

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 37-2586
Date Received: 10/20/1989
Receipt No: M004976
Received By:

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

1. Name of Claimant(s)

EVERETT COATES ESTATE

Phone: (208) 764-2669

RT 1 BOX 1140
FAIRFIELD ID USA 83327

2. Date of Priority: 10/28/1955

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	16E	3	SW SE SE	CAMAS	

5. Description of diverting works:

WELL, APPROX. 220' DEEP, 75 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.36	

7. Total Quantity Appropriated is:
1.36 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
01S	16E	2	SE SW	IRRIGATION	39
			SW SE	IRRIGATION	38

					Section Acres	77
01S	16E	3	SE	SE	IRRIGATION	40
					Section Acres	40
01S	16E	10	SE	NE	IRRIGATION	37
			NE	NE	IRRIGATION	40
			NE	SE	IRRIGATION	37
			SW	SE	IRRIGATION	38
			SE	SE	IRRIGATION	38
					Section Acres	190
01S	16E	11	NW	SW	IRRIGATION	39
			SE	SE	IRRIGATION	38
			NE	NW	IRRIGATION	40
			SW	NW	IRRIGATION	39
			SE	NW	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	38
					Section Acres	274
01S	16E	14	NW	NE	IRRIGATION	38
					Section Acres	38
01S	16E	15	SE	NE	IRRIGATION	39
			NE	NE	IRRIGATION	37
			NW	NE	IRRIGATION	34
			SW	NE	IRRIGATION	35
					Section Acres	145
					Total Acres	764

11. Place of use in counties: BLAINE, CAMAS

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License



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

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

MAR 29 2004

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

☐ Water Right Number(s):

Claim 37-7549, 37-2586

Right 37-13164

☐ Old Mailing Address:

Everett Coates Estate

c/o Dave Coates, PO Box 322, Gooding, ID 83330

(Rt 1 Box 1140, Fairfield, ID 83327)

☐ New Mailing Address:

☐ New Telephone Number:

(208) 764 - 2669

☐ Signature of Claimant(s):

David Coates

Date:

3-29-04

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:

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: **A37-02586**

Date Received: 10/20/1989

Receipt No: M004976

Received By: address change

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: EVERETT COATES ESTATE
Address: C/O DAVE COATES
PO BOX 322
GOODING ID

208-934-5174

83330

2. Date of Priority: OCT 28, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	16E	3	SW	SE	SE		CAMAS

5. Description of diverting works:
WELL, APPROX. 220' DEEP, 75 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.360		

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

8. Total consumptive use is 1910.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	16E	2	SE	SW		IRR	39.0
			SW	SE		IRR	38.0

From: DWR03::FRAZEE 3-NOV-1992 10:41:31.37
To: DWR60::MERRITT
CC: FRAZEE
Subj: A37-07549, ET AL/EVERETT COATES ESTATE CLAIMS

HI ALLEN. AT DON'S REQUEST, THIS MORNING I MODIFIED THE FOLLOWING CLAIMS TO REFLECT A NEW MAILING ADDRESS FOR THIS CLAIMANT. I DIDN'T MAKE COPIES OF EA. CLAIM, BUT THOUGHT YOU COULD SLIP THIS E-MAIL INTO EACH FILE, IF YOU WISHED TO.

A37-07549, -02586, -00091, -00092, -13162, -13163, -13164, -13165, -13166, -13167, -13170 & -13172

IF YOU HAVE ANY QUESTIONS, GIVE ME A CALL PLEASE.

MICROFILMED
FEB 23 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-02586

Date Received:

Receipt No: MO04976

Received By: hdt

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EVERETT COATES ESTATE
Address: RT. 1, BOX 1130
FAIRFIELD, ID 83327
208-764-2560

2. Date of Priority: OCT 28, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01S	16E	3	SW SE SE		CAMAS

5. Description of diverting works:
WELL, APPROX. 220' DEEP, 75 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.360		

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

8. Total consumptive use is 1910.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	16E	2	SE SW		IRR	39.0
			SW SE		IRR	38.0
Section Acres						77.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	16E	3	SE	SE		IRR	40.0
			Section Acres				40.0
		10	NE	NE		IRR	40.0
			SE	NE		IRR	37.0
			NE	SE		IRR	37.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
			Section Acres				190.0
		11	NE	NW		IRR	40.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NW	SW		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
			Section Acres				274.0
		14	NW	NE		IRR	38.0
			Section Acres				38.0
		15	NE	NE		IRR	37.0
			NW	NE		IRR	34.0
			SW	NE		IRR	35.0
			SE	NE		IRR	39.0
			Section Acres				145.0
			Total Acres				764.0

