

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: **A37-13314**
Date Received: 11/14/1989
Receipt No: S010458
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN R MOLINE → 53A-3222 208-934-8280
Address: MOLINE RANCH
PO BOX 222
GOODING ID 83330
- AND
- Name: ROBERT C MOLINE 208-934-8280
Address: MOLINE RANCH
PO BOX 222
GOODING ID 83330
- AND
- Name: CAROLE ANN BASTERRECHEA 208-934-8280
Address: MOLINE RANCH
PO BOX 222
GOODING ID 83330

2. Date of Priority: DEC 31, 1900

3. Source: MCHAN CREEK SPRINGS Trib. to: THREEMILE CREEK
MCHAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	15		NW	NE		CAMAS
				SW	NE		CAMAS
				NE	NW		CAMAS
			NE	NE	NW		CAMAS
			SE	NW	SW		CAMAS
				NW	SE		CAMAS
				SW	SE		CAMAS
			NW	SW	SE		CAMAS
		21	NE	NE	NE		CAMAS
			SE	NE	NE		CAMAS
		22	NW	NW	NW		CAMAS
			SW	NW	NW		CAMAS
				SE	SW		CAMAS

4. Point of Diversion: Continued

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	13E	27		NE	NW		CAMAS

5. Description of diverting works:

CATTLE DRINK DIRECTLY FROM SPRINGS AND MCHAN CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	03/15	11/15	0.050		

7. Total Quantity Appropriated is:

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

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/ 150 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	13E	15	NW	NE		STOCK	
			SW	NE		STOCK	
			NE	NW		STOCK	
			NW	SW		STOCK	
			NW	SE		STOCK	
			SW	SE		STOCK	
		22	NW	NW		STOCK	
			SE	SW		STOCK	
		27	NE	NW		STOCK	

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:

NONE

14. Remarks:

THIS CLAIM IS FOR INSTEAM CATTLE USE ON THE CLAIMANTS PROPERTY AND ON BLM PROPERTY INWHICH THE CLAIMANT RUNS CATTLE. THE SPRINGS IN SEC. 21 ARE LOCATED ON THE FIELDS PROPERTY NEXT TO THE COMMON PROPERTY LINE. THE WATER FROM THE SPRINGS FLOWS NATURALLY ACROSS THE PROPERTY BOUNDARY AND IS USED BY THE CLAIMANT'S CATTLE ON THE CLAIMANT'S PROPERTY.

2/12/99 TF; OWNERSHIP CHANGED MOLINE TO MOLINE, MOLINE AND

14. Remarks: Continued

BASTERRECHEA PER 1409(6) AND PROPERTY TAX STATEMENTS AND LEASE
AGREEMENT REC'D 10/6/98.

15. Basis of Claim: BENEFICIAL USE

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

RECEIVED

OCT 06 1998

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 or Adjudication Claim No(s): A37-13314, A37-13314¹³³¹⁴, 37-08648
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant LLOYD C. MOLINE (DEC 5-30-92)
PO Box 331
4. New Owner/Claimant(s) GOODING, ID 83330
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address < SEE ATTACHED >
 City, State and ZIP Code MOLINE RANCH
 New Telephone Number (208) 934-8280
5. Date you acquired the property 5-30-92 <INHERITED>
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) John R. Moline, Rep.
ROBERT MOLINE, JOHN MOLINE, CAROLE ANN BASTERRECHEA
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

FORM 42-248/42 < LINE 4 >

NEW OWNERS:

MO LINE RANCH

JAMN R MOLINE

PO Box 222

GOODING, IDAHO 83330
(208) 934-8280

ROBERT C MOLINE

PO Box 451

GOODING, IDAHO 83330
(208) 934-4210

CAROLE ANN BASTERRECHEA

714 LOCKE AVE

GOODING, IDAHO 83330
(208) 934-5404

DERRAL HUPFER
CAMAS COUNTY ASSESSOR
P.O. BOX 430
FAIRFIELD, ID. 83327

IMPORTANT NOTICE-PLEASE READ

ADDRESS SERVICE REQUESTED

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
3 DRY AGR	141.500 AC	21,119
5 DRY GRAZING	15.000 AC	255
19 WASTE	3.500 AC	
	160.000	21,374*

1998

TAXPAYER'S
VALUATION

ASSESSMENT NOTICE

TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 22, 1998

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PARCEL NUMBER RF 01N13E330100 A

Mail To:

E2E2

SEC 33 T1N R13E

MOLINE ROBERT
MOLINE JOHN
& BASTERRECHEA CAROLE ANN
PO BOX 222
GOODING ID 83330

DERRAL HUPFER
CAMAS COUNTY ASSESSOR
P.O. BOX 430
FAIRFIELD, ID. 83327

IMPORTANT NOTICE-PLEASE READ

ADDRESS SERVICE REQUESTED

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
3 DRY AGR	157.300 AC	26,898
10 RURAL HOMESITE	1.000 AC	12,700
19 WASTE	1.700 AC	
32 RURAL IMP ON AG		9,748
	160.000	49,346*

1998

TAXPAYER'S
VALUATION

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JUNE 22, 1998

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PARCEL NUMBER RF 01S13E110100 A

Mail To:

NE4

SEC 11 T1S R13E

MOLINE ROBERT
MOLINE JOHN
& BASTERRECHEA CAROLE ANN
PO BOX 222
GOODING ID 83330

DERRAL HUPFER
CAMAS COUNTY ASSESSOR
P.O. BOX 430
FAIRFIELD, ID. 83327

IMPORTANT NOTICE-PLEASE READ

ADDRESS SERVICE REQUESTED	TAX CODE	2-00
CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
3 DRY AGR	199.200 AC	31,019
5 DRY GRAZING	115.800 AC	5,295
19 WASTE	5.000 AC	
	320.000	36,314*

1998
TAXPAYER'S
VALUATION

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JUNE 22, 1998

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PARCEL NUMBER RF 01N13E222400 A
W2
SEC 22 T1N R13E

Mail To:

MOLINE ROBERT
& MOLINE JOHN
& BASTERRECHEA COROLE ANN
PO BOX 222
GOODING ID 83330

DERRAL HUPFER
CAMAS COUNTY ASSESSOR
P.O. BOX 430
FAIRFIELD, ID. 83327

IMPORTANT NOTICE-PLEASE READ

ADDRESS SERVICE REQUESTED	TAX CODE	2-00
CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
3 DRY AGR	113.400 AC	18,371
5 DRY GRAZING	46.600 AC	2,190
	160.000	20,561*

1998
TAXPAYER'S
VALUATION

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See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PARCEL NUMBER RF 01N13E272400 A
NW4
SEC 27 T1N R13E

Mail To:

MOLINE ROBERT
& MOLINE JOHN
& BASTERRECHEA CAROLE ANN
PO BOX 222
GOODING ID 83330

DERRAL HUPFER
CAMAS COUNTY ASSESSOR
P.O. BOX 430
FAIRFIELD, ID. 83327

IMPORTANT NOTICE-PLEASE READ

ADDRESS SERVICE REQUESTED

CATEGORY DESCRIPTION

TAX CODE

LOTS/ACRES

2-00

MARKET VALUE

58 MACH & EQUIP

8,500

1998

8,500*

TAXPAYER'S
VALUATION

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IF THERE ARE ANY QUESTIONS
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JUNE 22, 1998

