Speck

James P. Speck

Hogue, Speck & Aanestad

P.O. Box 987

Ketchum, ID 83340

Date:

10/24/88

Last Name: Tenney  
a:\tenney2.clm

Ident No.: \_\_\_\_\_

MICROFILMED  
MAR 01 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Tenney

CLAIM

ENT. NO.

A37-00882

DATE RECEIVED

10/25/88

CK #

8644

AMOUNT \$

597.00

1. Is the name and address complete with zip code?

YES

NO

2. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

Decreed

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

N/A

Is the consumptive use correct?

N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

15. Is the basis of the claim indicated?

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct?

Exempt

If this claim is based on an existing water right, has the identification number been entered?

N/A

Should this claim be receipted and data entered?

notice of appearance

Claim checked by:

Comments:

MAR 01 1993

09/15/2011

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

RIGHT NUMBER: 37-882

NAME AND ADDRESS: NICK VANOFF PRESENTS INC  
C/O NICK VANOFF JR  
PO BOX 834  
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.930 CFS

PRIORITY DATE: 06/01/1883

POINT OF  
DIVERSION:

T02N R18E S22 SENESW Within BLAINE County  
T02N R18E S27 NWNENE 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          | 2.930 CFS                |
| PLACE OF USE: | <u>IRRIGATION in BLAINE County</u> |                      |                          |
|               | T02N R18E S22                      | NESW 5.20            | T02N R18E S22 SESW 2.00  |
|               | T02N R18E S22                      | NWSE 2.80            | T02N R18E S27 NENE 3.90  |
|               | T02N R18E S27                      | SENE 27.00           | T02N R18E S27 NESE 10.00 |

50.9 ACRES TOTAL

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

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

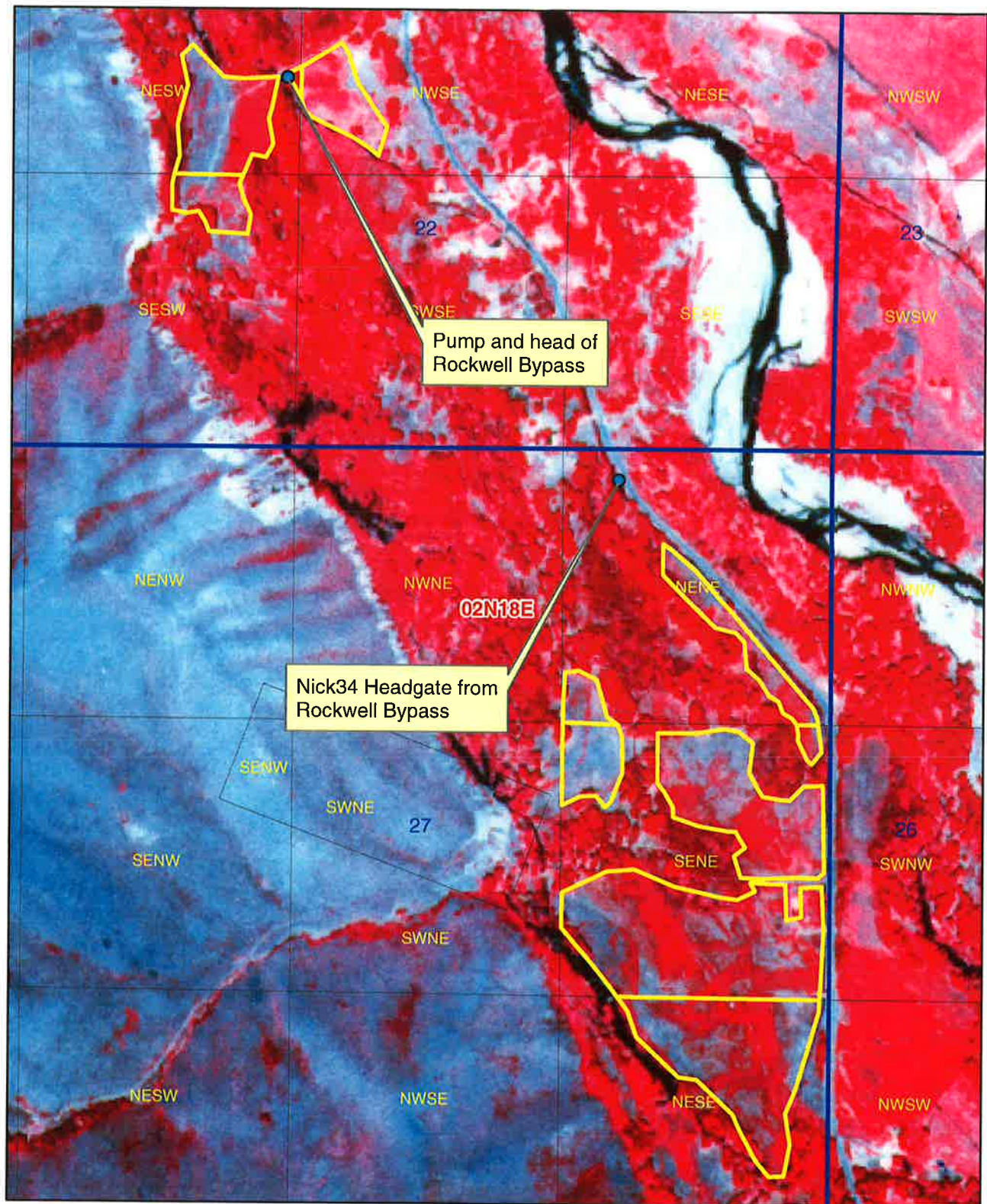
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

The diversion point described in Section 22 includes both a pump in the Broadford Slough and the head of the Rockwell Bypass Canal. The diversion point in Section 27 is the headgate from the Rockwell Bypass Canal.

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

# IDAHO DEPARTMENT OF WATER RESOURCES



37-882

Recommendation Shape File



D. Jones  
9/15/2011

09/07/2011

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

RIGHT NUMBER: 37-882

NAME AND ADDRESS: NICK VANOFF PRESENTS INC  
C/O NICK VANOFF JR  
PO BOX 834  
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.930 CFS

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION:

T02N R18E S22 SENESW Within BLAINE County

T02N R18E S27 NWNENE 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          | 2.930 CFS       |

PLACE OF USE: IRRIGATION in BLAINE County

|               |      |                           |               |      |                            |
|---------------|------|---------------------------|---------------|------|----------------------------|
| T02N R18E S22 | NESW | <u>5.1</u><br><u>1.50</u> | T02N R18E S22 | SESW | <u>1.9</u><br><u>1.60</u>  |
| T02N R18E S22 | NWSE | 2.70                      | T02N R18E S27 | NENE | <u>3.2</u><br><u>2.80</u>  |
| T02N R18E S27 | SENE | <u>26</u><br><u>24.00</u> | T02N R18E S27 | NESE | <u>9.19</u><br><u>9.70</u> |

$\Sigma = 49.4$

45.3 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

## Summary of Review of Vanoff rights

Douglas Jones 12-13-2010

### **37-882:**

Original right (decreed) : 4 cfs, 6/1/1883, 6 QQs: S1/2SE Sec 22; N1/2NE, SENE, NESE Sec 27 (217 ac).

Claim: 4 cfs, 48 ac, 6/1/1883 by Tenney; owner change to Vanoff 1989, 1<sup>st</sup> amended in 2002 to 7/10/1884, 50.9 ac, 4 cfs.

Vanoff amended claim (2<sup>nd</sup>) 2/16/2007 as to priority seeking 6/1/1883 – too late for inclusion in Director's Report.

Recommendation filed with court 2/21/2007: 7/10/1884 (as 1st amended), digitized 45.2 ac, 1.82 cfs (2"/ac)

Timely objection seeks 2<sup>nd</sup> amended claim elements.

### Analysis:

9.8 acres of irrigation is claimed outside of original POU for decree, apparently by accomplished transfer and through an additional POD via pump in Broadford Slough. There is no information in the file for when this change occurred.

It appears the claimant was confused in amendment and put the priority of 37-707, same as another of the claimant's rights on other lands, as the priority for 37-882. Claimant has appropriately amended the claim to correct the claimed priority date.

