

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: **A37-11526B**

Date Received: 10/ 5/1988

Receipt No: X777777

Received By: O/C [Signature]

**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: MAR 24, 1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE #45, DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		

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

8. Total consumptive use is 50.9 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 #A37-02559

14. Remarks:

THIS IS A PORTION OF THE WR #37-00577 THAT WAS TRANSFERED FROM
ANOTHER FARM, EXACT LOCATION UNKNOWN. TRANS. UNRECORDED.

|
CHANGE OF OWNERSHIP RESULTS IS CHANGE OF P/U IN NE¹
CHANGE OF PRIORITY DATE DUE TO DATA ENTRY ERROR AT INITIAL FILING

OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-11526. HG2 OWNS
A37-11526A, BROWNING OWNS A37-11526B, & B.S. RANCH OWNS
A37-11526C. TLB 6/27/97

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST, ET.AL.

Decree Plaintiff

ALTURAS WATER CO., ET.AL.

vs Decree Defendant



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

JUL 9, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

REC V E D

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP APR 01 1997

Department of Water Resources
Southern Region

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) ALL SURFACE RIGHTS: A37-11526, A37-00664C,
Adjudication Claim Number(s) A37-00665M, A37-00114A, A37-00666K, A37-00667P

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
New Mailing Address PO BOX 259

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

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 20 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

R E C

W E D

APR 01 1997

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
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Adjudication Claim Number(s) A37-00665M, A37-00114A, A37-00666K, A37-00667P
2. The following **REQUIRED** information must be submitted with this form.
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 - 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
New Mailing Address PO BOX 6250
City, State and ZIP Code SUN VALLEY, ID 83354
New Telephone Number 208 622-7119
Name connector (Check one): [] AND, [] OR, [] AND/OR
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 557 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. 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.

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

(208) 622-7119

HG2 LIMITED PARTNERSHIP
PO BOX 6250
SUN VALLEY, IDAHO 83354

Fax (208) 622-8910

3/28/97

REC W EID

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.
1000 3 20%
103.3
30.0
67.3
3.3%



Or 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 **HG2 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.

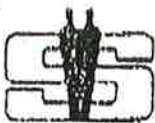
County of **BLAINE**

On this 30th day of March, 1995, before me, the undersigned, a Notary Public, in and for said State, personally appeared 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: **12/01/98-2000**





Order No. 96-0647a
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received B B RANCH, A PARTNERSHIP CONSISTING OF ROBERT J. STRUTHERS, AMT
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.B. RANCH SUBDIVISION, according to the official plat thereof
recorded March 31, 1995 as Instrument No. 376973, records of Blaine
County, Idaho.

376973

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 B RANCH, A PARTNERSHIP

(Partnership Name)

BY *Carl Browning*
Carl Browning
Carl Browning

By *Robert J. Struthers*
Robert J. Struthers

BY *Barbara Browning*
Barbara Browning
Barbara Browning

By *Laurie Adamson*
Laurie Adamson

State of IDAHO

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*
evidence, to be *The Partners* known to me, or identified to me on the basis of satisfactory
the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Maria G. Munk
Notary Public

(SEAL)

Located in Section 29, T.1N., R.19E., B.M.
Blaine County, Idaho
1994

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

CURVE DATA

CURVE	DELTA	RADIUS	ARC	CH	CH BEARING
C-1	39° 58' 19"	2814.72'	1983.67'	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

HEALTH CERTIFICATE

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 this 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 dust, odors, use and application of agricultural chemicals, spraying, ground preparation, harvesting, etc. In addition, the roads accessing 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 appurtenant 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. 240891. Records of Blaine County, Idaho.

REAL POINT OF BEGINNING



SAWTOOTH ENGINEERING
Civil Engineers and Land Surveyors

Hailey

(208) 788-9060

Idaho

7047.DWG 8-31-94

UNPLATTED

(BASIS OF BEARING)
N 0° 01' 20" W

30' R/W

LOT 2
20 Acs

2015.23'

30' R/W

2015.23'

30' R/W

2015.23'

30' R/W

2015.23'

30' R/W

2015.23'

30' R/W

2015.23'

30' R/W

2015.23'

30' R/W

2015.23'

Browning

LOT 4
20 Acs

1335.88'

100' Building Setback Line

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HG2LP

LOT 1
546.90± Acs

15' public utility and irrigation easement

Existing Canal

15' public utility and irrigation easement

100' Building Setback Line

100' Building Setback Line

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UNPLATTED

N 89° 54' 59" E

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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: A37-11526
Date Received: 10/ 5/1988
Receipt No: M001513
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: HG2 LIMITED PARTNERSHIP
Address: PO BOX 6250
SUN VALLEY ID

83354

2. Date of Priority: MAR 24, 1883

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE #45, DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.100		

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

A.F.A.