11. Place of use in counties: BLAINE, CAMAS

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

13. Other Water Rights Used:
A37-07549

14. Remarks:

15. Basis of Claim: LICENSE

A37-02586

Page 2

Date: 10/19/89

MICROFILMED
FEB 23 1993

Attachment
to A37-02586.
BLAINE SE

7.5 MINUTE SERIES

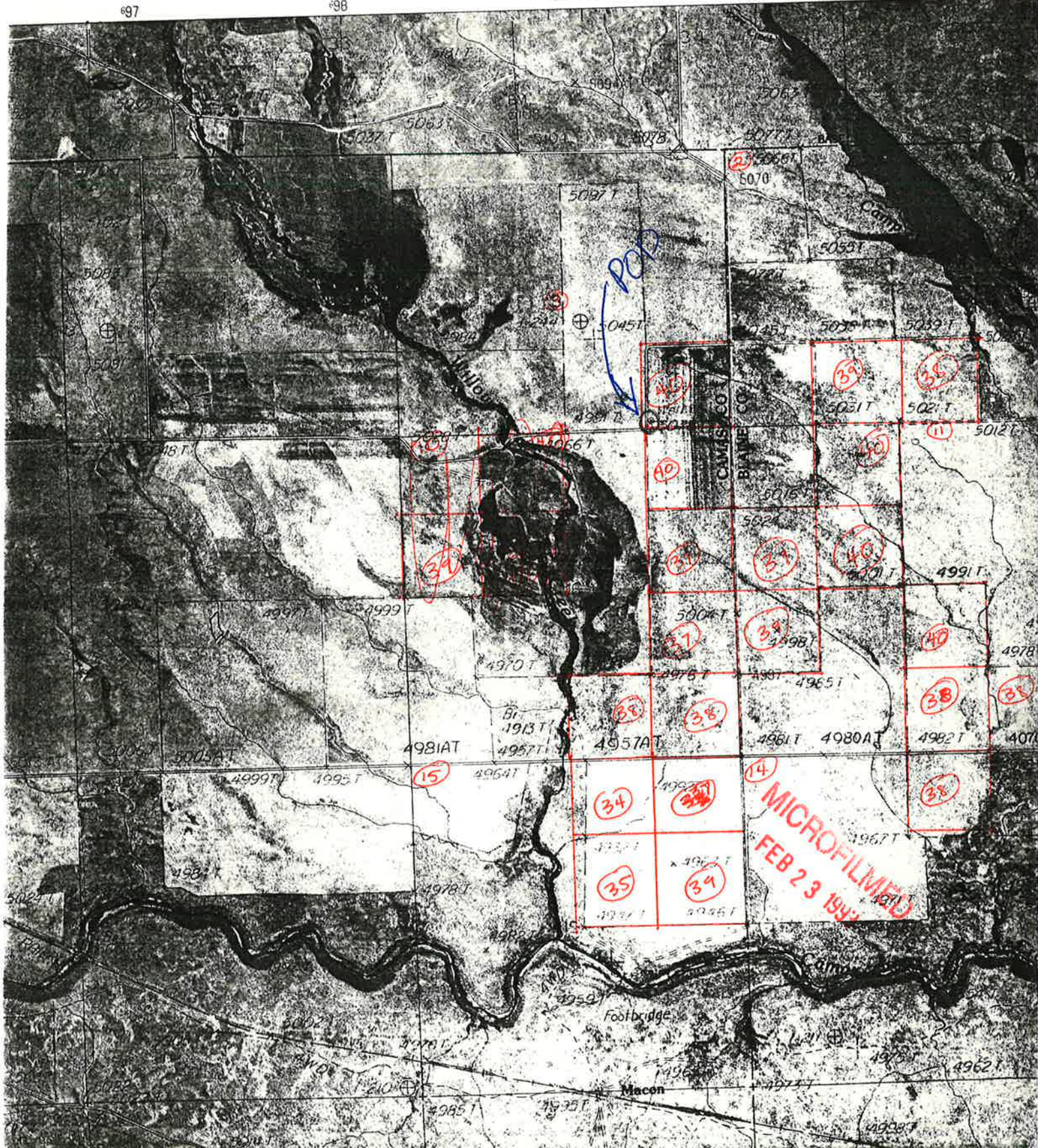
697

698

32 32

100 361,000 FEET

101



Water Right Number: 26044

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Personal Representative of
Title
Everett Coates Estate, that I have signed the foregoing
Organization
document in the space below as Personal Representative of
Title
Everett Coates Estate and that the statements contained in the
Organization
foregoing document are true and correct.