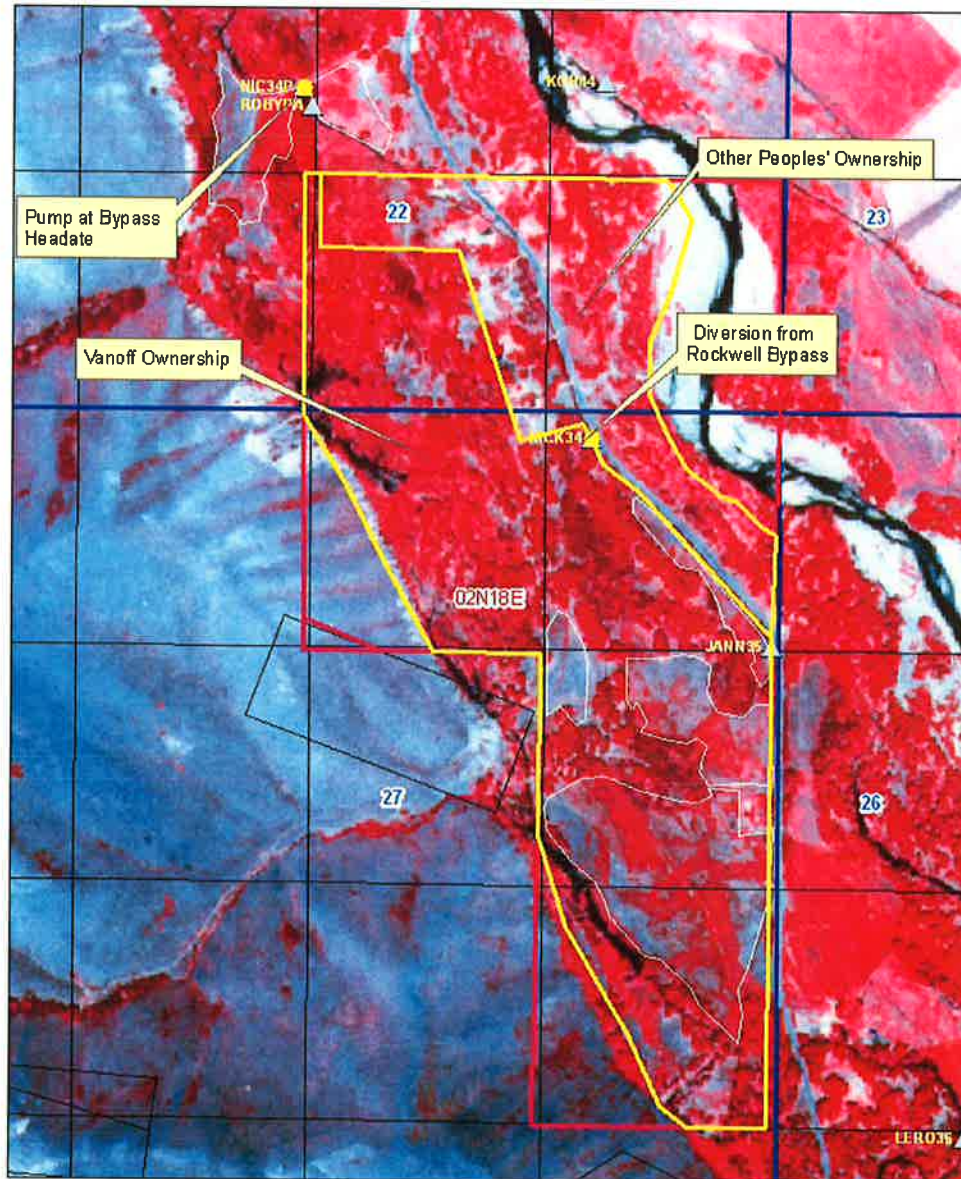
The claimant owns 139 acres of the 190 acres (73%) that could be irrigated in the original farm. Hillsides and river bottoms have been excluded from the 217 acres described in the original decree. 73% of 4 cfs = 2.93 cfs.

IDWR willing to recommend for settlement-- Priority of 6/1/1883; 50.9 acres; 2.93 cfs. Includes the 9.8 acres described above.

Documentation that reserved the decreed water from the lands now owned by other people (the remaining 51 acres) would be needed to adjust flow rate further.

See attached map.

IDAHO DEPARTMENT OF WATER RESOURCES



37-882



D.Jones  
12-13-2010

2/16/07

Kelly -

Here are originals for the  
Vanoff NOEs & amended  
claim, which I submitted  
on 1/19/07.

-Chuck

RECEIVED

FEB 16 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

NOTICE OF ERROR REPLY

Water rights: 37-882

Claimant: Nick Vanoff Presents, Inc.  
c/o Nick Vanoff  
P.O. Box 834  
Sun Valley, ID 83353

Prepared by Brockway Engineering, PLLC

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

Diversion rate, priority date, place of use

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

Diversion rate should be 4.0 cfs.

Priority date should be 6/1/1883.

Place of use should be 50.9 acres rather than 45.2 acres.

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

The decreed diversion rate in the Frost decree is 4.0 cfs, which is the rate carried on the watermaster decree book to this day. According to Allen Merritt, Southern Region Director, IDWR staff has been routinely relying upon the amounts shown in the watermaster book in order to prepare recommendations. Right 37-882 should be no exception.

The priority date decreed in Frost is 6/1/1883. There apparently was an error on the amended claim filed for this right. A second amended claim is included with this Notice of Error to correct the priority date.

The historically-irrigated place of use, which coincides with the currently irrigated place of use, was submitted with the amended claims to IDWR in June 2002. This shape represents 50.9 acres of irrigation as asserted by the claimant.

DATE: 1-18-07

SIGNATURE:

PRINTED NAME:

NICK VANOFF

RECEIVED

FEB 16 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

NOTICE OF ERROR REPLY

Water rights: 37-4185

Claimant: Nick Vanoff Presents, Inc.  
c/o Nick Vanoff  
P.O. Box 834  
Sun Valley, ID 83353

Prepared by Brockway Engineering, PLLC

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

All.

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

Recommend as claimed for irrigation and stockwater.

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

The irrigation portion of this right was recommended for disallowal due to insufficient proof of priority. In fact, water from the springs has been used for irrigation on 19.8 acres east of Broadford Road via a gravity ditch for many years. IDWR field agent Sandy Hemenway verified this usage. Aerial photos submitted with the claim also show the ditch. Submitted with this Notice of Error is a 1964 aerial photo showing usage from the spring pond. An affidavit is forthcoming from prior owner(s) of the ranch to confirm the usage and priority date.

DATE: 1-18-07

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

NICK VANOFF

02/14/2007

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

RIGHT NUMBER: 37-882

NAME AND ADDRESS: NICK VANOFF PRESENTS INC  
C/O NICK VANOFF JR  
PO BOX 834  
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.820 CFS

PRIORITY DATE: 07/10/1884

POINT OF DIVERSION:

T02N R18E S22 SENESW Within BLAINE County

T02N R18E S27 NWNENE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.820 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T02N R18E S22 | NESW | 4.20  | T02N R18E S22 | SESW | 1.70  |
| T02N R18E S22 | NWSE | 2.60  | T02N R18E S27 | NENE | 2.70  |
| T02N R18E S27 | SENE | 24.00 | T02N R18E S27 | NESE | 10.00 |

45.2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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



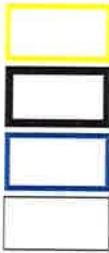
# Idaho Department of Water Resources

SRBA Recommendation:

**37-882**

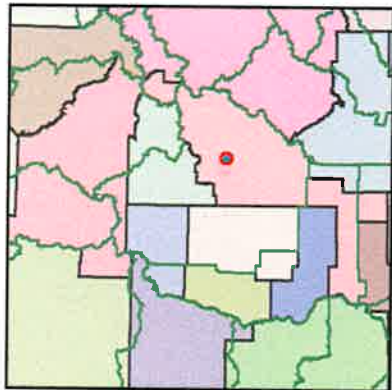
(Irrigation)

