

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 51-02185

NAME AND ADDRESS: BLUE RIDGE LLC  
PO BOX 2839  
TWIN FALLS, ID 83303

SOURCE: GROUNDWATER

QUANTITY: 5.80 CFS  
1160.00 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 51-02186 AND 51-02189  
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.28 CFS.

PRIORITY DATE: 12/09/1963

POINT OF DIVERSION: T09S R12E S20 SESENW Within Owyhee County  
S29 NENWNE  
SESWNE  
NESWNE

FOUR POINTS OF DIVERSION LOCATED IN SWNE, S29, T09S, R12E.

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|-------------------------------|----------------|----------------|-------------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 5.80 CFS<br>1160.00 AFY |

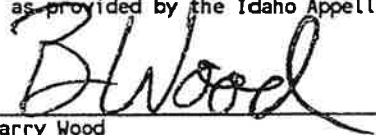
| PLACE OF USE: | Irrigation        | Within Owyhee County                                                       |
|---------------|-------------------|----------------------------------------------------------------------------|
|               | T09S R12E S20     | SWNW 20.0<br>SENW 30.0<br>NESW 40.0<br>NWSW 40.0<br>SESW 40.0<br>NWNW 40.0 |
|               | S29               | NENW 40.0                                                                  |
|               | 290.0 Acres Total |                                                                            |

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

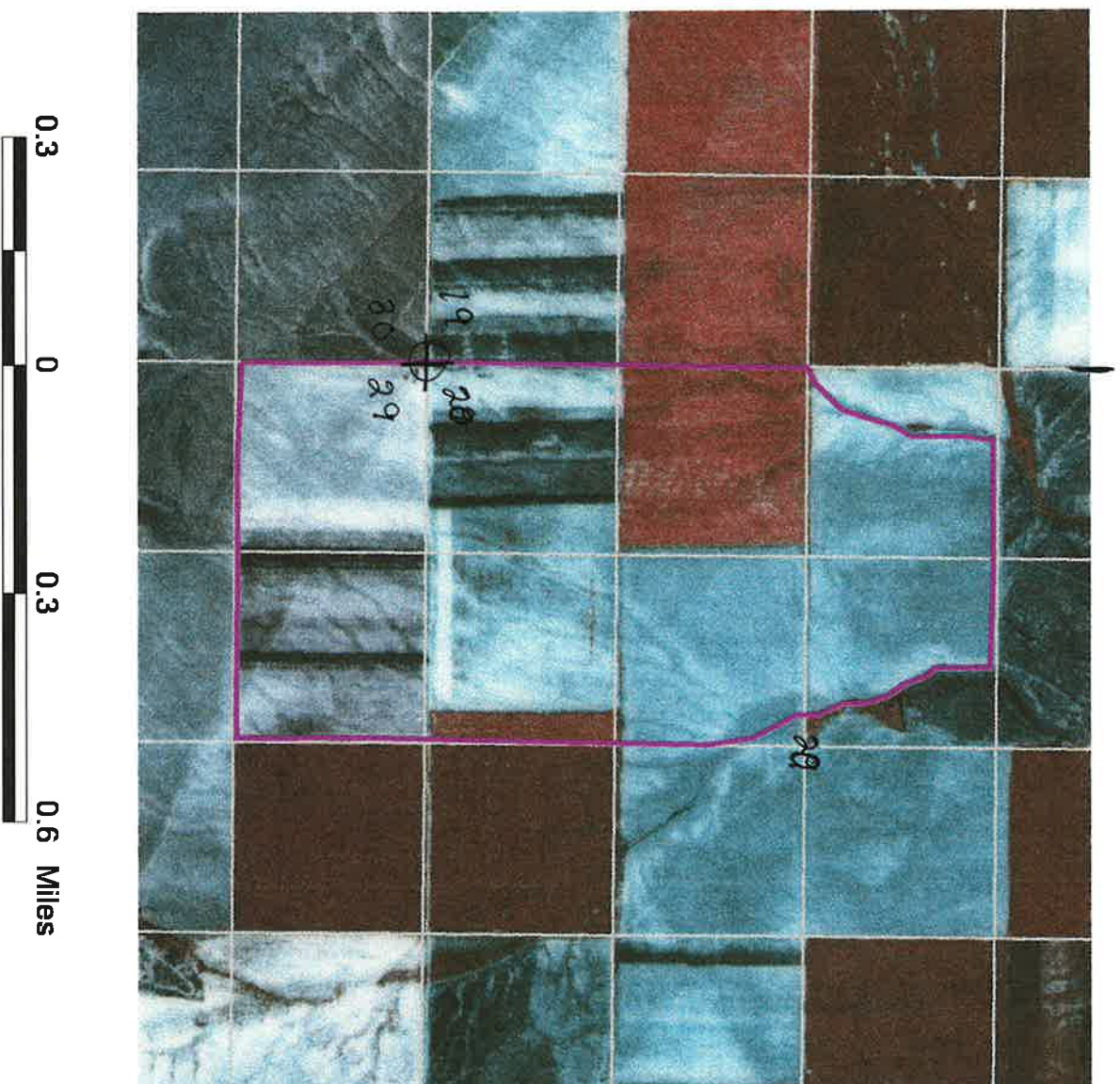
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication

# IDAHO DEPARTMENT OF WATER RESOURCES



T09S R12E S20 and S29

Claim No(s) . : 51-02185

Owners: Blue Ridge LLC

 51-02185  
 40-acre tracts



Prepared by: Roxanne Brown  
Date:  
1987-88 NAPP

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

RECEIVED

State of Idaho  
Department of Water Resources

RECEIVED

DEC 21 1988

REQUEST FOR EXTENSION OF TIME  
TO FILE ADJUDICATION CLAIM(S)

DEC 22 1988

Department of Water Resources

Southern Region Office

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional 90 days of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Floyd E. Wheeler

Name of Claimant

RT#2

Post Office Address

Buhl

Castletown

Idaho

83316

City, State, Zip Code

Department of Water Resources  
Western Regional Office

Denied

Denied ad. W. V. Lee

County(s) where Place of Use is located

Jan 19 1989

Date Claim Originally Due

Ext. granted (see copy in files)

51-2186 51-2185 51-2189 51-7030 51-7038 51-7018

Identify water right(s) for which extension is requested

51-10290, 51-10291 & 51-10292 - Denied (late fee pd.)

State reason(s) why an extension of time is requested.

Change of Owner in Permit, I will be out of  
The U.S. until about February 15, 1989.

Claimant requests an extension to April 1, 1989.

Floyd E. Wheeler  
Signature

Owner

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby  
\_\_\_\_\_ granted \_\_\_\_\_ denied,

and the filing deadline extended to \_\_\_\_\_, 19\_\_\_\_.

Signed this 27 day of December, 1988.

DAVID B. SHAW  
Director or his designated agent

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

PAGE: 1

DIVERSION  
VOLUME

1160.00 AFA

1160.00 AFA

**Stage: LICENSE**

OWYHEE County  
OWYHEE County

**290.0**

TOTAL ACRES 290.0

RECEIVED BY JS 2-2-98

EXP RIGHT NOS. 51-02186 AND 51-02189 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

|       |                        |                        |
|-------|------------------------|------------------------|
| Misc: | Water District Number: | Field Inspection Flag: |
|       |                        | Presumption Flag: C    |

Field Inspection Flag: C  
Presumption Flag: C

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

(REGIONAL)

DIVERSION  
VOLUME

1160.00 AFA

1160.00 AFA  
~~870.00 AFA~~

**Stage: LICENSE**

**OWYHEE County**

290.0

**C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION**

- PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NOS. 51-02186 AND 51-02189 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 11.28 CFS. FOUR POINTS OF DIVERSION LOCATED IN SAME, \$29, T09S, R12E.