Linda L. Miller
Signature of Authorized Agent

Pres. Rep. Everett Coates Estate
Title and Organization

10-20-89
Date

State of Idaho)
County of Camas) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of October 19 89

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

03/31/2006

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

RIGHT NUMBER: 37-2586
NAME AND ADDRESS: EVERETT COATES ESTATE
RT 1 BOX 1140
FAIRFIELD ID 83327

SOURCE: GROUND WATER
QUANTITY: 1.360 CFS
539.000 AFY

TRIBUTARY:

PRIORITY DATE: 10/28/1955

POINT OF DIVERSION:
T01S R16E S3 SWSESE 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	1.360 CFS 539.00 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R16E S02	SESW	39.00	T01S R16E S02	SWSE	38.00
T01S R16E S03	SESE	40.00	T01S R16E S10	NENE	40.00
T01S R16E S10	SENE	37.00	T01S R16E S10	NESE	37.00
T01S R16E S10	SWSE	38.00	T01S R16E S10	SESE	38.00
T01S R16E S11	NENW	40.00	T01S R16E S11	SWNW	39.00
T01S R16E S11	SESW	40.00	T01S R16E S11	NWSW	39.00
T01S R16E S11	NWSE	40.00	T01S R16E S11	SWSE	38.00
T01S R16E S11	SESE	38.00	T01S R16E S14	NWNE	38.00
T01S R16E S15	NENE	37.00	T01S R16E S15	NWNE	34.00
T01S R16E S15	SWNE	35.00	T01S R16E S15	SENE	39.00

764 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



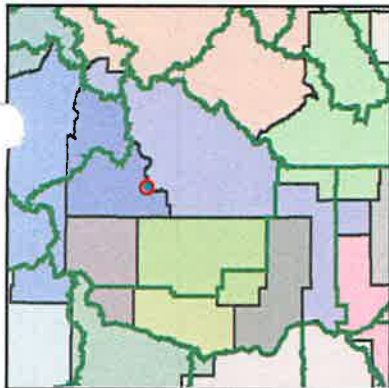
Idaho Department of Water Resources

Adjudication Claim:

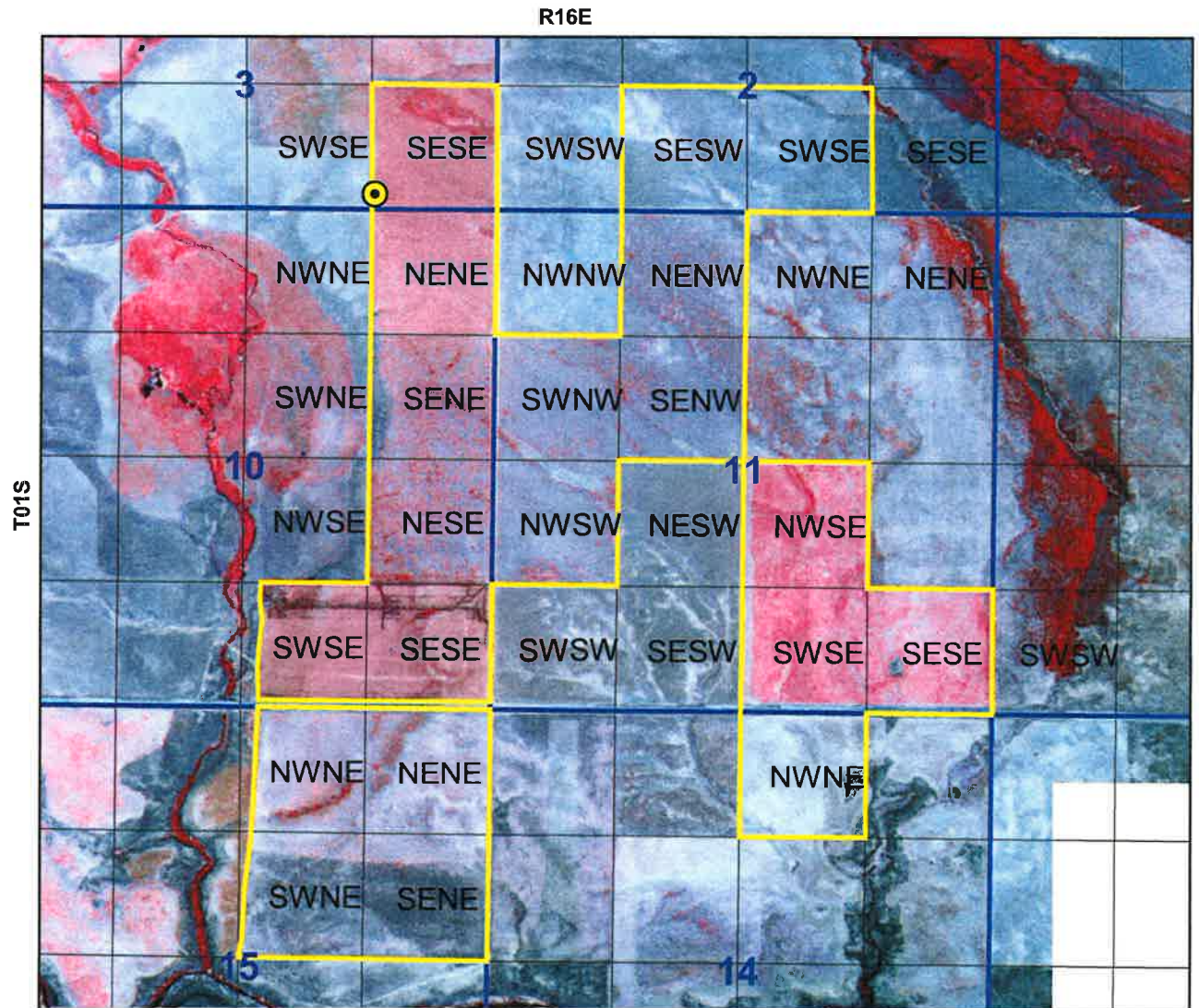
37-2586

Legend

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



Camas, Blaine Counties
IDWR Basin 37



Prepared by S. Clelland
On Friday, March 31, 2006
1987/88 Aerial Photography

RECEIVED

NOV 24 2006

DEPARTMENT OF
WATER RESOURCES

11/01/2006

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: November 21, 2006

Water right number: 37-2586

EVERETT COATES ESTATE

RT 1 BOX 1140

FAIRFIELD ID 83327

Telephone Number: (208) 764-2669

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: 11-21-06

SIGNATURE:

David E. Coates P.R.E.

Please print your name:

David - E. Coates

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (800) 451-4129

SCANNED

NOV 28 2006

Date: November 21, 2006

Pages including this cover **17**

To: IDWR

Fax: 208.287.6700

From: Sebastian Nardecchia

Phone: 408.544.0580

Subject: Water right error reply

*This document was
Fax'd on 11/21/06*

*This is hardcopy
original.*

Please see the attached documentation in regards to four (4) water rights error replies. Please feel free to call me with any questions or if any clarification is required.

Thank you,

Sebastian Nardecchia

Sebastian Nardecchia
408.544.0580

a
RECEIVED

NOV 28 2006

DEPARTMENT OF
WATER RESOURCES

SCANNED

NOV 28 2006

0November 21, 2006

State of Idaho
Department of Water Resources
322 East Front Street
PO Box 83720
Boise, ID 83720-0098

Subject; Water rights error reply

To whom it may concern,

There are four (4) water right numbers in contention here. They are as follows:

1. 37-7549
2. 37-2586
3. 37-13184
4. 37-13166

All of these water rights were purchased as part of a 760 acre purchase. Sebastian Nardecchia, Adam Clingerman, Forrest Stamps and Pasquale Miele (referred to in this letter as "the purchasing group") purchased this property from David Coates in late 2004. All four (4) of these water rights were part of the sale. However David Coates failed to transfer ownership rights from his father, Everett Coates to himself so that the water rights could be legally transferred to the purchasing group. Several efforts have been made to contact David Coates to have him make the necessary transfers that would lead to these four (4) water rights finally being reflected in the names of the purchasing group. A recent contact with David Coates indicated that he was going to personally get the necessary transfers in place so that the water rights would be in the names of the purchasing group.

Our purchasing group received adjudication papers for the 37-7549 as well as 37-2586. To date water rights 37-7549 have been agreed to by David Coates as being part of the sale. Water rights 37-2586 has not yet been transferred to the purchasing group and may be in contention by David Coates as whether it is part of the original sale. Also in contention are water rights 37-13166 and 37-13184 which our purchasing group believes was included in the original sale of the 760 acres in late 2004. I have attached the water right papers for each of the four (4) water rights as well as the signature page of the original closing documents that clearly point out it includes all water rights except for the 46 acre McStay portion.