## Legend

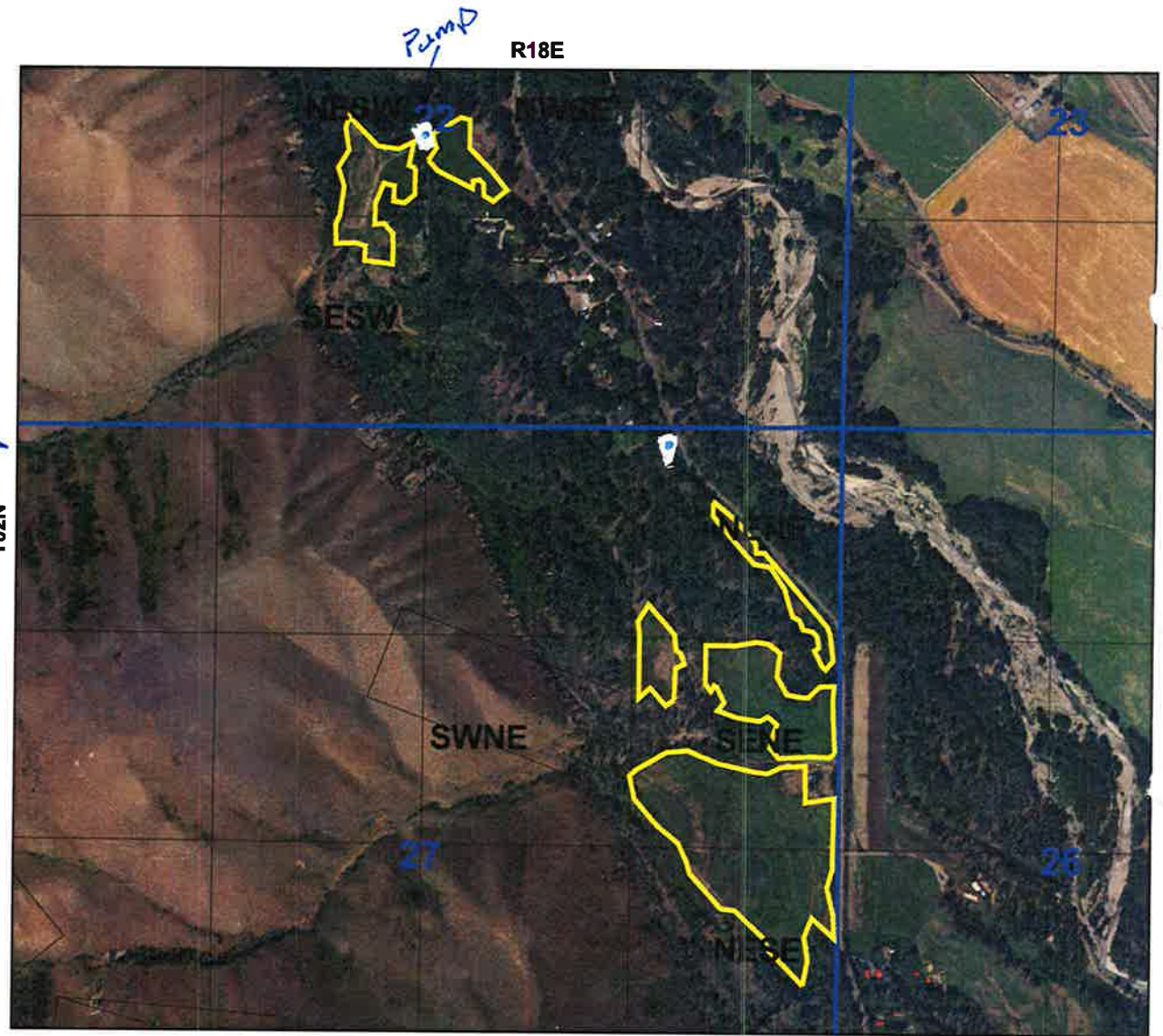


Fleming #34  
headgate in  
Rockwell Bypass

T02N



Blaine County  
IDWR Basin 37



Prepared by S. Keen  
On Wednesday, December 27, 2006  
2004 Aerial Photography

12/27/2006

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

RIGHT NUMBER: 37-882

NAME AND ADDRESS: NICK VANOFF PRESENTS INC  
C/O NICK VANOFF JR  
PO BOX 834  
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.820 CFS

PRIORITY DATE: 07/10/1884

POINT OF DIVERSION: T02N R18E S22 <sup>SE</sup> NWNESE Within BLAINE County ~~Acres~~ 1756 6/10/04

PURPOSE AND  
PERIOD OF USE:

27 ~~NWNESE~~

Acres 1758

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.820 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S22

NESW

4.9  
4.20 (5.7)

T02N R18E S22

SESW

1.6  
1.70 (2.2)

T02N R18E S22

NWSE

2.8  
2.60 (2.1)

T02N R18E S27

NENE

3.5  
2.70 (4.9)

T02N R18E S27

SENE

2.6  
24.00  
(26.7)

T02N R18E S27

NESE

10.00  
(10.0)

45.2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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



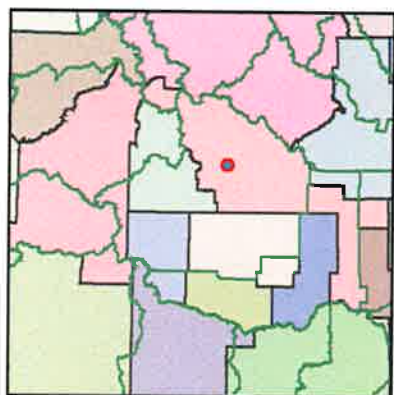
# Idaho Department of Water Resources

SRBA Recommendation:

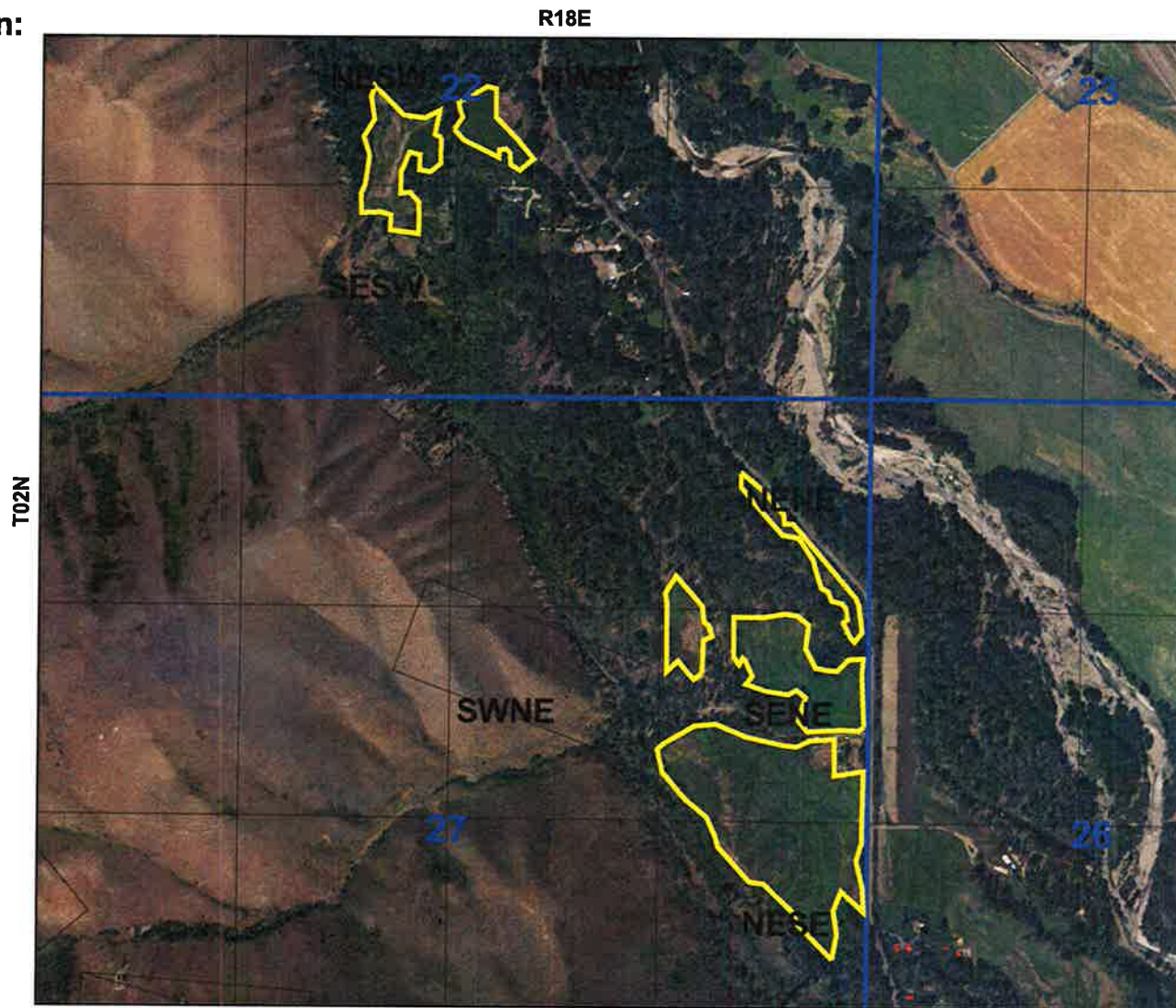
**37-882**

(Irrigation)

## Legend



Blaine County  
IDWR Basin 37



Prepared by S. Keen  
On Wednesday, December 27, 2006  
2004 Aerial Photography

Claim 37-882 Review

S.W. Keen  
12/27/2006

PRIORITY

Watermaster list and IDWR database show priority date as 6/1/1883. Not sure why the claimant picked 7/10/1884. Can't increase to better than claimed, so recommend as claimed.

POU - Digitized 45.2 acres

Rate 4.0 yds for 45.2 acres is probably excessive. ~~Allow 2" per acre~~ One inch per acre is probably insufficient to cover conveyance loss and gravel soils. Would do Grubble Analysis with time. Since no time, allow 2"/acre, or 1.82 yds. If claimant wants more, they should provide evidence.

