

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 37-2139A
Date Received: 11/24/1989
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID USA 83327-0345

Phone: (208)764-2139

DANNY VAN HORN
PO BOX 345
FAIRFIELD ID USA 83327-0345

Phone: (208)764-2139

2. Date of Priority: 06/07/1909

3. Source: GARDEN SPRING , CORRAL CREEK WEST FORK, GARDEN SPRING , CORRAL CREEK WEST
FORK, GARDEN SPRING Trib. to: , CAMAS CREEK , , CAMAS CREEK ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01N	13E	21	NW	SW	NW	BLAINE	
01N	13E	29	SW	NW	NE	BLAINE	
01N	13E	20	NE	NE	SE	BLAINE	
01N	13E	20	SE	NW	NW	BLAINE	
01N	13E	29	NE	SE	SW	BLAINE	

5. Description of diverting works:

CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
4/15 10/15 0.51

(or) A.F.A

7. Total Quantity Appropriated is:
0.51 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	13E	20	SW	NE		IRRIGATION	10
			NE	NW		IRRIGATION	20
			NW	NW		IRRIGATION	10
			SE	NW		IRRIGATION	35
			NE	SW		IRRIGATION	15
			SE	SW		IRRIGATION	5
			NE	SE		IRRIGATION	35
			NW	SE		IRRIGATION	35
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
Section Acres							245
01N	13E	21	SW	NW		IRRIGATION	10
			SE	NW		IRRIGATION	5
			NE	SW		IRRIGATION	15
			NW	SW		IRRIGATION	30
			SW	SW		IRRIGATION	35
			SE	SW		IRRIGATION	5
Section Acres							100
01N	13E	28	NW	NW		IRRIGATION	10
						Section Acres	10
01N	13E	29	SE	NE		IRRIGATION	25
			SE	NW		IRRIGATION	20
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	5
			SW	SW		IRRIGATION	35
			SE	SW		IRRIGATION	40
			NE	SE		IRRIGATION	20
			NW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	15
			NE	NE		IRRIGATION	35
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			Section Acres				

01N	13E	32	NW	NE	IRRIGATION	35
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	28
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
Section Acres						183
Total Acres						933

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE A37-
13261 6/01/1882 5.4	CORRAL CREEK A37-00728	6/01/1883	1.5
CORRAL CREEK A37-00454 9/01/1883 .8	CORRAL CREEK A37-13267	6/01/1884	
1.7 CORRAL CREEK A37-00463B 6/01/1885 1.4	CORRAL CREEK A37-00730		
8/10/1885 .2 CORRAL CREEK A37-13268 6/01/1886 1.5	CORRAL		
CREEK A37-00035 6/01/1887 1.0	CORRAL CREEK A37-13269	6/01/1888	
1.4 CORRAL CREEK A37-02139 6/07/1909 .54	CORRAL CREEK/GARDEN		
SPRING A37-13270 5/26/1966 9.28	CORRAL CREEK A37-13271	5/20/1901	
.8 LANSING CREEK IRRIGATION USE P/D'S: WEST FORK CORRAL CREEK:	SE,NW,NW, SEC		
20.			

EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20. CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.

LANSING CREEK: NE,NW,NW, SEC 28.

SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE: A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...

BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

***** THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.

KKC 5-1-98.

THIS LICENSE WAS ORIGINALLY FOR 27 ACRES IN SECTION 18. WATER NOW COMBINED WITH ABOVE WATER RIGHTS AND DISPURSED THROUGHOUT ~980 ACRES. THE USE OF THIS RIGHT IS LIMITED TO .54 CFS.

***** CHANGE OF OWNERSHIP DATA ENTERED 11-23-98. KKC

15. Basis of Claim: License

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: **A37-02139A**
Date Received: 11/24/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CARL D REY
Address: PO BOX 40
CORVALLIS MT

59828

AND/OR

Name: JANINE M REY
Address: PO BOX 40
CORVALLIS MT

59828

2. Date of Priority: JUN 7, 1909

3. Source: GARDEN SPRING Trib. to:
CORRAL CREEK, WEST FORK CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	13E	20	SE	NW	NW		BLAINE
			NE	NE	SE		BLAINE
		21	NW	SW	NW		BLAINE
		29	SW	NW	NE		BLAINE
			NE	SE	SW		BLAINE

5. Description of diverting works:
CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.510		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 RANGE STOCK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	20	SW		NE		IRR	10.0
			NE		NW		IRR	20.0
			NW		NW		IRR	10.0
			SE		NW		IRR	35.0
			NE		SW		IRR	15.0
			SE		SW		IRR	5.0
			NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	245.0
		21	SW		NW		IRR	10.0
			SE		NW		IRR	5.0
			NE		SW		IRR	15.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
			SE		SW		IRR	5.0
							Section Acres	100.0
		28	NW		NW		IRR	10.0
							Section Acres	10.0
		29	NE		NE		IRR	35.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	25.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	5.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	15.0
							Section Acres	395.0
		32	NW		NE		IRR	35.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	183.0
					Total Acres	933.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN SPRING
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.
EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.
CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.
LANSING CREEK: NE,NW,NW, SEC 28.
SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...
BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.

KKC 5-1-98.

THIS LICENSE WAS ORIGINALLY FOR 27 ACRES IN SECTION 18. WATER NOW COMBINED WITH ABOVE WATER RIGHTS AND DISPURSED THROUGHOUT ~980 ACRES. THE USE OF THIS RIGHT IS LIMITED TO .54 CFS.

14. Remarks: Continued

CHANGE OF OWNERSHIP DATA ENTERED 11-23-98. KKC

15. Basis of Claim: LICENSE

Water Right Number: 4728

QUIT CLAIM DEED

FOR VALUE RECEIVED

JON AND LANA MELLEN UNITRUST

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

CARL REY AND JANINE REY, HUSBAND AND WIFE

GRANTEE(S)

Whose address is: Route 1, Box 2015, Corral, ID 83322

The following described premises, to-wit:

Idaho Department of Water Resources Water License #A37-02139

71631

Recorded at the Request of
Gooding Title and Escrow
at 3:25 P.M.
May 14, 1998
in Book 30
of Deeds Page 661.
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Gayle Backeell
Fees \$ 3.00

Together with their appurtenances.

Dated: May 1, 1998

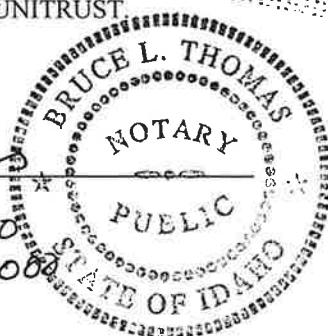
Jon Mellen - Co-Trustee Lana Mellen - Co-Trustee
Jon Mellen, Co-Trustee Lana Mellen, Co-Trustee

State of Idaho }
County of } ss.

On this 12th day of May, 1998, before me the undersigned, a notary public,
personally appeared JON MELLEN and LANA MELLEN, known or identified to me to be the persons whose
names are subscribed to the within instrument and acknowledged to me that they executed the same as TRUSTEES
OF THE JON AND LANA MELLEN UNITRUST.

WITNESS my hand and official seal.

Bruce L. Thomas
Notary Public
Residing At: Boise, Idaho
Commission Expires: 10/24/2002



**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: A37-02139
 Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP 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 Jon Mellen and Lana Mellen

4. New Owner/Claimant(s) Carl Rey and Janine Rey
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address Route 1, Box 2015,

 City, State and ZIP Code Corral, ID 83322

 New Telephone Number (208) 764-2924

5. Date you acquired the property _____

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 _____ 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) Carl Rey Janine M. Rey
 Carl Rey Janine Rey
 (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..



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 1/26/96

FEB 14 1996

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. Southern Region
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

See attached Exhibit A

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s) A37-00035, A37-00454, A37-00463B, A37-00730, A37-00728
Assigned by IDWR: A37-13261, R37-13261, A37-13267, R37-13268, A37-13268,
A37-13269, A37-13270, A37-13271, A37-13292

[] Name and Address of Former Owner/Claimant(s)(Seller): Jon and Lana Mellen *Stockwater*
Route 1, Box 2015
Fairfield, ID 83315

[] New Owner/Claimant (Purchaser): Carl D. Rey and Janine M. Rey

[] New Mailing Address: P. O. Box 40
Corvallis, Montana 59828
(will be moving to Fairfield, ID - Summer '96)

[] New Telephone Number: () _____ - _____

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes XX no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: copy of recorded Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) Carl D. Rey Date 01/26/96

[] Signature of Former Owner/Claimant(s) Jon Mellen Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

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: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED

FEB 14 1996

WARRANTY DEED

Department of Water Resources
Southern Region

JON MELLEN AND LANA MELLEN, husband and wife, Grantor, hereby convey, grant, bargain, sell and warrant to CARL D. REY and JANINE M. REY, husband and wife, Grantee, whose address is P.O. Box 40, Corvallis, Montana 59828, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the real property located in Camas County, Idaho and more particularly described on Exhibit A, attached and incorporated by reference, hereinafter the Real Property.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, mineral rights, rights-of-way and water rights in anyway appertaining to the property herein described. Attached hereto as Exhibit B is a description of the water rights appurtenant to the Real Property conveyed by this deed, together with water rights appurtenant to an adjacent parcel also being acquired by Grantee.