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PARCEL NUMBER PP 000169

PERSONAL PROPERTY FOR RANCH

Mail To:

MOLINE ROBERT
MOLINE JOHN
& BASTERRECHEA
PO BOX 222
GOODING

CAROLE ANN
ID 83330

DERRAL HUPFER
CAMAS COUNTY ASSESSOR
P.O. BOX 430
FAIRFIELD, ID. 83327

IMPORTANT NOTICE-PLEASE READ

ADDRESS SERVICE REQUESTED

CATEGORY DESCRIPTION

TAX CODE

LOTS/ACRES

2-00

MARKET VALUE

3 DRY AGR
5 DRY GRAZING
19 WASTE

21.900 AC
211.900 AC
6.200 AC

2,986
14,017

1998

240.000

17,003*

TAXPAYER'S
VALUATION

ASSESSMENT NOTICE

TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 22, 1998

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PARCEL NUMBER RP 01N13E150600 A

W2NE4, E2NW4, W2SE4
SEC 15 T1N R13E

Mail To:

MOLINE ROBERT
& MOLINE JOHN
& BASTERRECHEA
PO BOX 222
GOODING

CAROLE ANN
ID 83330

FARM LEASE

THIS INDENTURE, between Robert C. Moline and Carole Ann Basterrechea of Gooding, Idaho, hereinafter referred to as Lessors, and John R. Moline of Gooding, Idaho, hereinafter referred to as Lessee.

WITNESSETH:

That the Lessors in consideration of the covenants and agreements hereafter mentioned be kept and performed by Lessee, have and by these presents demise and leased to the Lessee their share of land described in Exhibit A, attached hereto and by this reference made a part hereof as though more fully set forth.

The term of this lease shall be for one year commencing on the 1st day of JANUARY, 1993, and terminating on the 31st day of DECEMBER, 1993. It is agreed by the parties that this term shall be extended upon the same terms and conditions as herein set forth on a yearly basis unless either party gives notice to the other party within thirty (30) days prior to the annual termination date that they desire to terminate the lease upon the annual termination date.

It is also agreed by the parties hereto that the Lessors do demise and lease to the Lessee their share of the machinery described in Exhibit B attached hereto and by this reference made a part hereof as though more fully set forth.

The Lessee, in consideration of the leasing of the premises and personal property as above set forth, covenants and agrees with the Lessors to pay as rent for the same one-third (1/3) to Lessors, two-thirds (2/3) to Lessee from the sale of crops, and a fair rent on machinery.

As previously agreed, income from sale of pasture and income

COPY

from C.R.P. contracts will be divided into 3 shares equally for Robert C. Moline, Carole Ann Basterrechea and John R. Moline. Expenses from these two items will be shared equally as well.

Robert C. Moline
Robert C. Moline

John R. Moline
John R. Moline

Carole Ann Basterrechea
Carole Ann Basterrechea

LESSORS

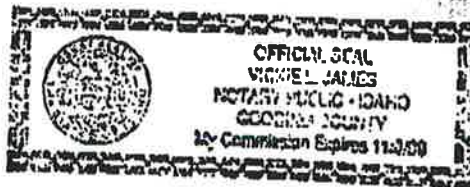
LESSEE

STATE OF IDAHO)
COUNTY OF GOODING)

SS

On this 12 day of April 1993, before me, the undersigned, Notary Public, in and for said State, personally appeared Robert C. Moline, Carole Ann Basterrechea and John R. Moline, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Vicki L. James
Notary Public for the
State of Idaho
Residing at Gooding

EXHIBIT A

The West half of the North East of the East half, North West to the West Half, and the South East Quarter of Section 15, 1 North 13 EBM.

West Half of Section 22, 1 North 13 EBM.

The North West Quarter of Section 27, 1 North 13 EBM.

East Half of Section 33, 1 North 13 EBM.

The North East Quarter of Section 11, 1 South 13 EBM.