# Idaho Department of Water Resources Receipt

Receipt ID S024981

Payment Amount  Date Received  Region  Status   
Payment Type  Check Number

COPY

Payer 

Comment

## Fee Detail

| Amount  | Description             | Fund | FD    | PCA  | SO |
|---------|-------------------------|------|-------|------|----|
| \$17.00 | ADJUDICATION FILING FEE | 0337 | 44503 | 1155 |    |

  
Signature Line (Dept. Representative)



**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

June 6, 2002

Brockway Engineering, PLLC  
2016 Washington St N, Ste. 4  
Twin Falls ID 83301

RE: AMENDED CLAIMS 37-707, 37-882, & 37-4185 (Vanoff-Bend of the River)

Dear Sirs,

Enclosed is your receipt and copies of the amended claims for your records. Please look them over carefully and let me know if there are any corrections or if you have any questions. (I am also sending copies to the claimant.)

Thanks for sending the disc with the shape files, it should be very helpful when we begin our review of Basin 37!

Sincerely,

Jeanie Robertson  
Sr. Water Resource Agent



**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**

June 6, 2002

Nick Vanoff Jr.  
PO BOX 834  
Sun Valley ID 83353

RE: AMENDED CLAIMS 37-707, 37-882, & 37-4185 (Bend of the River)

Dear Mr. Vanoff,

Enclosed are copies of the receipt (for the additional acres) and the amended claims referred to above. Brockway Engineering recently submitted these amendments on your behalf. These copies are for your records. Please look them over carefully and let me know if there are any corrections or if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over the printed name.

Jeanie Robertson  
Sr. Water Resource Agent



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

May 22, 2002

BROCKWAY ENGINEERING, PLLC  
2016 WASHINGTON STREET N, STE. 4  
TWIN FALLS, ID 83301

Re: Amended SRBA claims – Bend of the River Ranch (37-707, 37-4185 & 37-882)

Dear Sirs,

I am returning your check #3699 in the amount of \$166.00 to amend these claims. You included \$150 (\$50.00 per claim) in late fees. Late fees are not required to AMEND claims. Since there are 16.4 additional acres involved in the amendments, we will need a check for \$17.00 only to complete the process. Please send a check for this amount and we will amend the claims as requested and send copies to the claimant.

Could you also send copies of the **shape-files** you created for the Place of Use, **on a disc**? It would be a lot easier to have them than to try and recreate them on our computers.

Thank you and feel free to give me a call at the office if you have any questions.

Sincerely,

Jeanie Robertson  
Sr. Water Resource Agent

37-707 (then)

02N 18E 22 SWNE 23  
 NENW 9  
 SENW 17  
49

+13.5A

(now)

NWNE 1.5  
 SWNE 28.1  
 NENW 18.4  
 NWNW .5  
 SENW 13.1  
 NWSE .9  
62.5

37-882 (then)

02N 18E 22 NWSE 10  
 27 SENE 26  
 NESW 12  
48

+2.9A

(now)

S22 NESW 5.7  
 SESW 2.0 } 9.8  
 NWSE 2.1  
 S27 NENE 4.9  
 SENE 26.2 } 41.1  
 NESE 10.0  
50.9

37-4185 (then)

02N 18E 22 SWNE 23  
 NENW 9  
 SENW 17  
49

(now)

SWNE 19.8

= 16.4 KIRA ACRES



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 29 2002

Department of Water Resources  
Southern Region

April 26, 2002

Mr. Allen Merritt  
Idaho Department of Water Resources  
1341 Fillmore Street, Suite 200  
Twin Falls, ID 83301

Re: Amended SRBA claims – Bend of the River Ranch  
Project No. 507-02-2001

Dear Allen:

Enclosed are amended claims for water rights 37-0707, 37-4185, and 37-0882. These rights are appurtenant to the Bend of the River Ranch, owned by Nick Vanoff. The amendments are necessary to bring the claimed amounts and irrigation location in line with historical usage.

I am including a late claim fee of \$150 (\$50 per claim) plus \$16 for acres above the 97 that were originally claimed.

Sincerely,

Charles G. Brockway, P.E.

Enc: SRBA claims for 37-0707, 37-4185, and 37-0882  
cc: Nick Vanoff c/o Laurie Wright  
Barry Luboviski  
Pete Bloomfield

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

OCT 7 1993

Department of Water Resources  
Columbia River Gorge

**SPECIAL POWER OF ATTORNEY  
(WATER RIGHTS)**

I, Warren S. Tenney, of Blaine County, Idaho, designate and appoint James P. Speck, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

MICROFILMED  
MAR 01 1993

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 19th day of September, 1988.

Warren S. Tenney  
Warren S. Tenney

STATE OF New York )  
New York ) ss.  
County of Blaine )

On this 19th day of September, 1988, before me, the undersigned notary public in and for said state, personally appeared Warren S. Tenney, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

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

Mindi Schwartz  
Notary Public for New York  
Residing at: New York

MINDI I. SCHWARTZ  
Notary Public, State of New York  
No. 30-4932486  
Qualified in Nassau County  
Certificate Filed in New York County  
Commission Expires May 2, 1990



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

Oct. 24, 1989

NICK VANOFF PRESENTS INC  
A CALIFORNIA CORPORATION  
• C/O NICK VANOFF JR  
• P O BOX 834  
• SUN VALLEY ID 83353

Re: A37-00707

A37-00882

A37-04185

A37-12249

Dear Claimant(s):

Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens  
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 01 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A37-00882FIELD REPORT LOG

| WR ELEMENT      | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT RECEIVED | COMPLETED<br>REVIEW | COMPLETED<br>DATA ENTRY |
|-----------------|-------------------|---------------------------------|---------------------|-------------------------|
| PRIORITY DATE   | N                 |                                 | SCC<br>3/5/90       |                         |
| POINT OF DIV.   | (YES)             | VERIFY ✓                        | SCC<br>6-11-90      |                         |
| SOURCE          | (YES)             | NAMED? ✓                        | I                   |                         |
| PLACE OF USE    | (YES)             | VERIFY ✓                        |                     |                         |
| DIV. AMOUNT     | (YES)             | X5 FLOW                         |                     |                         |
| CONSUMPTIVE USE | N                 |                                 |                     |                         |
| USES            | N                 |                                 | SCC<br>3/5/90       |                         |
| PERIOD OF USE   | N                 |                                 | SCC<br>3/5/90       |                         |
| BASIS OF CLAIM  | N                 |                                 |                     |                         |

REMARKS:

MICROFILMED

MAR 01 1993

GENERAL INFORMATION

Claim number: AB7-00882

LAST: NICK VANOFF PRESENTS INC.

FIRST: \_\_\_\_\_

ADDRESS: C/O NICK VANOFF, JR.

P.O. BOX 834

CITY: SUN VALLEY

STATE: ID

ZIP: 83353

PHONE: (208) 762-9572

OWNER CODE: C

OWNER CONNECTOR: \_\_\_\_\_

LAST: \_\_\_\_\_

FIRST: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_

ZIP: \_\_\_\_\_

PHONE: (\_\_\_\_) \_\_\_\_-\_\_\_\_

OWNER CODE: \_\_\_\_\_

FIELD EXAMINATION INFORMATION

CONTACT PERSON: \_\_\_\_\_ PHONE NUMBER (\_\_\_\_) \_\_\_\_-\_\_\_\_

DATE OF FIELD EXAM: \_\_\_\_/\_\_\_\_/\_\_\_\_ APPOINTMENT MADE? Y(\_\_\_\_) N(\_\_\_\_), TIME: \_\_\_\_\_

ACCOMPANIED BY: \_\_\_\_\_ PHONE NUMBER (\_\_\_\_) \_\_\_\_-\_\_\_\_

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / REMARKS: \_\_\_\_\_

MICROFILMED  
MAR 01 1993

CLAIM NUMBER: A37-00882

**STAGE D**

STAGE D

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y( ) N(~~X~~)  
IF YES EXPLAIN.

REMARKS:

6/1/1883

REVIEWED BY

SCC

DATE \_\_\_\_\_

3/5/90

MAR 01 1993

A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

| TWP.       | RGE.       | SEC.      | 1/4 | 1/4       | 1/4       | LOT      | CNTY      |
|------------|------------|-----------|-----|-----------|-----------|----------|-----------|
| <u>02N</u> | <u>18E</u> | <u>22</u> |     | <u>NW</u> | <u>SW</u> |          |           |
| <u>02N</u> | <u>18E</u> | <u>22</u> |     | <u>SW</u> | <u>SE</u> | <u>R</u> | <u>13</u> |

SOURCE: BIG WOOD RIVER TRIB: MALAD RIVER

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

| TWP.      | RGE.       | SEC.      | 1/4 | 1/4       | 1/4       | LOT        | CNTY      |
|-----------|------------|-----------|-----|-----------|-----------|------------|-----------|
| <u>2N</u> | <u>18E</u> | <u>22</u> |     | <u>NW</u> | <u>SW</u> |            |           |
|           |            |           |     | <u>SW</u> | <u>SE</u> | <u>(R)</u> | <u>13</u> |

SOURCE: B.W. R. TRIB: MALAD R.