The Grantor covenants to the Grantee that the Grantor is the owner in fee simple of said premises; that the premises are free from all encumbrances, except as described below, and that the Grantor will warrant and defend the same from all other claims whatsoever, except any claims relating to the county road located on the Real Property.

This conveyance is subject to 1996 real property taxes, easements of record, any reservations in favor of the United States of America, and all other matters of record.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 26th day of January, 1996.

69756

Recorded at the Request of

Camas Titleat 1:05 PMJanuary 26, 1996in Book 29of Deeds Page 833

FOLLIE BENNETT

CAMAS COUNTY RECORDER

By Gayle PachterFees \$ 12.00

WARRANTY DEED - 1

1/24/96



Jon Mellen



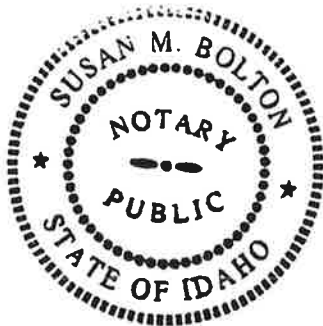
Lana Mellen

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IDAHO)
) SS.
COUNTY OF GOODING)

On this 26th day of January, 1996, before me, the undersigned, a Notary Public, personally appeared JON MELLEN and LANA MELLEN, known or identified to me to be the persons whose names are subscribed to the within 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 first above written.



Susan M. Bolton

Notary Public For Idaho
Residing at: Gooding, Idaho
My Commission Expires: 10-16-98

Tract #2

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho.

Section 32: NW¼NE¼.

EXHIBIT A

EXHIBIT B

APPURTENANT WATER RIGHTS

Surface water rights appurtenant to the Real Property, described in the attached deed, to certain real property located adjacent to the Real Property, which is also being acquired by the Grantee, and to the Retained Property, described below, have been filed in the Snake River Basin Adjudication under the following numbers:

A37-00035

A37-00454

A37-00463B

A37-00728

A37-00730 ✓

A37-13261 ✓

A37-13267 ✓

A37-13268 ✓

A37-13269 ✓

A37-13270 ✓

A37-13271 ✓

A37-13292 ✓ *stock not part of Crystal Lake*

R37-13261

R37-13268

A Ground Water claim has also been filed in the Snake River Basin Adjudication under number A37-13274.

Together with all other water rights and permits which are appurtenant to the Real Property, described in the attached deed.

Seller reserves from the conveyance under the attached deed all water rights which are appurtenant to the following described real property ("the Retained Property"):

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho

SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;

NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;

SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;

NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;

NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;

SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29, except that portion of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, lying east of the county road;

NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;

SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21;

SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21; and

SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 20.

RECEIVED

WARRANTY DEED

FEB 14 1996

Mellen Unitrust/Rey

Department of Water Resources
Southern Region

THE JON AND LANA MELLEN UNITRUST, established under Trust Agreement dated December 7, 1995, Jon and Lana Mellen, Co-Trustees, Grantor, hereby convey, grant, bargain, sell and warrant to CARL D. REY and JANINE M. REY, husband and wife, Grantee, whose address is P.O. Box 40, Corvallis, Montana 59828, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the real property located in Camas County, Idaho and more particularly described on Exhibit A, attached and incorporated by reference, hereinafter "the Real Property."

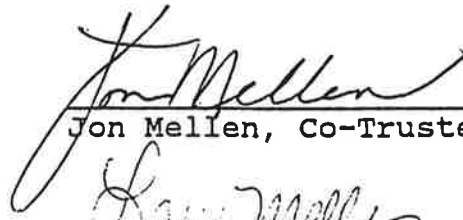
This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, mineral rights, rights-of-way and water rights in anyway appertaining to the property herein described. Attached hereto as Exhibit B is a description of the water rights appurtenant to the Real Property conveyed by this deed, together with water rights appurtenant to an adjacent parcel also being acquired by Grantee.

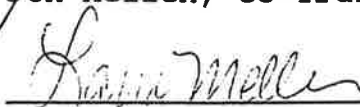
The Grantor covenants to the Grantee that the Grantor is the owner in fee simple of said premises; that the premises are free from all encumbrances, except as described below, and that the Grantor will warrant and defend the same from all other claims whatsoever, except any claims of easements or other rights relating to the cemetery, which is located at or near the intersecting corner of Sections 29, 30, 31 and 32 of the Real Property, and the cemetery's access road, and any claims relating to the county road located on the Real Property.

This conveyance is subject to 1996 real property taxes, easements of record, any reservations in favor of the United States of America, and all other matters of record.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 26th day of January, 1996.

THE JON AND LANA MELLEN UNITRUST



Jon Mellen, Co-Trustee


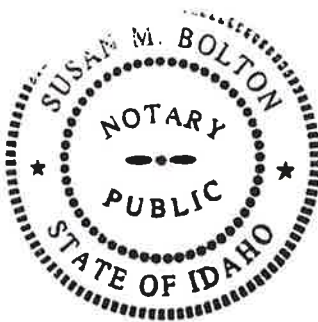
Lana Mellen, Co-Trustee

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Gooding)

On this 26th day of January, 1996, before the undersigned, a Notary Public, personally appeared JON MELLEEN, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same as TRUSTEE OF THE JON AND LANA MELLEEN UNITRUST.

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



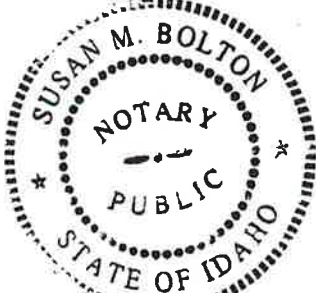
Susan M. Bolton
Notary Public for Idaho
Residing at Gooding, ID
My commission expires: 10/16/98

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Gooding)

On this 26th day of January, 1996, before the undersigned, a Notary Public, personally appeared LANA MELLEEN, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same as TRUSTEE OF THE JON AND LANA MELLEEN UNITRUST.

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



Susan M. Bolton
Notary Public for Idaho
Residing at Gooding, ID
My commission expires: 10/16/98

Tract #1:

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho.

Section 4: $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$. 7

Section 8: $SW\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}$, $S\frac{1}{2}$ EXCEPT Beginning at the SW corner of the $SW\frac{1}{4}$ Section 8, the True Point of Beginning; Thence North along the West boundary of said $SW\frac{1}{4}$, 900 feet to a point; Thence East and parallel with the South boundary of $SW\frac{1}{4}$, 1320 feet to a point; Thence in a Southeasterly direction to a point on the South boundary of the $SW\frac{1}{4}SE\frac{1}{4}$ Section 8, 400 feet East of the Southwest corner of the $SW\frac{1}{4}SE\frac{1}{4}$ said Section 8; Thence West on the South boundary of the $SW\frac{1}{4}SE\frac{1}{4}$ and $S\frac{1}{2}SW\frac{1}{4}$ 3,040 feet to the True Point of Beginning.

Section 9: All

Section 17: $SW\frac{1}{4}SW\frac{1}{4}$, AND a Parcel of Land lying East of the Following described Center Line, Beginning at the North $\frac{1}{4}$ corner of said Section 17, the True Point of Beginning; Thence East on the North boundary of Section 17, 400 feet to a point; Thence in a Southeasterly direction a distance of 4,920 feet to a point on the East boundary of Section 17, 900 feet North of the Southeast corner, Section 17; Thence South on the East boundary of Section 17, 900 feet to the Southeast corner of Section 17.

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

Section 19: $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}$.

Section 20: $NW\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$ EXCEPT A parcel of land situated in the Northwest $\frac{1}{4}$ of Section 20, Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho; described as follows: Beginning at a point on the North Line of and 3395.2 feet West from the Northeast corner of said Section 20; thence $S 0^{\circ}16' W.$, a distance of 533.4 feet; thence $S 49^{\circ}26' E.$, a distance of 351.6 feet; thence $N 77^{\circ}33' E.$, a distance of 482.4 feet; thence $N 01^{\circ}33' E.$, a distance of 655.7 feet; thence $N 89^{\circ}44' W.$, a distance of 755.2 feet to the point of beginning..

EXHIBIT A

69757
Recorded at the Request of
Camas Title
at 1:07 P M
1-26, 1996
in Book 29
of DEEDS Page 837.
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Koree Blockett
Fees \$ 15⁰⁰

Section 21: $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$, $S\frac{1}{2}SE\frac{1}{4}$, EXCEPT Commencing at the West quarter corner of Section 28; Thence $N 3^{\circ} 00' E.$, a distance of 3,274.38 feet; Thence $N 7^{\circ} 42' 30'' E.$, a distance of 715.76 feet; Thence $S 86^{\circ} 16' E.$, a distance of 871.90 feet to the Real Point of Beginning; Thence continuing $S 86^{\circ} 16' E.$, a distance 400.0 feet; Thence $N 3^{\circ} 44' W.$, a distance 600.0 feet; Thence $N 86^{\circ} 16' W.$, a distance of 400.0 feet; Thence $S 3^{\circ} 44' W.$, a distance of 600.0 feet to the Real Point of Beginning, AND EXCEPT $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$ and $W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$.

Section 28: All EXCEPT $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$, AND a tract of land located in the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ described as follows: Beginning at a point 950 feet South of the NW corner of said Section 28, the True point of beginning; Thence, East and parallel with the North boundary of Section 28, a distance of 660 feet to a point; Thence, South on the East boundary of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ of said Section 28, to the SE corner of said $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$; Thence, West on the South Boundary of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ a distance of 660 feet to the SW corner of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$; Thence, North on the boundary of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ to the point of beginning.