EXHIBIT B

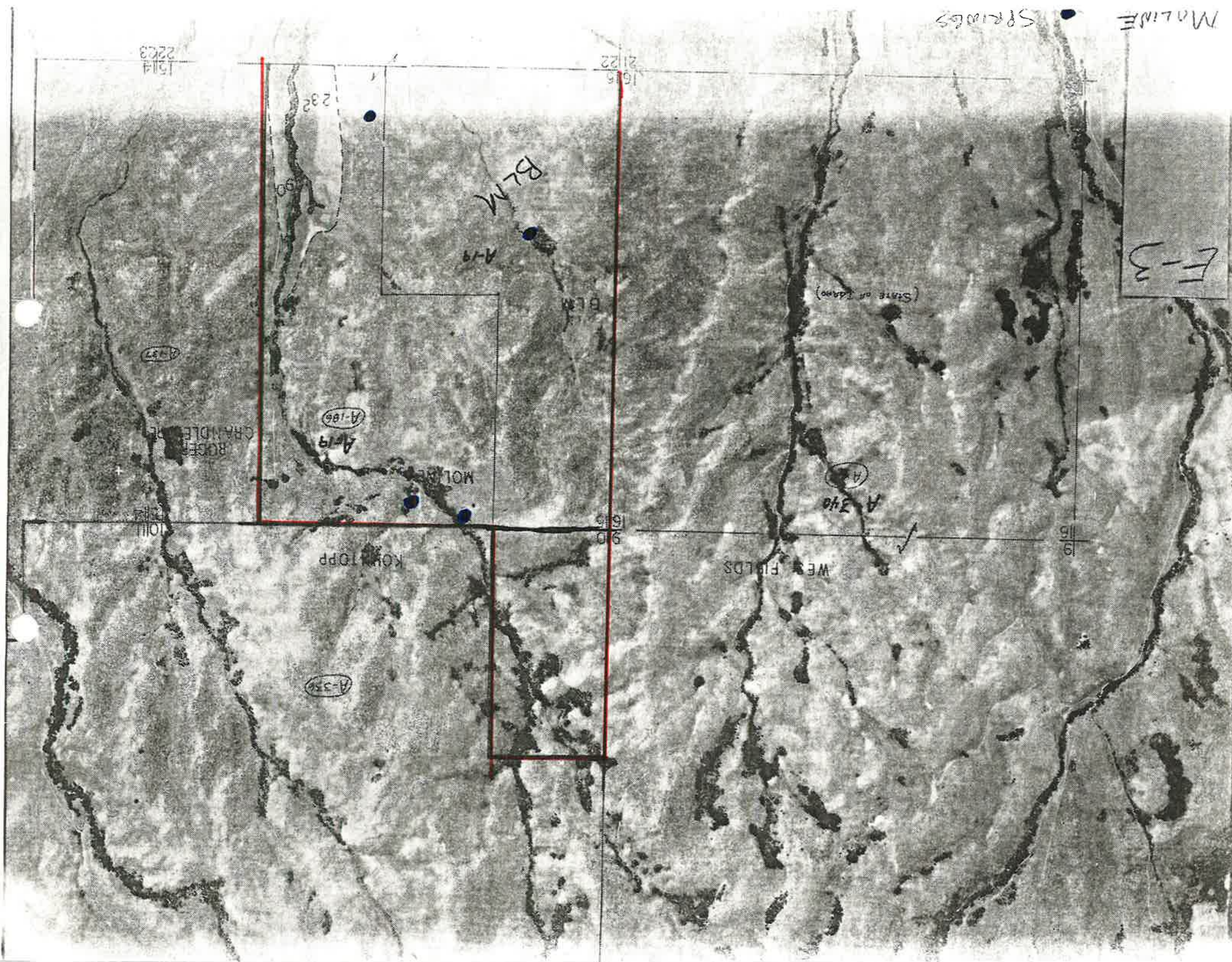
MACHINERY

All

MANLINE

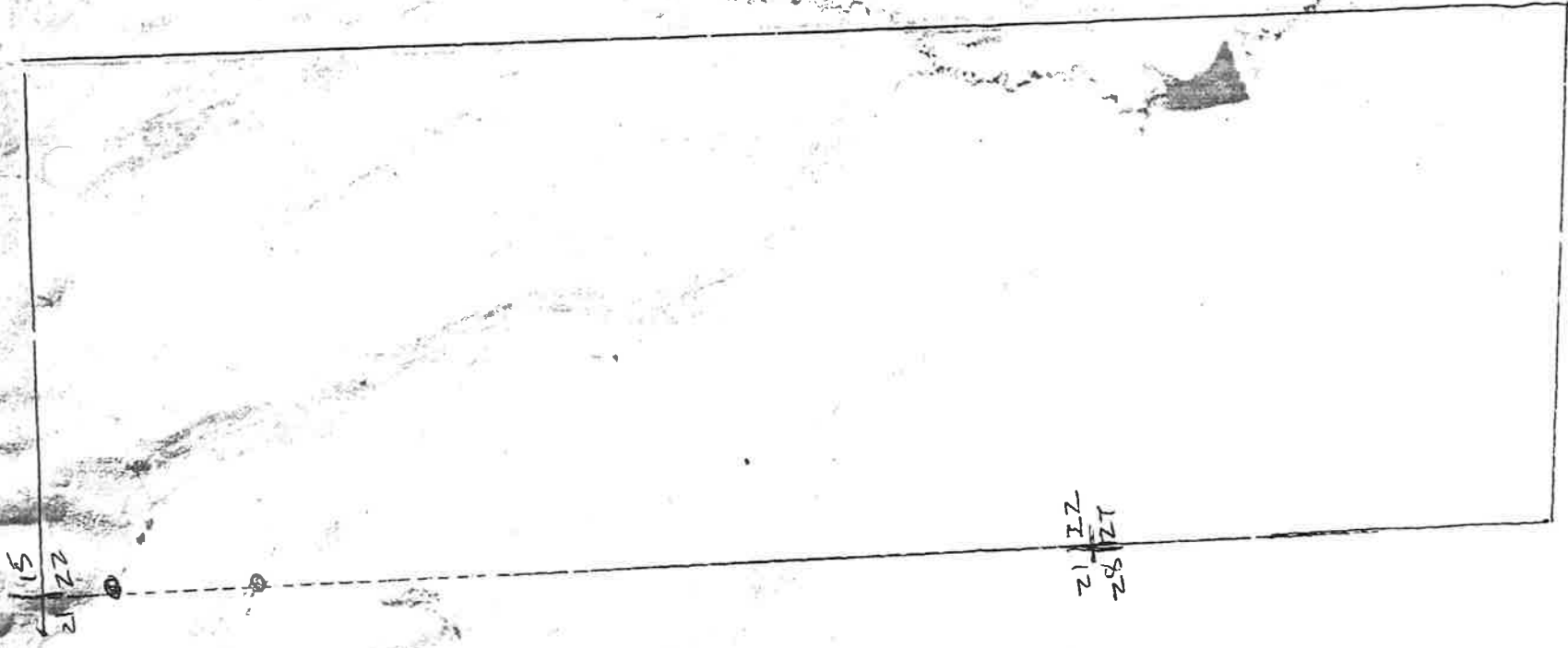
SPRINGS

E-3





↖ ↗



MOLINE - S22, S27

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: A37-13314

Date Received: 11/14/1989

Receipt No: 5010458

Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LLOYD C. MOLINE 208-934-4829
Address: P.O. BOX 331
GOODING, ID 83330

2. Date of Priority: DEC 31, 1900

3. Source: MCHAN CREEK Springs Trib. to: THREEMILE CREEK
MCHAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	15		NW	NE		CAMAS
				SW	NE		CAMAS
				NE	NW		CAMAS
			NE	NE	NW		CAMAS
			SE	NW	SW		CAMAS
				NW	SE		CAMAS
				SW	SE		CAMAS
		21	NW	SW	SE		CAMAS
			NE	NE	NE		CAMAS
			SE	NE	NE		CAMAS
		22	NW	NW	NW		CAMAS
			SW	NW	NW		CAMAS
				SE	SW		CAMAS
		27		NE	NW		CAMAS

5. Description of diverting works:
CATTLE DRINK DIRECTLY FROM SPRINGS AND MCHAN CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	03/15	11/15	0.050		

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

A37-13314

Page

1

A.F.A.

Date: 11/14/89

MICROFILMED

MAR 01 1993

9. Non-irrigation uses:
S/ 150 RANGE

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	13E	15	NW	NE✓		STOCK	
			SW	NE✓		STOCK	
			NE	NW✓		STOCK	
			NW	SW		STOCK	
			NW	SE✓		STOCK	
			SW	SE✓		STOCK	
		22	NW	NW✓		STOCK	
			SE	SW✓		STOCK	
		27	NE	NW✓		STOCK	

13. Other Water Rights Used:
NONE

THIS CLAIM IS FOR INSTEAM CATTLE USE ON THE CLAIMANTS PROPERTY AND ON BLM PROPERTY INWHICH THE CLAIMANT RUNS CATTLE. THE SPRINGS IN SEC. 21 ARE LOCATED ON THE FIELDS PROPERTY NEXT TO THE COMMON PROPERTY LINE. THE WATER FROM THE SPRINGS FLOWS NATURALLY ACROSS THE PROPERTY BOUNDARY AND IS USED BY THE CLAIMANT'S CATTLE ON THE CLAIMANT'S PROPERTY.