C. REVIEW - FIELD EXAM NEEDED? Y(☒) N(☐)

|          |                                                         | ATTACHED                                   | OR                                        | SEE FILE |
|----------|---------------------------------------------------------|--------------------------------------------|-------------------------------------------|----------|
| VERIFIED | <input checked="" type="checkbox"/> TOPO MAP/ORTHO-PQ   | YES( <input checked="" type="checkbox"/> ) | NO( <input type="checkbox"/> )            |          |
| WITH:    | <input checked="" type="checkbox"/> ASCS MAP            | YES( <input type="checkbox"/> )            | NO( <input checked="" type="checkbox"/> ) |          |
|          | <input checked="" type="checkbox"/> WATERMASTER RECORDS | YES( <input type="checkbox"/> )            | NO( <input checked="" type="checkbox"/> ) |          |
|          | <input checked="" type="checkbox"/> FIELD EXAM          | YES( <input type="checkbox"/> )            | NO( <input checked="" type="checkbox"/> ) |          |
|          | <input type="checkbox"/> OTHER                          | YES( <input type="checkbox"/> )            | NO( <input type="checkbox"/> )            |          |

6-6-90 sc

REMARKS: Fleming #34 Headgate

NAMED SOURCE ? ✓

VERIFY P/O ✓

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP.      | RGE.       | SEC.      | 1/4       | 1/4       | 1/4       | LOT        | COUNTY                     |
|-----------|------------|-----------|-----------|-----------|-----------|------------|----------------------------|
| <u>2N</u> | <u>18E</u> | <u>22</u> | <u>NW</u> | <u>NE</u> | <u>SW</u> |            | <u>13</u> <u>Broadford</u> |
|           |            | <u>22</u> | <u>SE</u> | <u>NE</u> | <u>SW</u> | <u>(R)</u> | <u>Rockwell</u>            |
|           |            | <u>27</u> | <u>NW</u> | <u>NE</u> | <u>NE</u> | <u>(R)</u> | <u>FLEMING #34</u>         |

SOURCE: BROADFORD SLOUGH

TRIB: \_\_\_\_\_

REVIEWED BY sc

DATE 6-11-90

MICROFILMED  
MAR 01 1993

PLACE OF USE REVIEW SHEET (IRRIGATION)

CLAIM # A37-00882

PRESUMPTION FLAG: Y(~~X~~) N(\_)

ROOT WATER RIGHT NUMBERS 37-00882

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N( )  
IF YES SEE ATTACHED SHEET:

REMARKS: P/U IRRIGATED AS CLAIMED.

REVIEWED BY SLC

DATE 6-11-90

**Molecular Biology**

MAR 01 1993

TWP RGE SEC 1/4 1/4

S.R.B.A.  
#/ACRESI.D.W.R  
#/ACRESLANDSAT  
DATAFIELD  
EXAM.RECOMM.  
ACRES2N 18E 27 SE NE A87-00882/ 26

|   |   |   |   |   |   |
|---|---|---|---|---|---|
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |

TOTAL ACRES

TWP RGE SEC 1/4 1/4

S.R.B.A.  
#/ACRESI.D.W.R  
#/ACRESLANDSAT  
DATAFIELD  
EXAM.RECOMM.  
ACRES2N 18E 27 NE SW A87-00882/ 12

|   |   |   |   |   |   |
|---|---|---|---|---|---|
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |

TOTAL ACRES

TWP RGE SEC 1/4 1/4

S.R.B.A.  
#/ACRESI.D.W.R  
#/ACRESLANDSAT  
DATAFIELD  
EXAM.RECOMM.  
ACRES

|   |   |   |   |   |   |
|---|---|---|---|---|---|
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |
| - | - | - | - | - | - |

TOTAL ACRES

MICROFILMED  
MAR 01 1993

A. S.R.B.A CLAIMED USES:

| PURPOSES              | MONTH/DAY                      | RATE           |
|-----------------------|--------------------------------|----------------|
| FOR <u>IRRIGATION</u> | FROM <u>4-1</u> TO <u>11-1</u> | <u>4.0</u> CFS |
| FOR _____             | FROM _____ TO _____            | _____ CFS      |
| FOR _____             | FROM _____ TO _____            | _____ CFS      |

B. I.D.W.R. RECORDED USES:

| PURPOSES              | MONTH/DAY                      | RATE           |
|-----------------------|--------------------------------|----------------|
| FOR <u>IRRIGATION</u> | FROM <u>4-1</u> TO <u>11-1</u> | <u>4.0</u> CFS |
| FOR _____             | FROM _____ TO _____            | _____ CFS      |
| FOR _____             | FROM _____ TO _____            | _____ CFS      |

PRESUMPTION FLAG: \_\_\_\_\_

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON?

Y(X) N( )

RECOMMENDED AS CLAIMED?

Y(X) N( )

RECOMMEND TO IDWR STANDARDS OR OTHER?

Y( ) N(X)

REMARKS:

RECOMMENDED USES:

| PURPOSES              | MONTH/DAY                      | RATE           |
|-----------------------|--------------------------------|----------------|
| FOR <u>IRRIGATION</u> | FROM <u>4-1</u> TO <u>11-1</u> | <u>4.0</u> CFS |
| FOR _____             | FROM _____ TO _____            | _____ CFS      |
| FOR _____             | FROM _____ TO _____            | _____ CFS      |

REVIEWED BY SCC

DATE 3/5/90

MICROFILMED  
MAR 01 1993

PAGE 7.  
DIVERSION AMOUNT REVIEW SHEET

CLAIM # A37-00882

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

SRBA CLAIMED RATE: 4.0 CFS IDWR ROOT RIGHT RATE: 4.0 CFS  
\*\*\*IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required.\*\*\*

IS FLOW MEASUREMENT REQUIRED? Y(☐) N(☒)

B. FLOW MEASUREMENTS

MEASUREMENT METHOD \_\_\_\_\_, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) If YES complete overlap review.

OTHER RIGHTS LISTED IN CLAIM: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES 48 X 0.02 CFS/ACRE = 0.96 CFS.  
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☒) N(☐)

\*\*\*IF YES EXCESSIVE WATER USE FORM FILED AND ATTACHED? Y(☐) N(☒)\*\*\*

2. ANNUAL IRRIGATION CONSUMPTIVE USE & FIELD HEADGATE DIVERSION VOLUME.

ACRES 48 X CONSUMPTIVE RATE FOR AREA 2.5 A.F./ACRE =

TOTAL CONSUMPTIVE USE 120 ACRE FEET/ANNUM

ACRES \_\_\_\_\_ X FIELD APPLIC. RATE FOR AREA \_\_\_\_\_ A.F./ACRE =

TOTAL FIELD APPLIC. \_\_\_\_\_ ACRE FEET/ANNUM

E. RATE/VOLUME CALCULATIONS: (OTHER USES)

CONTACT OWNER? Y(☐) N(☐) SEE ATTACHED SHEET? Y(☐) N(☐)

RECOMMENDED DIVERSION RATE: 4.0 CFS

RECOMMENDED CONSUMPTIVE USE: 120 AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: \_\_\_\_\_ AF/ANNUM

REVIEWED BY see DATE 6-11-90

MAR U 1 1993

## BASIS OF CLAIM ISSUES REVIEW SHEET

CLAIM # A37-00882

## A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                        | ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------|------------------------|-----------------|
| OWNERSHIP _____        | (X)                    | ( )             |
| FORFEIT/ABANDON _____  | (X)                    | ( )             |
| EXCESSIVE AMOUNT _____ | ( )                    | (X)             |

THIS SRBA CLAIM CFS/ACRE

0.083

OTHER SRBA CLAIMS CFS/ACRE

\_\_\_\_\_ - \_\_\_\_\_

\_\_\_\_\_ - \_\_\_\_\_

\_\_\_\_\_ - \_\_\_\_\_

\*\*Excessive water use form filed and ATTACHED? Y(E) N(~~E~~)

## B. SPLIT WATER RIGHT REVIEW

|                    |                 |           |
|--------------------|-----------------|-----------|
| ROOT RIGHT # _____ | SPLITS # _____  | _____ CFS |
| _____ CFS          | # _____         | _____ CFS |
|                    | # _____         | _____ CFS |
|                    | # _____         | _____ CFS |
|                    | # _____         | _____ CFS |
|                    | TOTAL CFS _____ |           |

\*\*Do the sum of the parts equal the whole?