Section 29: $W\frac{1}{2}$, $SE\frac{1}{4}SE\frac{1}{4}$.

Section 30: Lots 2, 3, $NE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}$, $SE\frac{1}{4}NW\frac{1}{4}$.

Section 31: $NE\frac{1}{4}$

Section 32: $E\frac{1}{2}E\frac{1}{2}$, $NW\frac{1}{4}$, EXCEPT A parcel of land in the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32, described as follows: Beginning at a point 25 feet West of the SE corner of the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32; Thence North and parallel with the East boundary line of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 308 feet; Thence West and parallel with the South boundary line of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 550 feet; Thence South and parallel with the East boundary line of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 308 feet; Thence East along the South boundary of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 550 feet to the point of beginning, AND EXCEPT Beginning at a point 575 feet West of the Southeast corner of and on the South boundary line of, the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32, and running thence North, parallel with the East boundary line of said $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32, a distance of 308 feet to a point; thence East, parallel with the South boundary line of the said $SW\frac{1}{4}NE\frac{1}{4}$, of said Section 32 a distance of 550 feet to a point; thence North, parallel with the East boundary line of said $SW\frac{1}{4}NE\frac{1}{4}$ of said Section 32 a distance of 987 feet to a point; thence West, parallel with the North boundary line of the said $SW\frac{1}{4}NE\frac{1}{4}$ and the $SE\frac{1}{4}NW\frac{1}{4}$ of said Section 32 a distance of 1,926 feet to a point; thence $S 16^{\circ} 46' E.$, a distance of 1,352.0 feet to a point on the South line of the $SE\frac{1}{4}NW\frac{1}{4}$ of said Section 32; thence East along the South line of the $SE\frac{1}{4}NW\frac{1}{4}$ and of the $SW\frac{1}{4}NE\frac{1}{4}$ of said Section 32 a distance of 986 feet to the point of beginning.

Section 33: $NW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$.

EXHIBIT B

APPURTENANT WATER RIGHTS

Surface water rights appurtenant to the Real Property, described in the attached deed, to certain real property located adjacent to the Real Property, which is also being acquired by the Grantee, and to the Retained Property, described below, have been filed in the Snake River Basin Adjudication under the following numbers:

A37-00035
A37-00454
A37-00463B
A37-00728
A37-00730
A37-13261
A37-13267
A37-13268
A37-13269
A37-13270
A37-13271
A37-13292
R37-13261
R37-13268

A Ground Water claim has also been filed in the Snake River Basin Adjudication under number A37-13274.

Together with all other water rights and permits which are appurtenant to the Real Property, described in the attached deed.

Seller reserves from the conveyance under the attached deed all water rights which are appurtenant to the following described real property ("the Retained Property"):

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho

SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;
NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;
SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;
NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;
NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;
SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29, except that portion of the
SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, lying east of the county road;
NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;
SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21;
SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21; and
SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 20.

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: **A37-02139A**
Date Received: 11/24/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JON MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD ID 83327
AND/OR
Name: LANA MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD ID 83327

2. Date of Priority: JUN 7, 1909

3. Source: GARDEN SPRING Trib. to:
CORRAL CREEK, WEST FORK CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	13E	20	SE	NW	NW		BLAINE
			NE	NE	SE		BLAINE
		21	NW	SW	NW		BLAINE
		29	SW	NW	NE		BLAINE
			NE	SE	SW		BLAINE

5. Description of diverting works:
CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.510		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 RANGE STOCK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	20	SW		NE		IRR	10.0
			NE		NW		IRR	20.0
			NW		NW		IRR	10.0
			SE		NW		IRR	35.0
			NE		SW		IRR	15.0
			SE		SW		IRR	5.0
			NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	245.0
		21	SW		NW		IRR	10.0
			SE		NW		IRR	5.0
			NE		SW		IRR	15.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
			SE		SW		IRR	5.0
							Section Acres	100.0
		28	NW		NW		IRR	10.0
							Section Acres	10.0
		29	NE		NE		IRR	35.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	25.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	5.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	15.0
							Section Acres	395.0
		32	NW		NE		IRR	35.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	28.0

10. Place of Use: Continued

Section Acres 183.0

Total Acres 933.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN SPRING
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.

EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.

CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.

LANSING CREEK: NE,NW,NW, SEC 28.

SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...

BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.

KKC 5-1-98.

THIS LICENSE WAS ORIGINALLY FOR 27 ACRES IN SECTION 18. WATER NOW COMBINED WITH ABOVE WATER RIGHTS AND DISPURSED THROUGHOUT ~980 ACRES. THE USE OF THIS RIGHT IS LIMITED TO .54 CFS.

15. Basis of Claim: LICENSE



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 6/5/91

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): JOHN MCELLEN
RT #1 Box 2015
FAIRFIELD, IDAHO 83327
- ☐ New Owner/Claimant (Purchaser): JOHN & BARBARA CRISTOBAL
- ☐ New Mailing Address: 940 E 16th North
Mountain Home, Idaho 83647
- ☐ New Telephone Number: (208) 587-8010
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): John Cristobal Date June 6, 1991
- ☐ Signature of Former Owner/Claimant(s): John Mellen Date June 6, 1991

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

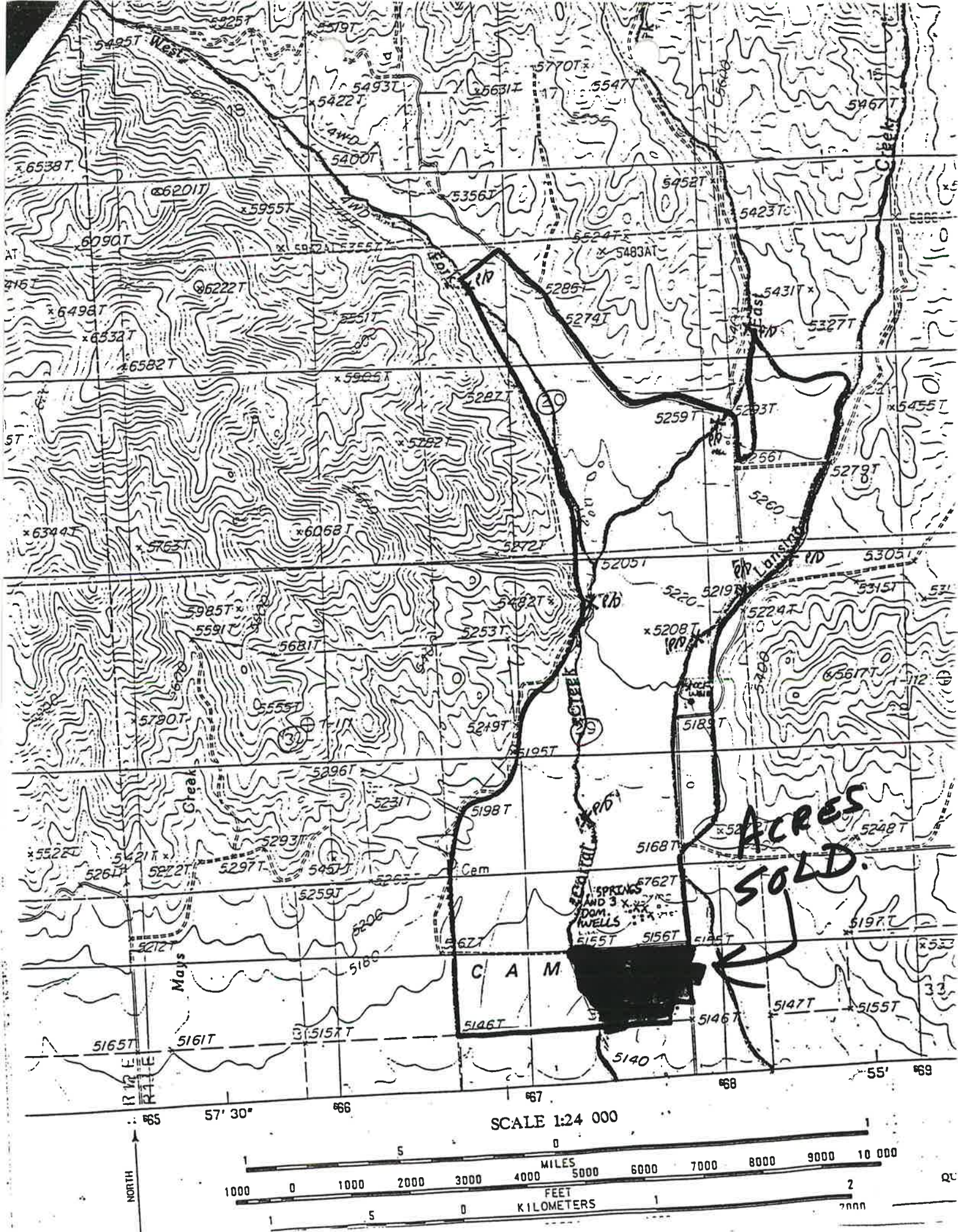
Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



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: **A37-02139**
Date Received: 11/24/1989
Receipt No: S010532
Received By: _____

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

1. Name: JON MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD, ID 83327
AND/OR
Name: LANA MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD, ID 83327

2. Date of Priority: JUN 7, 1909

3. Source: GARDEN SPRING Trib. to:
CORRAL CREEK, WEST FORK CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	20	SE	NW	NW		BLAINE
			NE	NE	SE		BLAINE
		21	NW	SW	NW		BLAINE
		29	SW	NW	NE		BLAINE
			NE	SE	SW		BLAINE

5. Description of diverting works:
CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.540		

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

8. Total consumptive use is 67.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 RANGE STOCK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	20	SW		NE		IRR	10.0
			NE		NW		IRR	20.0
			NW		NW		IRR	10.0
			SE		NW		IRR	35.0
			NE		SW		IRR	15.0
			SE		SW		IRR	5.0
			NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	245.0
		21	SW		NW		IRR	10.0
			SE		NW		IRR	5.0
			NE		SW		IRR	15.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
			SE		SW		IRR	5.0
							Section Acres	100.0
		28	NW		NW		IRR	10.0
							Section Acres	10.0
		29	NE		NE		IRR	35.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	25.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	5.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	15.0
							Section Acres	395.0
		32	NW		NE		IRR	35.0
			SW		NE		IRR	35.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0

10. Place of Use: Continued

Section Acres 230.0

Total Acres 980.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

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A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CR/GARDEN SP
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.