MICROFILMED
MAR 01 1993

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 Map

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Lloyd B Moline Date: 11-14-89

Date: _____

State of Idaho)
County of Lincoln) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of Nov. 19 89

[Signature]
Notary Public

Seal

Residing at Glendale, Id.
My Commission Expires 6/30/92

TIN RISE

AK

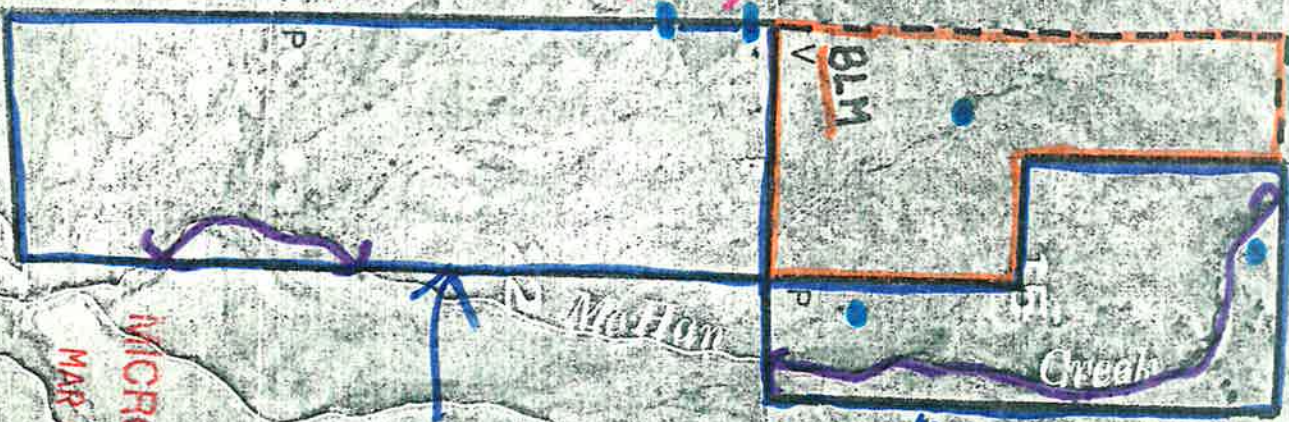
Field's
Property

Clarkson's
Property

Clarkson's
Property

MICROFILMED

MAR 21 1993



COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 OCT 12 PM 2 00

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

In Re SRBA

Subcase No. 37-13314

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 10/12/07

7 Douglas Jones
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/12, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

VanHorn Group Inc
PO Box 345
Fairfield ID 83327-0345

Moline Ranch
John Moline
Robert Moline
Carole Basterrechea
PO Box 222
Gooding ID 83330



Signature of person or attorney mailing the form

10/11/2007

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

RIGHT NUMBER: 37-13314

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

SOURCE: MC HAN CREEK
UNNAMED STREAM

TRIBUTARY: THREEMILE CREEK
TRIBUTARY: MC HAN CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1900

POINT OF
DIVERSION:

T01N R13E S10 NENSW Begin of Stream Flow Within CAMAS County
T01N R13E S10 NESWSW End of Stream Flow Within CAMAS County
T01N R13E S15 NWNENW Begin of Stream Flow Within CAMAS County
T01N R13E S15 SWNWNW Begin of Stream Flow Within CAMAS County
T01N R13E S15 NWSENW Begin of Stream Flow Within CAMAS County
T01N R13E S15 SESWSE End of Stream Flow Within CAMAS County
T01N R13E S22 SWNWNW End of Stream Flow Within CAMAS County
T01N R13E S22 SWNWNW Begin of Stream Flow Within CAMAS County
T01N R13E S22 NWSWNW Begin of Stream Flow Within CAMAS County
T01N R13E S22 NWSWNW End of Stream Flow Within CAMAS County
T01N R13E S22 NESENW End of Stream Flow Within CAMAS County
T01N R13E S22 NESESW Begin of Stream Flow Within CAMAS County
T01N R13E S27 SENENW End of Stream Flow Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	03/15 11/15	0.020 CFS

PLACE OF USE:

STOCKWATER in CAMAS County

T01N R13E S10	NWSW	T01N R13E S10	SWSW
T01N R13E S15	NWNE	T01N R13E S15	SWNE
T01N R13E S15	NENW	T01N R13E S15	NWNW
T01N R13E S15	SWNW	T01N R13E S15	SENW
T01N R13E S15	NESW	T01N R13E S15	NWSW
T01N R13E S15	SWSW	T01N R13E S15	SESW
T01N R13E S15	NWSE	T01N R13E S15	SWSE
T01N R13E S22	NENW	T01N R13E S22	NWNW
T01N R13E S22	SWNW	T01N R13E S22	SENW
T01N R13E S22	SESW	T01N R13E S27	NENW

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

October 12, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

VANHORN GROUP INC
PO BOX 345
FAIRFIELD ID 83327-0345

RE: SRBA Claim(s) 37-13314

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Moline Ranch
PO Box 222
Gooding ID 83330

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

RECEIVED

OCT 11 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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>37-13314</u>	<u>37-13314</u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </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) 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 PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): CAROLE ANN BASTERRECHEA, JOHN R
MOLINE, ROBERT C MOLINE - MOLINE RANCH
PO BOX 222 GOODING ID 83330
4. New Owner/Claimant(s): DANNY & VALERIE VANHORN
 New Mailing Address: PO BOX 345
 City, State, Zip Code: FAIRFIELD, ID. 83327-0345
 New Telephone Number: (208) 764-2137
5. Date you acquired the property: AUGUST 31 2005

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 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: _____

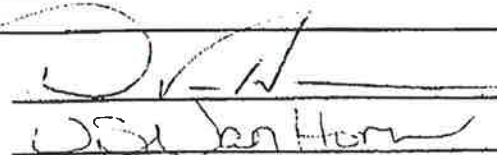
<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

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: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) or Claimant(s):
(include title, if applicable)



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: _____
Received by: _____
Processed by: _____ AJ

Date: _____
Date: _____
Date: _____

Fee: _____
Receipt No: _____
WR: _____ Date: _____

Order No. C050095

WARRANTY DEED

For Value Received

ROBERT C. MOLINE, a married man as his sole and separate property, who acquired title without vesting, and JOHN R. MOLINE, a married man as his sole and separate property, who acquired AND CAROLE ANN BASTERRECHEA, a married woman as her sole and separate property, who acquired title without vesting.