**objection Filed Date:**

Field Inspection Flag:  
Presumption Flag:

Date: 10/18/1995 User-ID: RMCARTH Subject: CORRECTION  
ADDED PRESUMPTION FLAG "C", NO OTHER CHANGES.

Date: 04/02/1996 User-ID: SSHERMAN Subject: ADDRESS CHANGE  
ADDRESS CHANGE BY CLAIMANT LETTER.

Date: 09/24/1997    User-ID: RBROWN    Subject: CHANGE OF OWNERSHIP  
WHEELER TO BLUE RIDGE LLC

09/24/97 RBROWN

**Subject: CHANGE OF OWNERSHIP**

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

(REGIONAL)

**Water Source: GROUNDWATER**

**Tributary to:**

**Stage: LICENSE**

**Point(s) of Diversion:**

T09S R12E S20

529

SESENI  
NENWNE

**THE SAME**

## SESWNE

OMYHEE County  
OMYHEE County

### Place of use Legal Description for: IRRIGATION

NE

五

MS

**S**

[illegible]

**POU County: Owyhee**

**Conditions of Approval:**

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

REMARKS: GEN RIGHT NOS. 51-02186 AND 51-02189 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 11.28 CFS. FOUR POINTS OF DIVERSION LOCATED IN SWNE, S29, T09S, R12E.

|        |                 |            |                |                       |
|--------|-----------------|------------|----------------|-----------------------|
| Dates: | Exam Made Date: | 05/13/1992 | Verified Date: | Objection Filed Date: |
|--------|-----------------|------------|----------------|-----------------------|

Misc: Water District Number: Field Inspection Flag: C  
Presumption Flag:

Comments: Date: 10/18/1995 User-ID: RMCARTH Subject: CORRECTION  
ADDED PRESUMPTION FLAG "C", NO OTHER CHANGES.

Date: 04/02/1996 User-ID: SSHERMAN Subject: ADDRESS CHANGE  
ADDRESS CHANGE BY CLAIMANT LETTER.

**Audit: 04/02/96 SSHERMAN**

AJ0749NP  
No. R51-02185

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 10/18/95  
PAGE: 1

VERIFIED BY *K. McCarty*  
10-18-95

| OWNER<br>CODE | NAME & ADDRESS      | PRIORITY<br>DATE | WATER USE  | USE PERIOD |       | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|---------------------|------------------|------------|------------|-------|-------------------|---------------------|
|               |                     |                  |            | FROM       | TO    |                   |                     |
| C             | ANNA L WHEELER      | 12/09/1963       | IRRIGATION | 04-01      | 10-31 | 5.80 CFS          | 1160.00 AFA         |
| C             | FLOYD E WHEELER     |                  |            |            |       |                   |                     |
|               | 2475 DEVIL CREEK RD |                  |            |            |       |                   |                     |
|               | CASTLEFORD ID 83321 |                  |            |            |       |                   |                     |
|               | (208) 537-6801      |                  |            |            |       |                   |                     |
|               |                     |                  |            |            |       | TOTAL DIVERSION:  | 1160.00 AFA         |
|               |                     |                  |            |            |       | CONSUMPTIVE USE:  | 870.00 AFA          |

Water Source: GROUNDWATER      Tributary to:      Stage: LICENSE

Points(s) of Diversion: T09S R12E S20      SESENM      NESUNE      SESUNE      OMYHEE County  
S29      NENUNE      OMYHEE County

| Place of use Legal Description for: IRRIGATION |     |    |   |     |     |    |   |     |     |    |   |     |     |    |   |
|------------------------------------------------|-----|----|---|-----|-----|----|---|-----|-----|----|---|-----|-----|----|---|
| NE                                             |     |    |   | NW  |     |    |   | SW  |     |    |   | SE  |     |    |   |
| T                                              | R   | S  |   | T   | R   | S  |   | T   | R   | S  |   | T   | R   | S  |   |
| 09S                                            | 12E | 20 | : | 09S | 12E | 20 | : | 09S | 12E | 20 | : | 09S | 12E | 20 | : |
| 09S                                            | 12E | 29 | : | 09S | 12E | 29 | : | 09S | 12E | 29 | : | 09S | 12E | 29 | : |
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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

15:08:32  
05/17/91

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A51-02185

LAST: WHEELER  
ADDRESS: RT. 2  
CITY: BUHL  
PHONE NUMBER: 208-537-6904  
OWNER CODE: C  
FIRST: FLOYD E.  
STATE: ID ZIP: 83316

LAST: WHEELER  
ADDRESS: RT. 2  
CITY: BUHL  
PHONE NUMBER: 208-537-6904  
OWNER CODE: C  
FIRST: ANNA L.  
STATE: ID ZIP: 83316

FIELD EXAM REQUIRED?  
VERIFICATION REQUIRED DUE TO REMARKS?  
DATABASE Y FIELD EXAMINER

CLAIM REMARKS: NOT TO EXCEED 8.73 CFS.  
2 P/D'S IN NE, SW, NE & IN SE, SW, NE SEC. 29.  
FARM PHONE #537-6801  
ALL WR'S ARE USED IN ONE SYSTEM AND ALL WELLS AND SPRINKLERS ARE  
TIED TOGETHER.  
\*\*\*FILE NOTE\*\*\*  
EXTENSION WAS DENIED, LATE FEE PAID.

CONTACT PERSON: Ed Wheeler

PHONE NUMBER: ( ) 537-6801

DATE OF FIELD EXAM: 5/13/88 APPOINTMENT MADE: Y ( ✓ ) N ( )

TIME: 9:00 A ( ✓ ) P ( )

ACCOMPANIED BY: Grace Wheeler

PHONE NUMBER: ( ) - -

RELATIONSHIP TO CLAIMANT: son of claimant

DIRECTIONS TO PROPERTY / REMARKS:

① from highway head toward north ③ turn of Mac's street rd.  
before Mac's the service ③ turn rt. 14 mi. after street road  
into ④ turn left after 13 mi. ⑤ across the Mac's street that  
curve ⑥ turn rt. at end of Mac's road ⑦ go 700 ft. will  
see house & building

approx. driving time: 14 mi.