EAST FORK CORRAL CREEK: NW,SW,NW, SEC 21, NE,NE,SE, SEC 20.

CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.

LANSING CREEK: NE,NW,NW, SEC 28.

SE,NE,NE, & NW,SE,NE, SEC 29.

THIS LICENSE WAS ORIGINALLY FOR 27 ACRES IN SECTION 18. WATER NOW COMBINED WITH ABOVE WATER RIGHTS AND DISPURSED THROUGHOUT ~980 ACRES. THE USE OF THIS RIGHT IS LIMITED TO .54 CFS.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...

BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

15. Basis of Claim: LICENSE

Water Right Number: 4728

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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 6/7/91

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): JOHN MCELLEN
RT #1 Box 2015
FAIRFIELD, IDAHO 83327
- ☐ New Owner/Claimant (Purchaser): JOHN & BARBARA CRISTOBAL
- ☐ New Mailing Address: 940 E 16th North
Mountain Home, Idaho 83647
- ☐ New Telephone Number: (208) 587-8010
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): John Cristobal Date June 6, 1991
- ☐ Signature of Former Owner/Claimant(s): John Mellen Date June 6, 1991

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

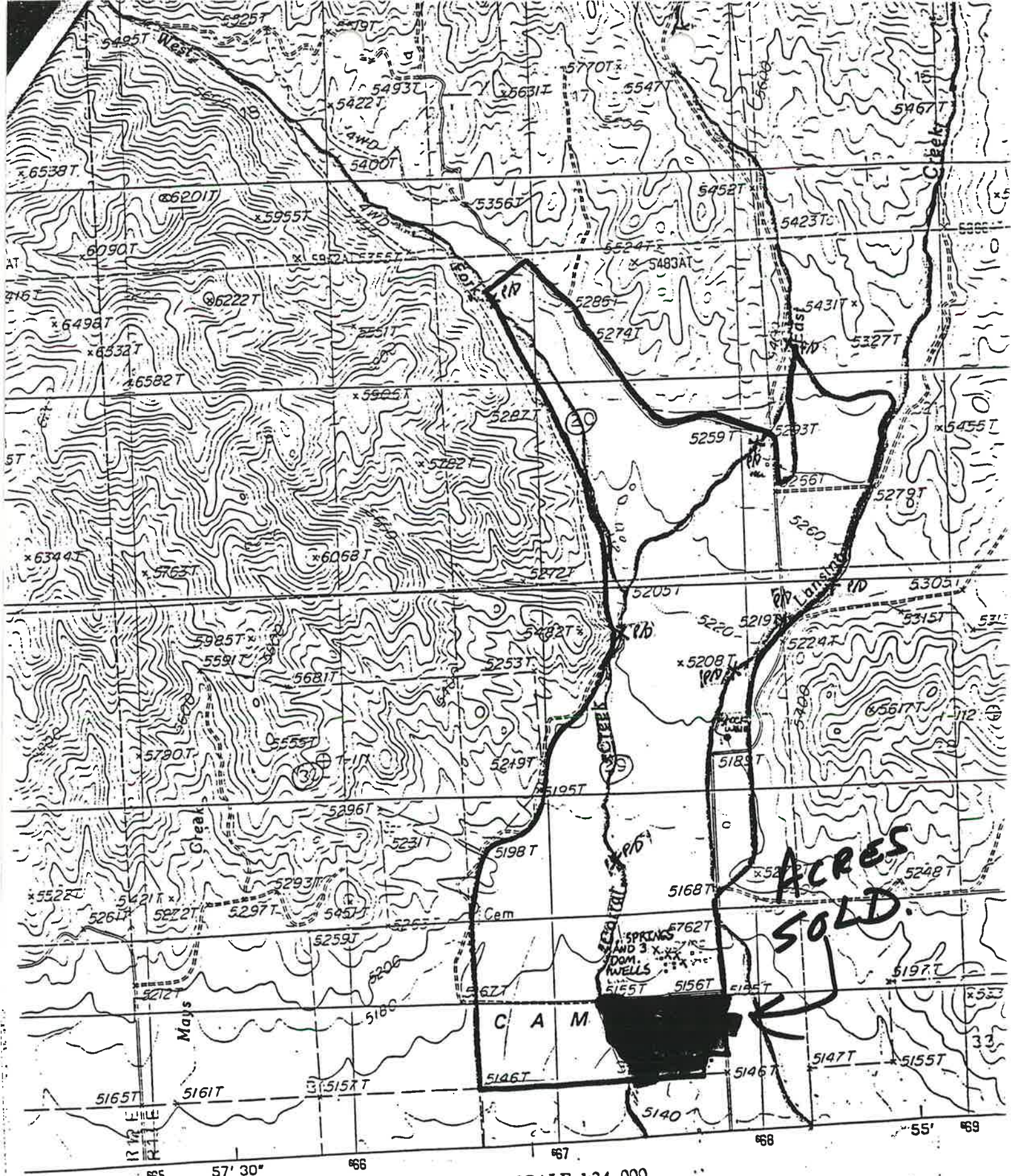
Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

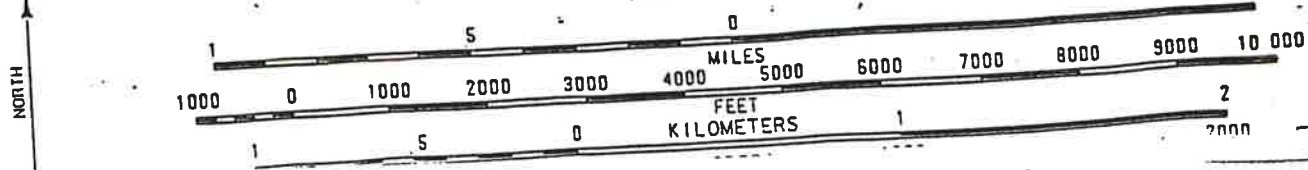
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



ACRES
SOLD.

SCALE 1:24 000



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: A37-02139
Date Received: 11/08/1989
Receipt No: 5010532
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JON MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD, ID 83327
AND/OR
Name: LANA MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD, ID 83327

2. Date of Priority: JUN 07, 1909

3. Source: GARDEN SPRING Trib. to:
CORRAL CREEK, WEST FORK CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	20	SE	NW	NW		BLAINE
			NE	NE	SE		BLAINE
		21	NW	SW	NW		BLAINE
		29	SW	NW	NE		BLAINE
			NE	SE	SW		BLAINE

5. Description of diverting works:
CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.540		

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

8. Total consumptive use is 67.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 RANGE STOCK

A37-02139

Page

1

Date: 11/08/89

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	20	SW		NE		IRR	10.0
			NE		NW		IRR	20.0
			NW		NW		IRR	10.0
			SE		NW		IRR	35.0
			NE		SW		IRR	15.0
			SE		SW		IRR	5.0
			NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					245.0
		21	SW		NW		IRR	10.0
			SE		NW		IRR	5.0
			NE		SW		IRR	15.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
			SE		SW		IRR	5.0
			Section Acres					100.0
		28	NW		NW		IRR	10.0
			Section Acres					10.0
		29	NE		NE		IRR	35.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	25.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	5.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	15.0
			Section Acres					395.0
		32	NW		NE		IRR	35.0
			SW		NE		IRR	35.0
			NE		NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	13E	32	NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
Section Acres						230.0
Total Acres						980.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CR/GARDEN SP
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.
EAST FORK CORRAL CREEK: NW,SW,NW, SEC 21, NE,NE,SE, SEC 20.
CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.
LANSING CREEK: NE,NW,NW, SEC 28.
SE,NE,NE, & NW,SE,NE, SEC 29.