8. Total consumptive use is 1593.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	19E	29	NE	NE		IRR	24.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	36.0
			NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	19E	29	NW	NW		IRR	37.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 617.0

Total Acres 617.0

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 #A37-02559

14. Remarks:

THIS IS A PORTION OF THE WR #37-00577 THAT WAS TRANSFERED FROM ANOTHER FARM, EXACT LOCATION UNKNOWN. TRANS. UNRECORDED.

CHANGE OF OWNERSHIP RESULTS IS CHANGE OF P/U IN NE
CHANGE OF PRIORITY DATE DUE TO DATA ENTRY ERROR AT INITIAL FILING

OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST, ET.AL.

Decree Plaintiff

ALTURAS WATER CO., ET.AL.

vs Decree Defendant



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

OCT 11 1995

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 01N Range 19E Department of Water Resources
Section 29, 1/4 of 1/4 of 1/4 Govt. Lot 1 Block 1 Subdivision/Townsite B.S. RANCH SUBDIVISION
Lot 1, Block 1, Subdivision/Townsite B.S. RANCH SUBDIVISION
If you have additional legal descriptions, please attach separate sheet. (Exhibit "A" attached)

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A37-11526; A37-00664C; A37-00665M; A37-00114A; A37-00666K
Assigned by IDWR: A37-00667P; A37-02559 (list attached cross-references W/R No's to SRBA No's)
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): B.S. RANCH PARTNERSHIP
P.O. BOX 259
BELLEVUE ID 83313
- ☐ New Owner/Claimant (Purchaser): HG2 LIMITED PARTNERSHIP
- ☐ New Mailing Address: P. O. BOX 6250
SUN VALLEY ID 83354
- ☐ New Telephone Number: (208) _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: WARRANTY DEED
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): HG2 Limited Partnership Date 3/21/95
- ☐ Signature of Former Owner/Claimant(s): Laurie Adamson Date 3-30-95
Barbara Browning Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 10/12/95 By: HB

Claim Numbers of Split, if any:

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

DECREED RIGHTS: 37-00577

37-00664

37-00665

37-00114

37-00666

37-00667

LICENSED RIGHT: 37-02559

CORRESPONDING
SRBA CLAIM NOS.:

A37-11526

A37-00664C ?

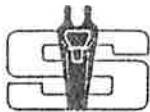
A37-00665M

A37-00114A

A37-00666K

A37-00667P

A37-02559



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 **HO2 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

AND APPROVED BY:

[Signature]

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

By *Laurie Adamson*
 Laurie Adamson

State of **IDAHO**

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: **12/01/98-2000**



EXHIBIT "A"

Ship 1 North, Range 19 East, Boise Meridian, Blaine County, Idaho

tion 29: All of said Section 29 EXCEPT the following described parcel of land in E1NE1:

COMMENCING at a brass cap marking the Northeast corner of Section 29;
THENCE S. 00°00'00" E., 291.94 feet to an iron pin on the Southwesterly
ght-of-way boundary of the Union Pacific Railroad;
THENCE S. 00°00'00" E., 2370.01 feet along the Easterly boundary of said E1NE1
Section 29 to an iron pin marking the East quarter corner of said Section 29;
THENCE N. 89°22'02" W., 63.05 feet along the Southerly boundary of said E1NE1 of
ction 29 to a point in a canal;
THENCE N. 13°22'30" W., 1771.93 feet along a line approximately 10.00 feet East
f the East bank of a canal to an iron pin;
THENCE N. 06°36'09" W., 945.70 feet along said line to an iron pin on the
northerly boundary of said E1NE1 of Section 29;
THENCE S. 89°47'54" E., 408.84 feet along said Northerly boundary of the E1NE1
to an iron pin on the Southwesterly right-of-way boundary of the UPRR;
THENCE S. 30°34'30" E., 339.79 feet along said Railroad boundary to the POINT OF
BEGINNING.

ALSO EXCEPT the N1N1NW1NW1 and the N1N1NE1NW1NW1 of said Section 29.

ALSO EXCEPTING THEREFROM Railroad right of way and State Highway No. 22 right of way.