A. AJ CLAIM: # A51-02185 PRIORITY DATE: 12-09-1963 STAGE: L  
B. WR RECORD: # 51-02185 PRIORITY DATE: 12-09-1963 STAGE: L

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

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

REMARKS:

RECOMMENDED PRIORITY DATE:  
12-09-1963

REVIEWED BY APM DATE 3/26/92

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4    | LOT | CNTY   |
|-----------|------|------|------|-----|-----|--------|-----|--------|
| A51-02185 | 09S  | 12E  | 29   | NE  | SW  | NE (3) |     | OWYHEE |
| A51-02185 | 09S  | 12E  | 29   | SE  | SW  | NE (3) |     | OWYHEE |
| A51-02185 | 09S  | 12E  | 29   | NE  | NW  | NE     |     | OWYHEE |
| A51-02185 | 09S  | 12E  | 20   | SE  | SE  | NW     |     | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX  
NONE

WR RECORDS IN SAME 40 ACRE TRACT

51-02186  
51-02189  
51-07030

A51-02186  
A51-02189  
A51-07018  
A51-07030  
A51-07038  
A51-10290  
A51-10291  
A51-10292

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4    | 1/4 | LOT | CNTY   |
|----------|------|------|------|-----|--------|-----|-----|--------|
| 51-02185 | 09S  | 12E  | 29   | SW  | NE (3) |     |     | OWYHEE |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX

51-02186  
51-02189  
51-07030

A51-02186  
A51-02189  
A51-07018  
A51-07030  
A51-07038  
A51-10290  
A51-10291  
A51-10292

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)  
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE

FIELD EXAMINER

Y  
N

REMARKS:

water was originally received from three of the wells  
in the SW 1/4. 39. Additional wells have been drilled  
and are interconnected as claimed (see map, this file)

Condition C03

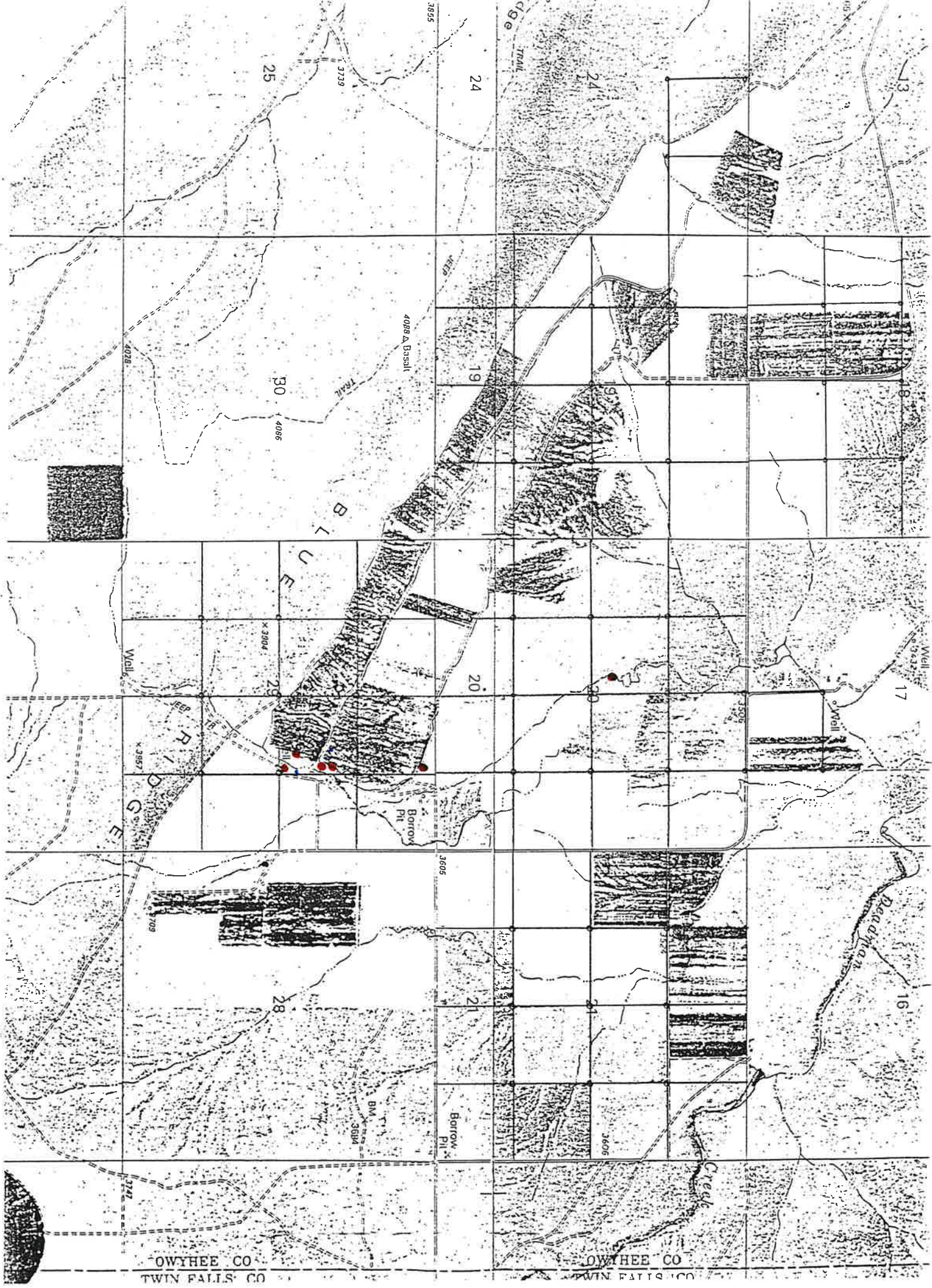
RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

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

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: K.H.E DATE: 5-13-93



A. ROOT WATER RIGHT NUMBERS: A51-02185

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                                                                     | AJ<br>#/ACRES   | WR<br>#/ACRES                                      | LANDSAT<br>DATA | FIELD<br>EXAM<br>ACRES | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|--------------------------------------------------------------------------|-----------------|----------------------------------------------------|-----------------|------------------------|------------------|
| 09S         | 12E | 20  | SW  | NW  |     | WHEELER, FLOYD E.<br>CANYON VIEW CANAL CO.<br>CANYON VIEW IRRIGATION CO. | A51-02185 /20.0 | 51-02185 /20.0<br>47-07124 /40.0<br>47-07125 /40.0 | 37.0            | <i>38.2</i>            | <i>30.0</i> *    |
| 09S         | 12E | 20  | SE  | NW  |     | WHEELER, FLOYD E.<br>CANYON VIEW CANAL CO.<br>CANYON VIEW IRRIGATION CO. | A51-02185 /30.0 | 51-02185 /30.0<br>47-07124 /40.0<br>47-07125 /40.0 | 37.0            | <i>39.6</i>            | <i>30.0</i> *    |
| 09S         | 12E | 20  | NE  | SW  |     | WHEELER, FLOYD E.                                                        | A51-02185 /40.0 | 51-02185 /40.0                                     | 39.0            | <i>39.9</i>            | <i>40.0</i>      |
| 09S         | 12E | 20  | NW  | SW  |     | WHEELER, FLOYD E.                                                        | A51-02185 /40.0 | 51-02185 /40.0                                     | 38.0            | <i>38.0</i>            | <i>40.0</i>      |
| 09S         | 12E | 20  | SW  | SW  |     | WHEELER, FLOYD E.                                                        | A51-02185 /40.0 | 51-02185 /40.0                                     | 40.0            | <i>39.6</i>            | <i>40.0</i>      |
| 09S         | 12E | 20  | SE  | SW  |     | WHEELER, FLOYD E.                                                        | A51-02185 /40.0 | 51-02185 /40.0                                     | 40.0            | <i>40.2</i>            | <i>40.0</i>      |
| 09S         | 12E | 29  | NE  | NW  |     | WHEELER, FLOYD E.                                                        | A51-02185 /40.0 | 51-02185 /40.0                                     | 43.0            | <i>41.2</i>            | <i>40.0</i>      |
| 09S         | 12E | 29  | NW  | NW  |     | WHEELER, FLOYD E.                                                        | A51-02185 /40.0 | 51-02185 /40.0                                     | 40.0            | <i>39.6</i>            | <i>40.0</i> *    |
| TOTAL ACRES |     |     |     |     |     |                                                                          | A51-02185       | 290.00                                             | 314.00          |                        |                  |