THIS LICENSE WAS ORIGINALLY FOR 27 ACRES IN SECTION 18. WATER NOW COMBINED WITH ABOVE WATER RIGHTS AND DISPURSED THROUGHOUT ~980 ACRES. THE USE OF THIS RIGHT IS LIMITED TO .54 CFS.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...
BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

15. Basis of Claim: LICENSE

A37-02139

Page

3

Date: 11/08/89

MICROFILMED

FEB 23 1993

Water Right Number: 4728

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): Jon Mullen Date: 11-22-89
_____ Date: _____

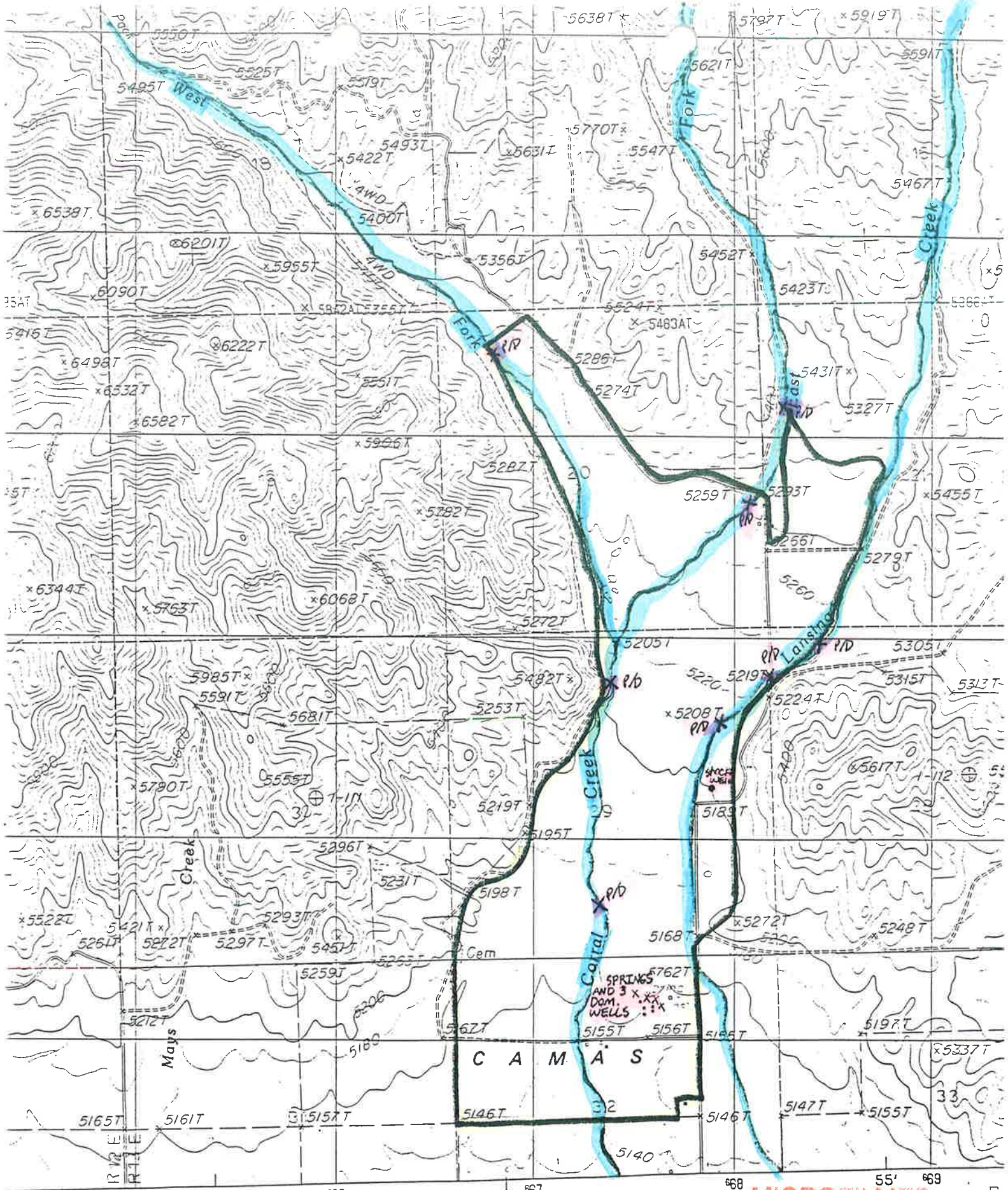
State of Idaho)
County of Tf) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of Nov 19 89

Lori White
Notary Public

Seal

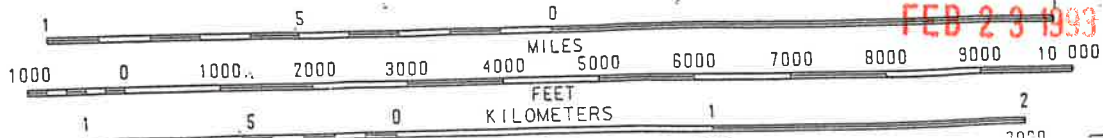
Residing at Tf
My Commission Expires 5/94



NORTH

SCALE 1:24 000

MICROFILMED
FEB 23 1993



QUADRAN

Ident. No. _____

FACT SHEET

for

Excessive Irrigation Flows

This information is to be submitted with any application for permit or adjudication claim to water right for which the irrigation rate of flow requested/claimed is more than .02 cfs per acre. One exception is that .03 cfs per acre is allowed for up to five (5) acres.

Soil type and soil profile: _____

Soil water holding capacity: _____

Soil intake family (if known): _____

Field slope: _____

Anticipated crops: _____

Method of irrigation: _____

ADJUDICATION CLAIM ONLY:

Is this method of irrigation the common local practice? _____

Have you changed the irrigated method from the one first developed? _____

If yes, describe. _____

Remarks

We use all the current flow from Corral Creek, Lansing Creek and Spring Water that is available. The water levels vary year to year, but the overall flow has been decreasing over the years.

MICROFILMED

FEB 23 1993

Jon Miller

EXCESSIVE IRRIGATION INFORMATION:

CORRAL CREEK WATER	CFS	
A37-13261	5.4	DECREE
A37-00728	1.5	DECREE
A37-00454	.8	DECREE
A37-13267	1.7	DECREE
A37-00463B	1.4	DECREE
A37-00730	.2	DECREE
A37-13268	1.5	DECREE
A37-00035	1.0	DECREE
A37-13269	1.4	DECREE
A37-02139	.54	DECREE
A37-13270	9.28	PERMIT
LANSING CREEK WATER		
A37-13271	.8	DECREE
SPRING WATER		
A37-02726	.06	LICENSE

TOTAL CFS	25.58	

AT 1" PER ACRE, 25.58 CFS IS ENOUGH WATER FOR 1,279 ACRES.

THE ACRES THAT THE ABOVE WATER APPLIES TO IS ~980 ACRES.
25.58 CFS AVERAGES OUT TO .026 CFS PER ACRE OR 1.3" PER ACRE.

MICROFILMED
FEB 23 1993

08/05/2008

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

RIGHT NUMBER: 37-2139A

NAME AND ADDRESS: VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE: GARDEN SPRING
WEST FORK CORRAL CREEK

TRIBUTARY: WEST FORK CORRAL CREEK
TRIBUTARY: CORRAL CREEK

QUANTITY: 0.510 CFS

PRIORITY DATE: 06/07/1909

POINT OF DIVERSION:

T01N R13E S18 NESESE Within CAMAS County

T01N R13E S18 SESESE Within CAMAS County

T01N R13E S18 SESESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/15 10/31

0.510 CFS

PLACE OF USE:

IRRIGATION in CAMAS County

T01N R13E S20	SWNE	2.30	T01N R13E S20	NENW	12.00
T01N R13E S20	NWNW	14.00	T01N R13E S20	SENW	30.00
T01N R13E S20	NESW	17.00	T01N R13E S20	SESW	3.50
T01N R13E S20	NESE	30.00	T01N R13E S20	NWSE	35.00
T01N R13E S20	SWSE	34.00	T01N R13E S20	SESE	40.00
T01N R13E S21	SWNW	12.00	T01N R13E S21	SENW	6.60
T01N R13E S21	NESW	14.00	T01N R13E S21	NWSW	20.00
T01N R13E S21	SWSW	39.00	T01N R13E S21	SESW	4.80
T01N R13E S28	NENW	12.00	T01N R13E S28	NWNW	19.00
T01N R13E S29	NENE	39.00	T01N R13E S29	NWNE	39.00
T01N R13E S29	SWNE	40.00	T01N R13E S29	SENE	20.00
T01N R13E S29	NENW	0.70	T01N R13E S29	SENW	25.00
T01N R13E S29	NESW	40.00	T01N R13E S29	NWSW	4.10
T01N R13E S29	SWSW	27.00	T01N R13E S29	SESW	40.00
T01N R13E S29	NESE	21.00	T01N R13E S29	NWSE	40.00
T01N R13E S29	SWSE	40.00	T01N R13E S29	SESE	9.80
T01N R13E S31	NENE	2.50	T01N R13E S31	SENE	7.10
T01N R13E S32	NWNE	34.00	T01N R13E S32	NENW	40.00

T01N R13E S32	NWNW	38.00	T01N R13E S32	SWNW	40.00
T01N R13E S32	SEnw	21.00			

913.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 913.4 acres in a single irrigation season. Combined Right Nos.: 37-35A,

08/05/2008

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

913.4 acres in a single irrigation season. Combined Right Nos.: 37-35A, 37-454A, 37-463C, 37-728A, 37-2139A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, and 37-13271A.

This right is limited to the irrigation of 25.7 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

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

Brockway PODs - Van Horn

TIN RISE:

S18

GARDEN SPR. NE SE SE

Rey #3 SE SE SE CORR. CR. WF

Rey #4 SE SE SE CORR. CR. WF

S20

Rey #9 NE NE SE EF - CC

S21

Rey #10 SW NW NW EF - CC

S28

Lansing Cr. #5 NWNWNW Lansing Cr.

