

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 37-2559B
Date Received: 10/5/1988
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CARL BROWNING Phone: (208)788-9673

PO BOX 259
BELLEVUE ID USA 83313

BARBARA BROWNING Phone: (208)788-9673

PO BOX 259
BELLEVUE ID USA 83313

2. Date of Priority: 10/04/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	29	NW NE NW	BLAINE	

5. Description of diverting works:

WELL AND 100 HP PUMP TO 200 HP PRESSURE PUMP TO PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.18	46.6

7. Total Quantity Appropriated is:
0.18 C.F.S. and/or 46.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
01N	19E	29	NW	NW	4	IRRIGATION	15
			SW	NW	4	IRRIGATION	0.5
Section Acres							15.5
Total Acres							15.5

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

BASE RIGHT WAS RECENTLY AMENDED TO MAKE CORRECTIONS AND A PREVIOUS OWNER CHANGE SPLIT REDONE. THIS RIGHT WHEN COMBINED WITH 37-20737 IS LIMITED TO THE DIVERSION OF 0.18 CFS AND A VOLUME OF 54 AF.

OTHER WR NUMBERS: A37-00114A A37-00664A A37-00665E A37-00666C A37-00667G A37-11526 | CHANGE IN OWNERSHIP DID NOT CHANGE P/U ON THIS CLAIM BUT HAS CHANGED THE ABOVE LISTED RIGHTS; SOME SPLITS HAVE OCCURRED.

***** OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

***** OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02559B.

HG2 OWNS "A" PORTION AND BROWNINGS OWNS "B" PORTION. TLB 7/1/97

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 37-20737
Date Received: 7/3/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BARBARA BROWNING Phone: (208)788-9673

PO BOX 259
BELLEVUE ID USA 83313

CARL BROWNING Phone: (208)788-9673

PO BOX 259
BELLEVUE ID USA 83313

2. Date of Priority: 04/15/1985

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01N	19E	29	NW	NE	NW	BLAINE	

5. Description of diverting works:

WELL, 100 HP PUMP, 200 HP RELIFT PUMP TO PIVOT AND CORNERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	04/01	11/01	0.03		7.8

7. Total Quantity Appropriated is:

0.03 C.F.S. and/or 7.8 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	19E	29	NW	NW	IRRIGATION	15
			SW	NW	IRRIGATION	0.5
					Section Acres	15.5
					Total Acres	15.5

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

THIS ENLARGEMENT RIGHT (PURSUENT 42-1426) WAS FORMERLY PART OF 37-2559 AND RECENTLY CLAIMED SEPARATELY AND SPLIT BY PREVIOUS OWNER CHANGE. THIS RIGHT WHEN COMBINED WITH 37-2559B IS LIMITED TO THE DIVERSION OF 0.18 CFS AND A VOLUME OF 54 AF.

15. Basis of Claim: Beneficial Use

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 37-2559B
Date Received: 10/5/1988
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

CARL BROWNING Phone: (208)788-9673

PO BOX 259
BELLEVUE ID USA 83313

BARBARA BROWNING Phone: (208)788-9673

PO BOX 259
BELLEVUE ID USA 83313

2. Date of Priority: 10/04/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	29	NW NE NW	BLAINE	

5. Description of diverting works:

WELL AND 100 HP PUMP TO 200 HP PRESSURE PUMP TO PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.18	46.6

7. Total Quantity Appropriated is:
0.18 C.F.S. and/or 46.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
01N	19E	29	NW	NW	4	IRRIGATION	15
			SW	NW	4	IRRIGATION	0.5
Section Acres							15.5
Total Acres							15.5

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

BASE RIGHT WAS RECENTLY AMENDED TO MAKE CORRECTIONS AND A PREVIOUS OWNER CHANGE SPLIT REDONE. THIS RIGHT WHEN COMBINED WITH 37-20737 IS LIMITED TO THE DIVERSION OF 0.18 CFS AND A VOLUME OF 54 AF.

OTHER WR NUMBERS: A37-00114A A37-00664A A37-00665E A37-00666C A37-00667G A37-11526 | CHANGE IN OWNERSHIP DID NOT CHANGE P/U ON THIS CLAIM BUT HAS CHANGED THE ABOVE LISTED RIGHTS; SOME SPLITS HAVE OCCURRED.

***** OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

***** OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02559B.

HG2 OWNS "A" PORTION AND BROWINGS OWNS "B" PORTION. TLB 7/1/97

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: **A37-02559B**

Date Received: 10/ 5/1988

Receipt No: X777777

Received By: QC RPB

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CARL BROWNING 208-788-9673
Address: PO BOX 259
BELLEVUE ID 83313

OR

Name: BARBARA BROWNING 208-788-9673
Address: PO BOX 259
BELLEVUE ID 83313

2. Date of Priority: OCT 4, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	29	NW	NE	NW		BLAINE

5. Description of diverting works:

WELL AND 100 HP PUMP TO 200 HP PRESSURE PUMP TO PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.180		

7. Total Quantity Appropriated is:

0.180 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 42.4 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	19E	29	NW	NW	4	IRR	20.0

10. Place of Use: Continued

Section Acres 20.0

Total Acres 20.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

OTHER WR NUMBERS:

A37-00114A A37-00664A A37-00665E
A37-00666C A37-00667G A37-11526

|
CHANGE IN OWNERSHIP DID NOT CHANGE P/U ON THIS CLAIM BUT HAS
CHANGED THE ABOVE LISTED RIGHTS; SOME SPLITS HAVE OCCURRED.

OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02559B.