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

Van Horn Group, Inc., a ²⁰⁰⁴ California Corporation

the grantee(s), whose current address is

9873 HARVEY RD, GALT, CA 95632

the following described premises, to-wit:

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

Section 16: E½NW¼; W½E½

Section 22: W½

Section 27: NW¼

Section 33: E½E½

78901

Recorded at the Request of
CAMAS TITLE
 at 2:45 PM
9-19 2005
 In Book 35 Page 435
 of DEED
 COLLIE BENNETT
 CAMAS COUNTY RECORDER
 By [Signature]
 Fees \$ 2.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: August 30, 2005 ^{RCM} ^{ed}

Robert C. Moline
 ROBERT C. MOLINE

John R. Moline
 JOHN R. MOLINE

Carole Ann Basterrechea
 CAROLE ANN BASTERRECHEA

STATE OF IDAHO

COUNTY OF CAMAS

On this 31st day of August, in the year 2005, before me, a Notary Public in and for said State, personally appeared ROBERT C. MOLINE and JOHN R. MOLINE and CAROLE ANN BASTERRECHEA, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Susan L. Lavender
 Notary Public of Idaho
 Residing at Boise, ID
 Commission Expires: 09/15/2012



125



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

October 4, 2007

DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM 37-13314

Dear Mr. VanHorn:

The Department has been notified that you are the current owner of the property to which the above adjudication claim is appurtenant. In order for you to be listed as current owner in our records it is necessary for you to complete the enclosed Notice of Change of Water Right Ownership form. Please complete it per the instructions (pages 3 and 4), include the required information listed under item 2 and return everything to me by October 12, 2007. Once this packet is received, the changes will be made to our records, and you will be sent confirmation that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures

Clelland, Steve

From: Kelly, Vicki
Sent: Wednesday, April 16, 2008 11:26 AM
To: Clelland, Steve
Subject: FW: 37-13314 Claimant: Van Horn (Moline Ranch); 37-21653 and 37-21654 Claimant: Van Horn

Hi Steve

Would you have time to do a rec on the 37-13314 right so we can send them all as a group? Let me know please. Thanks - Vicki

-----Original Message-----

From: Brown, Larry (ENRD) [mailto:Larry.Brown@usdoj.gov]
Sent: Wednesday, April 16, 2008 11:05 AM
To: Spencer, Nick; Bromley, Chris; Kelly, Vicki; Clelland, Steve; Fritschle, Carter
Cc: Fredric_Price@blm.gov; Sherman_Beazer@blm.gov; Casey_O'Brien@blm.gov; erobertson@rsidaholaw.com
Subject: 37-13314 Claimant: Van Horn (Moline Ranch); 37-21653 and 37-21654 Claimant: Van Horn

I just spoke with Evan Robertson, attorney for Mr. Van Horn.

37-13314: We agreed to resolve BLM's objection to this claim by deleting public land from the point of diversion element and place of use element. The public land is identified on the marked up director's report attached to BLM's objection. Please prepare an appropriate Standard Form 5, Stipulated Elements of a Water Right. Let Mr. Price know when it is completed. He will retrieve it and send it to Mr. Robertson for signature.

37-21653: We noted during our discussion that we had agreed at the Initial Hearing that BLM's objection would be resolved by deleting public land from the point of diversion element and from the place of use element. Please see the marked up director's report attached to the BLM's objection for public land that should be deleted. Mr. Robertson said that Van Horn's objection could be resolved by withdrawing the objection to quantity since .02 cfs was standard. I think he said he had resolved the POD/POU issues, if any, on private land with IDWR. I do not have a copy of the objection to confirm if POD/POU was part of the objection, or just quantity. Please prepare an appropriate SF-5 for our signature.. Mr. Price will send it to Mr. Robertson for his signature.

37-21654: We noted during our discussion that we had agreed at the Initial Hearing that BLM's objection would be resolved by deleting public land from the point of diversion element and from the place of use element. Please refer to the marked up director's report attached to BLM's objection to identify public land to be deleted, and prepare an appropriate SF-5 for our signature. Mr. Price will send it to Mr. Robertson for his signature.

Thanks,

Larry

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

RIGHT NUMBER: 37-13314

NAME AND ADDRESS:

VAN HORN GROUP INC
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE:

Source:
MC HAN CREEK

Tributary:
THREEMILE CREEK

Source:
UNNAMED STREAM

Tributary:
MC HAN CREEK

QUANTITY:

0.020 CFS

0.000 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE:

12/31/1900

POINT OF DIVERSION:

~~T01N R13E S10 NENSW Begin of Stream Flow
Within CAMAS County
T01N R13E S10 NESWSW End of Stream Flow
Within CAMAS County~~

T01N R13E S15 NWNENW Begin of Stream Flow
Within CAMAS County

~~T01N R13E S15 SWNNWN Begin of Stream Flow
Within CAMAS County~~

T01N R13E S15 NWSENW Begin of Stream Flow
Within CAMAS County

T01N R13E S15 SESENW End of Stream Flow
Within CAMAS County

T01N R13E S15 NWNWSE Begin of Stream Flow
Within CAMAS County

T01N R13E S15 SESWSE End of Stream Flow
Within CAMAS County

T01N R13E S22 NENENW Begin of Stream Flow
Within CAMAS County

T01N R13E S22 SWNNWN Begin of Stream Flow
Within CAMAS County

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

T01N R13E S22 SWNNW End of Stream Flow
Within CAMAS County

T01N R13E S22 NWSWNW End of Stream Flow
Within CAMAS County

T01N R13E S22 NWSWNW Begin of Stream Flow
Within CAMAS County

T01N R13E S22 NESENW End of Stream Flow
Within CAMAS County

T01N R13E S22 NESESW Begin of Stream Flow
Within CAMAS County

T01N R13E S27 SENENW End of Stream Flow
Within CAMAS County

**PURPOSE AND
PERIOD OF USE:**

Purpose of use	Period of use:	Quantity:
STOCKWATER	03/15 11/15	0.020 CFS

PLACE OF USE:

STOCKWATER within CAMAS County

T01N R13E S15 NWNE
T01N R13E S15 SWNE
T01N R13E S15 NENW

~~T01N R13E S10 NWSW~~
~~T01N R13E S10 SWSW~~

T01N R13E S15 SENW

~~T01N R13E S15 NWNW~~
~~T01N R13E S15 SWNW~~

T01N R13E S15 NWSE
T01N R13E S15 SWSE
T01N R13E S22 NENW
T01N R13E S22 NWNW
T01N R13E S22 SWNW
T01N R13E S22 SENW
T01N R13E S22 SESW
T01N R13E S27 NENW

