

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 37-7286
Date Received: 10/20/1989
Receipt No: C012443
Received By:

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

1. Name of Claimant(s)

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID USA 83707

Phone: (208)334-3700

2. Date of Priority: 09/26/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	12E	6	SE SW	CAMAS	

5. Description of diverting works:

WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.02	14
STOCKWATER	1/01	12/31	0.02	14

7. Total Quantity Appropriated is:
0.02 C.F.S. and/or 14 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
02S	12E	6	SE	SW	IRRIGATION	10
			SE	SW	STOCKWATER	
					Section Acres	10
					Total Acres	10

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:

14. Remarks:

15. Basis of Claim: License

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
NOV 01 2002
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-2694</u>	<u>A37-2694</u>	☐	<u>37-7641</u>	<u>37-7641</u>	☐
<u>37-4049</u>	<u>A37-4049</u>	☒	<u>37-20819</u>	<u>37-20820</u>	☐
<u>37-4061</u>	<u>A37-4061</u>	☐			☐
<u>37-7285</u>	<u>A37-7285</u>	☐			☐
<u>37-7286</u>	<u>A37-7286</u>	☐			☐

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Gwinn F. Rice
- P.O. Box 131 Hill City, ID 83337-0131
4. New Owner/Claimant(s) Idaho Department of Fish and Game
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 25
- City, State and ZIP Code Boise ID 83707
- New Telephone Number (208) 334-3700
5. Date you acquired the property March 11, 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Cynthia Robertson for Gregg Servheen
(include title if applicable) Wildlife Program Coordinator

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>[Signature]</u>	Date <u>11/10/00</u>	Fee <u>NA</u>
Receipted by _____	Date _____	Receipt No. _____
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED,

Gwinn Rice Ranch, Inc.

a corporation duly organized and existing under the laws of the State of IDAHO, does hereby GRANT, BARGAIN, SELL and CONVEY unto

Idaho Department of Fish and Game

GRANTEE whose address is: 600 South Walnut/PO Box 25, Boise, Idaho 83707-0025

the following described real property in **ELMORE** County, Idaho, to wit:

Township 2 South, Range 11 East, Boise Meridian, Elmore County, Idaho

Section 1: The Southeast Quarter

Together with Ingress/Egress Easement from Rice to Idaho Dept. Fish & Game attached hereto.

Subject to: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President or Secretary.

Dated:

Gwinn Rice Ranch, Inc.

Jim Rice
By: Jim Rice, President

Instrument # 335160
Elmore County, Idaho
11:11am Mar. 15, 2002
For: FIRST AMERICAN TITLE COMPAN
No. of Pages: 2 Fee: \$6.00
GAIL L. BEST, Recorder
Deputy: JC

State of IDAHO

County of Ada

On March 11, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jim Rice**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) who executed the within instrument as President on behalf of **Gwinn Rice Ranch, Inc.**, the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.



Terry L. Vernholm
Notary Public
Residing at: Emmett, Idaho
Commission Expires: 8-15-05

**INGRESS/EGRESS EASEMENT
FROM RICE TO
IDAHO DEPT. FISH & GAME**

A parcel of land being a 50' wide ingress/egress easement, said easement being the east 25 feet of Government Lot 1, Section 1, T.2S., R.11E., Elmore County, Idaho and the west 25 feet of Government Lot 4, Section 6, T.2S., R.12E., B.M., Camas County, Idaho.



CORPORATION WARRANTY DEED

FOR VALUE RECEIVED,

Gwinn Rice Ranch, Inc.

a corporation duly organized and existing under the laws of the State of IDAHO, does hereby GRANT, BARGAIN, SELL and CONVEY unto

Idaho Department of Fish and Game

GRANTEE whose address is: 600 South Walnut/PO Box 25, Boise, Idaho 83707-0025

the following described real property in CAMAS County, Idaho, to wit:

See Attached Legal Description

Subject to: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President or Secretary.

Dated: 03/14/02

Gwinn Rice Ranch, Inc.

Jim Rice
By: Jim Rice, President

State of IDAHO

County of Ada

On March 11, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jim Rice**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) who executed the within instrument as President on behalf of **Gwinn Rice Ranch, Inc.**, the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.