Y( ) N( )

\*\*IF NO is the written review sheet ATTACHED?

Y( ) N( )

REMARKS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

=====

AUTHENTICATION:

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

NAME OF FIELD EXAMINER: \_\_\_\_\_ TITLE: \_\_\_\_\_

=====

RECORDED

MAR 01 1993

### ADDITIONAL ACREAGE FORM

Claim number: A37-00882

[illegible]

TOTAL NUMBER OF ACRES 48

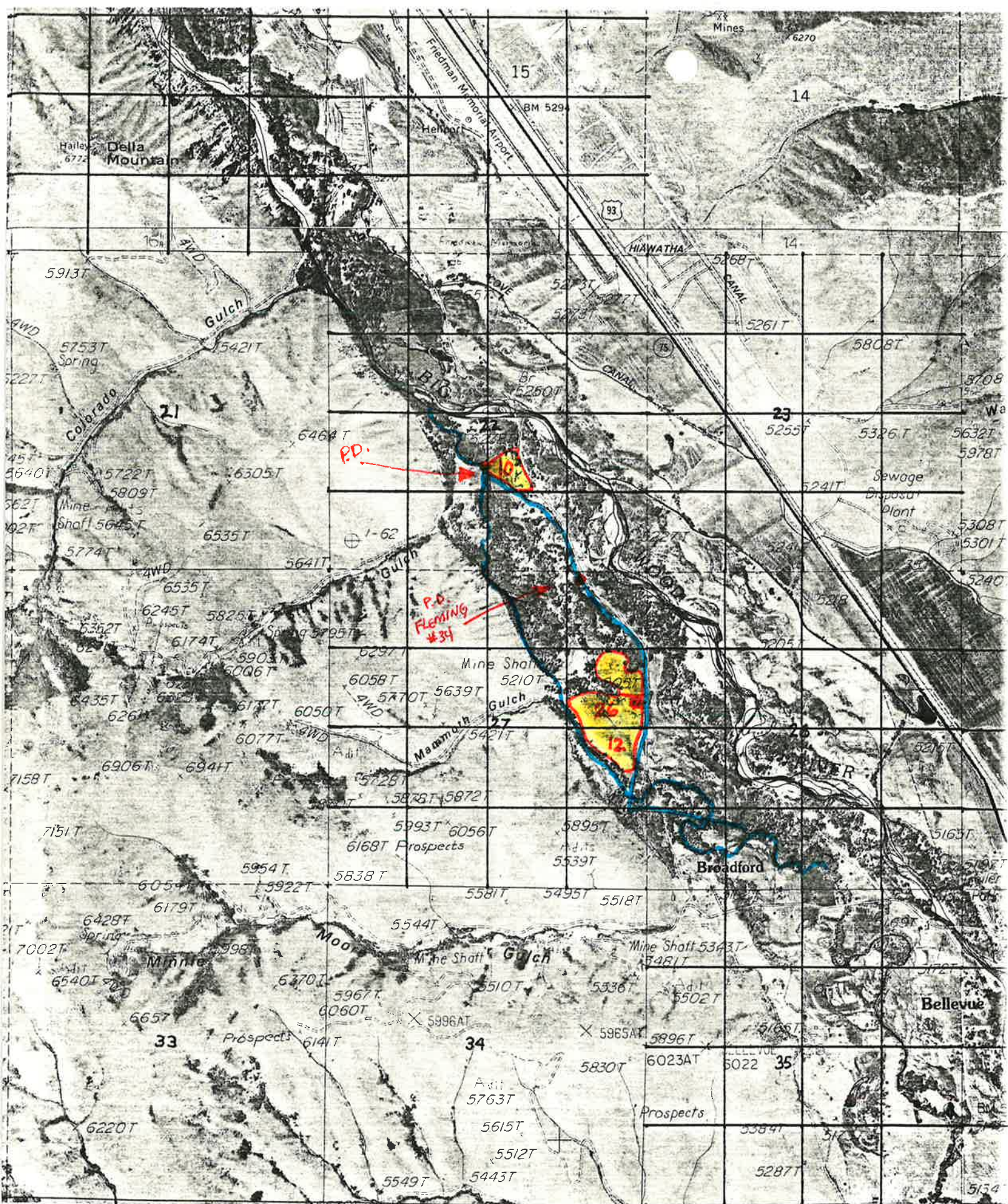
[illegible]

REVIEWED BY \_\_\_\_\_

DATE \_\_\_\_\_

1940-1941

MAR 01 1993



MICROFILMED

MAR 01 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A37-00882 | 02N  | 18E  | 22   |     | NW  | SW  |     | BLAINE |
| A37-00882 | 02N  | 18E  | 22   |     | SW  | SE  |     | BLAINE |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A37-00537 R37-00537  
A37-00538 R37-00538

WR RECORDS IN SAME 40 ACRE TRACT  
37-00537  
37-00538  
37-07253  
37-08329  
37-08604

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 37-00882 | 02N  | 18E  | 22   |     | NW  | SW  |     | BLAINE |
| 37-00882 | 02N  | 18E  | 22   |     | SW  | SE  |     | BLAINE |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX  
A37-00537 R37-00537  
A37-00538 R37-00538  
A37-07253 R37-07253  
A37-11649 R37-11615  
A37-11615 R37-11616  
A37-11616 R37-11617  
A37-11617 R37-11649  
A37-11988 R37-11988

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

C. FIELD EXAM REQUIRED?

|  | DUE TO POD DISCREPANCY? (Y/N) | DUE TO SOURCE DISCREPANCY? (Y/N) | DATABASE | FIELD EXAMINER |
|--|-------------------------------|----------------------------------|----------|----------------|
|  |                               |                                  | Y        |                |
|  |                               |                                  | N        |                |

MICROFILMED  
MAR 01 1993

REMARKS:

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|-----|--------|
|------|------|------|-----|-----|-----|-----|--------|

|    |    |    |    |    |    |    |    |
|----|----|----|----|----|----|----|----|
| __ | __ | __ | __ | __ | __ | __ | __ |
|----|----|----|----|----|----|----|----|

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

=====

MICROFILMED  
MAR 01 1993

Water Right Number - 37-00882

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
CAMPBELL

FRANK

1 -  
2 -  
3 -

City-  
Phone -

State- Zip-

CAMPBELL

SARAH

1 -  
2 -  
3 -  
City-  
Phone -

State- Zip-

+ - - Priority Date - - +  
06/01/1883

+ - - - Region - - - +  
17

+ - - - Stage - - - +  
D - DECREED

+ - - - Status - - - - +

+ - - - - Source - - - - - +  
BIG WOOD RIVER

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

+ - - - - Point of Diversion - - - - - +  
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 18E 22 NW SW (13) BLAINE  
02N 18E 22 SW SE R (13) BLAINE

+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

4.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
4.000

+ - - - - Place of Use - - - - - +  
TwN Rng Sec Tract Lot Acres Code Description County

|     |     |    |       |   |  |    |            |              |
|-----|-----|----|-------|---|--|----|------------|--------------|
| 02N | 18E | 22 | SW SE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 02N | 18E | 22 | SE SE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 02N | 18E | 27 | NE NE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 02N | 18E | 27 | NW NE | 1 |  | 01 | IRRIGATION | (13 ) BLAINE |
| 02N | 18E | 27 | SE NE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 02N | 18E | 27 | NE SE |   |  | 01 | IRRIGATION | (13 ) BLAINE |

Total Acres:

+ - - Diversion Means - FLEMING #34 HEADGATE FROM ROCKWELL BYPASS CANAL

+ - - Non-Irrigation Use - D

+ - - Other Rights for Same Use -

RECORDED  
MAR 01 1993

Water right number - 37-00882 Adj. flag translation: Standard Water Right Number

+ - - - - Remarks - - - - - +  
AC. IRRIG. NOT SPECIFIED. FARM = 217 AC.  
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

+ - - - - Conditions of Approval - - - - - +  
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +  
CAMPBELL MIZER 06/06/1913

+ - - Audit Fields - 12/30/86 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   | - 12/30/1986 | 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      | - 06/06/1913 |                 |              |                  |      |

NOT RECORDED  
MAR 01 1993

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT  
(REGIONAL)01/26/90 10:01:48  
Page 1

Water Right Number - A37-00882

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*

NICK VANOFF PRESENTS, INC.

1 - A CALIFORNIA CORPORATION

2 - C/O NICK VANOFF, JR.

3 - P.O. BOX 834

City- SUN VALLEY

State- ID Zip- 83353

Phone - 208-762-9572

\*\*\* O - ORIGINAL OWNER \*\*\*

TENNEY

WARREN S.