HG2 OWNS "A" PORTION AND BROWNING'S OWNS "B" PORTION. TLB 7/1/97

15. Basis of Claim: LICENSE

Water Right Number: 25212

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

REC

V E I D

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

APR 01 1997

Department of Water Resources
Southern Region

1. Water Right Number(s) _____
Adjudication Claim Number(s) A37-02559
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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) B. S. RANCH
388 GANNETT ROAD, BELLEVUE, ID 83313
4. New Owner/Claimant(s) BROWNING, CARL OR BARBARA
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address PO BOX 259
City, State and ZIP Code BELLEVUE, ID 83313
New Telephone Number (208) 788-9673
5. Date you acquired the property 3-30-95
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 actually irrigated 15 Number and type of stock 0
Diversion rate in CFS PRORATA Number of homes 0 Other uses _____
cubic feet per second
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/Claimant(s) Carl Browning Date 3-31-97
Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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

REG W E ID

APR 01 1997

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 Number(s) _____
Adjudication Claim Number(s) A37-02559

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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) B. S. RANCH
388 GANNETT ROAD, BELLEVUE, ID 83313

4. New Owner/Claimant(s) HG2 LIMITED PARTNERSHIP
 Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address PO BOX 6250
 City, State and ZIP Code SUN VALLEY, ID 83354
 New Telephone Number (208) 622-7119

5. Date you acquired the property 3-30-95

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 actually irrigated 538 Number and type of stock 0
 Diversion rate in CFS PRORATA Number of homes 0 Other uses _____
cubic feet per second
 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/Claimant(s)  Date 3/28/97
HG2 Limited Partnership
S. N. Kessler, General Partner Date _____

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

(208) 622-7119

HG2 LIMITED PARTNERSHIP
PO BOX 6250
SUN VALLEY, IDAHO 83354

Fax (208) 622-8910

3/28/97

R E G

W E I D

APR 01 1997

Department of Water Resources
Southern Region

IDWR Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Change of Water Right Ownership

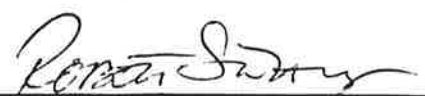
This letter is to clarify and amend a Notice of Change of Water Right Ownership prepared and submitted to IDWR 3/30/95. At that time, HG2 Limited Partnership (HG2LP) purchased Lot 1 of BS Ranch Subdivision from BS Ranch Partnership (BSRP). The Notice, in error, transferred all of the water rights associated with the BS Ranch Subdivision to HG2LP, rather than a prorata share. In addition, IDWR has informed Rob Struthers, a general partner of BSRP, that the decreed priority dates of some of the claims may be incorrect. The following are herein submitted to be substituted for the incorrect submission of 3/30/95:

1. Notice of Change for the transfer of surface water rights from BSRP to HG2LP.
2. Notice of Change for the transfer of surface water rights from BSRP to Carl or Barbara Browning.
3. Notice of Change for the transfer of ground water rights from BSRP to HG2LP.
4. Notice of Change for the transfer of ground water rights from BSRP to Carl or Barbara Browning.
5. A copy of the warrantee deed from BSRP to HG2LP.
6. A copy of the warrantee deed from BSRP to Carl and Barbara Browning.
7. An attachment displaying the understanding of all parties as to the prorata split of the rights.

The priority dates of the following SRBA claims should be corrected as indicated:

- | | | |
|-----------------------------------|-------------------|-------------|
| A. Adjudication claim A37-00665M: | from 7/10/1884 to | 10/15/1884 |
| B. Adjudication claim A37-00666K: | from 7/10/1884 to | 06/12/1886 |
| C. Adjudication claim A37-00667P: | from 7/10/1884 to | 06/15/1891. |


S. N. Kessler, General Partner
HG2 Limited Partnership

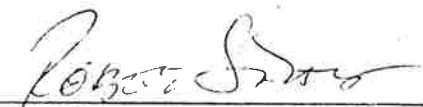

Robert Struthers, General Partner
BS Ranch Partnership

PROJECTED WATER RIGHT SPLIT - SRBA CLAIMS - IN INCHES

<u>SRBA CLAIM #</u>	<u>DECREED PRIORITY</u>		<u>OLD BS RANCH CLAIM</u>	<u>NEW HG2LP CLAIM</u>	<u>NEW BROWNING CLAIM</u>	<u>NEW BS RANCH CLAIM (1)</u>	<u>TOTAL NEW CLAIMS</u>
A37-11526	03/24/1883	CFS	1.10	0.99	0.04	0.07	1.10
		AC	617	557	20	40	617
A37-00664C	07/10/1884	CFS	1.96	1.77	0.06	0.13	1.96
		AC	617	557	20	40	617
A37-00665A	10/15/1884	CFS	2.72	2.46	0.09	0.18	2.72
		AC	617	557	20	40	617
A37-00114A	05/01/1886	CFS	2.48	2.24	0.08	0.16	2.48
		AC	617	557	20	40	617
A37-00666K	06/12/1886	CFS	4.65	4.20	0.15	0.30	4.65
		AC	617	557	20	40	617
A37-00667P	06/15/1891	CFS	9.30	8.40	0.30	0.60	9.30
		AC	617	557	20	40	617
TOTAL SURFACE RIGHTS		CFS	22.21	20.05	0.72	1.44	22.21
		AC	617	557	20	40	617
A37- 02559	<u>Licensed</u> 10/04/1954	CFS	6.52	6.34	0.18	0.00	6.52
		AC	553	538	15	0	553

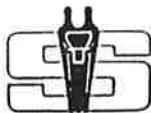
(1) 20 acres Lot 3 in SE/SE, 20 acres Lot 4 in SW/SW.


S. N. KESSLER, G/PARTNER
HG2 LIMITED PARTNERSHIP


ROBERT STRUTHERS, G/PARTNER
BS RANCH PARTNERSHIP


CARL BROWNING

C.U.
1306.3 90%
103.3 67%
50.90 3.3%



94006471

This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received **B S RANCH, A PARTNERSHIP CONSISTING OF ROBERT J. STRUTHERS, AND LAURIE ADAMSON FORMERLY KNOWN AS LAURIE STRUTHERS AND CARL BROWNING AND BARBARA BROWNING**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **HQ2 LIMITED PARTNERSHIP, AN IDAHO LIMITED PARTNERSHIP**

the Grantee whose current address is: **P.O. BOX 6250, SUN VALLEY, IDAHO 83354**

the following described premises, to-wit:

Lot 1 of B.S. RANCH SUBDIVISION, according to the official plat thereof recorded March 31, 1995 as Instrument No. _____, records of Blaine County, Idaho.