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 N FIELD EXAMINER *N*

\* CRP 1987

PRESUMPTION FLAG:

REMARKS:

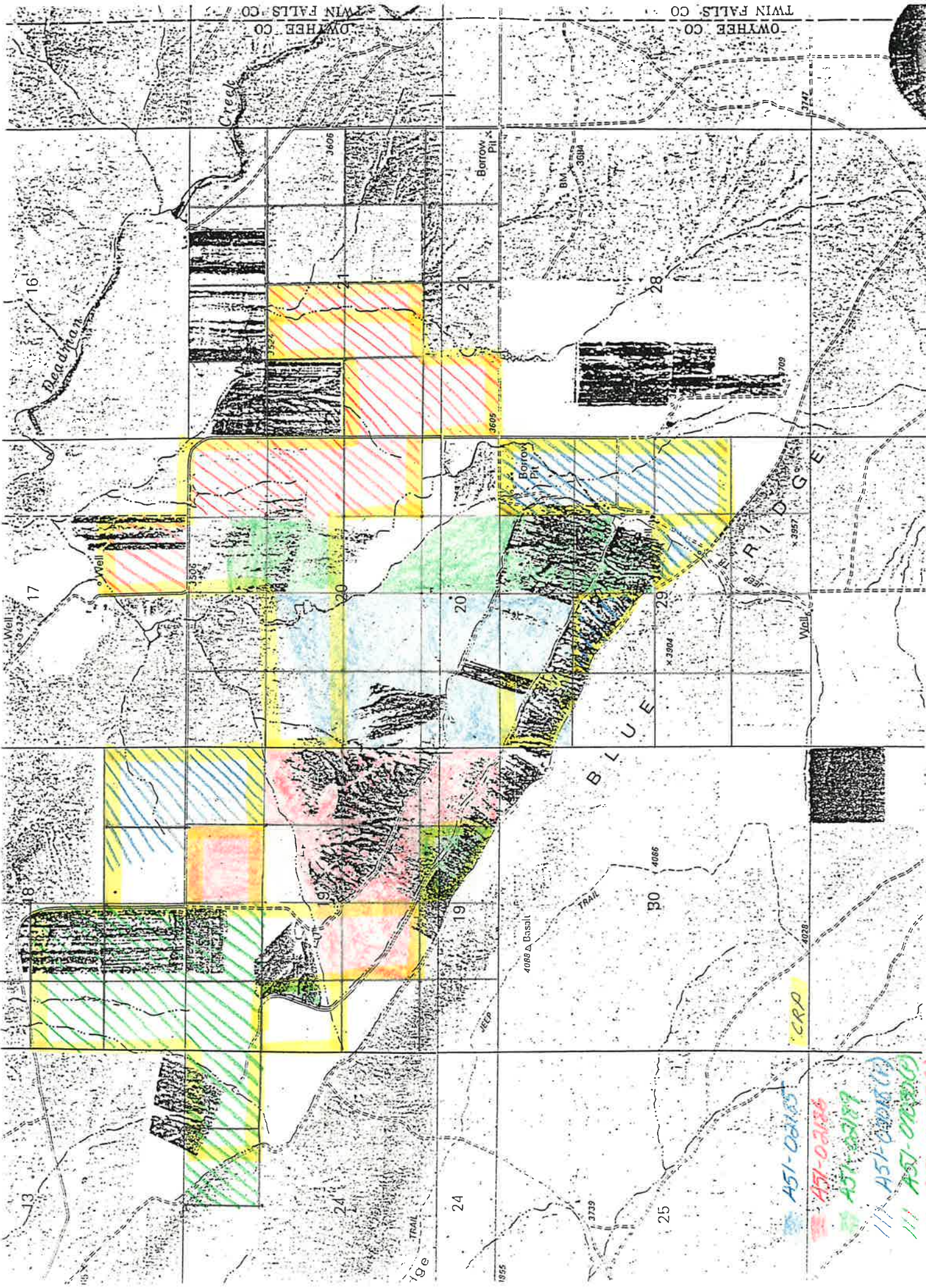
Claimed as Sectionally Reserved. At time of when  
all lands were either Bui CDP or currently being formed.  
the A505 maps, this file.

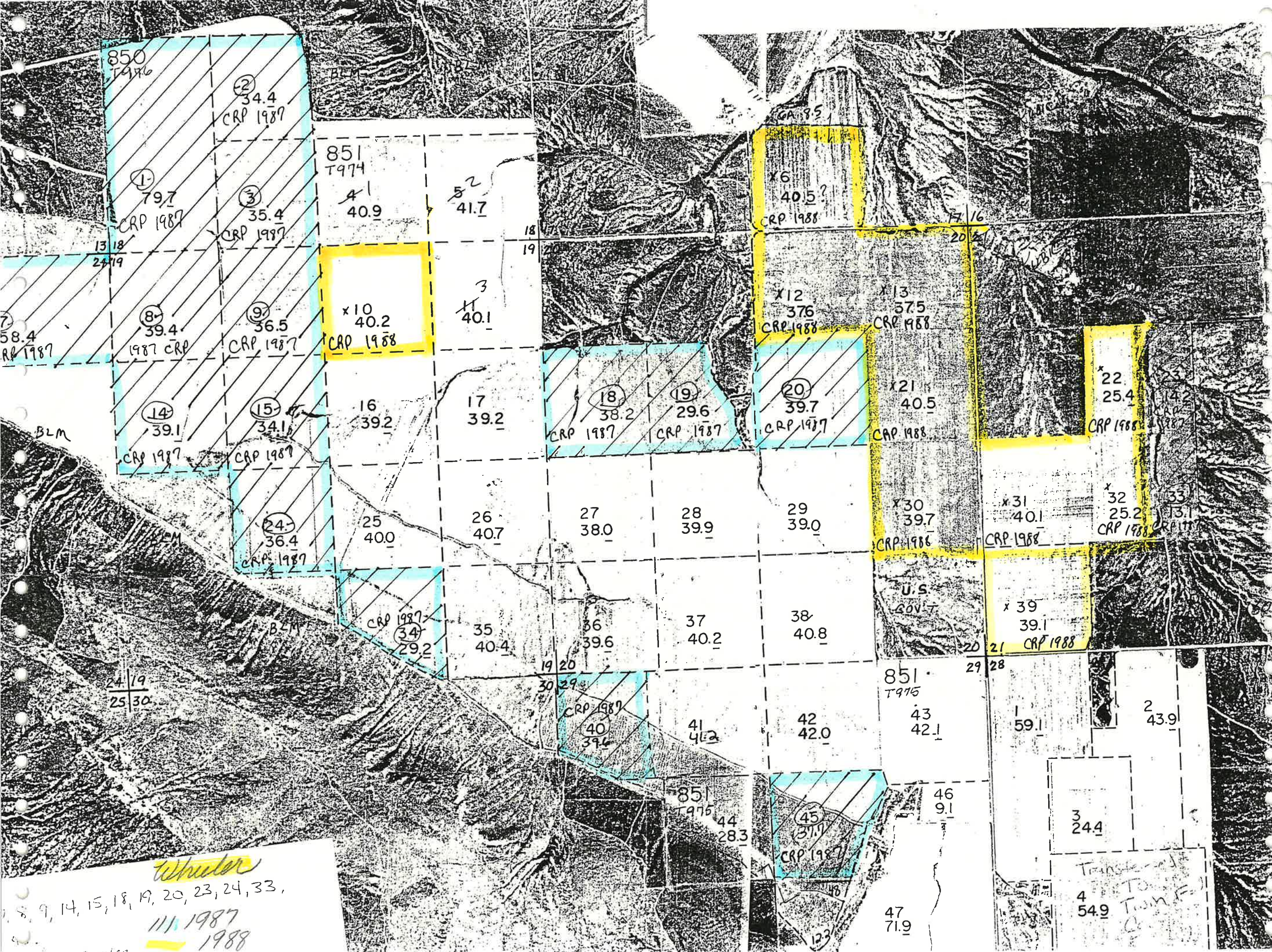
RECOMMENDATIONS:

TOTAL ACRES: 290.0

REVIEWED BY: KMP

DATE: 5-13-92





Whiter

11/1987

1988

Transfered to

Town of

Cl...