~~T01N R13E S15 NESW~~
~~T01N R13E S15 NWSW~~
~~T01N R13E S15 SWSW~~
~~T01N R13E S15 SESW~~

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

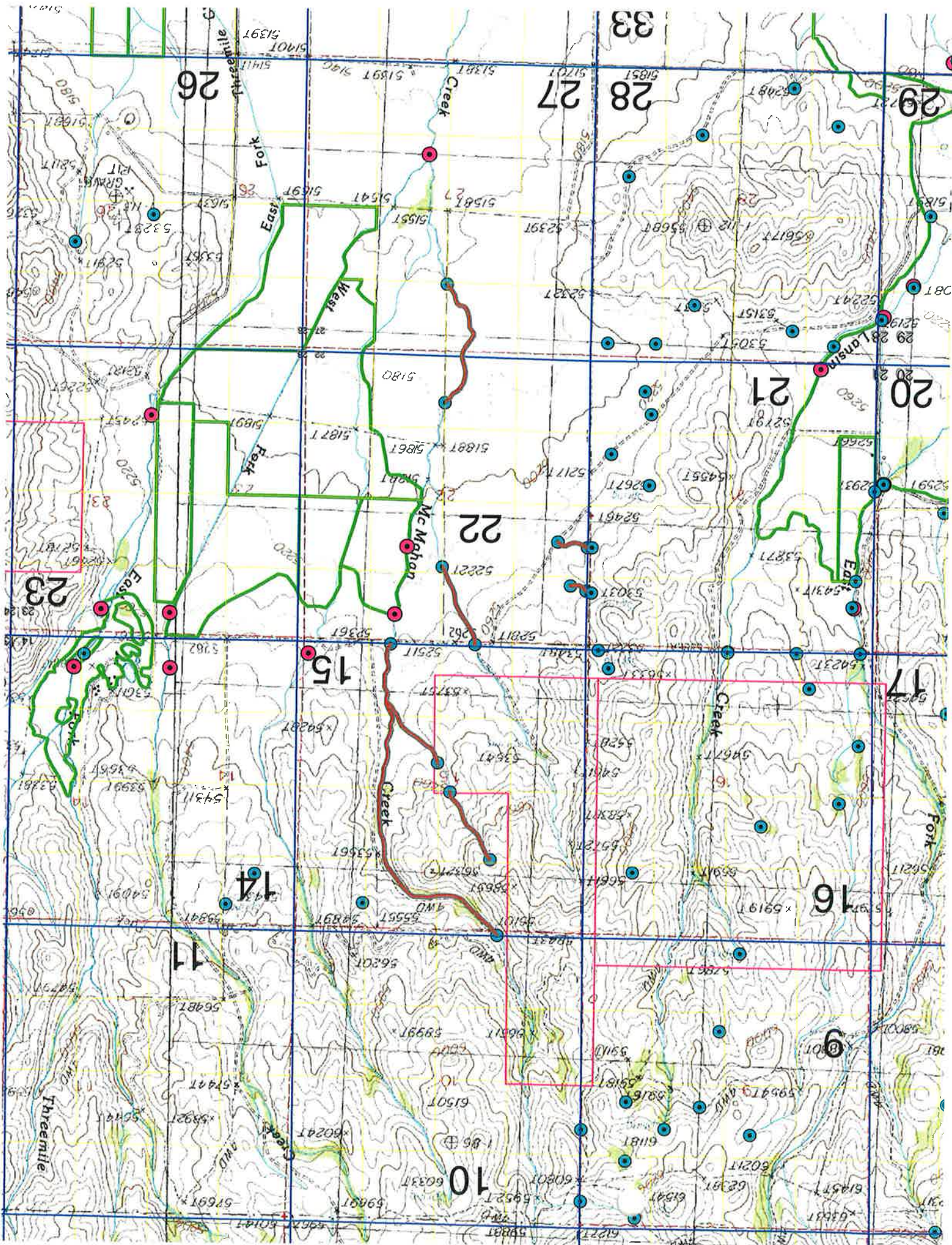
ACRES TOTAL

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use



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

In Re SRBA

Case No. 39576

A. Subcase 37-13314
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Name: Carole Ann Basterrechea; c/o Moline Ranch

Address: P.O. Box 222; Gooding, Idaho 83330

Name: John R. and Robert C. Moline; c/o Moline Ranch

Address: P.O. Box 222; Gooding, Idaho 83330

Name:

Address: ;

Name:

Address: ;

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

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

E. REASONS SUPPORTING OBJECTION(S):

The recommendation describes PODs & POU's on private and federal lands with a priority date of 12-31-1900 and a 03/15 to 11/15 season of use. The Claimant is not authorized to graze federal land. Use of stockwater on federal land within the Threemile Allotment is 06/01 to 10/20 and the McHan Allotment is 06/16 to 09/30. There does not appear to be a basis for an 1900 priority on either private or federal land, as the private POU's were not patented until between 1908 & 1931. Even if the Claimant were authorized, the recommendation does not describe the land to which the use on federal land is appurtenant as required by I.C. 42-1402.

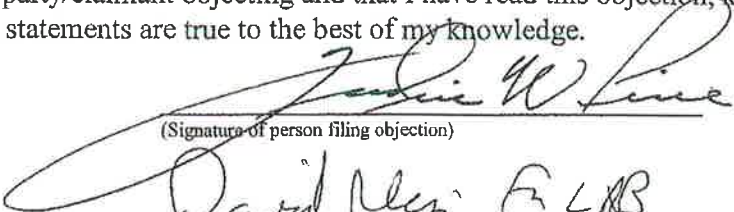
F.

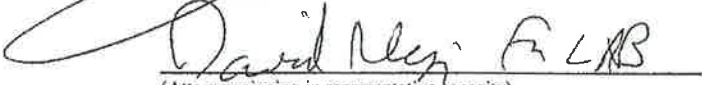
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

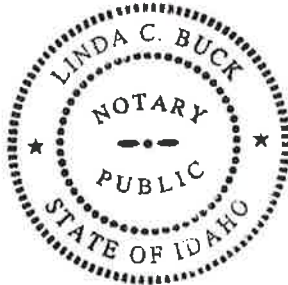
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 23, 2007



Notary Public for State of Idaho
Residing at: Mountain Home, ID
My Commission Expires: 12-21-2012

INSTRUCTIONS FOR MAILING

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

G.

CERTIFICATE OF MAILING

I certify that on May 23, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

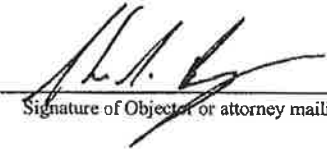
Name: Carole Ann Basterrechea; c/o Moline Ranch
Address: P.O. Box 222; Gooding, Idaho 83330
Name: John R. and Robert C. Moline; c/o Moline Ranch
Address: P.O. Box 222; Gooding, Idaho 83330
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

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



Signature of Objector or attorney mailing on Objector's behalf

12/02/2006

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

RIGHT NUMBER: 37-13314

NAME AND ADDRESS: CAROLE ANN EASTERRECHEA
MOLINE RANCH
PO BOX 222
GOODING ID 83330

JOHN R MOLINE
MOLINE RANCH
PO BOX 222
GOODING ID 83330

ROBERT C MOLINE
MOLINE RANCH
PO BOX 222
GOODING ID 83330

PODs/POUs on BLM:

-Claimant is not authorized to graze on public
land where these Places of Use are located.

SOURCE: MC HAN CREEK
UNNAMED STREAM

TRIBUTARY: THREEMILE CREEK
TRIBUTARY: MC HAN CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per
day.