TOGETHER with the following described decreed water rights, to-wit:

55.2 inches of Big Wood River with a priority date of 3/24/83;
100 inches of Big Wood River with a priority date of 7/10/84;
140 inches of Big Wood River with a priority date of 10/15/84;
174 inches of Big Wood River with a priority date of 5/1/86;
240 inches of Big Wood River with a priority date of 6/12/86; and
460 inches of Big Wood River with a priority date of 6/15/91.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

OCTOBER 12, 1995

HG2 LIMITED PARTNERSHIP
PO BOX 6250
SUN VALLEY, ID 83354

RE: SRBA CLAIM(S) A37-11526, A37-00664C, A37-00665M, A37-00114A,
A37-00666K, A37-00667P, & A37-02559
B.S. RANCH

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. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

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

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

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: A37-11526
Date Received: 10/05/1988
Receipt No: M001513
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: B.S. RANCH
Address: P.O. BOX 610
HAILEY, ID 83333 208-788-4613

2. Date of Priority: MAR 24, 1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE #45, DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.100		

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

8. Total consumptive use is 1593.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	19E	29	NE	NE		IRR	24.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	36.0

A37-11526

Page 1

Date: 04/04/90

MICROFILMED
FEB 25 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	29	NE	NW		IRR	40.0
			NW	NW		IRR	37.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 617.0

Total Acres 617.0

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 #A37-02559

14. Remarks:
THIS IS A PORTION OF THE WR #37-00577 THAT WAS TRANSFERED FROM
ANOTHER FARM, EXACT LOCATION UNKNOWN. TRANS. UNRECORDED.
|
CHANGE OF OWNERSHIP RESULTS IS CHANGE OF P/U IN NE $\frac{1}{4}$
CHANGE OF PRIORITY DATE DUE TO DATA ENTRY ERROR AT INITIAL FILING

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/13/1909

S.C. FROST, ET.AL.
Decree Plaintiff

vs

ALTURAS WATER CO., ET.AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MAR 6 1990

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

Department of Water Resources
Southern Region Office

[] Water Right Number(s): A37-00664A, -00665E, -00666C, -00667G
A37-11526, A37-00114A, A37-02559

[] Name and Address of
Former Claimant: Charles Browning, Inc.

c/o BS RanchP.O. Box 610, Hailey, ID 83333

[] New Claimant(s): B. S. RANCH

[] New Mailing Address: Box 610

HAILEY ID.83333

New Telephone Number: (208) 288-4613

[] Does the change in ownership result in a splitting of the
water right claimed? X yes no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

Split out 16 Acres NENE Sec. 29 + 4 Acres SENE.

from Listed place of Use

Reduce water on these WR's as shown:

A37-00664A - 3", A37-00665E - 4", A37-00666C - 7 1/2", A37-00667G - 15"

[] Attach proof of ownership
Describe proof attached:

(SEE ALSO Δ of ownership of other owners.)

[] Signature of New Claimant(s): Carl W Browning

Robert J. Smith

Date: 3-5-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Carl Browning

726-0290

Robert

MICROFILMED

MICROFILMED 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: A37-11526
Date Received: 10/05/1988
Receipt No: M001513
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLIE BROWNING, INC. 208-788-4613
Address: C/O B.S. RANCH
BOX 610
HAILEY, ID 83333

2. Date of Priority: JUL 01, 1881

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE #45, DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.100		

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

A.F.A.

8. Total consumptive use is 1593.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	29	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0

A37-11526

Page 1

Date: 10/05/88

MICROFILMED

FEB 25 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	19E	29	SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	37.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 637.0

Total Acres 637.0

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 #A37-02559

14. Remarks:
THIS IS A PORTION OF THE WR #37-00577 THAT WAS TRANSFERRED FROM
ANOTHER FARM, EXACT LOCATION UNKNOWN. TRANS. UNRECORDED.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/13/1909

S.C. FROST, ET.AL.
Decree Plaintiff

vs

ALTURAS WATER CO., ET.AL.
Decree Defendant

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 PRESIDENT of _____
Title

CHARLIE BROWNING INC., that I have signed the foregoing
Organization

document in the space below as PRESIDENT of _____
Title

CHARLIE BROWNING INC. and that the statements contained in the
Organization

foregoing document are true and correct.

Carl W. Browning
Signature of Authorized Agent

PRESIDENT CHARLIE BROWNING INC.
Title and Organization

10-5-88
Date

State of Idaho)
County of Blaine) SS.