A. AJ CLAIMED USES:

PURPOSES  
A51-02185 IRRIGATION

MONTH/DAY  
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY  
5.800 CFS 1160.00 AF/A  
5.800 CFS 1160.00 AF/A

B. WR RECORDED USES:

PURPOSES  
51-02185 IRRIGATION

MONTH/DAY  
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY  
5.800 CFS 1160.00 AF/A  
5.800 CFS 1160.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

|                                    | FIELD EXAMINER |
|------------------------------------|----------------|
| DUE TO WATER-USE DISCREPANCY?      | (Y/N) <u>N</u> |
| DUE TO DIVERSION RATE DISCREPANCY? | (Y/N) <u>N</u> |
| DUE TO PERIOD FROM/TO DISCREPANCY? | (Y/N) <u>N</u> |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y (    ) N (    )  
Y ( ✓ ) N (    )

Explain in remarks, below.

REMARKS:

*Change in standard.*

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

AJ TOTAL CLAIMED DIVERSION RATE: 5.800 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 5.800 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?

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

FIELD  
DATABASE EXAMINER  
N

B. MEASUREMENT METHOD n/a, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A51-02189, -01286, -07038, -07018, -07030

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES 290.0 x 0.02 CFS/ACRE = 5.80 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 = 725.0 AF/A  
ACRES 290.0 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =  
TOTAL CONSUMPTIVE USE 870.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1160.00 AF/A  
ACRES 290.0 x DIVERSION VOL. AF/A FOR AREA 4.0 =  
TOTAL DIVERSION VOLUME 1160.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N(✓)

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

System capacity at diversion: 11.28 cfs, 4788.0 gpd

RECOMMENDATIONS:

| REC.<br>PURPOSES     | REC. PERIOD          |                        | REC. DIV<br>RATE CFS                    | REC. DIV<br>VOL. AF/A                       | REC. CONS.<br>USE                       |
|----------------------|----------------------|------------------------|-----------------------------------------|---------------------------------------------|-----------------------------------------|
|                      | FROM                 | TO                     |                                         |                                             |                                         |
| IRRIGATION           | <del>03-15</del> 4-1 | <del>11-15</del> 10-31 | DATABASE EXAMINER<br>5.800 <u>5.800</u> | DATABASE EXAMINER<br>1160.00 <u>1160.00</u> | DATABASE EXAMINER<br>725.0 <u>870.0</u> |
| TOTAL FOR THIS RIGHT |                      |                        | 5.800                                   | 1160.00                                     | 725.0                                   |

REVIEWED BY:

KME

DATE:

11-18-92

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-02185  
TOTAL DIVERSION RATE OF WR SPLITS 5.800

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 |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A51-02185                | 5.800             | -                         |                  | 51-02185            | 5.800             |
| TOTAL CFS            |                          | 5.800             |                           |                  |                     | 5.800             |

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)

FIELD  
EXAMINER

REMARKS:

No splits.

AUTHENTICATION:

SIGNATURE: Deanne McCarty DATE: 11-18-98  
NAME OF FIELD EXAMINER: Deanne McCarty TITLE: Water Agent

# ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

451-02185

| FIELD EXAM<br>Y/N-IF NO,<br>DO OFFICE<br>VERIFICATION | FIELD EXAM<br>OR IN-OFFICE<br>VERIFICATION<br>WHOM/DATE | CLAIM<br>VERIFIED BY<br>CODE<br>(SEE BELOW) | CHANGE<br>CLAIM<br>Y/N | CLAIMANT CONTACT<br>NEEDED - Y/N** | REVIEW<br>COMPLETED<br>WHOM/DATE | "R" RECORD |
|-------------------------------------------------------|---------------------------------------------------------|---------------------------------------------|------------------------|------------------------------------|----------------------------------|------------|
| PRIORITY*                                             | N                                                       | RMF/3-26-92                                 | N                      | N                                  | RMF/11-18-92                     |            |
| PL. OF DIV.                                           | N                                                       | ↓                                           | N                      |                                    |                                  |            |
| SOURCE                                                | N                                                       | RMF/3-26-92                                 | N                      |                                    |                                  |            |
| PL. OF USE                                            | Y                                                       | RMF/5-13-92                                 | N                      |                                    |                                  |            |
| DIV. AMOUNT<br>CFS/AF                                 | N                                                       | RMF/3-26-92                                 | N                      |                                    |                                  |            |
| CONSUMPTIVE<br>USE                                    | N                                                       | 6                                           | Y                      |                                    |                                  |            |
| NATURE OF<br>USE                                      | N                                                       | 6                                           | N                      |                                    |                                  |            |
| PERIOD OF<br>USE                                      | N                                                       | 6                                           | Y                      |                                    |                                  |            |
| BASIS OF<br>CLAIM                                     | N                                                       | 6                                           | N                      |                                    |                                  |            |
| REMARKS                                               | —                                                       | —                                           | —                      | —                                  | —                                | —          |

DATA ENTRY COMPLETED  
BY \_\_\_\_\_ DATE \_\_\_\_\_  
FINAL RECOMMENDATION  
BY \_\_\_\_\_ DATE \_\_\_\_\_

\*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN  
SUBMITTED - YES \_\_\_\_\_ NO \_\_\_\_\_.

\*\*IF CLAIMANT CONTACT IS NEEDED, COMPLETE  
CLAIMANT CONTACT CHECKLIST AND ATTACH.

VERIFICATION CODES  
TOPO MAP/ORTHO PHOTO = 1  
ASCS MAP = 2  
WATERMASTER RECORDS = 3  
NAPP PHOTOS = 4  
FIELD EXAM = 5  
OTHER(SEE COMMENTS) = 6\*

COMMENTS: \*existing records

<E02> Jan, 1995, R1A5, Sec. 29, SANE  
Cond. <E03>

<E07>

Claimant: Wheeler, F.