PRIORITY DATE: 12/31/1960

POINT OF
DIVERSION:

T01N R13E S10 NENSW Begin of Stream Flow Within CAMAS County
T01N R13E S10 NESWSW End of Stream Flow Within CAMAS County
T01N R13E S15 NWNENW Begin of Stream Flow Within CAMAS County
T01N R13E S15 SWNNWN Begin of Stream Flow Within CAMAS County
T01N R13E S15 NSESENW Begin of Stream Flow Within CAMAS County
T01N R13E S15 SESWSE End of Stream Flow Within CAMAS County
T01N R13E S22 SWNNWN End of Stream Flow Within CAMAS County
T01N R13E S22 SWNNWN Begin of Stream Flow Within CAMAS County
T01N R13E S22 NWSWNW Begin of Stream Flow Within CAMAS County
T01N R13E S22 NWSWNW End of Stream Flow Within CAMAS County
T01N R13E S22 NESENW End of Stream Flow Within CAMAS County
T01N R13E S22 NESESW Begin of Stream Flow Within CAMAS County
T01N R13E S27 SENENW End of Stream Flow Within CAMAS County

BLM**BLM**

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
03/15 11/15

QUANTITY
0.020 CFS

PLACE OF USE: STOCKWATER in CAMAS County

BLM

T01N R13E S10 NWSW
T01N R13E S15 NWNE
T01N R13E S15 NENW

BLM

T01N R13E S15 SWNW
T01N R13E S15 NESW
T01N R13E S15 SWSW
T01N R13E S15 NWSE
T01N R13E S22 NENW
T01N R13E S22 SWNW
T01N R13E S22 SESW

T01N R13E S10 SWSW
T01N R13E S15 SWNE
T01N R13E S15 NNNW

BLM**BLM**

T01N R13E S15 SENW
T01N R13E S15 NWSW
T01N R13E S15 SESW
T01N R13E S15 SWSE
T01N R13E S22 NNNW
T01N R13E S22 SENW
T01N R13E S27 NENW

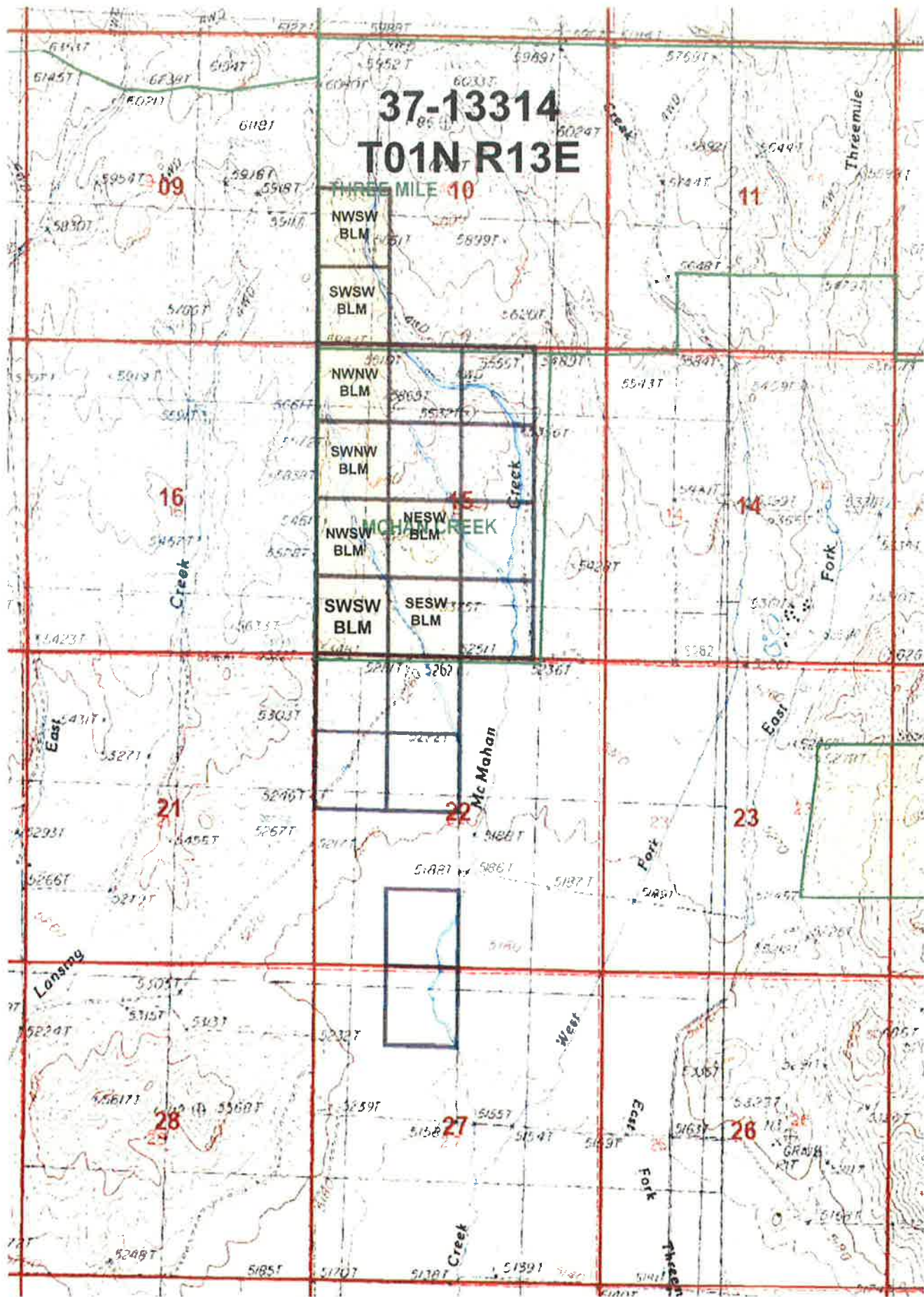
BLM

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



37-13314
T01N R13E

09

There does not appear to be a basis for a 12-31-1900 priority date on private or federal lands.

THREE MILE **10**

11

16

Patent 435469
10-13-1914

15
MOHAN CREEK

Patent 1045706
04-17-1931

14

Patent 1045706
04-17-1931

21

Patent 663
04-13-1908

22

23

28

Patent 127659
05-02-1910

27

26

Adjudication Claim Notes

Claim(s): 37-13314

Background Data

- Beneficial Use Claim
- Source is McHan Creek tributary to Threemile Creek and Springs tributary to McHan Creek
- Claimed 0.05 cfs for stockwater