TOGETHER WITH any and all appurtenant water rights, including but not necessarily limited to, those portions of the following water rights, based on pro-rata acreage, which are appurtenant to the above described real property, identified by Idaho Department of Water Resources permit, claim and/or license numbers:

37-00577
37-00664
37-00665
37-00114
37-00666
37-00667
37-02559

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

Dated: **March 28, 1995**

B S RANCH, A PARTNERSHIP

(Partnership Name)

BY Carl W Browning
Carl Browning

By Robert J. Struthers
Robert J. Struthers

BY Barbara Browning
Barbara Browning
State of **IDAHO**

By Laurie Adamson
Laurie Adamson

ss.

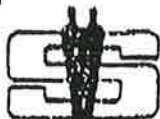
County of **BLAINE**

On this 30th day of March, 1995, before me, the undersigned, a Notary Public, in and for said State, personally appeared Laurie Adamson, Robert J. Struthers, Carl Browning & Barbara Browning, known to me, or identified to me on the basis of satisfactory evidence, to be the partners of the Partnership that executed the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Marla G Mink
Notary Public
Residing at: **BELLEVUE**
Commission Expires: **12/01/00-2000**





Order No. 94-06471
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received B S RANCH, A PARTNERSHIP CONSISTING OF ROBERT J. STRUTHERS, AND LAURIE ADAMSON FORMERLY KNOWN AS LAURIE STRUTHERS AND CARL BROWNING AND BARBARA BROWNING

the Grantor hereby grants, bargains, sells, conveys and warrants unto CARL BROWNING AND BARBARA BROWNING, HUSBAND AND WIFE

the Grantee whose current address is: P.O. BOX 259, BELLEVUE, IDAHO 83313

the following described premises, to-wit:

Lot 4 of B.S. RANCH SUBDIVISION, according to the official plat thereof recorded March 31, 1995 as Instrument No. 376975, records of Blaine County, Idaho.

376932

Rec'd

BLAINE CO. REQUEST
OF BLAINE COUNTY TITLE

'95 MAR 31 PM 2 55

MARY GREEN CLERK *mpp*

FEES \$ 3.00

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

Dated: March 28, 1995

B S RANCH, A PARTNERSHIP

(Partnership Name)

By Carl Browning
Carl Browning

By Robert J. Struthers
Robert J. Struthers

By Barbara Browning
Barbara Browning

By Laurie Adamson
Laurie Adamson

State of IDAHO

is.

County of BLAINE

On this 30th day of March, 1995, before me, the

undersigned, a Notary Public, in and for said State, personally appeared Laurie Adamson

Robert J. Struthers, Carl Browning & Barbara Browning

known to me, or identified to me on the basis of satisfactory

evidence, to be The Partners of the Partnership that executed

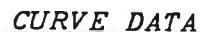
the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Maria J. Menck
Notary Public

(SEAL)

- ⊕ found brass cap
- found 5/8" iron pin
- set 5/8" iron pin
- found 1/2" iron pin
- set 1/2" iron pin



CURVE	DELTA	RADIUS	ARC	CH	CH BEARING
C-1	38° 58' 19"	2814.72'	1963.67'	1924.09'	S 40° 58' 60" W
C-2	89° 56' 05"	2017.52'	3166.82'	2851.58'	S 44° 59' 23" E
C-3	90° 18' 48"	2002.07'	3155.80'	2839.09'	N 44° 53' 10" E

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.

Date _____

South Central District Health Dept. EMS

NOTES

1. Fire Protection requirements of the Wood River Rural Fire District and Blaine County including road way access and water supply shall be met prior to issuance of a building permit.
2. All proposed utility lines shall be underground.
3. Maintenance and weed control pursuant to State regulations for all lots are the responsibility of the subdivider until the lots are sold and, thereafter the responsibility of the owners of the individual lots.
4. Fences within a subdivision shall not exceed 42 inches in height with the bottom rail a minimum of 18 inches from the ground to allow passage of wildlife.
5. This property is surrounded by active productive agricultural land. Residents and purchasers should be aware that agricultural practices and operations occurring day and night are allowed and may result in odors, noise, and application of agricultural chemicals, spraying, ground preparation, and harvesting, etc. In addition, the roads across this property are used by agricultural vehicles. Such practices and uses are normal functions on agricultural lands and are not considered nuisances.
6. The decreed surface water apportionment to this subdivision will be apportioned to each lot on a pro-rata basis.
7. An easement across property adjacent to Lot 1 on the ~~east~~ for the pivot is recorded under instrument No. 240 Bb-1, Records of Blaine County, Idaho.

REAL POINT OF BEGINNING



SAWTOOTH ENGINEERING
Civil Engineers and Land Surveyors

History

(208) 788-9060

Idaho

7047.DWG 8-31-94

RECEIVED

DEC 15 2006

11/29/2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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: 12/15/2006

Water right number: 37-2559B

CARL BROWNING

PO BOX 259

BELLEVUE ID 83313

Telephone Number: (208)788-9673

BARBARA BROWNING

PO BOX 259

BELLEVUE ID 83313

Telephone Number: (208)788-9673

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: 12-8-06 SIGNATURE: Carl W Browning
Please print your name: CARL W BROWNING

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

SCANNED

DEC 13 2006

11/21/2006

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

RIGHT NUMBER: 37-2559B

NAME AND ADDRESS: CARL BROWNING
PO BOX 259
BELLEVUE ID 83313

BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

QUANTITY: 0.180 CFS
46.600 AFY

The rights listed below are limited to a total combined diversion rate of 0.18 cfs and to a total combined annual diversion volume of 54 AF. Combined Right Nos.: 37-2559B and 37-20737.

PRIORITY DATE: 10/04/1954

POINT OF DIVERSION:

T01N R19E S29 NWNENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.180 CFS 46.60 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S29	NENW	2.00	T01N R19E S29	NWNW	18.00
---------------	------	------	---------------	------	-------

20 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 20 acres in a single irrigation season. Combined Right Nos.: 37-114F, 37-664G, 37-665R, 37-666P, 37-667T, 37-11526B, 37-2559B, and 37-20737.

Right Nos. 37-2559B and 37-20737 are limited to the irrigation of a combined total of 15.5 acres in a single irrigation season.

This right is limited to the irrigation of 13.3 acres within the place of use described above in a single irrigation season.