SCANNED

NOV 28 2006

Rightful owner information for the above four (4) mentioned water rights:

Sebastian Nardecchia
1394 Van Patten Drive
Danville, CA 94526
408.544.0580

Adam Clingerman
587 Old Orchard Drive
Danville, CA 94526
925.351.6148

Forrest Stamps
1953 Hollyview Drive
San Ramon, CA 94582
925.383.3183

Pasquale Miele
New York
631.420.6498 (EST)

Please review this situation and let us know if more is required to get these water rights appropriately transferred to the purchasing group.

You can reach me at 408.544.0580. I look forward to hearing from you.

Sincerely,



Sebastian Nardecchia

Attachments:

1. Completed error reply forms for 37-7549 & 37-2586
2. Copy of all four (4) water rights
3. Copy of closing documents signature page indicating water right inclusion with original sale.

11/01/2006

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: November 21, 2006

Water right number: 37-2586

EVERETT COATES ESTATE

RT 1 BOX 1140

FAIRFIELD ID 83327

Telephone Number: (208) 764-2669

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

See Cover letter included

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

See Cover letter included

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

See Cover letter included

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

DATE:

11-21-06

SIGNATURE:

S. Nardecchia

Please print your name:

SEBASTIAN NARDECCHIA
408.544.0580

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 451-4129

11/01/2006

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

SCANNED

NOV 28 2006

RIGHT NUMBER: 37-2586
 NAME AND ADDRESS: EVERETT CONTES ESTATE
 RT 1 BOX 1140
 FAIRFIELD ID 83327

SOURCE: GROUND WATER
 QUANTITY: 1.360 CFS
 539.00 APY

TRIBUTARY:

PRIORITY DATE: 10/28/1955

POINT OF DIVERSION: T01S R16E S3 SENSE Within CAMAS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	1.360 CFS 539.00 APY

PLACE OF USE: IRRIGATION WITHIN BLAINE COUNTY

T01S R16E S02	SESW	39.00	T01S R16E S02	SWSE	39.00
T01S R16E S03	SESE	40.00	T01S R16E S10	NENE	40.00
T01S R16E S10	SENE	37.00	T01S R16E S10	NESE	37.00
T01S R16E S10	SWSE	38.00	T01S R16E S10	SESE	38.00
T01S R16E S11	NENW	40.00	T01S R16E S11	SWNW	39.00
T01S R16E S11	SENW	40.00	T01S R16E S11	NWSW	39.00
T01S R16E S11	NWSE	40.00	T01S R16E S11	SWSE	38.00
T01S R16E S11	SESE	38.00	T01S R16E S14	NWNE	38.00
T01S R16E S15	NENE	37.00	T01S R16E S15	NWNE	34.00
T01S R16E S15	SWNE	35.00	T01S R16E S15	SENE	39.00

764 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree Section 42-2412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SCANNED

NOV 28 2006

11/01/2006

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: November 21, 2006

Water right number: 37-7549

EVERETT COATES ESTATE

RT 1 BOX 1140

FAIRFIELD TN 37021

Telephone Number: (208) 764-2669

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

See cover letter included

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

See cover letter included

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

See cover letter included

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

DATE: 11-21-06

SIGNATURE:

S. Nardicchia

Please print your name:

SEBASTIAN NARDECCHIA

408.544.0580

IDWR State Office, 322 E Front St
PO Box 93720, Boise, ID 83720-0320, (800) 451-4129

SCANNED

NOV 28 2006

11/01/2006

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

RIGHT NUMBER: 37-7549
NAME AND ADDRESS: EVERETT COATES ESTATE
RT 1 BOX 1146
FAIRFIELD ID 83427
SOURCE: WILLOW CREEK TRIBUTARY: CAMAS CREEK
QUANTITY: 4.000 CFS
PRIORITY DATE: 01/26/1977
POINT OF DIVERSION: T01S R16E S10 SESESW Within CAMAS County
PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	6/01 11/01	4.000 CFS
PLACE OF USE: IRRIGATION within CAMAS County		
T01S R16E S10 SENE	40.00	T01S R16E S10 NENE 40.00
T01S R16E S10 SWSE	40.00	T01S R16E S10 SESE 40.00
T01S R16E S15 NENE	40.00	T01S R16E S15 NWNE 40.00
T01S R16E S15 SWNE	40.00	T01S R16E S15 SENF 40.00
320 ACRES TOTAL		

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

This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.