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

Agent: R. McCarthy

## Overlapping Irrigation Rights

| Claim Numbers              | (1) A51-02185                                                                        | (2) A51-02186 | (3) A51-02189 | (4) A51-07018 |
|----------------------------|--------------------------------------------------------------------------------------|---------------|---------------|---------------|
| Basis of Claim             | license                                                                              | license       | license       | permit        |
| Priority Date              | 12-9-1963                                                                            | 12-9-1963     | 12-24-1963    | 4-5-1968      |
| Source                     | GRD                                                                                  | GRD           | GRD           | GRD           |
| Points of Diversion        | T93, R12E, Sec. 29<br>NE 34 NE - 2<br>SE 34 NE - 2<br>NE 1/4 NE<br>SE 1/4 NE Sec. 20 | same as (1)   | same as (1)   | same as (1)   |
| Claimed Diversion Rate     | 5.800                                                                                | 5.400         | 4.140         | 3.000         |
| System Diversion Capacity  | * 11.28                                                                              | * 11.28       | * 11.28       |               |
| Recommended Diversion Rate | 5.800                                                                                | 5.400         | 4.140         |               |
| Claimed No. Acres          | 290.0                                                                                | 270.0         | 207.0         | 210.0         |
| Recommended No. Acres      | 290.0                                                                                | 270.0         | 207.0         |               |
| Diversion Volume           | 1160.0                                                                               | 1080.0        | 828.0         |               |
| Consumptive Use Volume     | 870.0                                                                                | 810.0         | 621.0         |               |
| Season of Use              | 4-1 to 10-31                                                                         | 4-1 to 10-31  | 4-1 to 10-31  | 4-1 to 10-31  |
| Overlapping Rights         | none                                                                                 | none          | none          |               |
| Condition Codes            | 003                                                                                  | 003           | 003           |               |
| Remarks                    | E07, F03                                                                             |               |               |               |
| Notes                      | system inter-connected                                                               |               |               |               |

Claimant: \_\_\_\_\_

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

Agent: \_\_\_\_\_

Overlapping Irrigation Rights

| Claim Numbers              | (3) 451-07030 | (3) 451-07038 | (4) totals                      | (4) |
|----------------------------|---------------|---------------|---------------------------------|-----|
| Basis of Claim             | permit        | permit        |                                 |     |
| Priority Date              | 9-30-1968     | 6-30-1969     |                                 |     |
| Source                     | GW            | GW            |                                 |     |
| Points of Diversion        | same as (1)   | same as (1)   |                                 |     |
| Claimed Diversion Rate     | 6.400         | 4.280         |                                 |     |
| System Diversion Capacity  |               |               | 11.28                           |     |
| Recommended Diversion Rate |               |               | 15.34                           |     |
| Claimed No. Acres          | 320.0         | 320.0         | 767.0                           |     |
| Recommended No. Acres      |               |               | 767.0                           |     |
| Diversion Volume           |               |               | 3068.0                          |     |
| Consumptive Use Volume     |               |               | 2301.0                          |     |
| Season of Use              | 4-1 to 10-31  | 4-1 to 10-31  | 4-1 to 10-31                    |     |
| Overlapping Rights         |               |               | none                            |     |
| Condition Codes            |               |               |                                 |     |
| Remarks                    |               |               | noted to 11.28 gpc (separately) |     |
| Notes                      |               |               | 0.015 cfs/acre                  |     |

TELEPHONE MEMORANDUM

Agent: Roxanne McCarthy

Date: May 4, 1992

Re: Floyd Whuler Claims

Per Mrs. Whuler:

Phone No. : 537-6801

Address: 2475 Quil Cr. Rd.  
Castleford, ND

I told Mrs. Whuler about field  
exams next week; she will have  
Mr. Whuler call.

RMC

Roxanne McCarthy



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

April 27, 1992

Floyd E. Wheeler  
Rt. 2  
Buhl, ID 83316

Re: Permits and/or Adjudication Claim Nos.: A51-02185, A51-02186,  
A51-02189, A51-07018, A51-07030, A51-07038, A51-10046

Dear Mr. Wheeler,

The Department of Water Resources will be conducting field examinations in your area from May 11 through May 15, 1992. After these examinations are complete, your water rights will be recommended for licensing by the Department or decree by Judge Hurlbutt in the Snake River Basin Adjudication. The recommendations will be based on our findings in the field.

Information on your permit or claim that may need to be verified includes: the source of water used, water uses and amounts of use, legal descriptions of the point of diversion and place of water use and, in some cases, the claimed date of priority.

It is not mandatory that you accompany the field agent during the examination. However, it would be most helpful for yourself, or a knowledgeable representative, to be available should questions arise.

If you have questions, or wish to schedule the examination, please call (208)327-7925 and speak to Roxanne McCarthy or Helen Thornton.

Sincerely,

A handwritten signature in blue ink that reads 'Roxanne McCarthy'.

Roxanne McCarthy  
Sr. Water Resource Agent  
Adjudication Bureau

RM:rm:rm

IDAHO  
MENT OF WATER RESOURCES  
Orchard Street  
83706-2237

FLOYD E WHEELER  
RT 2  
BUHL ID 83316



August 4, 1998

**NOTICE OF ERROR  
REPLY**

RECEIVED

Please type or print clearly, fill out this form completely and mail.

AUG 19 1998

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation. Department of Water Resources  
**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:** September 4, 1998

Water right number: 51-02185

BLUE RIDGE LLC  
PO BOX 2839  
TWIN FALLS ID 83303

RECEIVED

AUG 20 1998

WATER RESOURCES  
WESTERN REGION

Daytime Telephone Number: (208) 734-6004  
Evening Telephone Number: (208) 423-5939

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 8-17-98 SIGNATURE: Michael J. Meade  
Please print your name: Michael J. Meade

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: **A51-02185**  
Date Received: 4/13/1989  
Receipt No: S006870  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

1. Name: BLUE RIDGE LLC 208-432-6675  
Address: PO BOX 2839  
TWIN FALLS ID 83303

2. Date of Priority: DEC 9, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 09S      | 12E   | 20      | SE     | SE     | NW  |     | OWYHEE |
|          |       | 29      | NE     | NW     | NE  |     | OWYHEE |
|          |       |         | NE     | SW     | NE  |     | OWYHEE |
|          |       |         | SE     | SW     | NE  |     | OWYHEE |

5. Description of diverting works:  
6 WELLS AND PUMPS, SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A.  |
|------------|-------|-------|-------|------|---------|
| IRRIGATION | 03/15 | 11/15 | 5.800 |      | 1160.00 |

7. Total Quantity Appropriated is:  
5.800 C.F.S. (and/or) 1160.00 A.F.A.

8. Total consumptive use is 725.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 09S      | 12E   | 20      | SW     | NW  |     | IRR | 20.0  |
|          |       |         | SE     | NW  |     | IRR | 30.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 09S      | 12E   | 20      | NE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     |               |       |
|          |       |         |     |    |     |     | Section Acres | 210.0 |
|          |       | 29      | NE  |    | NW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     |               |       |
|          |       |         |     |    |     |     | Section Acres | 80.0  |
|          |       |         |     |    |     |     |               |       |
|          |       |         |     |    |     |     | Total Acres   | 290.0 |

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

A51-02189, -01286, -07038, -07018, -07030

14. Remarks:

NOT TO EXCEED 8.73 CFS.

2 P/D'S IN NE,SW,NE & IN SE,SW,NE SEC. 29.

FARM PHONE #537-6801

ALL WR'S ARE USED IN ONE SYSTEM AND ALL WELLS AND SPRINKLERS ARE TIED TOGETHER.

\*\*\*FILE NOTE\*\*\*

EXTENSION WAS DENIED, LATE FEE PAID.

ADDRESS CHANGE BY CLAIMANT LETTER.