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

11/21/2006

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

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 No. 37-20737 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Property is also known as Lot 4A, B. S. Ranch Subdivision. Parcel RP00037000004AA.



Idaho Department of Water Resources

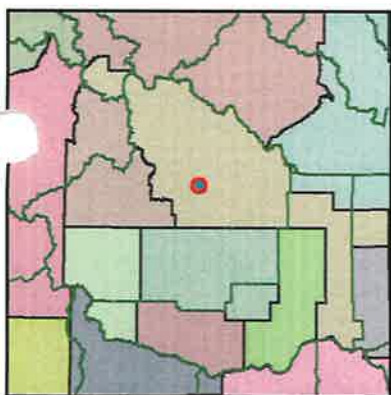
SRBA Recommendation:

37-2559B

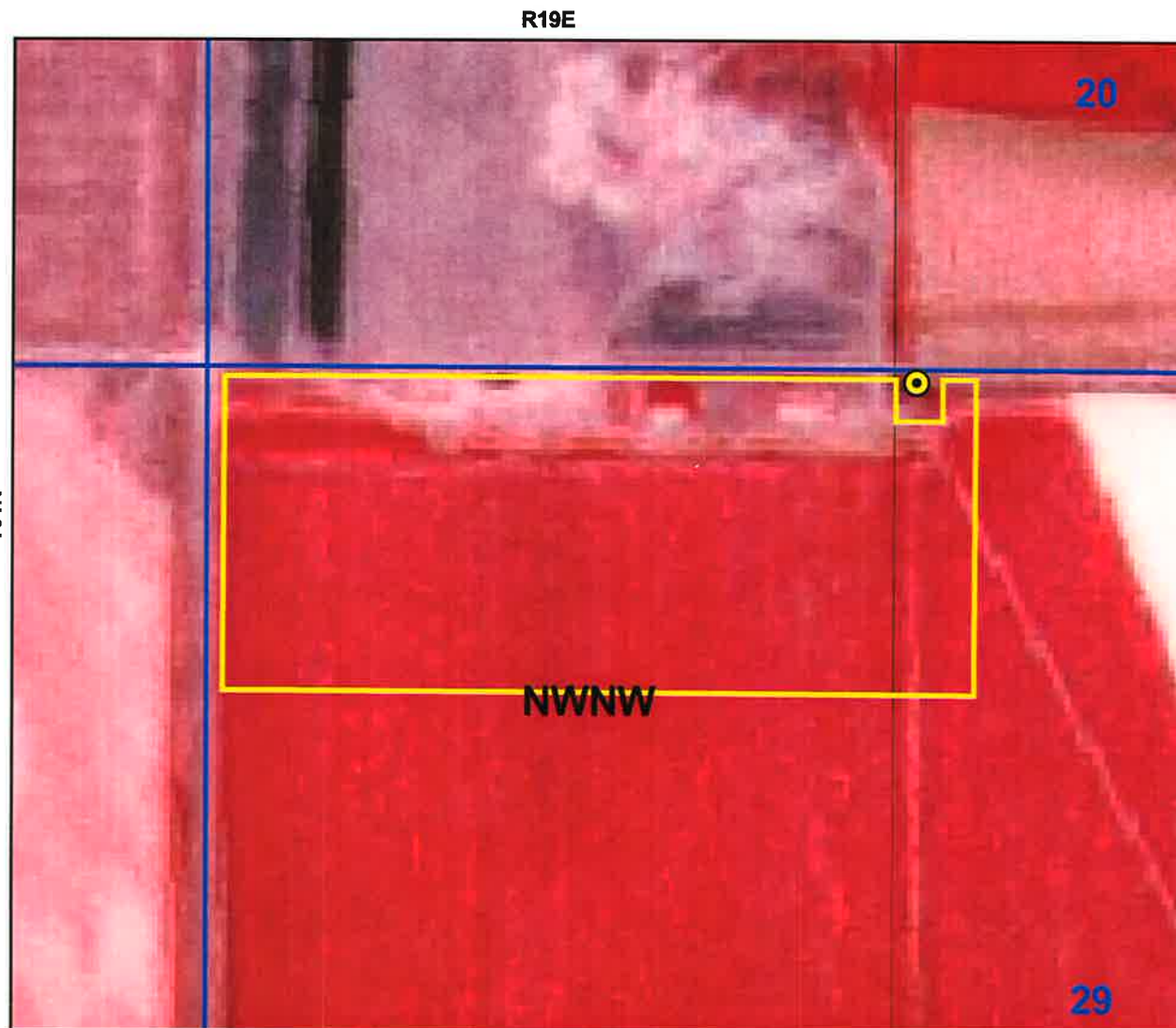
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Owner: Carl Browning

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by J. Roberts
On Tuesday, November 21, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-2559B V1

WATER RIGHT NUMBER: 37-2559B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARL BROWNING PO BOX 259 BELLEVUE, ID 83313 (208)788-9673
Current Owner	BARBARA BROWNING PO BOX 259 BELLEVUE, ID 83313 (208)788-9673
Original Owner	B S RANCH 388 GANNETT RD BELLEVUE, ID 83313 (208)788-4613
Original Owner	CHARLIE BROWNING INC C/O BS RANCH BOX 610 HAILEY, ID 83333 (208)788-4613
Original Owner	HG2 LIMITED PARTNERSHIP PO BOX 6250 SUN VALLEY, ID 83354 (208)622-7119

Priority Date: 10/04/1954

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.180 CFS	46.60 AF
	<u>Total Diversion:</u>	0.180 CFS	46.60 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4NW1/4	Sec. 29, Twp 01N, Rge 19E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	19E	29					2.0	18.0											20.0

Total Acres: 20

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-2559B V1

Conditions of Approval:

1. C18 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.
2. E61 The rights listed below are limited to a total combined diversion rate of 0.18 cfs and to a total combined annual diversion volume of 54 AF. Combined Right Nos.: 37-2559B and 37-20737.
3. E56 The rights listed below are limited to the irrigation of a combined total of 20 acres in a single irrigation season. Combined Right Nos.: 37-114F, 37-664G, 37-665R, 37-666P, 37-667T, 37-11526B, 37-2559B, and 37-20737.
4. K01 Right No. 37-20737 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
5. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. J01 Property is also known as Lot 4A, B. S. Ranch Subdivision. Parcel RP00037000004AA.
7. 104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. E55 Right Nos. 37-2559B and 37-20737 are limited to the irrigation of a combined total of 15.5 acres in a single irrigation season.
9. K06 This right is limited to the irrigation of 13.3 acres within the place of use described above in a single irrigation season.