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(G), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit

SCANNED
NOV 28 2006

Page 1

09/13/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-7549

WATER RIGHT NUMBER: 37-7549

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EVERETT COATES C/O DAVID COATES PO BOX 322 GOODING, ID 83330 (208)934-5174
Current Owner	EVERETT COATES ESTATE RT 1 BOX 1140 FAIRFIELD, ID 83327 (208)764-2669

Priority Date: 01/26/1977

Basis: Permit

Status: Active

<u>Source</u>	<u>Tributary</u>
WILLOW CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	6/01 to 11/01	4.000 CFS	
	<u>Total Diversion:</u>	4.000 CFS	

Location of Point(s) of Diversion:WILLOW CREEK
CAMAS County

SE1/4SE1/4SW1/4

Sec. 10, Twp 01S, Rge 18E, B M.

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	
01S	18E	10				40.0									40.0		40.0	40.0	160.0
01S	18E	15	40.0	40.0	40.0	40.0													160.0

Total Acres: 320

Conditions of Approval:Remarks:

- General THIS ACREAGE CURRENTLY IN CRP PROGRAM UNTIL 1998.

Page 2

09/13/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report 37-7549Comments:Dates and Other Information:

Permit Proof Due Date: 4/1/1980
Permit Proof Made Date: 3/12/1980
Permit Approved Date: 3/28/1977
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date:
Date Sent to State Office:
Date Received at State Office:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Page 1

09/13/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-7549

WATER RIGHT NUMBER: 37-7549

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EVERETT COATES C/O DAVID COATES PO BOX 322 GOODING, ID 83330 (208)934-6174

Priority Date: 01/26/1977

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
WILLOW CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	6/01	11/01	4.000 CFS	
	<u>Total Diversion:</u>		4.000 CFS	

Location of Point(s) of Diversion

WILLOW CREEK	SW1/4SE1/4	Sec. 10, Twp 01S, Rge 16E. B.M.
CAMAS 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	
01S 16E 10				40.0									40.0		40.0	40.0	160.0
01S 16E 15	40.0	40.0	40.0	40.0													160.0

Total Acres: 320

Conditions of Approval:

- 01B See remarks for additional conditions of approval.
- 01B The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

Remarks:

- General: WATER MAY NOT DIVERTED UNLESS ALL OF THE PRIOR WATER RTS. INCLUDING THOSE ON THE WOOD RIVER & FOR THE STORAGE OF WATER IN MAGIC RESERVOIR ARE FULLFILLED.

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09/13/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-2586

WATER RIGHT NUMBER: 37-2586

Owner Type Name and Address
Original Owner FRANK G MATHEWS
1104 IMPERIAL LN
BOISE, ID 83704
(208)376-2916
Current Owner EVERETT COATES ESTATE
RT 1 BOX 1140
FAIRFIELD, ID 83327
(208)764-2869
Original Owner JULIA COATES
FAIRFIELD, ID 83327

Post-It* Fax Note	7671	Date	# of pages 9
To	Bud Rolan	From	Jim
Co/Dept		Co.	IDWA
Phone #		Phone #	
Fax #		Fax #	

Priority Date: 10/28/1955

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To
4/01 to 11/01Diversion Rate
1.380 CFSAnnual VolumeTotal Diversion: 1.380 CFSLocation of Point(s) of DiversionGROUND WATER
CAMAS County

SW1/4SE1/4SE1/4

Sec. 3, Twp 01S, Rge 16E, B.M.

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
01S 16E 2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	77.0
01S 16E 3																	40.0
01S 16E 10	40.0			37.0									37.0	38.0	38.0		190.0
01S 16E 11					40.0		39.0	40.0	38.0				40.0	38.0	38.0		274.0
01S 16E 14		38.0															38.0
01S 16E 15	37.0	34.0	35.0	39.0													145.0

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09/13/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-2586

Total Acres: 764

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Claim Received Date: 10/20/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Page 1

09/13/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-13186

WATER RIGHT NUMBER: 37-13186

Owner Type Name and Address
 Current Owner EVERETT COATES ESTATE
 RT 1 BOX 1140
 FAIRFIELD, ID 83327
 (208)764-2889

Priority Date: 09/08/1955

Basis: Decreed

Status: Active

Source Tributary
 UNNAMED STREAM WILLOW CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER STORAGE	1/01 to 12/31		10.00 AF
STOCKWATER FROM STORAGE	1/01 to 12/31		10.00 AF
<u>Total Diversion:</u>			10.00 AF

Location of Point(s) of Diversion

UNNAMED STREAM NE1/4NE1/4SW1/4 Sec. 9, Twp 01S, Rge 16E, B.M.
 CAMAS County

Place of Use

STOCKWATER STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
01S	16E	9	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
				X			

STOCKWATER FROM STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
01S	16E	9	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
				X			

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.

SCANNED

NOV 28 2006

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09/13/2004

IDaho DEPARTMENT OF WATER RESOURCES

Water Right Report 37-13185

2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. 01816E084800A STOCKWATER, 300 CATTLE & WILDLIFE

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 1/12/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Caray Act Number:
Mitigation Plan: False

Combined Use Limits:

SCANNED

NOV 28 2006

Page 1

09/13/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-13184

WATER RIGHT NUMBER: 37-13164

Owner TypeName and Address

Current Owner

EVERETT COATES ESTATE
 RT 1 BOX 1140
 FAIRFIELD, ID 83327
 (208)764-2669

Priority Date: 05/03/1906

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

From To

Diversion RateAnnual Volume

DOMESTIC

1/01 to 12/31

0.040 CFS

Total Diversion:

0.040 CFS

Location of Point(s) of Diversion

GROUND WATER

SW1/4SW1/4SE1/4

Sec. 10, Twp 01S, Rge 16E, B.M.

CAMAS County

Place of Use

DOMESTIC

Twp Rge Sec

NE				NW				SW				SE				Totals
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	16E	10														X

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. N1: THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. 01S16E100100A

SCANNED

NOV 28 2006

Page 2

09/13/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-13164

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 1/12/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False
Combined Use Limits:

SCANNED
NOV 28 2006

COPY**Addendum # 3**

Date of Addendum: 09/08/2004



This is an ADDENDUM to the Real Estate Purchase and Sale Agreement, identified as:
Document # Forrest 05122004

Date of Document: 05/12/2004

Page 1 of 1

Property Address: See Legal Description Attached to Purchase and Sale Agreement

Buyer(s): Stamps / Clingerman / Nardecchia

Seller(s): Coates / Miller

The undersigned Parties hereby agree as follows:

Buyers and Sellers by signatures herewith agree and covenant that the following terms and conditions are to be made a part of the above referenced Purchase and Sale Agreement:

A.) All appurtenant water rights originally attached to the subject property are hereby included with the sale and transfer of the subject property. Those water rights attached and appurtenant to a certain 46 acre piece purchased by McStay in an unrelated transaction and sold by Coates / Miller (Sellers) is excluded and excepted from any appurtenant water rights attached to the subject property. See attached Exhibit 'A'

*HOW THEY WILL COOK UP
WATER RIGHTS.*

B.) Sellers (Coates / Miller) and Buyers (Stamps / Clingerman / Nardecchia) agree by signatures herewith that the Sellers shall carry a note in the amount of \$500,000.00 (Five Hundred Thousand and / 00 Dollars) which is subordinated to a US Bank First Bank Mortgage and shall be secured by Promissory Note and Second Mortgage in favor of the Sellers. Buyers to pay 7% interest per annum in monthly interest-only payments due on or by the first of each month starting November 01, 2004 and shall continue monthly until the principal balance has been paid in full. Any payments received after the tenth day of each successive month shall result in a 5% late fee to the Sellers from the Buyers. The principal balance of \$500,000.00 (Five Hundred Thousand and / 00 Dollars) and any other late fees due shall be paid in full on or by January 01, 2010. There will be no penalty to Buyers for prepayment.

This ADDENDUM, upon its execution by both parties, is made an integral part of the aforementioned Agreement. In the event of any conflict or inconsistency between the provisions of this Addendum and the aforementioned Agreement, the provisions of this Addendum shall control in all respects.

Buyer's Signature**Buyer's Signature**

X

Signature

Date

X

Signature

Date

Seller's Signature**Seller's Signature**X
Signature

Date

X
Signature

Date

SCANNED

NOV 28 2006

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-26044

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

1. Name of applicant Julia Coates & Frank Matthews
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3
T. 1 S. R. 16 E. County of Camas
4. Describe works as they exist, giving dimensions and capacities of same: 60 HP US Motor # 1146670, Layne + Boulder Pump # 22203
Portable Sprinkler/3.7 Caterpillar Diesel D4400 Engine, Cornell
Centrifugal Pump 5'x4' Model ARI-6 Ser # 2812, suction
pipe is dropped into open ditches.
5. Water is used for: Irrigation, domestic and stock watering
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):
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3; E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11; NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14; NE $\frac{1}{4}$ Sec. 15.
T. 1 S., R. 16 E., B.M.

This ground is summer fallowed each year. Therefore
the same ground is not irrigated each year.

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

8. What large stream would the water here appropriated finally reach?
Remarks: Mr. Everett Coats along (son of Julia Coats).

Most ground is irrigated once each year, where ever
possible, twice on seed crops.

Uses 2 1/4 mile sprinkler lines on Portable system to
irrigate most of ground.

This examination was made on the 22 day of August, 1961

(Signed)

Layne Johnson

Examiner.

P26044

37-2586

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2586

WATER RIGHT NUMBER: 37-2586

Owner Type

Current Owner

Name and Address

FRANK G MATHEWS
1104 IMPERIAL LN
BOISE, ID 83704
(208)376-2915

Current Owner

JULIA COATES

FAIRFIELD, ID 83327

Priority Date: 10/28/1955

Basis:	License
--------	---------

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

STOCKWATER

DOMESTIC

IRRIGATION

From	To
------	----

/ to /

/ to /

/ to /

Diversion Rate

1.360 CFS

Annual Volume

Total Diversion: 1.360 CFS

Location of Point(s) of Diversion

GROUND WATER

CAMAS County

SE1/4SE1/4

Sec. 3, Twp 01S, Rge 16E, B.M.

Place of Use

IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2586

Total Acres: 764

STOCKWATER same as IRRIGATION

DOMESTIC same as IRRIGATION

Conditions of Approval:

Remarks:

Comments:

Water Supply Bank:



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

March 29, 2006

Sawtooth Environmental Consulting
ATTN: Trent Stumph
PO Box 2707
Ketchum, ID 83340

RECEIVED
MAR 30 2006
DEPARTMENT OF
WATER RESOURCES

RE: Licensing Examination, Water Permit 37-7549 (Everett Coates)

Dear Mr. Stumph;

This letter is being written per your request regarding the above-referenced permit, which covers the irrigation pump that was formerly located on Willow Creek just north of Hwy. 20 in Sec. 10 T. 1S R. 16E. Last June I met with David Coates to conduct the licensing examination and determine the extent of development made under the permit. Proof of beneficial use for this permit was filed in 1980, so the water license can only be issued for what was developed by that date. Mr. Coates told me that the pump had watered around 150 acres in Sec. 10 before the land was put into the CRP Program in 1987; a 1986/87 aerial photo of the property appeared to confirm this, so this is what I will be recommending for licensing. The permit also covers the NE $\frac{1}{4}$ of Sec. 15, but I was not able to confirm any irrigation on that property; I understand that this land has been sold, but there does not appear to be a valid water right on this land under this permit.

Water License 37-2586 and the related SRBA claim do cover the NE $\frac{1}{4}$ Sec. 15 from a well in Sec. 3, so the new owners of the property can file a Change of Water Right Ownership on their portion of the claim. Our adjudication staff still has to review the claim, and I do not know what their findings will be; Steve Clelland of our Boise office (208-287-4913) is reviewing this claim. This license is for a 68" of water on 764 acres, so the proportional split for 145 acres would only be 12.9" (0.26 cfs). David Coates did tell me that the well was never used on the land in Sec. 10, so it seems unlikely that they would have pumped it even further south into Sec. 15. A printout of the SRBA claim is enclosed for your information.

Regards,

James E. Stanton
Sr. Water Resource Agent

Cc: Steve Clelland ➡

Clelland, Steve

From: Stanton, Jim
Sent: Thursday, March 03, 2005 1:16 PM
To: Clelland, Steve
Cc: Stanton, Jim
Subject: Claims 37-2586 & 7549, Everett Coates Estate

Steve - Kelly tells me that you have just received these files, so I am letting you know what I have found out recently. David Coates was in yesterday to accomplish a number of things on the permit. He said that he and his sister have acquired the permitted land from the estate. He said that the permitted land has been in CRP since 1987, so no field exam has been done. He also said that no other water was used on this land, but the above license overlaps most of it. Shelley wants me to do a licensing exam, by whatever means available, before we process any assignments, etc. The land in Sec. 15 has been sold, as has some land & water in Sec. 10. I will keep you informed of whatever I come up with (the 1987 ArcView photo seems to show about 229 acres of irrigation under the permit, but I will know more when I visit the property).

- Overlapping w/
37-7549

- Permit on 37-7549
is pending

Sect 15
NE $\frac{1}{4}$
not in use
per J. Stanton



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

March 30, 2004

EVERETT COATES ESTATE
RT 1 BOX 1140
FAIRFIELD ID 83327

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 37-7549, #37-2586, #37-13164
Change of Address Notification

Dear Claimant,

Thank you for notifying us of your change in address on the water right claims referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Carrie Hahn', is written over the typed name.

Carrie Hahn
Clerk