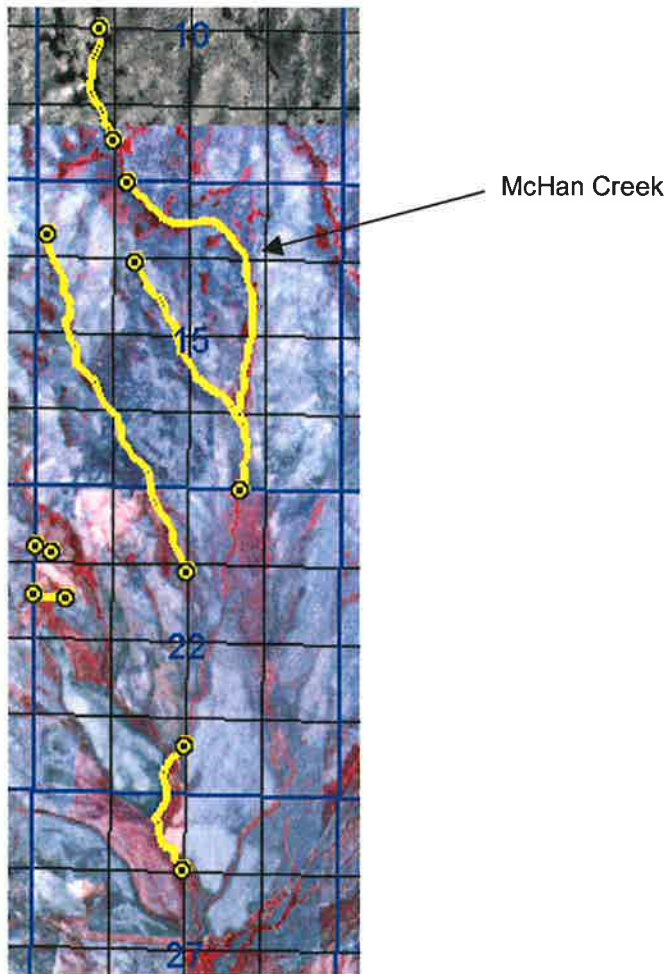
Place Of Use Data

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



Notes

T1N R13E Sections 10, 15, 22, & 27

- 12/29/05 I talked with John Moline on the telephone. Mr. Moline said they sold the property about 4 months ago to Dan Van Horn (208-764-2139). Mr. Moline also provided the following background information about the stockwater use. POU is on both private and BLM land, there is no fence between the BLM and private land. The springs have not been developed. During the present drought, they have been limited in how much they can graze the BLM land due to BLM regulations. They put in a wildlife pond in 1990 with Idaho Fish & Wildlife, but that has expired and the land is back in private ownership. Some of the land has not been grazed in recent years because it is in the CRP.
- 1/10/05 talked with Dan VanHorn on the telephone. Mr. VanHorn confirmed that he had bought the land, but he referred me to Brockway Engineering concerning the water claim.
- 1/10/05 talked with Chuck Brockway Jr. on the telephone. He said he would find out who is working on this claim and have them call me.
- 3/14/06 met with Chuck Brockway Sr. Mr. Brockway identified the POU as all being instream. The two springs are actually on the land to the west and the livestock drink from the stream from the spring, not at spring. Both parcels are now owned by Van Horn so the livestock could have access to water at the spring, but Mr. Brockway decided that for future flexibility in ownership it is better to claim on the in-stream from the spring. A portion of the POU is on BLM land. According to Mr. Brockway they have dammed the stream to make a stockwater pond in NENW Section 27. The pond needs to be on a separate claim if it was constructed before 5/20/1971 or possibly part of Permit 8648 (Stockwater Storage and Wildlife Storage) if constructed after 1971.
- Recommended 0.02 cfs for in-stream stockwater.
- Data used for review: 1987 & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

AJ5856NP

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

DATE: SEP-5-1997

PAGE: A-70

RIGHT NUMBER: 37-13314

NAME & ADDRESS: LLOYD C MOLINE

PO BOX 331

GOODING ID 83330

*Robert Moline
John Moline
Corole Anne Basterechea
PO Box 222*SOURCE: MCHAN CREEK
SPRINGSTRIBUTARY: THREEMILE CREEK
MCHAN CREEK

QUANTITY: 0.05 CFS

PRIORITY DATE: 12/31/1900

POINT OF DIVERSION: T01N R13E S15

NWNE

Within CAMAS County

SWNE

NENW

NENENW

SENWSW

NWSE

SWSE

NWSWSE

S21

NENENE

SENENE

S22

NWNWNW

SWNWNW

SESW

S27

NENW

*Hold back
to confirm
system
KKC
2-11-99*

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

STOCKWATER S/ 150 RANGE

PERIOD OF USE

03-15 11-15

QUANTITY

0.05 CFS

PLACE OF USE:

STOCKWATER

Within CAMAS County

T01N R13E S15

BLM

NWNE

SWNE

NENW

NWSW

NWSE

SWSE

S22

NWNW ✓

SESW

S27

NENW ✓

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

THIS CLAIM IS FOR INSTEAM CATTLE USE ON THE CLAIMANTS PROPERTY AND ON BLM PROPERTY INWHICH THE CLAIMANT RUNS CATTLE. THE SPRINGS IN SEC. 21 ARE LOCATED ON THE FIELDS PROPERTY NEXT TO THE COMMON PROPERTY LINE. THE WATER FROM THE SPRINGS FLOWS NATURALLY ACROSS THE PROPERTY BOUNDARY AND IS USED BY THE CLAIMANT'S CATTLE ON THE CLAIMANT'S PROPERTY.

**P01N13E222400
R01N13E272400*

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Verified by DufDate: 9/7/98Verification Source: G18



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

September 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT MOLINE
JOHN MOLINE
CAROLE ANN BASTERRECHEA
PO BOX 222
GOODING ID 83330

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right No. A37-13314

Dear Claimant:

We have been advised you may be the current owner of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please follow the instructions on the back of the form and return to my attention at this office by October 2, 1998.

Please call this office toll-free at 1-800-451-4129 if you have any questions.

Yours truly,

A handwritten signature in cursive script that reads "Danni M. Smith".

Danni M. Smith
SRBA Sr. Secretary

cc: Regional office

Enclosures: Form 42-248/42-1409(6)

Copy of No. A37-13314 water right filing

AJ0749NP
No. A37-13314

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/12/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN R MOLINE	12/31/1900	STOCKWATER	03-15 11-15	0.05 CFS	
C	ROBERT C MOLINE					
C	CAROLE ANN BASTERRECHEA					
	MOLINE RANCH			TOTAL DIVERSION:	0.05 CFS	
	PO BOX 222					
	GOODING ID 83330					
	(208) 934-8280					

Water Source: MCHAN CREEK
SPRINGS

Tributary to: THREEMILE CREEK
MCHAN CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:	T01N R13E S15	NWNE	SWNE	NENW	NENENW	CAMAS County
	S15	SENWSW	NWSE	SWSE	NWSWSE	CAMAS County
	S21	NENENE	SENENE			CAMAS County
	S22	NWNWNW	SWNWNW	SESW		CAMAS County
	S27	NENW				CAMAS County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE							
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
01N	13E	15	:			S	S	:	S				:		S			:		S	S		:
01N	13E	22	:					:		S			:				S	:					:
01N	13E	27	:					:	S				:					:					:

POU County: CAMAS

Non-Irrigation Uses: S/ 150 RANGE

Other Rights: NONE

Remarks: GEN THIS CLAIM IS FOR INSTTEAM CATTLE USE ON THE CLAIMANTS PROPERTY
AND ON BLM PROPERTY INWHICH THE CLAIMANT RUNS CATTLE. THE
SPRINGS IN SEC. 21 ARE LOCATED ON THE FIELDS PROPERTY NEXT TO
THE COMMON PROPERTY LINE. THE WATER FROM THE SPRINGS FLOWS
NATURALLY ACROSS THE PROPERTY BOUNDARY AND IS USED BY THE
CLAIMANT'S CATTLE ON THE CLAIMANT'S PROPERTY.

2/12/99 TF; OWNERSHIP CHANGED MOLINE TO MOLINE, MOLINE AND
BASTERRECHEA PER 1409(6) AND PROPERTY TAX STATEMENTS AND LEASE
AGREEMENT REC'D 10/6/98.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

"DO NOT FILM"