Terry L. Vernholm
Notary Public
Residing at: Emmett, Idaho
Commission Expires: 8-15-02

Recorded at the Request of
Best American Title
At 11:30 AM
March 15th 2002
Book 33 Page 28
DEEDS
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By [Signature]
Fees \$ 9.00

LEGAL DESCRIPTION

All of Government Lots 1, 2, 5, 6, and 7, the South $\frac{1}{2}$ of the NE1/4, the SE1/4, the East $\frac{1}{2}$ of the SW1/4, and the SE1/4 of the NW1/4, all in Section 6, T2S, R12E, B.M., Camas County, Idaho.

A parcel of land being a portion of the North $\frac{1}{2}$ of Section 7 and portion of Government Lot 1, T2S, R12E, B.M., Camas County, Idaho, said parcel being more particularly described as follows:

Commencing at the iron pin marking the corner common to Sections 1 and 12, T2S, R11E, and Sections 6 and 7, T2S, R12E, B.M., Camas County, Idaho, said point being the Point of Beginning; thence N89°57'13"E.; 5085.86 feet to an iron pin marking the corner common to said Sections 7 and 6, and Sections 5 and 8; thence

S 00°26'31"E., 1193.07 feet along the line common to said Sections 7 and 8; thence N89°34'29"W., 5092.24 feet to an iron pin on the line common to said Sections 7 and 12; thence N00°08'51"W., 1151.12 feet to the point of beginning.

All of the NW1/4 of the NE1/4 of Section 8, T2S, R12E., B.M., Camas County, Idaho.

ALSO:

A parcel of land being a portion of the North $\frac{1}{2}$ of the NW1/4 of Section 8, T2S, R12E., B.M., Camas County, Idaho, said parcel being more particularly described as follows:

Commencing at an iron pin marking the corner common to Sections 5, 6, 7, and 8, said point being the Point of Beginning; thence

S89°58'48" E, 2652.42 feet to an iron pin marking the $\frac{1}{4}$ corner common to said Sections 5 and 8; thence

S00°18'04" E, 1211.78 feet to an iron pin on the east line of said NW1/4 of Section 8; thence

N89°34'29" W, 2494.09 feet to an iron pin; thence

N00°25'31"E, 275.07 feet to an iron pin; thence

N89°34'29"W, 50.00 feet; thence

S00°25'31"W, 275.07 feet to an iron pin; thence

N89°34'29"W, 105.57 feet to a point on the west line of said Section 8; thence

N00°26'31"W, 1193.07 feet to the Point of Beginning.

All of Government Lots 1, 2, 3, and 4, the South $\frac{1}{2}$ of the North $\frac{1}{2}$, and the West $\frac{1}{2}$ of the SW1/4 of Section 5, T2S, R12E, B.M., Camas County, Idaho.

Together with Ingress/Egress Easement from Rice to Idaho Dept. Fish & Game attached hereto.

K24545

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy



POLICY OF TITLE INSURANCE



ISSUED BY

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

*This Policy Not Valid Unless
Countersigned By First American
Title Insurance Company*

BY *Maureen A. Patterson*

First American Title Insurance Company

BY

Gary L. Keruett

PRESIDENT

ATTEST

Mark L. Arnesen

SECRETARY

J 1575963

OWNER'S POLICY

SCHEDULE A

Order No.: **K24545**

Policy No.: **J 1575963**

Reference No.:

Amount of Insurance: **\$ 791,632.00**

Premium: **\$ 2,330.00**

Endorsements:

\$

Date of Policy: **March 15, 2002** at **11:32 AM**

1. Name of Insured:

Idaho Department of Fish and Game

2. The estate or interest in the land which is covered by this policy is:

A fee simple interest

3. Title to the estate or interest in the land is vested in:

Idaho Department of Fish and Game

4. The land referred to in this policy is described as follows:

See Attached Exhibit "A"



First American Title Company
of Mountain Home

April 12, 2002

Idaho Department of Fish and Game
PO Box 25
Boise, ID 83707-0025

RE: Our Order No. FA-9987
Policy No. J 1598707
SE4 Sec 1 2S11E

Dear Ladies and Gentlemen:

Enclosed are your Title Insurance Policy and the recorded Deeds on the property you recently purchased.

If you refinance, build on, or sell this property within the next two years, First American Title Company will give a 25% credit towards the premium on the new title policy required.

HOMEOWNERS EXEMPTIONS - If you intend to reside on the property as your primary residence, you have just purchased, you are allowed a Homeowners Exemption against your Real Property Taxes. Applications should be made to the Elmore County Assessors office.

TAX NOTE - The County Tax Office may not send you a tax bill in time for the next payment. The first half becomes delinquent December 21st, and the second half becomes delinquent the following June 21st. Be sure to contact the tax office if you do not receive a billing.