OWNERSHIP CHANGE, WHEELER TO BLUE RIDGE LLC, RB 9-24-97

15. Basis of Claim: LICENSE

Water Right Number: 31590

Form 42-248/42-1438(6) February 3, 1997

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

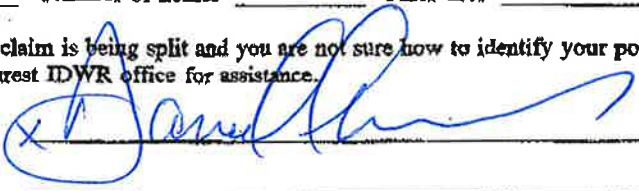
RECEIVED

MAY 08 1997

WATER RESOURCES  
WESTERN REGION

## NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right No(s).: 51-02185  
Adjudication Claim No(s).: A51-02185
2. The following REQUIRED information must be submitted with this form:
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION,  
AND
  - B. FLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant James Wheeler  
Castleford, ID 83321
4. New Owner/Claimant(s) Blue Ridge LLC  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
New Mailing Address P O Box 2839  
City, State and ZIP Code Twin Falls, ID 83303  
New Telephone Number (208) 432-6675
5. Date you acquired the property April 29, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
Number of acres you irrigate \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
Diversion rate in CFS 5.80 Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s)   
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

2596

RECEIVED

MAY 08 1997

WATER RESOURCES  
WESTERN REGION

## WARRANTY DEED

FOR VALUE RECEIVED FLOYD EDWARD WHEELER and ANNA WHEELER, husband and wife; BRUCE E. WHEELER, a married individual dealing in his sole and separate property; and JEFFREY L. WHEELER, a single individual dealing in his sole and separate property, hereinafter collectively referred to as "Grantors," hereby grant, bargain, sell, and convey unto BLUE RIDGE LLC, an Idaho Limited Liability Company, ALAN CUMMINS, MARK CUMMINS, DANIEL CUMMINS, HOWARD HARDER, TED HARDER and LARRY MEADE, whose address is P.O. Box 2839, Twin Falls, Idaho 83303, hereinafter collectively referred to as "Grantees," the premises located in Owyhee County, Idaho, attached hereto as Exhibit A and incorporated in full herein.

SUBJECT TO any and all easements, rights of way, or restrictions of record, and building and use restrictions, zoning and building laws and ordinances, if any, as the same may appear of record.

TO HAVE AND TO HOLD the said premises unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that the premises are free from all encumbrances, except as mentioned above, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED This 29<sup>th</sup> day of April, 1997.

GRANTORS:

Floyd Edward Wheeler  
FLOYD EDWARD WHEELER

Anna Wheeler  
ANNA WHEELER

Bruce E. Wheeler  
BRUCE E. WHEELER

Jeffrey L. Wheeler  
JEFFREY L. WHEELER

221693  
RECORD OF  
Shirley Little  
FEB 12 1997

FILED - RECORDED

'97 MAY 1 PM 3 01

JIM HUNTLEY JR.  
OWYHEE COUNTY RECORDER  
BY Debbie M. Dumas DEPUTY

WARRANTY DEED - Page 1

|                   |            |         |                |            |    |
|-------------------|------------|---------|----------------|------------|----|
| Post-It® Fax Note | 7671       | Date    | 5/7            | # of pages | 16 |
| To                | Mike Meade | From    | Mike           |            |    |
| Co./Dept.         | Key Bank   | Co.     | Shirley Little |            |    |
| Phone #           |            | Phone # | 208-495-2625   |            |    |
| Fax #             | 734-0285   | Fax #   |                |            |    |

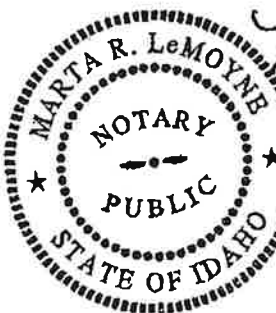
STATE OF IDAHO )

) ss.

County of Twin Falls )

On this 29th day of April, 1997, before me, the undersigned, a Notary Public in and for the said County and State, personally appeared FLOYD EDWARD WHEELER and ANNA WHEELER, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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



Marta R. LeMoynes  
NOTARY PUBLIC  
Residing at: Buhl  
My Commission Expires: 9-8-99

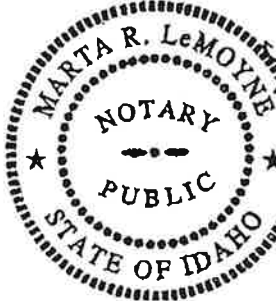
STATE OF IDAHO )

) ss.

County of Twin Falls )

On this 29th day of April, 1997, before me, the undersigned, a Notary Public in and for the said County and State, personally appeared BRUCE EDWARD WHEELER, known to me to be the person whose name is subscribed to the foregoing instrument 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 in this certificate first above written.



Marta R. LeMoynes  
NOTARY PUBLIC  
Residing at: Buhl  
My Commission Expires: 9-8-99

STATE OF IDAHO )  
 ) ss.  
County of Twin Falls )

On this 29th day of April, 1997, before me, the undersigned, a Notary Public in and for the said County and State, personally appeared JEFFREY L. WHEELER, known to me to be the person whose name is subscribed to the foregoing instrument 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 in this certificate first above written.



EXHIBIT A

RECEIVED

MAY 08 1997

WATER RESOURCES  
WESTERN REGION

Parcel I:

In Township 9 South, Range 12, East, B.M., Owyhee County, Idaho

Section 18: S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 19: NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 29: E $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$

Parcel II:

In Township 9 South, Range 11 East, B.M., Owyhee County, Idaho

Section 24: N $\frac{1}{2}$ NE $\frac{1}{4}$

In Township 9 South, Range 12 East, B.M., Owyhee County, Idaho

Section 18: Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 19: Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 20: S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$

Section 29: N $\frac{1}{2}$ NW $\frac{1}{4}$

Parcel III:

In Township 9 South, Range 12 East, B.M., Owyhee County, Idaho

Section 17: SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 20: E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 21: SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$

Parcel IV:

In Township 9 South, Range 12 East, B.M., Owyhee County, Idaho

Section 19: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$

Parcel V:

In Township 9 South, Range 12 East, B.M., Owyhee County, Idaho

Section 19: Lot 2, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 20: W $\frac{1}{2}$ E $\frac{1}{2}$

Section 29: W $\frac{1}{2}$ NE $\frac{1}{4}$

Together with all water rights as evidenced by Permit Nos. 31628/51-2189, 31591/51-2186, 31590/51-2185 and License Nos. 51-07018, 51-07030 and 51-07038.

And together with all improvements, appurtenances, buried mainline, pumps, panels and attached irrigation improvements not specifically excluded.

Subject to any existing leases, Conservation Reserve Program obligations and rights of way.

And together with all mobile homes on the premises excluding the mobile home owned and occupied by Dean Hahn.

And together with all easements, right of ways existing at the time of closing.

*John Hahn*

RECEIVED

APR 09 1996

WATER RESOURCES  
WESTERN REGION

RECEIVED

APR 03 1996

WATER RESOURCES  
WESTERN 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: **A51-02185**  
Date Received: 4/13/1989  
Receipt No: S006870  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

1. Name: FLOYD E WHEELER 208-537-6801  
Address: 1222 E 3500 N  
BUHL ID 83316-6212  
OR  
Name: ANNA L WHEELER 208-537-6801  
Address: 1222 E 3500 N  
BUHL ID 83316-6212

2. Date of Priority: DEC 9, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 09S      | 12E   | 20      | SE     | SE     | NW     |     | OWYHEE |
|          |       | 29      | NE     | NW     | NE     |     | OWYHEE |
|          |       |         | NE     | SW     | NE     |     | OWYHEE |
|          |       |         | SE     | SW     | NE     |     | OWYHEE |

5. Description of diverting works:  
6 WELLS AND PUMPS, SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A.  |
|------------|-------|-------|-------|------|---------|
| IRRIGATION | 03/15 | 11/15 | 5.800 |      | 1160.00 |

7. Total Quantity Appropriated is:  
5.800 C.F.S. (and/or) 1160.00 A.F.A.

8. Total consumptive use is 725.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 09S      | 12E   | 20      | SW  |    | NW  |     | IRR           | 20.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 30.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 210.0 |
|          |       | 29      | NE  |    | NW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 80.0  |
|          |       |         |     |    |     |     | Total Acres   | 290.0 |

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

A51-02189,-01286,-07038,-07018,-07030

14. Remarks:

NOT TO EXCEED 8.73 CFS.