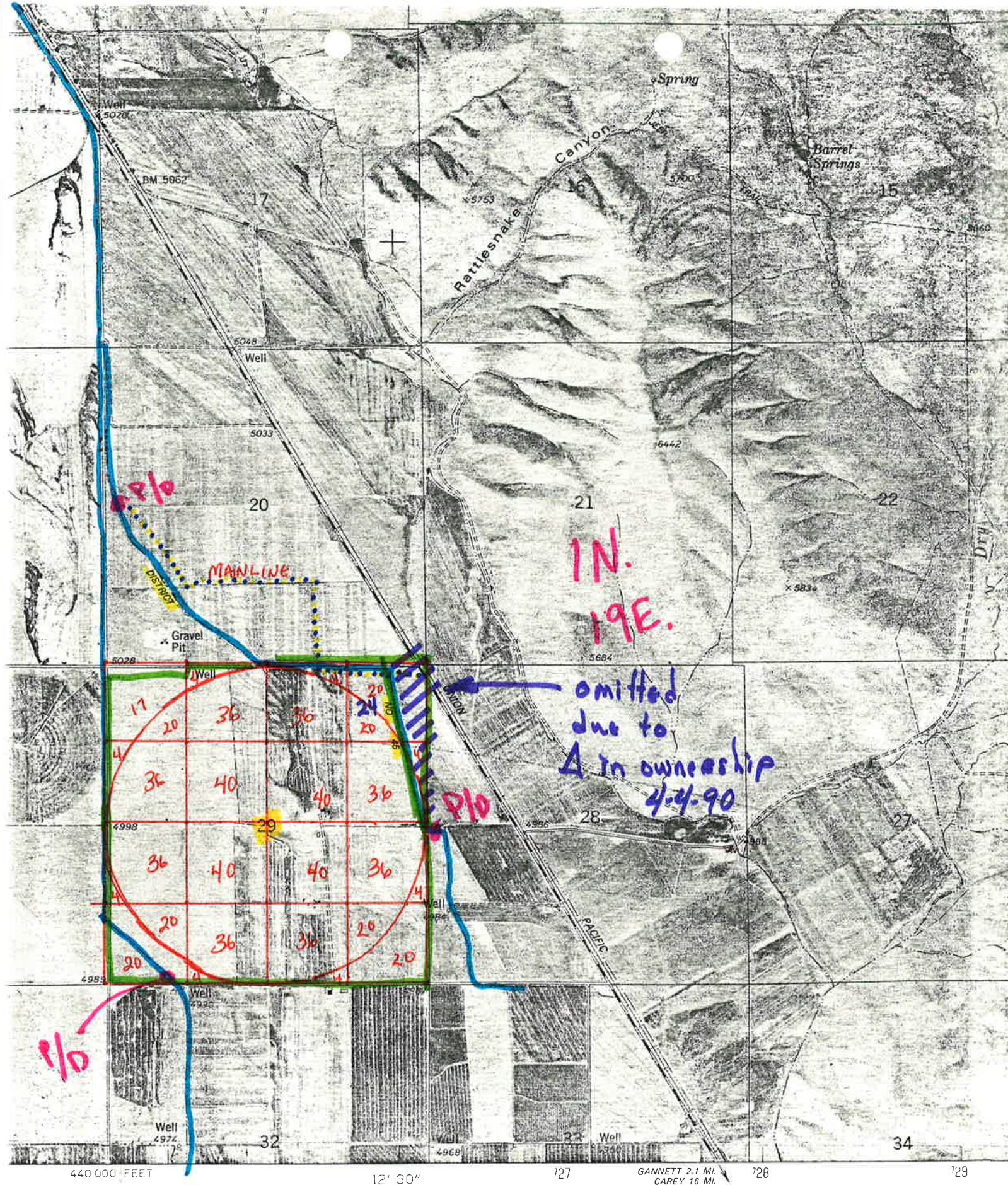
Subscribed and sworn (or affirmed) before me this 4 day
of Oct 19 88

John Dale Clarke
Notary Public

Seal

Residing at Boise Id

My Commission Expires 6/2/94



MAR 6 1990

Department of Water Resources
Southern Region Office

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[] Water Right Number(s): A37-00664A, -00665E, -00666C, -00667G
A37-11526, A37-00114A, A37-02559

[] Name and Address of
Former Claimant: Charles Browning, INC.
c/o BS Ranch
P.O. Box 610, Hailey, ID 83333

[] New Claimant(s): B.S. RANCH

[] New Mailing Address: Box 610
HAILEY ID.
83333

New Telephone Number: (208) 288-4613

[] Does the change in ownership result in a splitting of the
water right claimed? X yes no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