We thank you for the opportunity to be of service to you and look forward to doing business with you in the future.

Very truly yours,

FIRST AMERICAN TITLE COMPANY

Susan Hickerson
Vice President/Manager

SH/sl
Attachment(s)
j:\escrow\forms\let.3

SERVING ELMORE COUNTY

190 North Third East, Mountain Home, ID 83647 • (208) 587-8428 • Fax (208) 587-1441

E-mail fatmh@mindspring.com • Toll Free 1-888-580-8428

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

RECEIVED

OCT 20 1989

Ident. Number: A37-07286

Date Received: 10/20/89

Receipt No: 6012443

Received By: [Signature]

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GWINN RICE RANCH, INC. 208-764-2593
Address: BOX 131
HILL CITY, ID 83337

2. Date of Priority: SEP 26, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	12E	6		SE	SW		CAMAS

5. Description of diverting works:
WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.020		14.00
STOCKWATER	01/01	12/31	0.020		14.00

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 14.00 A.F.A.

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1000 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02S	12E	6	SE	SW		IRR	10.0
			SE	SW		STOCK	

Section Acres 10.0

A37-07286

Page 1

Date: 03/31/89

MICROFILMED
FEB 24 1993

10. Place of Use: Continued

Total Acres 10.0

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:
37-04061

14. Remarks:

15. Basis of Claim: LICENSE

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: 1

For Organizations:

I do solemnly swear or affirm that I am V.P. of _____ Title

Swinm Rice Ranch Inc. that I have signed the foregoing Organization document in the space below as _____ Title

Swinm Rice Ranch Inc. and that the statements contained in the Organization foregoing document are true and correct.

Swinm Rice Ranch Inc. Signature of Authorized Agent

V.P. Swinm Rice Ranch Inc. Title and Organization

Oct 20, 1989 Date

State of Idaho)
County of ADA) SS.

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

Seal

Jeff Peppersack
Notary Public

Residing at _____

My Commission Expires _____

Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

11/01/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 16 2006

DEPARTMENT OF
WATER RESOURCES

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: 37-7286

STATE OF IDAHO

DEPT OF FISH & GAME

PO BOX 25

BOISE ID 83707

Telephone Number: (208)334-3700

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:

11/14/06

SIGNATURE:

Terry Gregory

Please print your name:

Terry Gregory

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

SCANNED

NOV 18 2006

10/27/2006

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

RIGHT NUMBER: 37-7286

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
14.000 AFY

PRIORITY DATE: 09/26/1973

POINT OF DIVERSION:

T02S R12E S6 NWSESW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.020 CFS 14.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS 14.00 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CAMAS County

T02S R12E S06 SESW 10.00

STOCKWATER Within CAMAS County

T02S R12E S06 SESW

10 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 867 acres in a single irrigation season. Combined Right Nos.: 37-2694, 37-4061, and 37-7286.

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



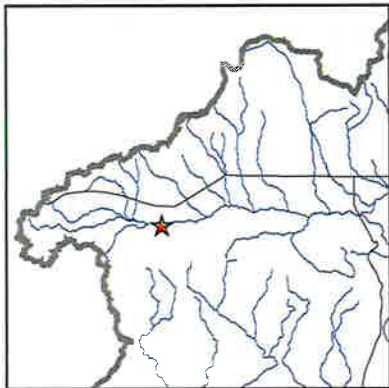
Idaho Department of Water Resources

SRBA Recommendation:

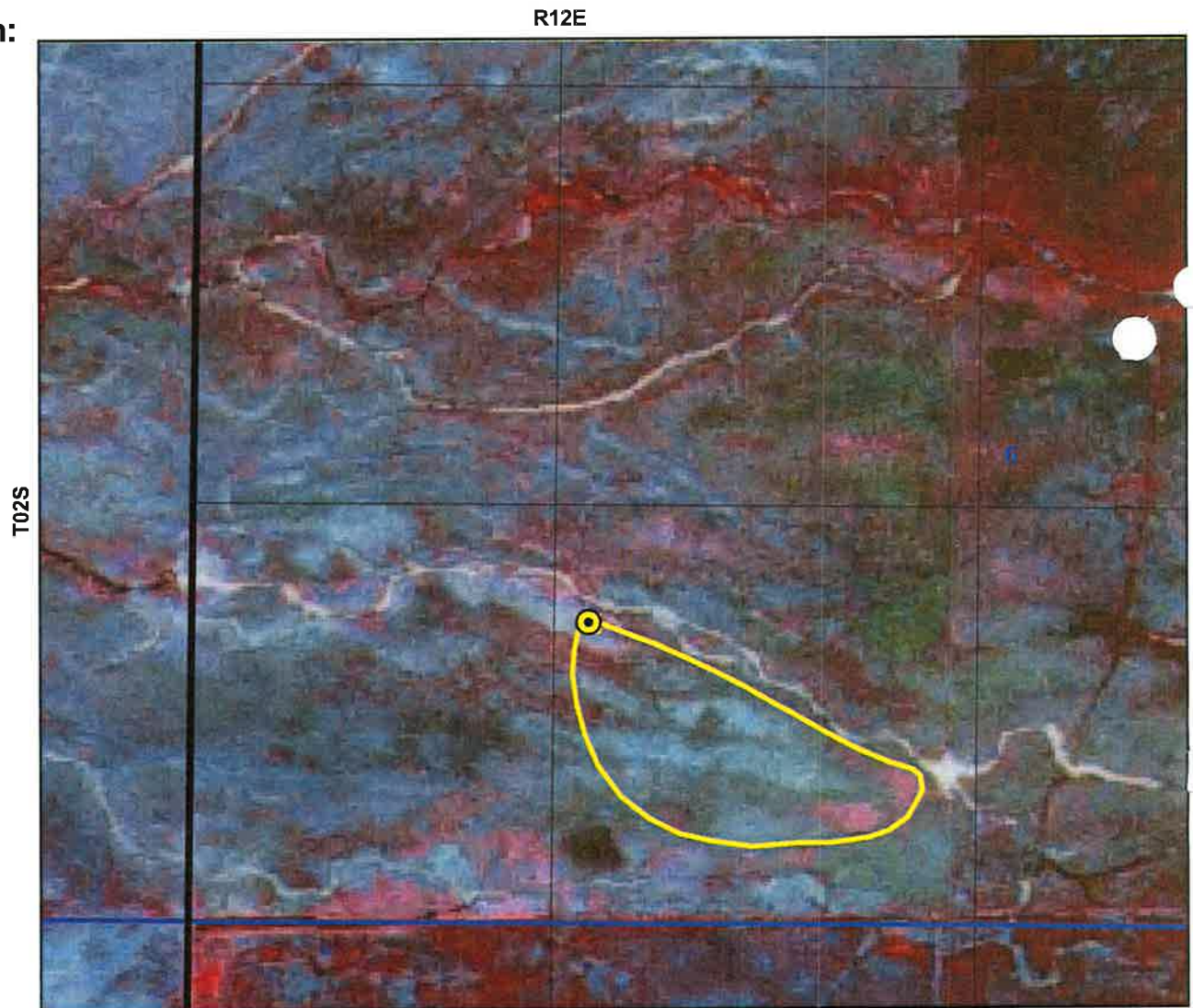
37-7286

Legend

-  Point of Diversion
-  Place of Use
-  Theme3333.shp
-  Townships
-  PLS Sections
-  Quarter Quarters



Camas County
IDWR Basin 37



0 0.25 0.5 Miles

Prepared by M. Anders
On Friday, October 27, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-7286

Background Data

- Source is Groundwater
- Licensed for 0.02 cfs for Irrigation of 10 acres and Stockwater
- Claimed for 0.02 cfs for Irrigation of 10 acres and Stockwater