S29

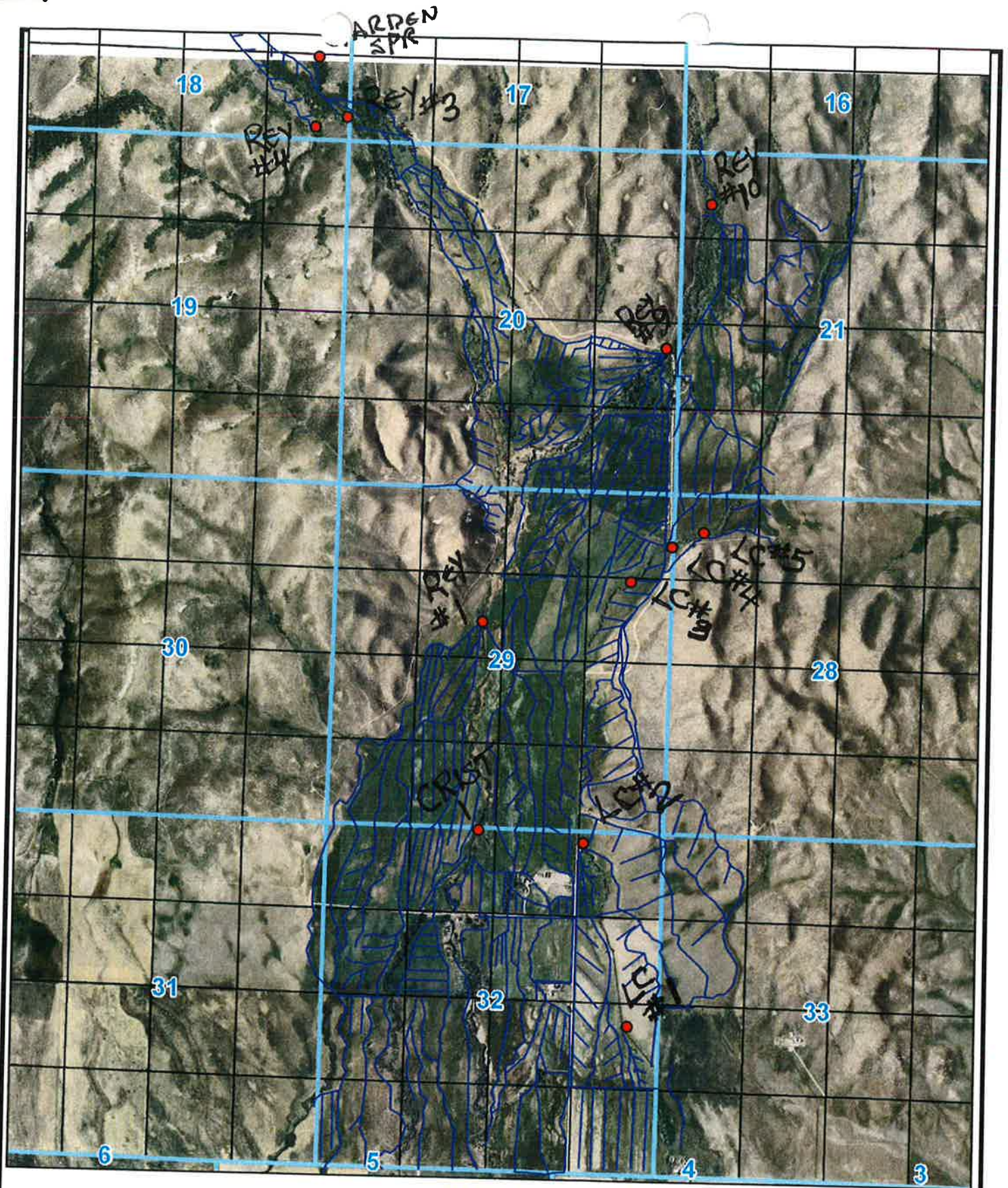
Lansing Cr. #4 SE NE NE Lansing Cr.

Lansing Cr. #3 SE NE Lansing Cr.

Rey #1 SE SE NW CC.

S32

Cristobal Div. NE NE NW CC.



DANNY VANHORN
 P.O.D. ALL SURFACE WATER RIGHTS
 NAIP 2006 AERIAL PHOTO

BROCKWAY ENGINEERING, PLLC.
 ALR - MAY 12, 2008

Legend
 ● POD_-IRR_Surface_Water_Creeks
 — DITCHES
 □ t01n13e

N

37-35A

RECEIVED
MAY 17 2007
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 37-2139A
(Insert water right number)

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: **Danny Van Horn and Valerie Van Horn**

Address: **P.O. Box 345
Fairfield, ID 83327-0345**

Daytime Phone: **(208) 764-2139**

Name & Address of Attorney, if any:

**J. Evan Robertson
Robertson & Slette, PLLC
P.O. Box 1906
Twin Falls, ID 83303
(208) 933-0700**

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

Name: **Danny Van Horn and Valerie Van Horn**
Address: **P.O. Box 345
Fairfield, ID 83327-0345**

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

1. ☐ **Name and Address:**
Should be:
2. ☐ **Source:**
Should be:
3. ☐ **Quantity:**
Should be:
4. ☐ **Priority Date:**
Should be:
5. ☒ **Point(s) of Diversion:**
Should be: As claimed
6. ☐ **Instream Flow Description:**
Should be:
7. ☐ **Purpose(s) of Use:**
Should be:
8. ☐ **Period of Use:**
Should be:
9. ☒ **Place of Use:**
Should be: Combined total irrigated acreage of 933
10. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

(1) Diversion points claimed are licensed, established and used. No justification exists to eliminate any of them. (2) Recommendation approves combined irrigated acreage of 843 acres. Claimant asserts that the correct combined acreage is 933, as described in the claim and customarily irrigated. No justification for the recommended acreage reduction exists.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Twin Falls)

J. EVAN ROBERTSON, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

May 16, 2007

Robin L. Moore

NOTARY PUBLIC FOR IDAHO

Residing at: *Jerome*

My commission expires: *12-29-12*



INSTRUCTIONS FOR MAILING

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

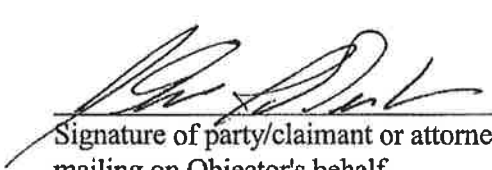
CERTIFICATE OF MAILING

I hereby certify that on May 16, 200~~6~~⁷, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following address:
Name: **Danny Van Horn and Valerie Van Horn**
Address: **P.O. Box 345**
Fairfield, ID 83327-0345
3. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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



Signature of party/claimant or attorney
mailing on Objector's behalf

11/1/2006

**NOTICE OF ERROR
REPLY**

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

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 11/21/2006

Water right number: 37-2139A

Danny Van Horn
PO Box 345
Fairfield, Id. 83327-0345
Telephone Number: (208) 764-2139

Valerie Van Horn
PO Box 345
Fairfield, Id. 83327-0345
Telephone Number: (208) 764-2139

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

Place of use amounts, source, points of diversion changes, & diversion rate reductions.

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

Current acreage recommended, relocated & rename points of diversion, correct diversion rates

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

Preliminary review indicates many components of the recommendation are incorrect, see note below.

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

DATE: 12/12/06

SIGNATURE: _____

Please print your name: _____

Charles E. Brockway

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

The preliminary recommendation for which this Notice of Error is submitted is dated November 6, 2006, and requires a reply by November 21, 2006. Due to extremely short period for review and reply, and the considerable number of related preliminary recommendations currently under review by our firm, the undersigned must categorically object to, and disagree with, any and all portions of the recommendation which may be contrary to, or inconsistent with, the claim which has been filed for the above-referenced water right.

08/25/2006

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

RIGHT NUMBER: 37-2139A
NAME AND ADDRESS: VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE: GARDEN SPRING
WEST FORK CORRAL CREEK
TRIBUTARY: WEST FORK CORRAL CREEK
TRIBUTARY: CORRAL CREEK

QUANTITY: 0.510 CFS

PRIORITY DATE: 06/07/1909

POINT OF DIVERSION:
T01N R13E S18 SENWSE Within CAMAS County
T01N R13E S20 NWNWNW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.510 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R13E S20	SWNE	2.60	T01N R13E S20	NENW	12.00
T01N R13E S20	NWNW	12.00	T01N R13E S20	SENW	30.00
T01N R13E S20	NESW	17.00	T01N R13E S20	SESW	3.30
T01N R13E S20	NESE	26.00	T01N R13E S20	NWSE	34.00
T01N R13E S20	SWSE	33.00	T01N R13E S20	SESE	38.00
T01N R13E S21	SWNW	11.00	T01N R13E S21	SENW	6.10
T01N R13E S21	NESW	14.00	T01N R13E S21	NWSW	20.00
T01N R13E S21	SWSW	36.00	T01N R13E S21	SESW	1.50
T01N R13E S28	NWNW	11.00	T01N R13E S29	NENE	37.00
T01N R13E S29	NWNE	38.00	T01N R13E S29	SWNE	40.00
T01N R13E S29	SENE	19.00	T01N R13E S29	NENW	0.70
T01N R13E S29	SENW	14.00	T01N R13E S29	NESW	38.00
T01N R13E S29	NWSW	2.90	T01N R13E S29	SWSW	23.00
T01N R13E S29	SESW	38.00	T01N R13E S29	NESE	20.00
T01N R13E S29	NWSE	40.00	T01N R13E S29	SWSE	40.00
T01N R13E S29	SESE	9.30	T01N R13E S31	NENE	2.50
T01N R13E S31	SENE	7.10	T01N R13E S32	NWNE	35.00
T01N R13E S32	NENW	38.00	T01N R13E S32	NWNW	37.00
T01N R13E S32	SWNW	38.00	T01N R13E S32	SENW	18.00

843 ACRES TOTAL

08/25/2006

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

The rights listed below are limited to the irrigation of a combined total of 843 acres in a single irrigation season. Combined Right Nos.: 37-35A, 37-454A, 37-463C, 37-728A, 37-2139A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, and 37-13271A.