Split out 16 Acres NENE sec. 29 + 4 Acres SENE.
from listed place of use

Reduce water on these WR's as shown:

A37-00664A - 3", A37-00665E - 4", A37-00666C - 7 1/2", A37-00667G - 15"

[] Attach proof of ownership (SEE ALSO Δ of ownership of other owners.)
Describe proof attached:

[] Signature of New Claimant(s): Carl W Browning
Robert J. Jordan

Date: 3-5-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Carl Browning

726-0290

Robert

MICROFILMED
FEB 25 1993

RECEIVED

DEED

MAR 6 1990

Department of Water Resources
Southern Region Office

FOR VALUE RECEIVED, CHARLIE BROWNING, INC.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto B S RANCH, a partnership, consisting of Robert J. Struthers & LAURIE STRUTHERS, Husband & Wife, ~~KARL BROWNING & BARBARA BROWNING, Husband & Wife~~, grantee, the following described real estate, to-wit:

(All that certain real property described on EXHIBIT "A" attached hereto and by this reference made a part hereof.)

SUBJECT to that certain lien in favor of the Federal Land Bank of Spokane which Purchaser does hereby assume and agree to pay as part consideration hereof.

COPY

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their heirs and assigns forever.

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 and its corporate seal to be affixed by its Secretary this

CHARLIE BROWNING, INC.

By *Carl Browning*

PRESIDENT

ATTEST:

Ellen Douthett

SECRETARY

STATE OF IDAHO

County of Blaine } ss.

On this 12th day of January, 1990
before me, a Notary public in and for said State, personally
appeared Carl Browning and Ellen Douthett and

, known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Residing at Notary
Commission Expires: 1991

[Signature]
Notary Public
, Idaho

MICROFILMED

FEB 25 1993

EXHIBIT "A"

Township 1 North, Range 19 East, Boise Meridian, Blaine County, Idaho

Section 29: All of said Section 29 EXCEPT the following described parcel of land in the E½NE¼:

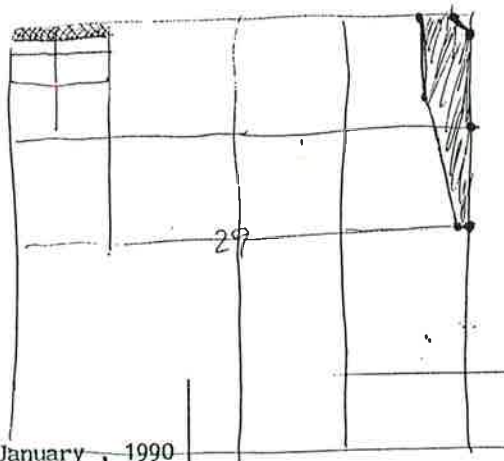
COMMENCING at a brass cap marking the Northeast corner of Section 29;
THENCE S. 00°00'00" E., 291.94 feet to an iron pin on the Southwesterly right-of-way boundary of the Union Pacific Railroad;
THENCE S. 00°00'00" E., 2370.01 feet along the Easterly boundary of said E½NE¼ of Section 29 to an iron pin marking the East quarter corner of said Section 29;
THENCE N. 89°22'02" W., 63.05 feet along the Southerly boundary of said E½NE¼ of Section 29 to a point in a canal;
THENCE N. 13°22'30" W., 1771.93 feet along a line approximately 10.00 feet East of the East bank of a canal to an iron pin;
THENCE N. 06°36'09" W., 945.70 feet along said line to an iron pin on the Northerly boundary of said E½NE¼ of Section 29;
THENCE S. 89°47'54" E., 408.84 feet along said Northerly boundary of the E½NE¼ to an iron pin on the Southwesterly right-of-way boundary of the UPRR;
THENCE S. 30°34'30" E., 339.79 feet along said Railroad boundary to the POINT OF BEGINNING.

ALSO EXCEPT the N½NW¼ and the N½NE¼NW¼ of said Section 29.

ALSO EXCEPTING THEREFROM Railroad right of way and State Highway No. 22 right of way.

TOGETHER with the following described decreed water rights, to-wit:

55.2 inches of Big Wood River with a priority date of 3/24/83;
100 inches of Big Wood River with a priority date of 7/10/84;
140 inches of Big Wood River with a priority date of 10/15/84;
124 inches of Big Wood River with a priority date of 5/1/86;
240 inches of Big Wood River with a priority date of 6/12/86; and
480 inches of Big Wood River with a priority date of 6/15/91.