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo

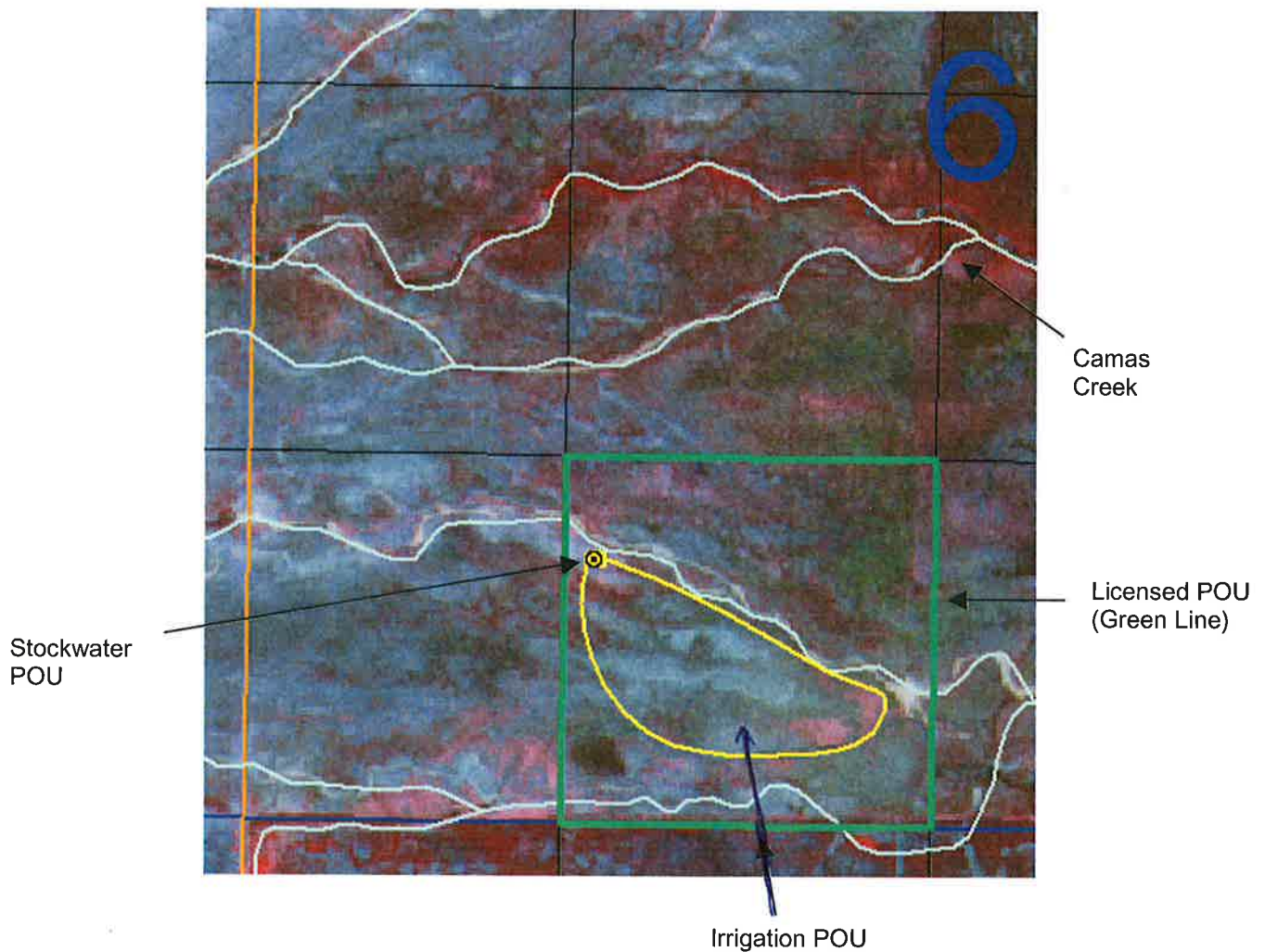




Photo of POD taken during field exam.

Notes

T2S R12E Section 6

- Found 10 acres. Given that this is licensed for 0.011 cfs on 10 acres, the POU will likely not appear irrigated on aerial photos.
- POU based on field exam and map provided by Idaho Fish & Game (see 37-4061)
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

Adjudication Claim Notes

Claim(s): 37-7286

Background Data

- Source is Groundwater
- Licensed for 0.02 cfs for Irrigation of 10 acres and Stockwater
- Claimed for 0.02 cfs for Irrigation of 10 acres and Stockwater