This right is limited to the irrigation of 25.7 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

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



Idaho Department of Water Resources

SRBA Recommendation:

37-35A

37-454A

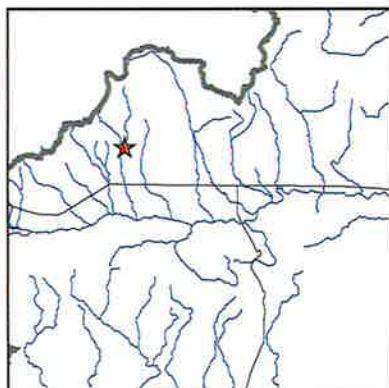
37-463C

37-728A

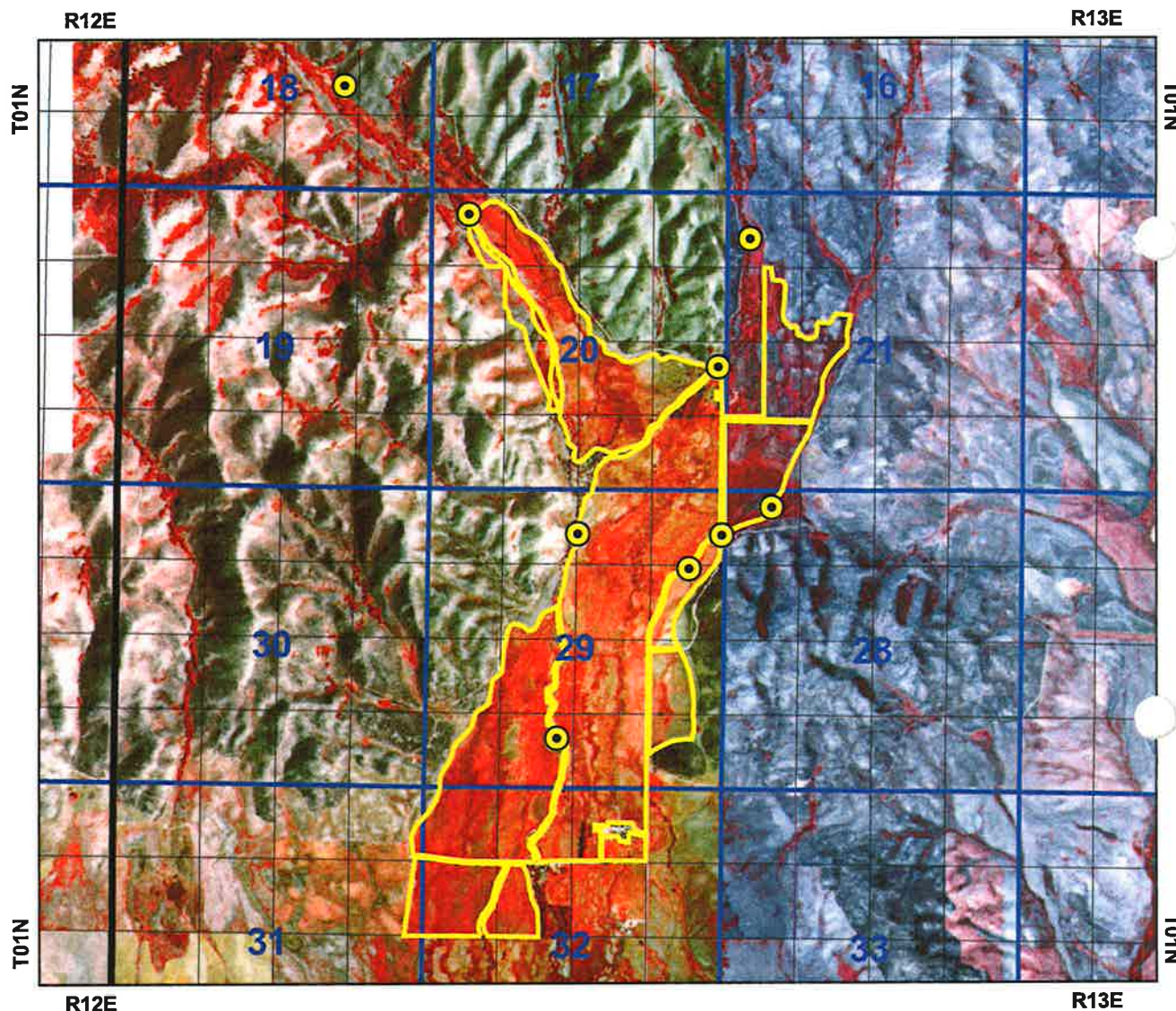
37-2139A

Legend

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



Camas County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Friday, August 25, 2006
1987/88 Aerial Photography



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

November 23, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

CARL REY
RT 1 BOX 2015
CORRAL ID 83322

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS CHANGE OF
OWNERSHIP FROM JON MELLON

Dear Mr Rey

Enclosed are copies of 13 adjudication claims which I have changed the ownership from Mr Mellon to you, as identified through two change of ownership forms. Please review these claims to insure that they represent the water use as it exists on the property.

I have also enclosed a change of address form, as the quit claim deed submitted for A37-02139A showed the above address where as the change of ownership form has the address as shown on the claims. The department is required to have a written request before we can change the address on claims filed in the Snake River Basin Adjudication.

If you have any questions please contact this office.

Sincerely

Kelly K Christensen
Senior Water Resource Agent

Enclosures

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

CUSTOMER:

DATE: May 1, 1998 10:02 am

DeNene M Dixon

First American Title Co 934-4427

SUBJECT: CHANGE OF OWNERSHIP FOR MELLON TO REY
phone (X) walk-in()

I called her to get clarification on the actual place of use covered in warranty deed 69756.

She indicated that she is completing another change of ownership for REY that conveys the balance of Mellon's property to them. She felt that the deed would be recorded later today. I she indicated that she would fax the change of ownership to me after it is recorded.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

May 1, 1998

PROPORTIONAL SPLIT ANALYSIS FOR SALE;
MELLEN TO CRISTOBAL

Total claimed acres = 980 acres
Claimed acres within sale p/u = 47 acres
 $47/980 \approx 4.8\%$

CLAIM NO	DIV RATE	PROP RATE	RATE FOR CRISTOBAL	RATE FOR MELLEN
A37-00035	1.00	0.048	0.05	0.95
A37-00454	0.80	0.048	0.04	0.76
A37-00463B	1.40	0.048	0.07	1.33
A37-00728	1.50	0.048	0.07	1.43
A37-00730	0.20	0.048	0.01	0.19
A37-02139	0.54	0.048	0.03	0.51
A37-13261	5.40	0.048	0.26	5.14
A37-13267	1.70	0.048	0.08	1.62
A37-13268	1.50	0.048	0.07	1.43
A37-13269	1.40	0.048	0.07	1.33
A37-13270	9.28	0.048	0.45	8.83
A37-13271	0.80	0.048	0.04	0.76

A37-13292 is a stockwater claim that is not appurtenant to the property purchased by Cristobal.



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

May 4, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

JON MELLEN
RT 1 BOX 2015
FAIRFIELD ID 83327

RE: CHANGE OF OWNERSHIP FOR 47 ACRES SOLD TO CRISTOBAL

Dear Mr Mellen

Enclosed is the copies of the adjudication claims and the basis for the proportional split for these claims. Please review these records to see if they are satisfactory.

I will be processing the change of ownership for the Rey's in the near future. I discussed the change of ownership briefly with DeNene Dixon and she indicated that there is another change of ownership pending for the balance of the property. A change of ownership is required for that portion also. If the Reys are the legal owner for the that portion, then the change of ownerships can be combined and the claims can be changed into their name without splitting them again. I have enclosed a change of ownership form for your use in case you have not already obtained one.

If you have any questions please contact me at the number listed above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

May 1, 1998

PROPORTIONAL SPLIT ANALYSIS FOR SALE;
MELLEN TO CRISTOBAL

Total claimed acres = 980 acres
Claimed acres within sale p/u = 47 acres
47/980 $\approx$ 4.8%

CLAIM NO	DIV RATE	PROP RATE	RATE FOR CRISTOBAL	RATE FOR MELLEN
A37-00035	1.00	0.048	0.05	0.95
A37-00454	0.80	0.048	0.04	0.76
A37-00463B	1.40	0.048	0.07	1.33
A37-00728	1.50	0.048	0.07	1.43
A37-00730	0.20	0.048	0.01	0.19
A37-02139	0.54	0.048	0.03	0.51
A37-13261	5.40	0.048	0.26	5.14
A37-13267	1.70	0.048	0.08	1.62
A37-13268	1.50	0.048	0.07	1.43
A37-13269	1.40	0.048	0.07	1.33
A37-13270	9.28	0.048	0.45	8.83
A37-13271	0.80	0.048	0.04	0.76

A37-13292 is a stockwater claim that is not appurtenant to the property purchased by Cristobal.