STATE OF IDAHO

County of Blaine, ss.

On this 12th day of January, 1990, before me, a Notary public in and for said State, personally appeared Carl Browning and Ellen Dowd and

known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

[Signature]
Notary
Residing at
Commission Expires:

Notary Public
Idaho

MICROFILMED

FEB 25 1993

11/21/2006

**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: 12/13/2006

Water right number: 37-11526B

BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313
Telephone Number: (208)788-9673

CARL BROWNING
PO BOX 259
BELLEVUE ID 83313
Telephone Number: (208)788-9673

RECEIVED
DEC 15 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

11/14/2006

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

RIGHT NUMBER: 37-11526B
NAME AND ADDRESS: BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313
CARL BROWNING
PO BOX 259
BELLEVUE ID 83313

WM-OK

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.040 CFS
PRIORITY DATE: 03/24/1883
POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 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	0.040 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S29	NENW 2.00	T01N R19E S29	NWNW 18.00
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20 ACRES TOTAL

20

The rights listed below are limited to the irrigation of a combined total of 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.

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 - Decreed

This right is a split from former right 37-11526.

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



Idaho Department of Water Resources

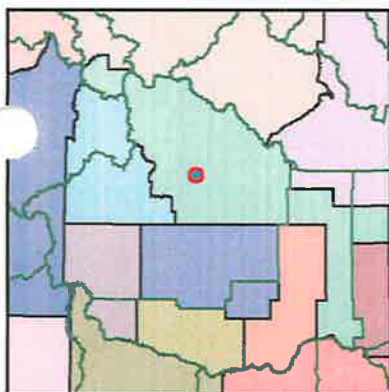
SRBA Recommendation:

37-11526B

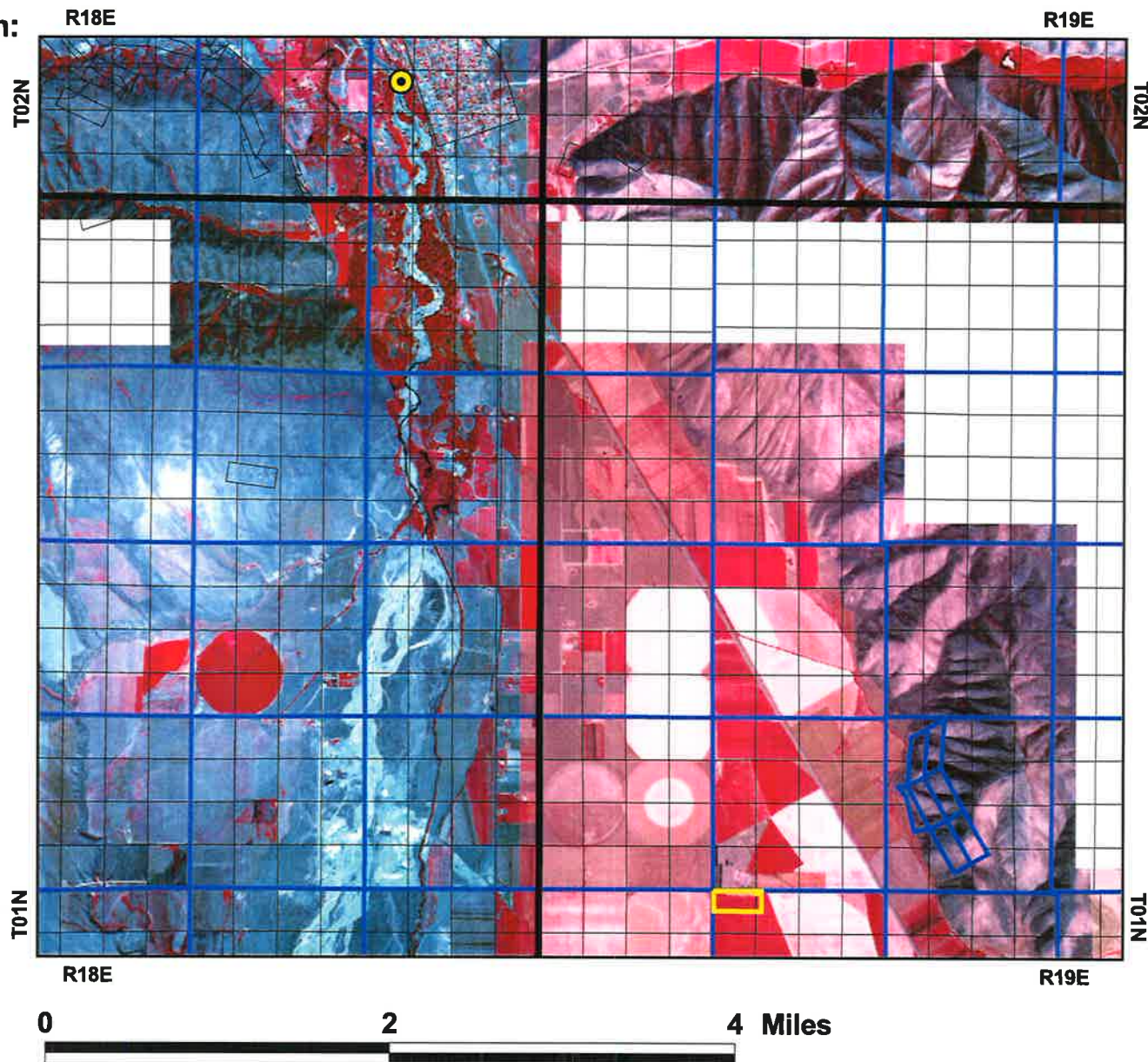
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37

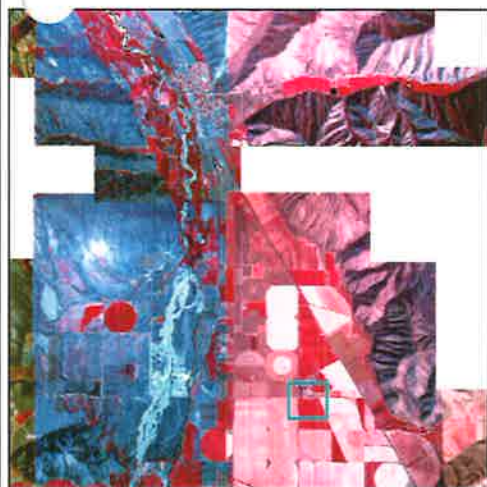
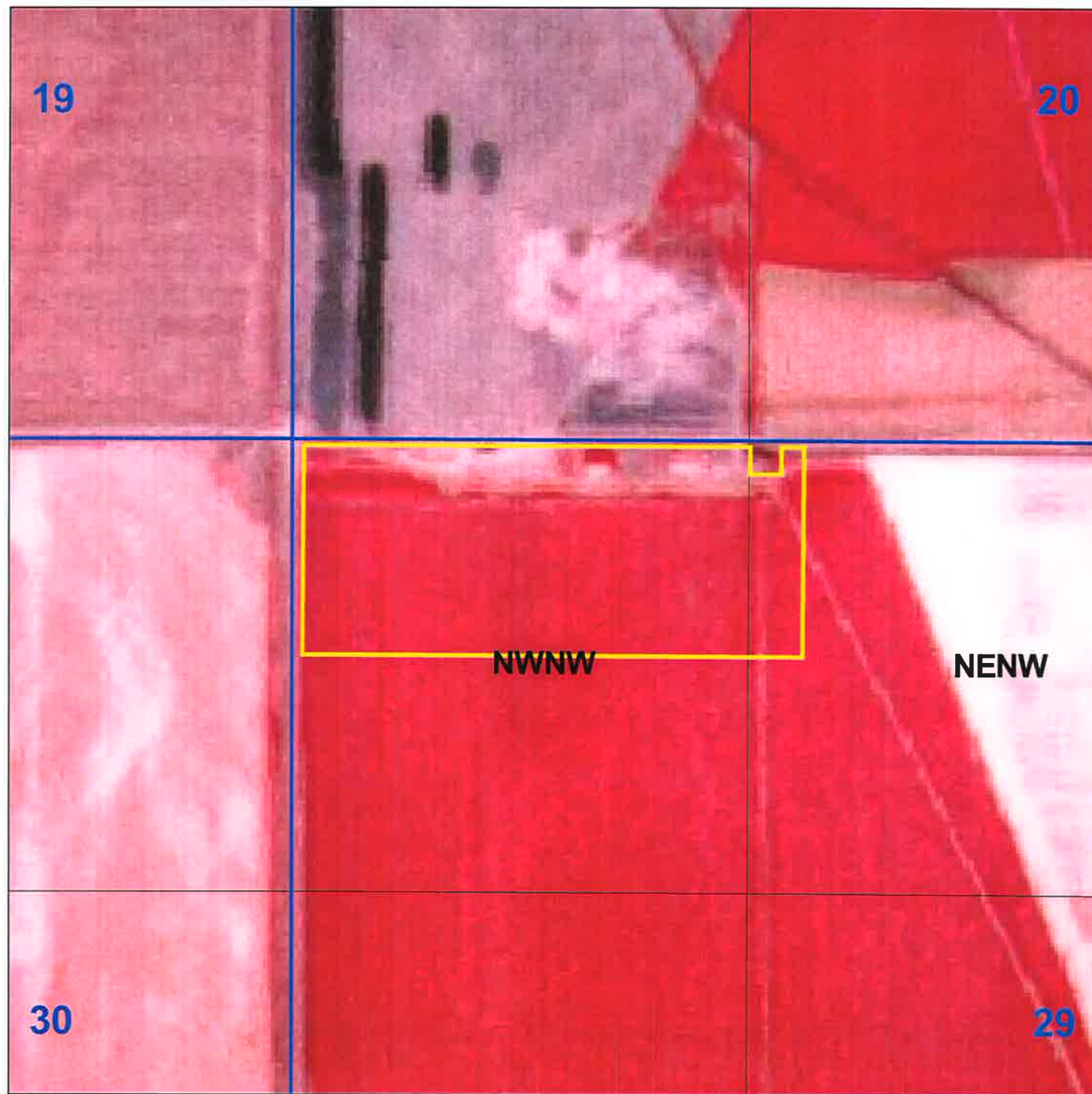