Remarks:

Comments:

1. jroberts 11/21/2006 copied from remarks
Comment: OTHER WR NUMBERS: A37-00114A A37-00664A A37-00665E A37-00666C A37-00667G A37-11526 |
CHANGE IN OWNERSHIP DID NOT CHANGE P/U ON THIS CLAIM BUT HAS CHANGED THE ABOVE LISTED
RIGHTS; SOME SPLITS HAVE OCCURRED.
***** OWNERSHIP CHANGE MADE 10/12/95 BY TLB.
***** OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02559B.
HG2 OWNS "A" PORTION AND BROWNINGS OWNS "B" PORTION. TLB 7/1/97

BASE RIGHT WAS RECENTLY AMENDED TO MAKE CORRECTIONS AND A PREVIOUS OWNER CHANGE SPLIT
REDONE. THIS RIGHT WHEN COMBINED WITH 37-20737 IS LIMITED TO THE DIVERSION OF 0.18 CFS AND A
VOLUME OF 54 AF.

2. jroberts 11/21/2006 Basis of Recommendation
Comment: This right was developed as a supplemental right, added surface water conditions; 37-20737 is an
enlargement so added combined diversion and volume conditions; PoU overlaps with several other surface water rights,
so added combined acre limits. Volume - 13.3 ac X 3.5 AF/ac = 46.55 AF

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2559

WATER RIGHT NUMBER: 37-2559

Owner Type Name and Address
 Current Owner CHARLIE BROWNING
 GANNETT, ID 83329

Priority Date: 10/04/1954
 Basis: License
 Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	6.520 CFS	
	<u>Total Diversion:</u>	6.520 CFS	

Location of Point(s) of Diversion
 GROUND WATER NE1/4NW1/4 Sec. 29, Twp 01N, Rge 19E, B.M.
 BLAINE County

Place of Use
 IRRIGATION

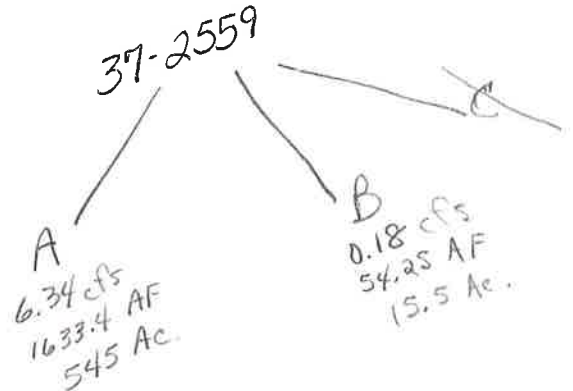
Twp	Rge	Sec	NE				NW				SW				SE				Totals
01N	19E	29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	480.0
			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	

Total Acres: 480

Conditions of Approval:

Remarks:

Comments:



560.5
 - 480.
 80.5 acres
 enlargement (or expansion)

11/08/2006

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

RIGHT NUMBER: 37-2559B
NAME AND ADDRESS: CARL BROWNING
PO BOX 259
BELLEVUE ID 83313

BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS
46.60 AFY

PRIORITY DATE: 10/04/1954

POINT OF
DIVERSION: T01N R19E S29 NWNENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.180 CFS

54.25 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S29 Lot 4 NWNW 15.00 T01N R19E S29 Lot 4 SWNW 0.50
15.5 ACRES TOTAL

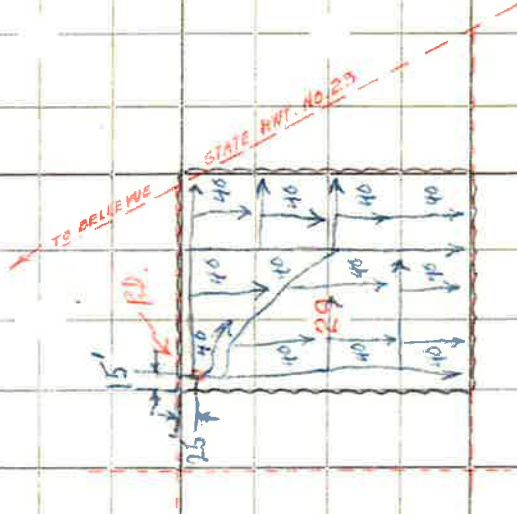
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

OTHER WR NUMBERS: A37-00114A A37-00664A A37-00665E
A37-00666C A37-00667G A37-11526 | CHANGE IN OWNERSHIP DID
NOT CHANGE P/U ON THIS CLAIM BUT HAS CHANGED THE ABOVE
LISTED RIGHTS; SOME SPLITS HAVE OCCURRED.
***** OWNERSHIP CHANGE MADE 10/12/95 BY TLB.
***** OWNERSHIP CHANGE RESULTED IN A SPLIT
FROM A37-02559B.
HG2 OWNS "A" PORTION AND BROWNING OWNS "B" PORTION. TLB
7/1/97

BASE RIGHT WAS RECENTLY AMENDED TO MAKE CORRECTIONS AND
A PREVIOUS OWNER CHANGE SPLIT REDONE. THIS RIGHT WHEN
COMBINED WITH 37-20737 IS LIMITED TO THE DIVERSION OF 0.18 CFS
AND A VOLUME OF 54 AF.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

R-19E.



T. N.

Subdivisions = 12
Area = 480 acres
Q = ~~334.17~~ ^{326"}
60.52 cfs

State of Idaho License and Certificate of Water Right

Water License No. G-25212

Amount 6.52 c.f.s.

Water District No.