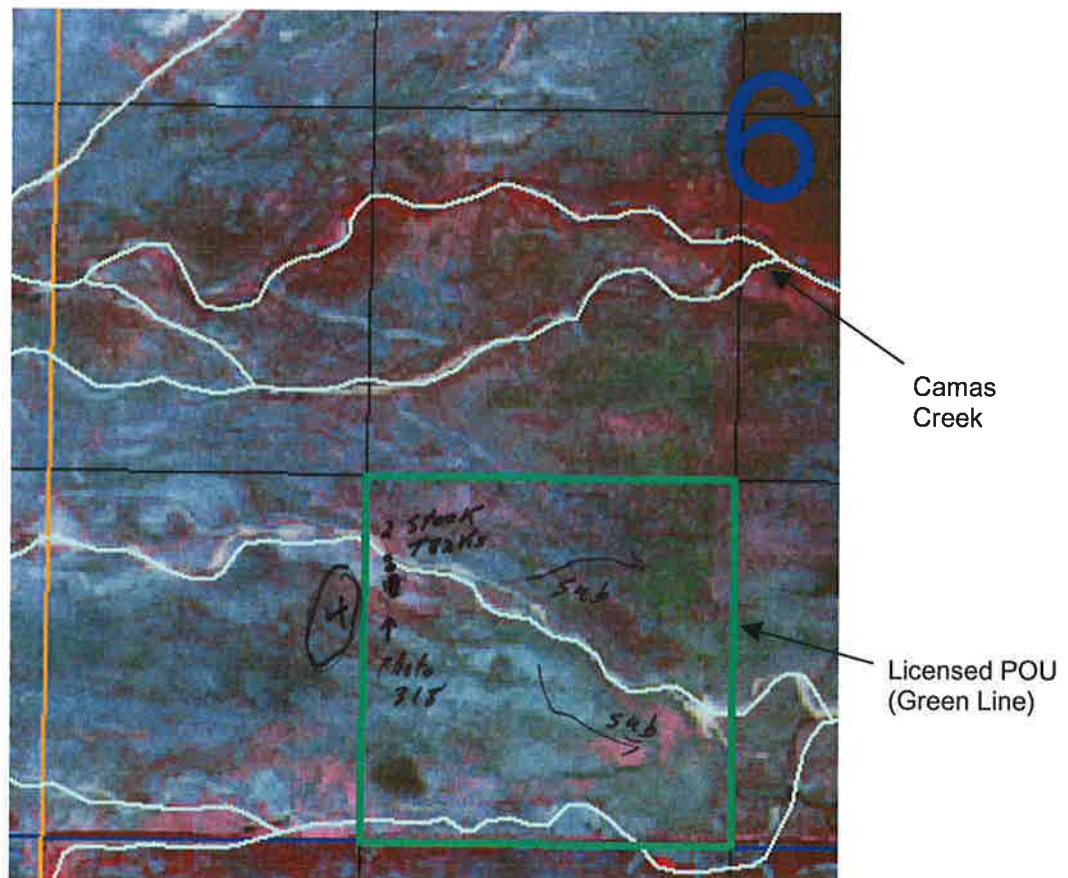
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



To do on Field Exam:

- 1) Outline irrigated land
- 2) Distribution system (ditches, piping, etc.)
- 3) GPS PODs

photo 318 n sub irrig no ditch - nothing
for irrig - stock wildlife - birds

File No.

37-4061-2694E-7286E-20819E-20820

State of Idaho Dept of Fish & Game
P.O. Box 25
Boise, Id

10/19/06

I was able to contact the Fish& Game field man { Terry Gregory} and made an apt. to go up to Hill City and review these files with him and try to locate the diversion points. We met at the old Hill City store and looked over the files, and in doing so we tried to locate the springs in files 20819 & 20820 Terry finally located the area of the springs and he told me the Fish & Game does not own these rights they are on Gwinn Rice property and this water does not get to the Fish & Game property . I suggested he have their property manager look into these two files with the IDWR and try to determine who owns the spring water.

37-4061 POD #1 We then went to camas creek and located the diversion which I was able to measure at the point I got the GPS as shown in photo 1030315 looking West, and on measurement sheet .

All of this land is sub irrigated, no corrugations, sprinklers [nothing] it just flood over and thru the soil this property is used basically for wildlife deer elk , birds ducks geese, and sometimes cattle .

37-2694 POD 2 & 3 While walking all around the this pasture [dry grass about 2' high] Terry located a well in this field but after getting a photo and GPS this well has a 8" casing, he said he was not sure this is the right well so we proceeded to look further and found a well #3 with a 6" casing, that he thought could be the right one so we got a photo & GPS of this well and he said that the second well might be under water in this pond. Again all this land is sub irrigated and is used for wildlife , birds and sometimes cattle.

37-7286 POD #4 Off we went again across the pastures and located this well which has a 6" casing and a 2" galvanized discharge into the stock tanks as seen photo 318 looking North . Again this land that gets wet is sub irrigated and the land is used for wildlife, birds and sometimes cattle.

37-4061 POD #5 photo 319 looking West there is very little water flowing in this ditch bur just enough to make small ponds in the ditch Terry and I estimated about 5-6" of water.

Terry told me 3 weeks ago these diversions were dry but due to the rain they have started running a little.