1 - 598 MADISON AVE.

2 -

3 -

City- NEW YORK

State- NY Zip- 10022

Phone - 212-832-4903

+ - - Priority Date - - +  
06/01/1883+ - - Region - - - +  
17+ - - Stage - - - +  
D - DECREED

+ - - Status - - - - +

+ - - Source - - - - - +  
BIG WOOD RIVER+ - - Tributary - - - - - +  
MALAD RIVER

| Tw | Rng | Sec | Tract | Lot | RFlg | County (Blank if no Index Code) |
|----|-----|-----|-------|-----|------|---------------------------------|
|----|-----|-----|-------|-----|------|---------------------------------|

|     |     |    |       |  |  |             |
|-----|-----|----|-------|--|--|-------------|
| 02N | 18E | 22 | NW SW |  |  | (13) BLAINE |
|-----|-----|----|-------|--|--|-------------|

|     |     |    |       |  |   |             |
|-----|-----|----|-------|--|---|-------------|
| 02N | 18E | 22 | SW SE |  | R | (13) BLAINE |
|-----|-----|----|-------|--|---|-------------|

| Code | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|------|-------------|-------------|-----------|----------------|------------------|
|------|-------------|-------------|-----------|----------------|------------------|

|                 |  |       |       |       |  |
|-----------------|--|-------|-------|-------|--|
| 01 - IRRIGATION |  | 04/01 | 11/01 | 4.000 |  |
|-----------------|--|-------|-------|-------|--|

|                         |                           |                               |                  |
|-------------------------|---------------------------|-------------------------------|------------------|
| + - Total Div. Rate - + | + - Total Div. Volume - + | + - Total Consumptive Use - + | + - KW Usage - + |
| 4.000                   |                           | 120.0                         |                  |

| Tw | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|----|-----|-----|-------|-----|-------|------|-------------|--------|
|----|-----|-----|-------|-----|-------|------|-------------|--------|

|     |     |    |       |  |      |    |            |              |
|-----|-----|----|-------|--|------|----|------------|--------------|
| 02N | 18E | 22 | NW SE |  | 10.0 | 01 | IRRIGATION | (13 ) BLAINE |
|-----|-----|----|-------|--|------|----|------------|--------------|

|     |     |    |       |  |      |    |            |              |
|-----|-----|----|-------|--|------|----|------------|--------------|
| 02N | 18E | 27 | SE NE |  | 26.0 | 01 | IRRIGATION | (13 ) BLAINE |
|-----|-----|----|-------|--|------|----|------------|--------------|

|     |     |    |       |  |      |    |            |              |
|-----|-----|----|-------|--|------|----|------------|--------------|
| 02N | 18E | 27 | NE SW |  | 12.0 | 01 | IRRIGATION | (13 ) BLAINE |
|-----|-----|----|-------|--|------|----|------------|--------------|

Total Acres: 48.0

+ - - Diversion Means - FLEMING #34 HEADGATE FROM BROADFORD SLOUGH TO ROCKWELL BYPASS CAN

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT  
(REGIONAL)

01/26/90 10:01:48  
Page 2

Water right number - A37-00882

Adj. flag translation: Adjudication Temporary Work Area

+ - - - - Remarks - - - - -  
RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN-  
SECTION NOT LISTED.  
|  
CHANGE OF OWNERSHIP\*\*\*\*\*  
WARRANTY DEED ATTACHED, ORIGINALS FILED WITH A37-00707  
(10-19-1989 SCC)

+ - - - - Conditions of Approval - - - - -  
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +  
CAMPBELL

+ - - - - Decree Defendant - - - +  
MIZER

+ - Decree Date - +  
06/16/1913

+ - - Audit Fields - CLELLAND

+ - - - - 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  | - 10/25/1988 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
|                      |              | Receipt Number        | - C003854    | Water District          | - 37    |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |
|                      |              | Name Connector        | -            |                         |         |

**R PROOF**

**CVR**

**MAPS**

**PHOTOS**

**MISC**

—

—

—

—

—

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47  
05/28/90

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A37-00882

LAST: TENNEY  
ADDRESS: 598 MADISON AVE.  
CITY: NEW YORK  
PHONE NUMBER: 212-832-4903

FIRST: WARREN S.  
STATE: NY ZIP: 10022

OWNER CODE: O

LAST: NICK VANOFF PRESENTS, INC.  
ADDRESS: A CALIFORNIA CORPORATION  
C/O NICK VANOFF, JR.  
P.O. BOX 834  
CITY: SUN VALLEY  
PHONE NUMBER: 208-762-9572

FIRST:  
STATE: ID ZIP: 83353

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE  
Y

FIELD  
EXAMINER

CLAIM REMARKS: RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN-  
JECTION NOT LISTED.  
|  
CHANGE OF OWNERSHIP\*\*\*\*\*  
WARRANTY DEED ATTACHED, ORIGINALS FILED WITH A37-00707  
(10-19-1989 SCC)

MICROFILMED  
OCT 26 1994

CONTACT PERSON: \_\_\_\_\_

PHONE NUMBER: (\_\_\_\_) \_\_\_\_-\_\_\_\_

DATE OF FIELD EXAM: \_\_\_\_/\_\_\_\_/\_\_\_\_

APPOINTMENT MADE: Y(\_\_\_\_) N(\_\_\_\_)

TIME: \_\_\_\_:\_\_\_\_ A(\_\_\_\_) P(\_\_\_\_)

ACCOMPANIED BY: \_\_\_\_\_

PHONE NUMBER: (\_\_\_\_) \_\_\_\_-\_\_\_\_

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / REMARKS:

**MICROFILMED**  
**OCT 26 1994**

A. AJ CLAIM: # A37-00882 PRIORITY DATE: 06-01-1883 STAGE: D  
B. WR RECORD: # 37-00882 PRIORITY DATE: 06-01-1883 STAGE: D

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER  
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y( ) N( )  
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:  
06-01-1883

REVIEWED BY DATE

MICROFILMED  
OCT 26 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A37-00882 | 02N  | 18E  | 22   |     | NW  | SW  |     | BLAINE |
| A37-00882 | 02N  | 18E  | 22   |     | SW  | SE  |     | BLAINE |

OTHER AJ CLAIMS WITH SAME AJ POD

| A PREFIX  | R PREFIX  |
|-----------|-----------|
| A37-00537 | R37-00537 |
| A37-00538 | R37-00538 |
| -         | -         |
| -         | -         |
| -         | -         |

WR RECORDS IN SAME 40 ACRE TRACT

37-00537  
37-00538  
37-07253  
37-08329  
37-08604

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 37-00882 | 02N  | 18E  | 22   |     | NW  | SW  |     | BLAINE |
| 37-00882 | 02N  | 18E  | 22   |     | SW  | SE  |     | BLAINE |

OTHER WR RECORDS WITH SAME WR POD

37-00537  
37-00538  
37-07253  
37-08329  
-  
-  
-  
-  
-  
-  
-  
-  
-  
-

AJ CLAIMS IN SAME 40 ACRE TRACT

| A PREFIX  | R PREFIX  |
|-----------|-----------|
| A37-00537 | A37-00537 |
| A37-00538 | A37-00538 |
| R37-00537 | R37-00537 |
| R37-00538 | R37-00538 |
| A37-07253 | A37-07253 |
| A37-11649 | A37-11649 |
| A37-11615 | A37-11615 |
| A37-11616 | A37-11616 |
| A37-11617 | A37-11617 |
| R37-07253 | R37-07253 |
| R37-11615 | R37-11615 |
| R37-11616 | R37-11616 |
| R37-11617 | R37-11617 |
| R37-11649 | R37-11649 |
| A37-11988 | A37-11988 |
| R37-11988 | R37-11988 |

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

**MICROFILMED**  
**OCT 26 1994**

C. FIELD EXAM REQUIRED?

|                                  | DATABASE | FIELD EXAMINER |
|----------------------------------|----------|----------------|
| DUE TO POD DISCREPANCY? (Y/N)    | Y        | _____          |
| DUE TO SOURCE DISCREPANCY? (Y/N) | N        | _____          |

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|-----|--------|
|------|------|------|-----|-----|-----|-----|--------|

|       |       |       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|-------|-------|
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ |

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

MICROFILMED  
OCT 26 1994

A. ROOT WATER RIGHT NUMBERS: A37-00882  
R37-00882

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                       | AJ<br>#/ACRES   | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|----------------------------|-----------------|---------------|-----------------|----------------|------------------|
| 02N         | 18E | 22  | NW  | SE  |     | NICK VANOFF PRESENTS, INC. | A37-00882 /10.0 | - /           |                 |                |                  |
|             |     |     |     |     |     | NICK VANOFF PRESENTS, INC. | A37-12249 /     | - /           |                 |                |                  |
|             |     |     |     |     |     | NICK VANOFF PRESENTS INC.  | R37-00882 /10.0 | - /           |                 |                |                  |
|             |     |     |     |     |     | NICK VANOFF PRESENTS INC.  | R37-12249 /     | - /           |                 |                |                  |
| 02N         | 18E | 27  | SE  | NE  |     | NICK VANOFF PRESENTS, INC. | A37-00882 /26.0 | 37-00882 /    |                 |                |                  |
|             |     |     |     |     |     | TENNEY, WARREN S.          | A37-12247 /     | - /           |                 |                |                  |
|             |     |     |     |     |     | NICK VANOFF PRESENTS INC.  | R37-00882 /26.0 | - /           |                 |                |                  |
|             |     |     |     |     |     | TENNEY, WARREN S.          | R37-12247 /     | - /           |                 |                |                  |
| 02N         | 18E | 27  | NE  | SW  |     | NICK VANOFF PRESENTS, INC. | A37-00882 /12.0 | - /           |                 |                |                  |
|             |     |     |     |     |     | NICK VANOFF PRESENTS INC.  | R37-00882 /12.0 | - /           |                 |                |                  |
| TOTAL ACRES |     |     |     |     |     |                            | A37-00882       | 48.00         |                 |                |                  |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N( )  
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER

PRESUMPTION FLAG: D

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

MICROFILMED  
OCT 26 1994

A. AJ CLAIMED USES:

| PURPOSES                            | MONTH/DAY           | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A37-00882 IRRIGATION                | FROM 04-01 TO 11-01 | 4.000 CFS          |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |                     | 4.000 CFS          |

B. WR RECORDED USES:

| PURPOSES                            | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|-----------|--------------------|
| 37-00882 IRRIGATION                 | FROM TO   | 4.000 CFS          |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |           | 4.000 CFS          |

PRESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

|                                          | DATABASE | FIELD EXAMINER |
|------------------------------------------|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N)      | N        | _____          |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | N        | _____          |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y        | _____          |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(\_\_\_\_) N(\_\_\_\_)

RECOMMEND TO WR STANDARDS OR OTHER? Y(\_\_\_\_) N(\_\_\_\_) Explain in remarks, below.

REMARKS:

MICROFILMED  
OCT 26 1994

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y( ) N( )

AJ TOTAL CLAIMED DIVERSION RATE: 4.000 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.000 CFS

\*\*\* IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. \*\*\*  
\*\* If an amount smaller than the original diversion rate is \*\*  
\*\* claimed and an exam is NOT required, explain in remarks. \*\*

FLOW MEASUREMENT REQUIRED?

FIELD  
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y( ) N( ) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM     | SOURCE         | NAME                       | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|----------------|----------------------------|-----------|----------------|-----------|----------------|
| A37-00882 | BIG WOOD RIVER | NICK VANOFF PRESENTS, INC. | 4.000     | 0.083          |           |                |
| R37-00882 | BIG WOOD RIVER | NICK VANOFF PRESENTS INC.  | 4.000     | 0.083          |           |                |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES   | NAME                       | MONTH/DAY           | RATE     | VOLUME |
|-----------|------------|----------------------------|---------------------|----------|--------|
| A37-12249 | STOCKWATER | NICK VANOFF PRESENTS, INC. | FROM 01-01 TO 12-31 | .020 CFS |        |
| R37-12249 | STOCKWATER | NICK VANOFF PRESENTS INC.  | FROM 01-01 TO 12-31 | .020 CFS |        |
| A37-12247 | DOMESTIC   | TENNEY , WARREN S.         | FROM 01-01 TO 12-31 | .040 CFS |        |
| R37-12247 | DOMESTIC   | TENNEY , WARREN S.         | FROM 01-01 TO 12-31 | .040 CFS |        |

MICROFILMED  
MICROFILMED  
OCT 26 1994  
11 26 1994

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES \_\_\_\_\_ x 0.02 CFS/ACRE = \_\_\_\_\_ CFS  
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(\_\_\_\_) N(\_\_\_\_)

\*\*\* IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(\_\_\_\_) N(\_\_\_\_) \*\*\*

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 120.0 AF/A

ACRES \_\_\_\_\_ x CONSUMPTIVE VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL CONSUMPTIVE USE \_\_\_\_\_ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = \_\_\_\_\_ AF/A

ACRES \_\_\_\_\_ x DIVERSION VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL DIVERSION VOLUME \_\_\_\_\_ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(\_\_\_\_) N(\_\_\_\_)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

MICROFILMED  
OCT 26 1994

RECOMMENDATIONS:

| REC.<br>PURPOSES     | REC. PERIOD<br>FROM TO | REC. DIV<br>RATE CFS             | REC. DIV<br>VOL. AF/A      | REC. CONS.<br>USE                |
|----------------------|------------------------|----------------------------------|----------------------------|----------------------------------|
| IRRIGATION           | 04-01 11-01            | DATABASE 4.000<br>EXAMINER _____ | DATABASE EXAMINER<br>_____ | DATABASE 120.0<br>EXAMINER _____ |
| TOTAL FOR THIS RIGHT |                        | 4.000                            |                            | 120.0                            |

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

MICROFILMED  
OCT 26 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____              | ( )                    | ( )             |
| FORFEIT/ABANDON _____        | ( )                    | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( )                    | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-00882

| TOTAL DIVERSION RATE OF WR SPLITS | DATABASE<br>4.000 | EXAMINER<br>_____ | CFS |
|-----------------------------------|-------------------|-------------------|-----|
|-----------------------------------|-------------------|-------------------|-----|

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A37-00882                | 4.000             | R37-00882                 | 4.000            | 37-00882            | 4.000             |
| A37-00882            | R37-00882                | 4.000             | R37-00882                 | 4.000            | 37-00882            | 4.000             |
| TOTAL CFS            |                          | 8.000             | 8.000                     |                  | 4.000               |                   |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)  
IF NO, is the written review sheet attached? (Y/N)

DATABASE  
N

FIELD  
EXAMINER  
\_\_\_\_\_  
\_\_\_\_\_

REMARKS:

AUTHENTICATION:

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF FIELD EXAMINER: \_\_\_\_\_

TITLE: \_\_\_\_\_

**MICROFILMED**  
**OCT 26 1994**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47  
05/28/90

PAGE: 12  
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-00882

| WR ELEMENT                | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                   |                                                 |                            |                        |                     |                                  |                                      |                               |
| POINT OF DIV              | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| SOURCE                    |                   |                                                 |                            |                        |                     |                                  |                                      |                               |
| PLACE OF USE              | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME |                   |                                                 |                            |                        |                     |                                  |                                      |                               |
| CONSUMPTIVE USE           |                   |                                                 |                            |                        |                     |                                  |                                      |                               |
| PURPOSES                  |                   |                                                 |                            |                        |                     |                                  |                                      |                               |
| PERIOD OF USE             | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| BASIS OF CLAIM            | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| REMARKS                   | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1  
 ASCS MAP = 2  
 WATERMASTER RECORDS = 3  
 NAPP PHOTOS = 4  
 FIELD EXAM = 5  
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION  
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

Water Right Number - 37-00882

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
CAMPBELL

FRANK

1 -

2 -

3 -

City-

State-

Zip-

Phone -

CAMPBELL

SARAH

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - +  
06/01/1883+ - - - Region - - - +  
17+ - - - Stage - - - +  
D - DECREED

+ - - - Status - - - - +

+ - - - - Source - - - - - +  
BIG WOOD RIVER+ - - - - Tributary - - - - - +  
MALAD RIVER+ - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 18E 22 NW SW (13) BLAINE

02N 18E 22 SW SE R (13) BLAINE

+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

4.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
4.000+ - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County

02N 18E 22 SW SE 01 IRRIGATION (13 ) BLAINE

02N 18E 22 SE SE 01 IRRIGATION (13 ) BLAINE

02N 18E 27 NE NE 01 IRRIGATION (13 ) BLAINE

02N 18E 27 NW NE 1 01 IRRIGATION (13 ) BLAINE

02N 18E 27 SE NE 01 IRRIGATION (13 ) BLAINE

02N 18E 27 NE SE 01 IRRIGATION (13 ) BLAINE

Total Acres:

+ - - Diversion Means - FLEMING #34 HEADGATE FROM ROCKWELL BYPASS CANAL

+ - - Non-Irrigation Use - D

+ - - Other Rights for Same Use -

MICROFILMED  
MAR 0 1 1993

|                  |              |                 |              |                  |      |
|------------------|--------------|-----------------|--------------|------------------|------|
| 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   | - 12/30/1986 | 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      | - 06/06/1913 |                 |              |                  |      |