Priority October 4, 1954

THIS IS TO CERTIFY that CHARLIE BROWNING

of Gannett, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 4, 1954; that Permit No. G-25212 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6.52 second feet, was issued thereunder on November 19, 1958, showing that said works were completed on the 11th day of October, 1957; and that on the 11th day of October, 1957, CHARLIE BROWNING

of Gannett, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

, a tributary of subterranean, for the purpose of Irrigation, under Use Permit No. G-25212 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 6536, on the 19th day of November, 1958;

The right hereby confirmed dates from October 4, 1954;

The Point of Diversion is located

in the NE ¼ NW ¼, Sec. 29, Tp. 1 N., R. 19 E., B. M. County Blaine

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 6.52 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated		
1 N.	19 E.	29	NE 1/4 NE 1/4	25	40		
			NW 1/4 NE 1/4	40	40		
			SW 1/4 NE 1/4	40	40		
			SE 1/4 NE 1/4	40	40		
			NE 1/4 SE 1/4	40	40		
			NW 1/4 SE 1/4	40	40		
			SW 1/4 SE 1/4	40	40		
			SE 1/4 SE 1/4	40	40		
			NE 1/4 NW 1/4	40	40		
			SE 1/4 NW 1/4	40	40		
			NE 1/4 SW 1/4	40	40		
			SE 1/4 SW 1/4	40	40		
			Total number of acres irrigated			480	480

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

19th day of November, 1958.

/s/ Geo. N. Carter

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33052
 Permit No. G- 25212
 District No.

Charlie Browning
 Gannett
 Idaho

1. Name of Applicant: CHARLIE BROWNING
 Postoffice address: Gannett County: Blaine State: Idaho *West, not hidden*
Harry G. G. G.
2. Quantity of water claimed: Eight (8) cu. ft. per second
 (a) Rate of withdrawal in cubic feet per second. 8 or Idaho
 Miners' inches 400 or gallons per minute.
 (b) Annual withdrawal in acre feet per annum Not to exceed 400
3. Source of water supply: Subterranean waters--well
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29
 Twp. 1 N , Rge. 19 E. , B.M., County of Blaine
5. Water is to be used for: Irrigation, to supplement existing rights
6. If for municipal, industrial or recreational purposes, give:
 (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well with 20" casing, estimated 100 ft. deep, 50 to 60 H.P., electric pump with appropriate pump.
8. Estimated cost of works: \$7,000.00
9. (a) Is reservoir to be used? No
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 3 years.
11. If applicant is a corporation, give:
 I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are (a) Cash on hand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: See annexed exhibit. (In permit file)
 (a) 8 cu. ft. /^{per sec.} (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 N.	19	29	25	40	40	40	40	25	20	40	40	20	25	40	40	40	40	550	
Permit No. G-25212 Certificate of Completion of Works																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that CHARLIE BROWNING of Cannett, County of Blaine, and State of Idaho, the holder of Permit No. G-25212, issued upon Application No. G-33052 bearing date of priority of October 4, 1954, authorizing the diversion of 8 second feet of waters of Subterranean waters--well County of Blaine, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit: that said works are adequate for diverting and conveying to the place of intended use 6.52 second feet of the waters of subterranean flow from a well that the point of diversion of said waters NE¼NW¼ Section 29, Township 1 North, Range 19 East, BM and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 480 acres in the E½, E½ Section 29, Township 1 North, Range 19 East, BM Proof of Completion of Works made: October 11, 1957																			
Witness my hand this 19th day of November, A.D. 1958																			
/s/ Geo. N. Carter State Reclamation Engineer																			
Proof of Completion of Works made: October 11, 1957 Certificate of Completion of Works issued: November 19, 1958.																			
WORK ISSUED FOR 6.52 SEC. FT. Page 6536																			

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-25212

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Charlie Browning

2. Source of water supply: Subterranean Flow from a well

3. Location of point of diversion: Is in the _____ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29

T. 1 N., R. 19 E., B.M. County of Blaine

4. Describe works as they exist, giving dimensions and capacities of same: Well 20" x 130'

3 tanks 12" diameter 12" discharge H=45' lift=60'

Two banks Morse meter 75 Hp 440 V H.P.M. 9046 1/2 pump

#23799 Square "O" controls all mounted on 5'x5'

concrete slab. Pumps with gun detail delivered to fields

by gravity. Q=334.12 surface inches measured by spotting

5. Water is used for: Irrigation and domestic purposes

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

469 Acres - NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 29, Twp. 1 N., Rge. 19 East, B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Crops are hay, grain & row crops

Accompanied by Charlie Browning

6.52 for three spotting meter

This examination was made on the 22 day of July, 1938

(Signed) Carroll R. Stevenson Examiner.

G-25212

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
OCT 3 1958
Department of Reclamation

Charlie Browning
Garnett, Idaho
Permit No. G-25212

Examination for Completion of Works & Beneficial Use Proofs

Blaine County

29-1N-19E

Q - 8.0 c.f.s.

S - Well

100 - NE NW, Sec. 29, T. 1N. - R. 19E

mt. 400"

Site = Dringden / Loughlin

Filed - Oct. 4, 1954
Rec - Oct. 11, 1957

SW 1/4 20" x 120"
12" dishing 12" dishing
3 dishing 12" dishing
4 ft = 60' H = 45'
Not about 1st of survey
Gardner's Horse motor
75 HP 440 V # PM 1946
71.2 pump # 25794
square 2" concrete
mounted on 5' x 5'
concrete slab
Burrage and open
ditch to hole by
ground
1 min 14 sec 100 ft
6.75 745 5000.00
444 337.50
56 303750
4 303750
4 303750
Decomposed 5341250
Charles Browning