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Idaho Fish & Game	Fish	1	2411680	1342218	None
" " " "	"	2	2414216	1343014	1030315
" " " "	"	3	2413494	1343146	" 316
" " " "	"	4	2412214	1341892	" 317
" " " "	"	5	2411548	A0015575	318
				None	319

Lee R. Peterson

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7286 Priority Sept. 26, 1973 Amount 0.02 cfs

THIS IS TO CERTIFY, that GWINN RICE RANCH, INC.

of Hill City, Idaho, has complied with the terms and conditions of Permit No. 37-7286 issued pursuant to Application for Permit dated September 26, 1973, and has submitted proof to the Department of Water Resources on November 8, 1974, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.02 cfs of water from a ground water source tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Stockwater</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and			<u>14 acre feet</u>
<u>Irrigation</u> from <u>April 15</u> to <u>Oct. 15</u> at <u>0.02</u> cfs and			<u>14 acre feet or</u>
			<u>3.0 af per acre</u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

14 acre feet per year, said waters to be diverted within the SE 1/4 SW 1/4 of Sec. 6,
Twp. 2 S, Rge. 12 E, B.M. in the County of Camas

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2 S	12 E	6												10					10

Total number of acres irrigated 10

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2 day of
December, 19 75.

Director

T
2
S

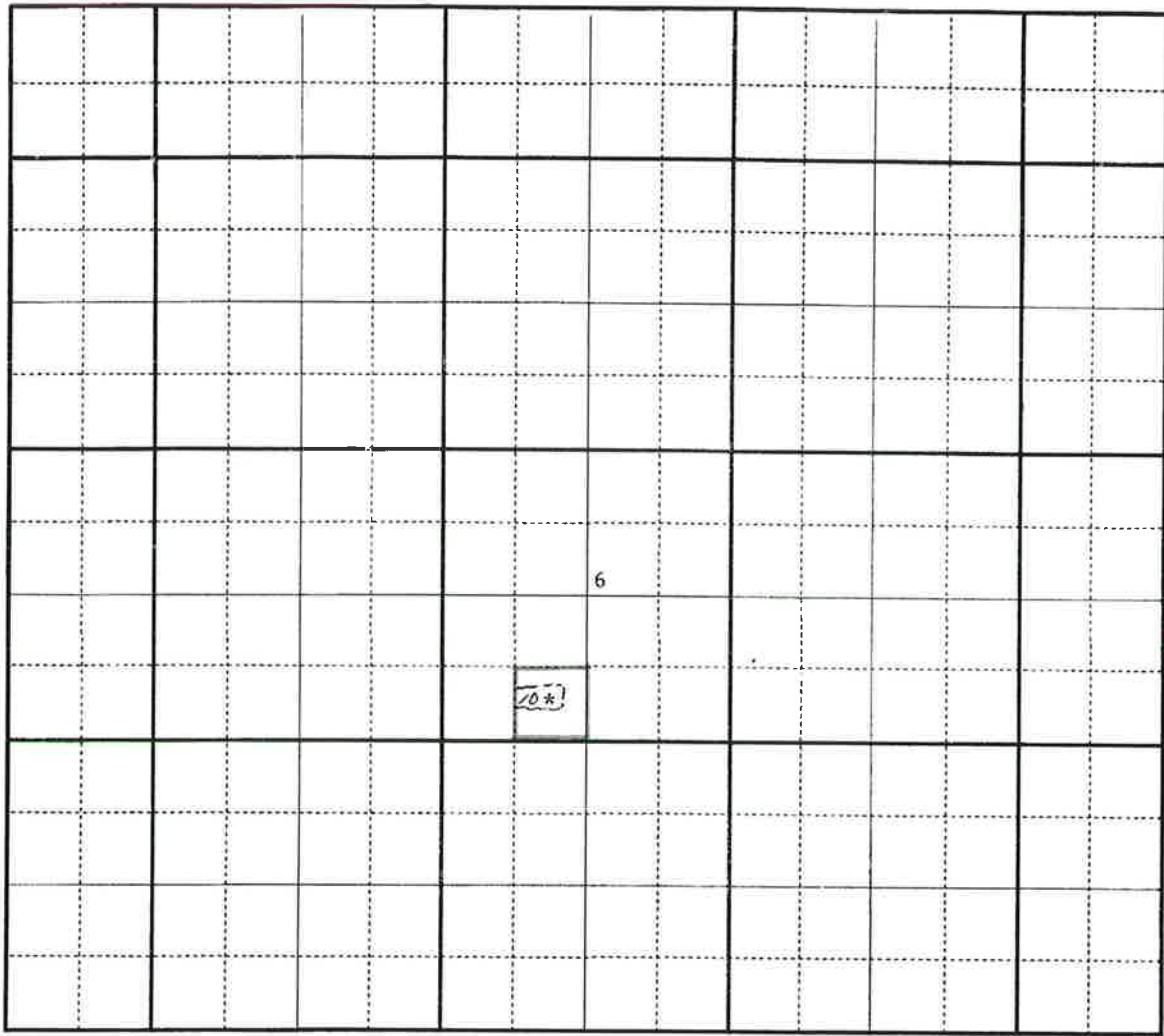


Diagram of System



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

August 10, 1999

KARL J. DREHER
DIRECTOR

GWINN RICE RANCH INC
PO BOX 131
HILL CITY ID 83337

RE: Snake River Basin Adjudication (SRBA)
Water Rights #37-07024, 37-07025, 37-07285, 37-07641,
37-12960, 37-12961, 37-23962, 37-12963, A37-02244A
A37-02694, A37-04049, A37-04061, A37-07286, A37-07680,
A37-07697, A37-07796 & A37-12959
and

Lapsed Applications for Permit #37-07678 and #61-07450

Dear Water Right Holder:

Thank you for signing and returning my address change letter so promptly. I checked each of the permit numbers you wrote in your enclosure and found the following:

Applications for Permit #37-07678 and #61-07450 have lapsed. If you wish to file another Application for Permit, please call IDWR to have the form sent to you.

I could find no information whatsoever in our data base about permit #37-07026.

In response to your question about telling us when you move back to Boise in the winter and back to Hill City in the summer, yes, definitely tell us. Write down each of your water right and permit numbers, sign the note and send it to us so we can update our data base.

The only way you will know if someone has filed an objection to your water rights is if you get that notice in the mail. As you read in the Notice of Filing Director's Reports you received in March, 1999, there are deadlines by which you must have the Court's form to the Court by a specific date for both objections and responses to objections.

It would be unfortunate if you missed an important deadline or missed a hearing because your mail went to one of the

Gwinn Rice Ranch Inc.
August 10, 1999
Page 2

addresses and you were living at the other address. IDWR can help you avoid this event if you'll keep us posted of your changes.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sally".

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Swinn Rice Ranch, Inc.
P.O. Box 131
Hill City, ID 83337

State of Idaho
Department of Water Resources
1301 N. Orchard St.
PO Box 83720
Boise, Idaho 83720-0098

Dear Sally Sherman:

Thank you for changing our address.
We have numbers of water rights.
Some our under Swinn F. Rice and some
under Swinn Rice Ranch, Inc.

I wish all my water rights to be
sent to PO Box 131
Hill City, ID 83337.

We move to 1711 Woodbridge from Nov.
through March. Should we tell you
when we change?

Sincerely Yours,

Swinn F Rice

Vice-President of
Swinn Rice Ranch, Inc

Here is a list of some of our water rights

Permit No	Name
# 37-7025 [✓] - May 4, '68	Gwinn F. Rice, Hill City, Idaho
# 37-7024 [✓] - May 20, '68	Gwinn F. Rice, Hill City, Idaho
W.A. # 37-7026 ^{??} - May 4, '68	Gwinn F. Rice, Hill City, Idaho
X5. # 37-7680 [✓] - Oct 3, '77	Gwinn Rice Ranch, Inc. Hill City, Idaho
# 37-7796 [✓] - Sept 13, '79	Gwinn Rice Ranch, Inc. Hill City, Idaho 83337
# 37-7641 [✓]	
~~# 37-7286~~ ^{OK} belongs to Linck & Coffman	
# 37-7678 - Lapsed	
W.A. # 37- ~~4049~~ Statutory claim (claimed)	
# 61-7450 - Lapsed	
W.A. # 37-2694 - license (~~expired~~)	

cc: W.A.

GWINN RICE RANCH INC
+
GWINN F. RICE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

RECEIVED

AUG 04 1999

cc: W.A.

DIRK KEMPTHORNE
GOVERNOR

July 6, 1999

KARL J. DREHER
DIRECTOR

RECEIVED
JUL 12 1999

GWINN RICE RANCH INC
1711 WOODBRIDGE LN
BOISE ID 83706-3172

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Water Rights #37-07024, 37-07025, 37-07285, 37-07641,
37-12960, 37-12961, 37-12962, 37-12963, A37-02244A,
A37-02694, A37-04049, A37-04061, A37-07286, A37-07680,
A37-07697, A37-07796 & A37-12959

Change of Address

ok

Dear Water Right Holder: *Records not changed - address in Hill City correct. - 8-10-99*

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by July 19, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

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

Gina F. Rice Secretary 208-764-2593
Claimant Signature Telephone No.

Address Change - *Gwinn Rice Ranch, Inc.*
P.O. Box 131
Hill City, Idaho 83337