Prepared by J. Roberts
On Tuesday, November 14, 2006
1987/88 Aerial Photography

Owner: Barbara Browning

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

37-11526B



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-11526B V1

WATER RIGHT NUMBER: 37-11526B V1

<u>Owner Type</u>	<u>Name and Address</u>
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
Current Owner	CARL BROWNING PO BOX 259 BELLEVUE, ID 83313 (208)788-9673
Original Owner	HG2 LIMITED PARTNERSHIP PO BOX 6250 SUN VALLEY, ID 83354 (208)622-7119

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	L3 (NE1/4SW1/4NW1/4)	Sec. 36, Twp 02N, Rge 18E, 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 37-11526B V1

Conditions of Approval:

1. P21 This right is a split from former right 37-11526.
2. 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.
3. J01 Property is also known as Lot 4A, B. S. Ranch Subdivision. Parcel RP00037000004AA.
4. 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.

Remarks:

Comments:

1. jroberts 11/14/2006 basis of Recommendation

Comment: Standard season of use, PoU updated to tax lot which put 2 acres in the NENW and 18 acres in the NWNW of Sec. 29.

2. jroberts 11/14/2006 copied from remarks

Comment: THIS IS A PORTION OF THE WR #37-00577 THAT WAS TRANSFERED FROM ANOTHER FARM, EXACT LOCATION UNKNOWN. TRANS. UNRECORDED.

| CHANGE OF OWNERSHIP RESULTS IS CHANGE OF P/U IN NE¼ CHANGE OF PRIORITY DATE DUE TO DATA ENTRY ERROR AT INITIAL FILING ***** OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

***** OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-11526. HG2 OWNS A37-11526A, BROWNING OWNS A37-11526B, & B.S. RANCH OWNS A37-11526C. TLB 6/27/97

Water Supply Bank:

11/08/2006

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

RIGHT NUMBER: 37-11526B
NAME AND ADDRESS: BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313

CARL BROWNING
PO BOX 259
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION: T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 11/01

0.040 CFS

PLACE OF USE: IRRIGATION in BLAINE County

4/15 10/31

T01N R19E S29 Lot 4 NWNW 20.00

20 ACRES TOTAL

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

THIS IS A PORTION OF THE WR #37-00577 THAT WAS TRANSFERRED
FROM ANOTHER FARM, EXACT LOCATION UNKNOWN. TRANS.
UNRECORDED.

| CHANGE OF OWNERSHIP RESULTS IS CHANGE OF P/U IN NE4
CHANGE OF PRIORITY DATE DUE TO DATA ENTRY ERROR AT INITIAL
FILING ***** OWNERSHIP CHANGE MADE 10/12/95 BY
TLB.

***** OWNERSHIP CHANGE RESULTED IN A SPLIT
FROM A37-11526. HG2 OWNS A37-11526A, BROWNING OWNS
A37-11526B, & B.S. RANCH OWNS A37-11526C. TLB 6/27/97

EXPLANATORY MATERIAL: BASIS OF CLAIM -

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
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.