2 P/D'S IN NE,SW,NE & IN SE,SW,NE SEC. 29.

FARM PHONE #537-6801

ALL WR'S ARE USED IN ONE SYSTEM AND ALL WELLS AND SPRINKLERS ARE TIED TOGETHER.

\*\*\*FILE NOTE\*\*\*

EXTENSION WAS DENIED, LATE FEE PAID.

ADDRESS CHANGE BY CLAIMANT LETTER.

15. Basis of Claim: LICENSE

Water Right Number: 31590



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

RECEIVED

APR 11 1996

RECEIVED

APR 1 - 1996

Department of Water Resources

Department of Water Resources

PHILIP E. BATT  
GOVERNOR

March 28, 1996

KARL J. DREHER  
DIRECTOR

RECEIVED

RECEIVED

APR 09 1996

APR 03 1996

WATER RESOURCES  
WESTERN REGION

WATER RESOURCES  
WESTERN REGION

FLOYD E OR ANNA L WHEELER  
1222 E 3500 N  
BUHL ID 83316-6212

Re: Snake River Basin Adjudication (SRBA)  
Notices of Claim No. A51-02185, A51-02186, A51-02189,  
A51-07018, A51-07030 & A51-07038  
Change of Address 'A' + 'R' words modified 4-2-96.

Dear Claimants,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claims can be sent only to the address on your claims or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right(s) referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

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

Anna Wheeler  
Claimant

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: A51-02185  
Date Received: 4/13/1989  
Receipt No: S006870  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: FLOYD E WHEELER  
Address: 2475 DEVIL CREEK RD  
CASTLEFORD ID

83321

208-537-6801

OR

Name: ANNA L WHEELER  
Address: 2475 DEVIL CREEK RD  
CASTLEFORD ID

83321

208-537-6801

2. Date of Priority: DEC 9, 1963

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 09S      | 12E   | 20      | SE     | SE     | NW     |     | OWYHEE |
|          |       | 29      | NE     | NW     | NE     |     | OWYHEE |
|          |       |         | NE     | SW     | NE     |     | OWYHEE |
|          |       |         | SE     | SW     | NE     |     | OWYHEE |

5. Description of diverting works:  
6 WELLS AND PUMPS, SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A.  |
|------------|-------|-------|-------|------|---------|
| IRRIGATION | 03/15 | 11/15 | 5.800 |      | 1160.00 |

7. Total Quantity Appropriated is:  
5.800 C.F.S. (and/or) 1160.00 A.F.A.

8. Total consumptive use is 725.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 09S      | 12E   | 20      | SW  |    | NW  |     | IRR           | 20.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 30.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 210.0 |
|          |       | 29      | NE  |    | NW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 80.0  |
|          |       |         |     |    |     |     | Total Acres   | 290.0 |

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:  
A51-02189,-01286,-07038,-07018,-07030

14. Remarks:  
NOT TO EXCEED 8.73 CFS.  
2 P/D'S IN NE,SW,NE & IN SE,SW,NE SEC. 29.  
FARM PHONE #537-6801  
ALL WR'S ARE USED IN ONE SYSTEM AND ALL WELLS AND SPRINKLERS ARE  
TIED TOGETHER.  
\*\*\*FILE NOTE\*\*\*  
EXTENSION WAS DENIED, LATE FEE PAID.

15. Basis of Claim: LICENSE

Water Right Number: 31590

*original*

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[ ] Water Right Number (s): A51-02185, A51-02186, A51-02189  
A51-07018, A51-07030, A51-07038

[ ] Old Mailing Address: Floyd E. Wheeler

Rt. 2 Buhl, ID

[ ] New Mailing Address: Floyd E. Wheeler

2475 Devil Creek Rd.

Castleford, ID

New Telephone Number: ( 1-531-6801 )

[ ] Signature of Claimant: Floyd E. Wheeler

Date: May 13, 1992

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 5-18-92 By: RME

SEND TO YOUR NEAREST  
REGION OFFICE:

Western Region Office  
2735 Airport Way  
Boise, ID 83705  
(208) 334-2190

Southern Region Office  
222 Shoshone St. East  
Twin Falls ID 83301  
(208) 734-3578

State Office  
1301 N. Orchard St.  
Boise, ID 83720  
(208) 327-7900

Eastern Region Office  
150 Shoup Ave. #15  
Idaho Falls ID 83402  
(208) 525-7161

Northern Region Office  
1910 Northwest Blvd. #210  
Coeur d'Alene ID 83814  
(208) 756-4639

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: A51-02185  
Date Received: 4/13/1989  
Receipt No: S006870  
Received By: SCC

Department of Water Resources  
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: FLOYD E. WHEELER 208-537-6904  
Address: RT. 2  
BUHL, ID 83316

OR  
Name: ANNA L. WHEELER 208-537-6904  
Address: RT. 2  
BUHL, ID 83316

2. Date of Priority: DEC 09, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 09S      | 12E   | 20      | SE     | SE     | NW     |     | OWYHEE |
|          |       | 29      | NE     | NW     | NE     |     | OWYHEE |
|          |       |         | NE     | SW     | NE     |     | OWYHEE |
|          |       |         | SE     | SW     | NE     |     | OWYHEE |

5. Description of diverting works:  
6 WELLS AND PUMPS, SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A.  |
|------------|-------|-------|-------|------|---------|
| IRRIGATION | 03/15 | 11/15 | 5.800 |      | 1160.00 |

7. Total Quantity Appropriated is:  
5.800 C.F.S. (and/or) 1160.00 A.F.A.

8. Total consumptive use is 725.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 09S      | 12E   | 20      | SW  |    | NW  |     | IRR           | 20.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 30.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     |               |       |
|          |       |         |     |    |     |     | Section Acres | 210.0 |
|          |       | 29      | NE  |    | NW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     |               |       |
|          |       |         |     |    |     |     | Section Acres | 80.0  |
|          |       |         |     |    |     |     | Total Acres   | 290.0 |

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:  
A51-02189,-01286,-07038,-07018,-07030

14. Remarks:  
NOT TO EXCEED 8.73 CFS.  
2 P/D'S IN NE,SW,NE & IN SE,SW,NE SEC. 29.  
FARM PHONE #537-6801  
ALL WR'S ARE USED IN ONE SYSTEM AND ALL WELLS AND SPRINKLERS ARE  
TIED TOGETHER.  
\*\*\*FILE NOTE\*\*\*  
EXTENSION WAS DENIED, LATE FEE PAID.

15. Basis of Claim: LICENSE  
Water Right Number: 31590

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): Floyd E Wheeler Date: April 13, 1989  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 13<sup>th</sup> day  
of April 19 89 Steve C. [Signature]  
Notary Public

Seal

Residing at Twin Falls  
My Commission Expires Dec 7, 1994

11E:

12E:

- 7038
- 2185
- 7018
- 7030
- 2186
- 2189

AS1-02185