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

May 4, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

JON MELLEN
RT 1 BOX 2015
FAIRFIELD ID 83327

RE: CHANGE OF OWNERSHIP FOR 47 ACRES SOLD TO CRISTOBAL

Dear Mr Mellen

Enclosed is the copies of the adjudication claims and the basis for the proportional split for these claims. Please review these records to see if they are satisfactory.

I will be processing the change of ownership for the Rey's in the near future. I discussed the change of ownership briefly with DeNene Dixon and she indicated that there is another change of ownership pending for the balance of the property. A change of ownership is required for that portion also. If the Reys are the legal owner for the that portion, then the change of ownerships can be combined and the claims can be changed into their name without splitting them again. I have enclosed a change of ownership form for your use in case you have not already obtained one.

If you have any questions please contact me at the number listed above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures



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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

May 5, 1998

JOHN CRISTOBAL
HOT SPRINGS RD
FAIRFIELD ID 83327

RE: CHANGE OF OWNERSHIP FOR 47 ACRES PURCHASED FROM MELLEN

Dear Mr Cristobal

Enclosed are the adjudication claims split from the base rights on a proportional basis and the calculations used to determine the rates. Please review these claims to see if they are satisfactory.

I have also enclosed a change of address form for your use. I obtained the above address from the telephone book but as the claims are court documents I am unable to change the address without your authorization.

If you have any questions please contact me at the number shown above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

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

Water Right Number - A37-02139

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 4728

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

*** C - CURRENT OWNER ***

SPLIT RIGHT

1 -
2 -
3 -

City- X

Phone - 208-000-0000

State- ID Zip- 0

*** O - ORIGINAL OWNER ***

MELLEN

LANA

1 - RT 1 BOX 2015

2 -
3 -

City- FAIRFIELD

Phone - 208-764-2365

State- ID Zip- 83327

MELLEN

JON

1 - RT 1 BOX 2015

2 -
3 -

City- FAIRFIELD

Phone - 208-764-2365

State- ID Zip- 83327

+ - - Priority Date - - +
06/07/1909+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +

+ - - Status - - - +
Z - SEE REMARKS

+ - - - - Source - - - - - +

GARDEN SPRING
CORRAL CREEK, WEST FORK
SPLIT RIGHT

+ - - - - Tributary - - - - - +

CAMAS CREEK

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

01N	13E	20	SE NW NW		(13)	BLAINE
			NE NE SE		(13)	BLAINE
		21	NW SW NW		(13)	BLAINE
		29	SW NW NE		(13)	BLAINE
			NE SE SW		(13)	BLAINE

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

01 - IRRIGATION	04/15	10/15	0.540	
-----------------	-------	-------	-------	--

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.540 67.5+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

01N	13E	20	SW NE		10.0	01	IRRIGATION	(25)	CAMAS
01N	13E	20	NE NW		20.0	01	IRRIGATION	(25)	CAMAS
01N	13E	20	NW NW		10.0	01	IRRIGATION	(25)	CAMAS
01N	13E	20	SE NW		35.0	01	IRRIGATION	(25)	CAMAS
01N	13E	20	NE SW		15.0	01	IRRIGATION	(25)	CAMAS
01N	13E	20	SE SW		5.0	01	IRRIGATION	(25)	CAMAS

Water right number - A37-02139

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Place of Use - - - - - +									
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
01N	13E	20	NE SE		35.0	01	IRRIGATION	(25)	CAMAS
01N	13E	20	NW SE		35.0	01	IRRIGATION	(25)	CAMAS
01N	13E	20	SW SE		40.0	01	IRRIGATION	(25)	CAMAS
01N	13E	20	SE SE		40.0	01	IRRIGATION	(25)	CAMAS
01N	13E	21	SW NW		10.0	01	IRRIGATION	(25)	CAMAS
01N	13E	21	SE NW		5.0	01	IRRIGATION	(25)	CAMAS
01N	13E	21	NE SW		15.0	01	IRRIGATION	(25)	CAMAS
01N	13E	21	NW SW		30.0	01	IRRIGATION	(25)	CAMAS
01N	13E	21	SW SW		35.0	01	IRRIGATION	(25)	CAMAS
01N	13E	21	SE SW		5.0	01	IRRIGATION	(25)	CAMAS
01N	13E	28	NW NW		10.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	NE NE		35.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	NW NE		40.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	SW NE		40.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	SE NE		25.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	SE NW		20.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	NE SW		40.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	NW SW		5.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	SW SW		35.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	SE SW		40.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	NE SE		20.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	NW SE		40.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	SW SE		40.0	01	IRRIGATION	(25)	CAMAS
01N	13E	29	SE SE		15.0	01	IRRIGATION	(25)	CAMAS
01N	13E	32	NW NE		35.0	01	IRRIGATION	(25)	CAMAS
01N	13E	32	SW NE		35.0	01	IRRIGATION	(25)	CAMAS
01N	13E	32	NE NW		40.0	01	IRRIGATION	(25)	CAMAS
01N	13E	32	NW NW		40.0	01	IRRIGATION	(25)	CAMAS
01N	13E	32	SW NW		40.0	01	IRRIGATION	(25)	CAMAS
01N	13E	32	SE NW		40.0	01	IRRIGATION	(25)	CAMAS

Total Acres: 980.0

+ - - Diversion Means - CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE

+ - - Non-Irrigation Use - S/1500 RANGE STOCK

+ - - Other Rights for Same Use - SEE REMARKS

+ - - - - - Remarks - - - - - +

GEN 24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED
FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE
ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK

Prefix Translation: ADJUDICATION CLAIM

			Remarks
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN SPRING
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK
IRRIGATION USE P/D'S:			
WEST FORK CORRAL CREEK:		SE,NW,NW, SEC 20.	
EAST FORK CORRAL CREEK:		NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.	
CORRAL CREEK:		SW,NW,NE, & NE,SE,SW, SEC 29.	
LANSING CREEK:		NE,NW,NW, SEC 28.	
		SE,NE,NE, & NW,SE,NE, SEC 29.	
INSTREAM STOCK USE:			
A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...			
BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.			

THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.			
KKC 5-1-98.			
THIS LICENSE WAS ORIGINALLY FOR 27 ACRES IN SECTION 18. WATER NOW COMBINED WITH ABOVE WATER RIGHTS AND DISPURSED THROUGHOUT ~980 ACRES. THE USE OF THIS RIGHT IS LIMITED TO .54 CFS.			

```
+ + + + + Old Water Right Numbers - - - - -
```

No Old Water Right Numbers Found

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

+ - - - Decree Plaintiff + - - - Decree Defendant + - Decree Date - +
00/00/0000

-----Comments-----
 No Comments Found

+ - - Audit Fields - - +
00/00/00

+ + + + + - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/24/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010532	Water District	- 37A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

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

Water Right Number - 37-02139

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 4728

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

*** C - CURRENT OWNER ***
DRENTER

PARTHENIA E.

1 -
2 -
3 -

City- CORRAL
Phone -

State- ID Zip- 83322

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/07/1909 17 L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GARDEN SPRING
CORRAL CREEK, WEST FORK CAMAS CREEK

Point of Diversion						
Twn	Rng	Sec	Tract	Lot	RFlg	County
01N	13E	18	SE NW		(13)	BLAINE
01N	13E	18	NE SE		(13)	BLAINE
01N	13E	18	NW SE		(13)	BLAINE

Water Use		Diversion Rate		Diversion Volume	
Code	Description	Period From	Period To		
01 - IRRIGATION				0.540	
43 - DOMESTIC	<i>domestic well abandoned</i>				

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.540

Place of Use							Description		County	
Twn	Rng	Sec	Tract	Lot	Acres	Code				
01N	13E	18	NE SE		10.0	01	IRRIGATION	(13)	BLAINE	
01N	13E	18	NW SE		10.0	01	IRRIGATION	(13)	BLAINE	
01N	13E	18	SW SE		7.0	01	IRRIGATION	(13)	BLAINE	

Total Acres: 27.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks - - - - -
SOURCES ARE GARDEN SPRING & W. FK. CORRAL CREEK.

FEB 23 1993
MICROFILMED

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

10/19/89 15:26:21
Page 2

Water right number - 37-02139

Adj. flag translation: Standard Water Right Number

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

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields -

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

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 05/08/1979
Decree Date - 00/00/0000

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 05/20/1985
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District - 37A
Transfer/Amended -

MICROFILMED
FEB 23 1993

GOODING
TITLE & ESCROW
COMPANY
(Formerly First American Title Co. of Magic Valley)

May 14, 1998

Idaho Department of
Water Resources
Attn: Kelly Christianson
1341 Fillmore, Suite 200
Twin Falls, ID 83301

MAY 15 1998

Re: Mellen-Rey
Water Right A37-02139

Dear Kelly:

Recently you contacted me concerning a water license/adjudication claim that was not transferred in the initial purchase from Jon & Lana Mellen to Carl & Janine Rey. The real property is located in Camas County, Idaho. I am enclosing a copy of the recorded Quit Claim Deed transferring the water, along with a Notice of Change of Water Right Ownership for your records.

Hopefully this will complete the transfer of the water rights, however, if you need anything further, please feel free to contact our office.

Sincerely,

GOODING TITLE & ESCROW



DeNene M. Dixon
Escrow Assistant

/dmd

Encl.

cc: Carl Rey
Jon Mellen
Bruce Thomas
Jim Hovren