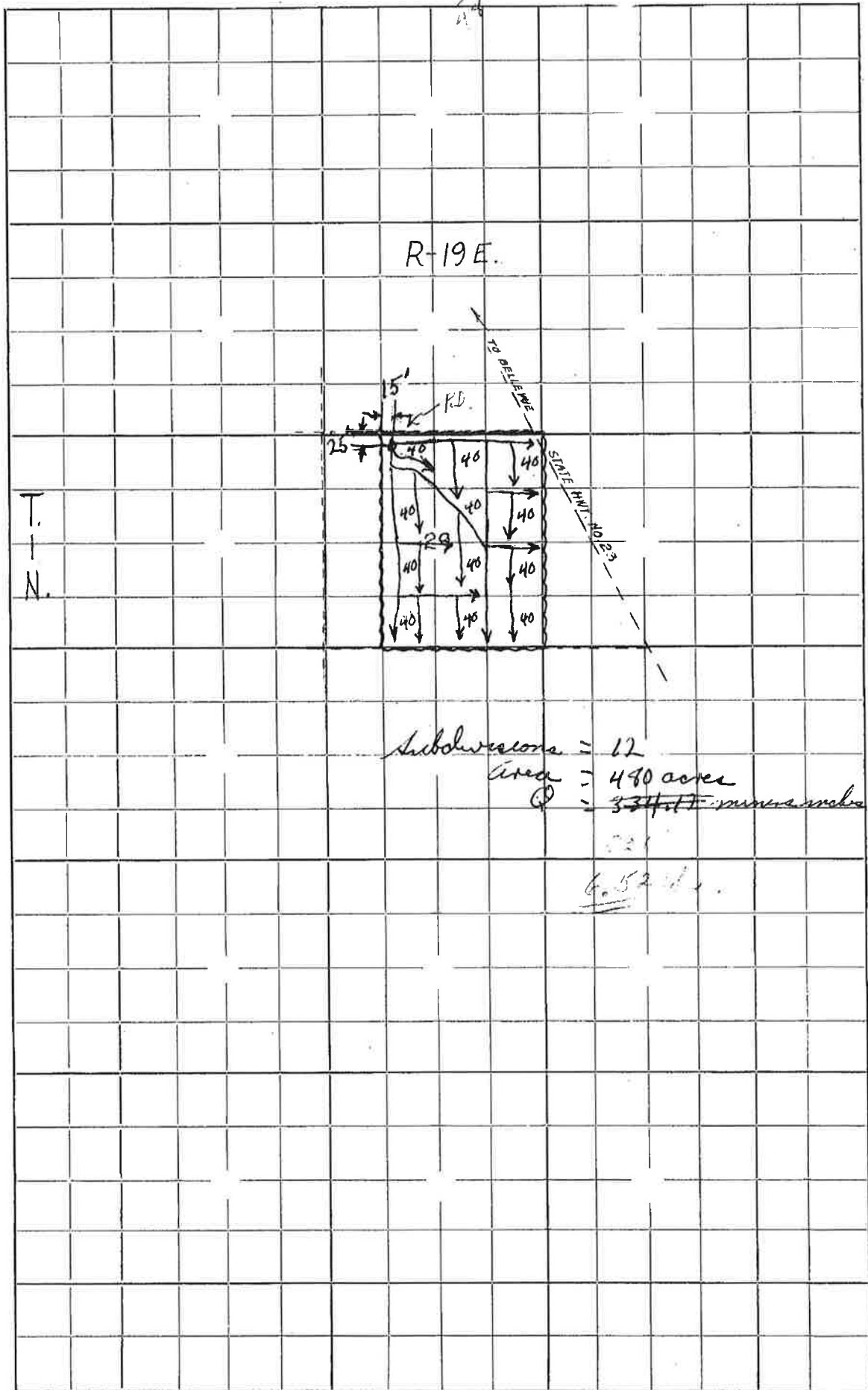
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25212

REPORT ON PROOF OF Completion of Works & Beneficial Use

Charlie Browning
Gannett, Idaho



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

S25212



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

7/10/02

BARBARA & CARL BROWNING
PO BOX 259
BELLEVUE ID 83313

RE: Corrected claim for the former BS Ranch property

Dear Mr. & Mrs. Browning,

Enclosed are water right printouts and a map of the subject property. You may recall that ownership changes had previously been completed on these rights. However, during some work with Mr. Kessler, a principal in HG2 Ltd Partnership, it was found that there were some errors and discrepancies in the ground water right records.

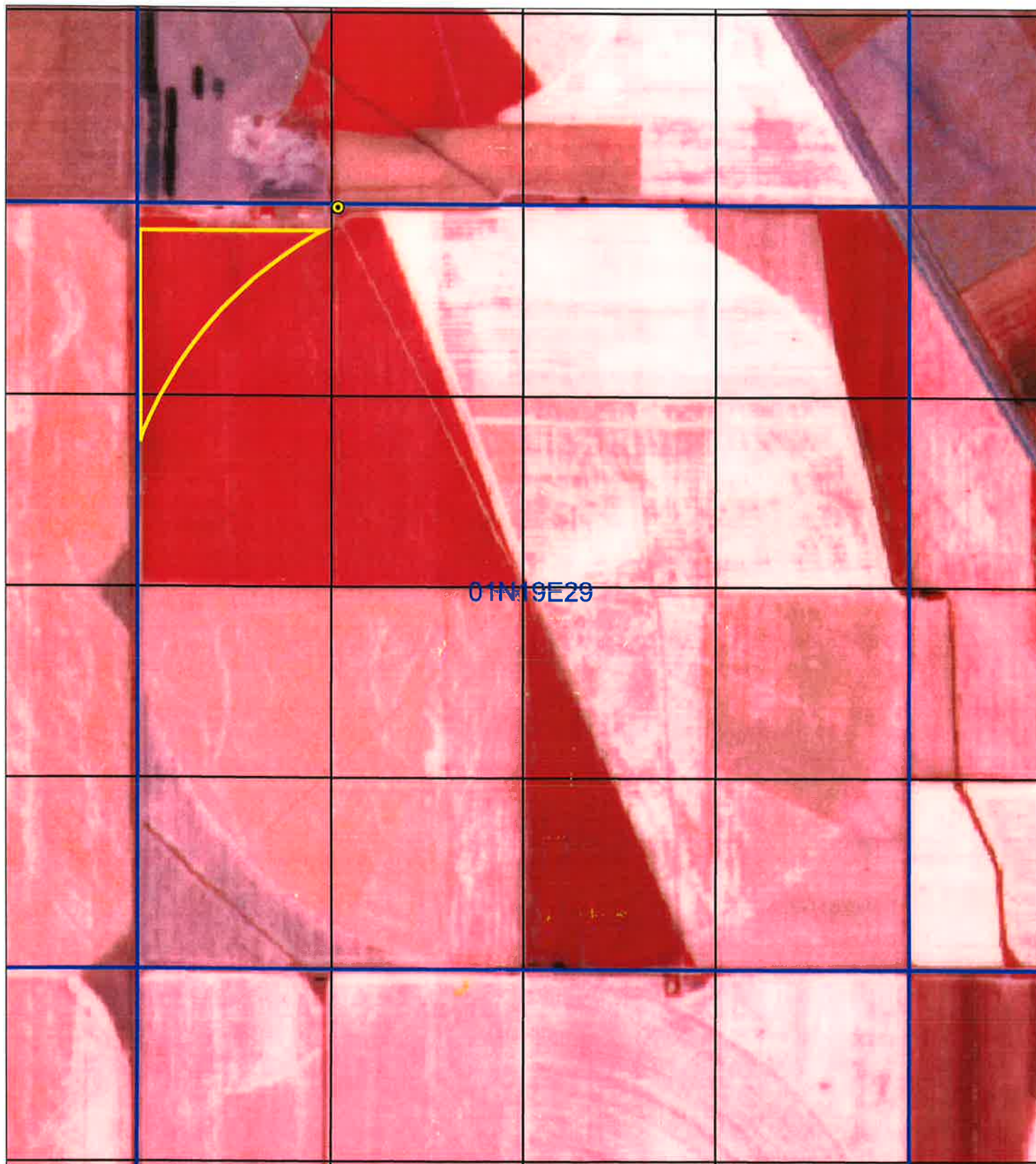
As a result of this discovery I worked with Rob Struthers to identify historical practices on the land in S29. License 37-2559 was originally for only 480 acres (it was claimed in the adjudication for far more). The original claim was amended and a new adjudication claim for "enlargement acres" was filed by Struthers on behalf of BS Ranch. These two claims were then split to reflect the earlier ownership changes.

Please review the information and if you have questions or there is a problem get in touch with me. Have a terrific summer.

Sincerely,

Douglas Jones, PE
Water Rights Supervisor
Southern Adjudication Unit

IDAHO DEPARTMENT OF WATER RESOURCES



37-2559B & 37-20737



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 TARA BACKLUND

DATE February 28, 1997 10:32am CUSTOMER **ROB STRUTHERS**

SUBJECT: B.S. RANCH, HG2 ADJ CLAIMS
phone call (X) walk-in (.)

HE CALLED TODAY TO SEE HOW THE PROGRESS WAS GOING ON THE OWNERSHIP CHANGES/SPLIT. I TOLD HIM I WAS STILL WAITING ON DOCUMENTATION FROM THE ALL THE OWNERS. HE ASKED WHAT KIND OF DESCRIPTION WAS NEEDED. I TOLD HIM NEEDED, AS SPECIFIC AS POSSIBLE, WHICH PORTIONS OF PROPERTY WENT WITH WHICH OWNER. HE ASKED HOW TO SPLIT THE WATER. I TOLD HIM THAT WAS UP TO HIM. HE SAID HE WOULD DO IT "PRO RATA". HE SAID HE WOULD GET ME THE INFORMATION AS SOON AS POSSIBLE.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 FAX (208) 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 15, 1996

FAX LETTER 208-788-5435

ROBERT STRUTHERS
B.S. RANCH
HAILEY ID 83333

RE: SRBA OWNERSHIP CHANGE (B.S. RANCH, BROWNING, HG2)

DEAR MR. STRUTHERS:

I HAVE BEEN REVIEWING THE PAPERWORK REGARDING THE OWNERSHIP CHANGE BETWEEN B.S. RANCH AND HG2 LIMITED PARTNERSHIP. THERE ARE SEVERAL ISSUES THAT NEED TO BE ADDRESSED.

YOU STATED IN OUR TELEPHONE CONVERSATION THAT THERE ARE THREE SEPARATE OWNERS OF THE FOUR LOTS. THIS CLAIM NEEDS TO NOW BE SPLIT THREE WAYS. A SEPARATE DEED IS NEEDED TO STATE THAT BROWNING OWNS LOT 4 SEPARATE OF B.S. RANCH.

IN STUDYING AND MAPPING OUT EXHIBIT "A", I HAVE FOUND PROBLEMS. THE LEGAL DESCRIPTION ONLY EXCLUDES LAND UNPLATTED BY THE CANAL AND 5 ACRES IN LOT 4. THE REST OF SECTION INCLUDING ALL OF LOT 2 AND 3 AND PART OF LOT 4 IS GIVEN TO HG2. THE GROUND WATER WELL (A37-02559) IS NOT ADDRESSED IN EXHIBIT "A". THE WARRANTY DEED STATES THAT IT BELONGS SOLELY TO HG2. THIS NEEDS TO BE CLARIFIED. ALSO THE AMOUNT OF WATER ON THE CLAIMS IS DIFFERENT THAN EXHIBIT "A". THERE IS APPROXIMATELY 1330 INCHES ON CLAIMS AND ONLY 1119 INCHES ON EXHIBIT "A".

I NEED TO KNOW EXACTLY HOW MANY IRRIGATED ACRES ARE OWNED BY THE PARTIES, AND EXACTLY HOW YOU WANT THE WATER SPLIT BETWEEN THE PARTIES. PLUS, IT WAS ALSO BROUGHT TO MY ATTENTION THAT THE PRIORITY DATES NEED TO BE AMENDED. MOST OF THE CLAIMS STATE A 7/10/1884 PRIORITY DATE WHEN EXHIBIT "A" STATES DIFFERENT DATES.

I AM FAXING A NEW OWNERSHIP CHANGE FORM, PLEASE REVIEW THIS AND CALL IF YOU HAVE ANY QUESTIONS ON WHAT IS NEEDED. MY HOURS ARE FROM 10:00 AM TO 5:00 PM, MONDAY-FRIDAY. PLEASE CALL ME AND WE WILL GET THESE CLAIMS IN THE CORRECT FORM. THANKS FOR YOUR COOPERATION.



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

JUL 9, 1997

CARL & BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313

RE: SRBA CLAIM(S): SEE ENCLOSED (CORRECTED SPLIT CLAIMS)
HG2, B.S. RANCH, BROWNING

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L. BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES