

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-21320
Date Received: 7/28/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

VORTEX INDUSTRIES

Phone: (208)886-7119

PO BOX 1147
SHOSHONE ID USA 83352

2. Date of Priority: 01/18/1917

3. Source: WASTE WATER

Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
05S	17E	14	NW	NW	NW	LINCOLN	
05S	17E	14	NW	SE	NE	LINCOLN	
05S	17E	15	NE	NE	NE	LINCOLN	
05S	17E	15	SE	NE	NE	LINCOLN	R
05S	17E	14	NE	NW	NW	LINCOLN	

5. Description of diverting works:

EARTHEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.67	

7. Total Quantity Appropriated is:
0.67 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres		
05S	17E	14	SW	NE		IRRIGATION	3		
			NW	NW		IRRIGATION	20		
			SW	NW		IRRIGATION	15		
			SE	NW		IRRIGATION	2		
			Section Acres						40
05S	17E	15	NE	NE		IRRIGATION	10		
			SE	NE		IRRIGATION	5		
			Section Acres						15
			Total Acres						55

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

JULY 29, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

VORTEX INDUSTRIES
PO BOX 1147
SHOSHONE ID 83352

RE: Change of Ownership of SRBA 37-21320, 37-21323 & 37-21326

Dear Claimants,

Pursuant to your request for a change in ownership and/or the notification that you recently purchased the property to which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owner as requested for rights listed above.

Please find enclosed a copy of your adjudication claims they now appear in our records.

If you have any further corrections or questions please contact me at our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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
37-10073		☒			
37-4069		☒			
37-2341		☒			

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Alan L. and Gladyce A Kime
3487 S. 2000 E., Wendell, ID 83355
4. New Owner/Claimant(s) Vortex Industries, Inc.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P.O. Box 1147
City, State and ZIP Code Shoshone, ID 83352
New Telephone Number (208) 886-7119
5. Date you acquired the property December 13, 1995

SCANNED

SEP 10 2003



RECEIVED

SEP 10 2003

Department of Water Resources

59 West Woodriver Road - P.O. Box 1147 - Shoshone, ID 83352
Tel.: 208-886-7119 - Fax: 208-886-7118 - Email: info@vortex4you.com

September 8, 2003

Mr. Steve Clelland,
Sr. Water Resource Agent
State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Change of Ownership of SRBA Claims 37-2341, 37-4069 & 37-10073

Dear Mr. Clelland:

Enclosed please find the following items:

- Form 42-1409(6) "Notice of Change in Water Right Ownership", duly completed and signed.
- Copy of Warranty Deed between Alan L. and Gladysce A. Kime and Joseph M. and Bernadette S. Dunkel, dated 4.9.92.
- Copy of Quitclaim Deed between Joseph M. and Bernadette S. Dunkel and Vortex Industries, Inc., dated 12.13.95.
- Aerial photo with outline of our property showing irrigated acreage.

If any additional information is needed, please contact us.

A handwritten signature in blue ink that reads 'Bernadette S. Dunkel'. The signature is fluid and cursive, with the first name being the most prominent.

Bernadette S. Dunkel,
Corporate Secretary

Encl.

SCANNED

SEP 10 2003



WARRANTY DEED

STATE OF IDAHO
COUNTY OF TETON
1st American Title
APR 09 92
31
Recorded by Brenda Davidson
6.00 by hand

For Value Received

Alan L. Kime and Gladysce A. Kime, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto
Joseph M. Dunkel and Bernadette S. Dunkel, husband and wife,
hereinafter referred to as Grantee, whose current address is
P.O. Box 1767, Sun Valley, ID 83353
the following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner 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 Grantor will warrant and defend the same from all claims whatsoever.

SCANNED

SEP 10 2003

EXHIBIT A

PARCEL I:

The South Half of the Northeast Quarter, and the Northwest Quarter of the Northwest Quarter, and the South Half of the Northwest Quarter, and that part of the Northeast Quarter of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter lying North of the Big Wood River of Section 14, Township 5 South, Range 17 East of the Boise Meridian.

EXCEPT a strip of land 100 feet wide for highway purposes as set forth in Deed to the State of Idaho, recorded February 10, 1931 in Book 37 of Deeds, Page 25, records of Lincoln County, Idaho.

PARCEL II:

Part of the East Half of the Northeast Quarter East of the County Road of Section 15, Township 5 South, Range 17 East of the Boise Meridian, Lincoln County, Idaho

SUBJECT TO the following:

A Mortgage dated August 30, 1972 to secure an indebtedness in the principal sum of \$25,000.00, and any other amounts and/or obligations secured thereby.

Recorded: September 6, 1972, Instrument No. 126450

Mortgagor: Wayne L. Baker and Violet Mae Baker, Husband & Wife

Mortgagee: Federal Land Bank of Spokane

MODIFICATION AGREEMENT adding ADJUSTABLE RATE RIDER recorded June 13, 1989, Instrument No. 153148, Official records.

Right, Title and Interest of Lewis G. Roberts and Harriet S. Roberts, Husband & Wife, as disclosed by Agreement, recorded March 14, 1974, as Instrument No. 128578, Official Records.

Right, Title and Interest of Walter Wodskow and Emma Wodskow, Husband & Wife, as disclosed by Assignment, recorded February 18, 1976, as Instrument No. 131202, Official Records.

A Declaration of Homestead, stating the value of the herein described property, the provisions and effects thereof, in the Official Records of said County.

Dated: December 8, 1982

Executed by: Alan L. Kime

Recorded: December 8, 1982

Instrument No. 143713

Financing Statement covering Motors, Pumps, Mainline and Handlines.

Recorded: June 14, 1988, Instrument No. 152200

Debtor: Alan L. Kime and Gladysce Kime

Secured Party: The Federal Land Bank of Spokane

Right, Title and Interest of Alan L. Kime and Gladysce A. Kime, Husband & Wife, as disclosed by Assignment of Contract AND Acceptance of Assignment, recorded January 15, 1991, as Instrument No. 154595, Official Records.

SCANNED

SEP 10 2003

QUITCLAIM DEED

For Value Received

Joseph M. Dunkel and Bernadette S. Dunkel, husband and wife
does (do) hereby convey, release, remise and forever quit claim
unto VORTEX INDUSTRIES, INC.

whose address is; P.O. Box 859, Shoshone, ID 83352
the following described premises, to-wit:

The South Half of the Northeast Quarter, and the Northwest Quarter of the
Northwest Quarter, and the South Half of the Northwest Quarter, and that part
of the Northeast Quarter of the Southeast Quarter, and the Southeast Quarter of
the Southeast Quarter lying North of the Big Wood River of Section 14, Township
5 South, Range 17 East of the Boise Meridian.

EXCEPT a strip of land 100 feet wide for highway purposes as set forth in Deed
to the State of Idaho, recorded February 10, 1931 in Book 37 of Deeds, Page 25,
records of Lincoln County, Idaho.

Part of the East Half of the Northeast Quarter East of the County Road of Section
15, Township 5 South, Range 17 East of the Boise Meridian, Lincoln County, Idaho.

together with their appurtenances.

Dated: December 13, 1995

Joseph M. Dunkel
Joseph M. Dunkel

Bernadette S. Dunkel
Bernadette S. Dunkel

160200

STATE OF IDAHO, COUNTY OF GOODING

On this 13th day of December, 1995,
before me, a notary public in and for said State, personally appeared

Joseph M. Dunkel and
Bernadette S. Dunkel

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Wendell
Notary Public

Residing at Twin Falls, Idaho

MAIL DEED TO: Commission Expires:

3-13-98

OF IDAHO

STATE OF IDAHO, COUNTY OF Lincoln

I hereby certify that this instrument was filed for record at the request of First American Title at 58 minutes past 9:00 o'clock A. M., this 14th day of December, 1995 in my office, and duly recorded in Book of Deeds at page

Ex-Officio Recorder

By *Helen Jackson* Deputy.

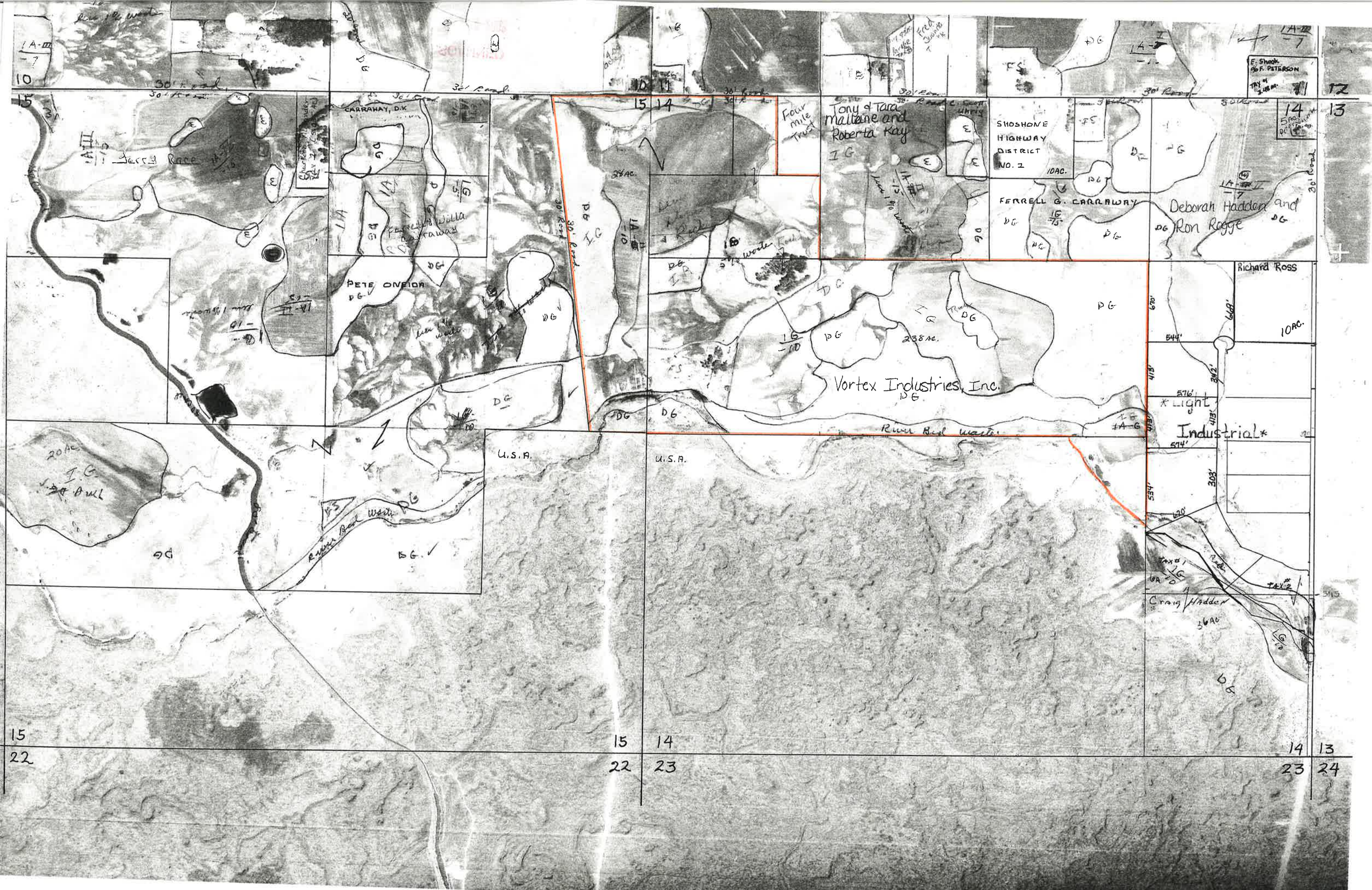
Fees \$ 3.00 - 1st Am. By hand.

MAIL TAX NOTICE TO:

Name _____
Address _____
City and State _____ Zip _____

SCANNED

SEP 10 2003



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

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

RECEIVED
 NOV 14 2003
 Department of Water Resources

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
37-2341		X			
37-10073		X			
	37-4069	X			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Alan L. Kime and Gladysce A. Kime
X 59 W. Wood RR Rd., Shoshone, ID 83352
4. New Owner/Claimant(s) Glendale Construction, Inc. and Central Idaho Construction, Inc.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 868
- City, State and ZIP Code Bellevue, ID 83313
- New Telephone Number (208) 788-3429
5. Date you acquired the property January 1998

RECEIVED

NOV 12 2003

Department of Water Resources
 Southern Region

SCANNED

NOV 17 2003

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED: Vortex Industries, Inc. a corporation duly organized and existing under the laws of the State of Nevada and duly licensed to do business in the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto

Glendale Construction, Inc. and Central Idaho Construction, Inc.

whose address is 166 Glendale Road, Bellevue, ID 83313, grantees, the following described real estate, to-wit:

Parcel 1 of VORTEX INDUSTRIES SUBDIVISION, Lincoln County, Idaho according to the plat thereof recorded June 11, 1996 as Instrument No. 160959 in the Office of the County Recorder of said County.

GRANTEE TO MAINTAIN ALL WASTEWATER DITCHES ON THEIR PROPERTY FREE AND CLEAR OF ALL DEBRIS.

SUBJECT TO current year's taxes, public utility easements, subdivision restrictions and U.S. patent reservations.

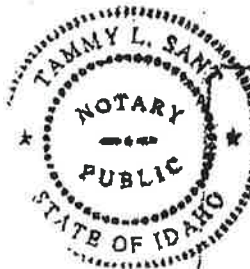
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, his/her/their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all incumbrances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

IN WITNESS WHEREOF: The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and Secretary this 28th day of January, 1998.

[Signature]
Bernadette S. Dunkel

STATE OF IDAHO -)
COUNTY OF LINCOLN

On this 28 day of January, 1998, before me, a Notary Public in and for said State, personally appeared Joseph M. Dunkel and Bernadette S. Dunkel, known or identified to me to be the president and secretary of the Corporation that executed the instrument, and acknowledged to me that such Corporation executed the same.



163839

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of

JAN 28 1998

at 11 minutes past 12 PM
recorded by [Signature]
Fee 3.25 Return to [Signature]

[Signature]
Notary Public for Idaho
Residing at Lincoln County
Commission Expires 3/1/01

RECEIVED

NOV 12 2003

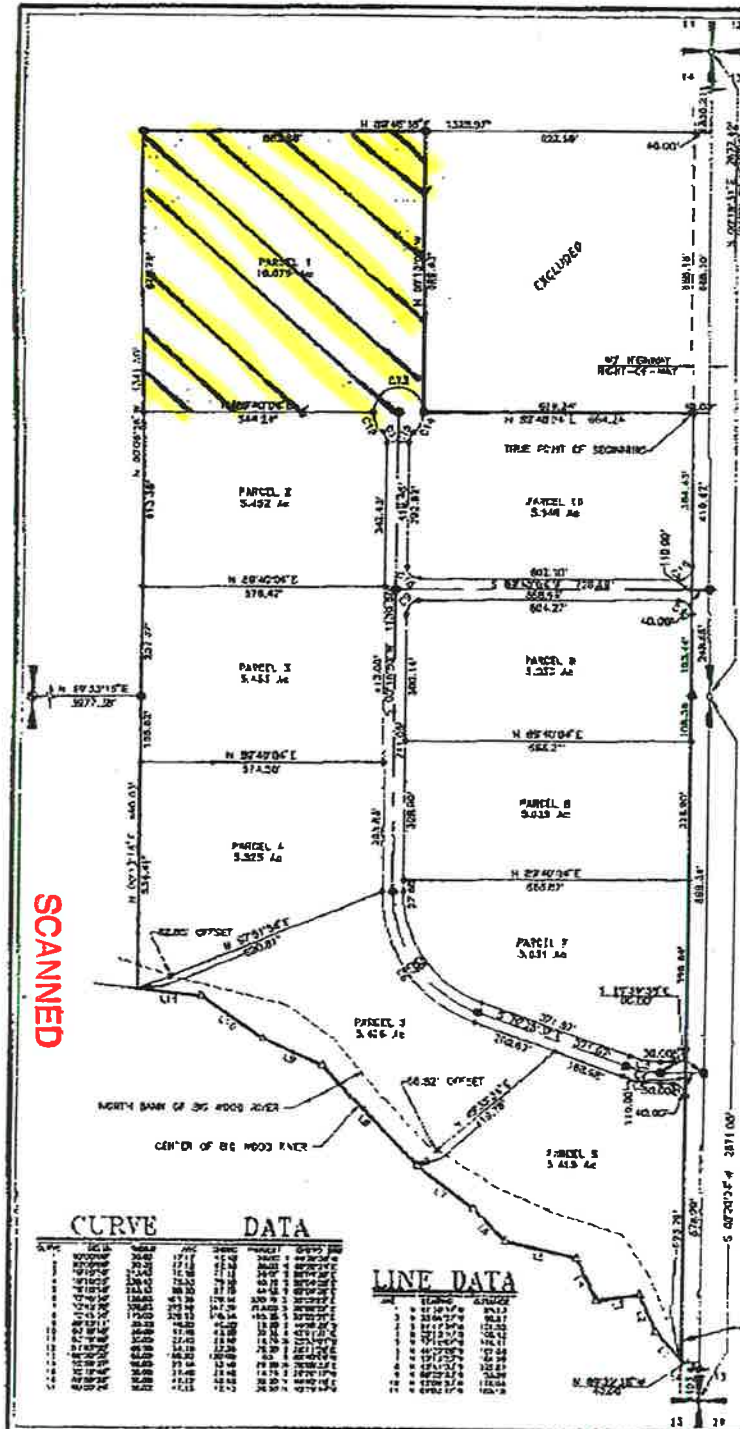
Department of Water Resources
Southern Region

SCANNED

NOV 17 2003

NOV 17 2003

SCANNED



VORTEX INDUSTRIES SUBDIVISIO



THIS PLAT IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING THE LAND, AND THE CO. ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY, WITH AN ACTUAL SURVEY.

SCALE
1" = 200'

L E G E N D

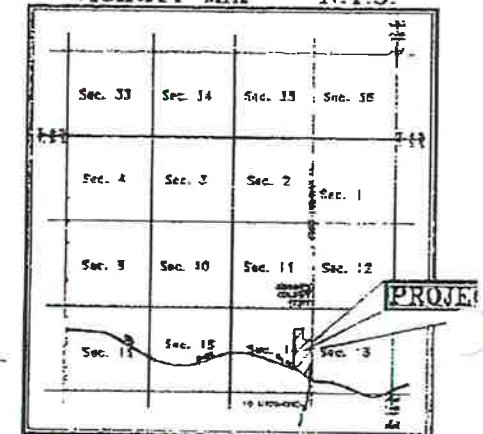
BOUNDARY LINE	
ROAD CENTERLINE	
RIGHT-OF-WAY LINE	
FIND BRASS CAP	
FIND 5/8" STL PIN	
FIND 1/2" STL PIN	
SET 3/8" REBAR & CAP	
SET 1/2" REBAR & CAP	
ANGLE POINT IN RIVER - NOT SET	

SECTION BREAKDOWN 1" = 1000'
SEC. 14, T. 3 S., R. 17 E., S. 4 N.



LOCATED IN
E² E² SECTION 14,
TOWNSHIP 5 SOUTH,
RANGE 17 EAST,
BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO
1996

VICINITY MAP N.T.S.



FEA-79 CERTIFICATE

Sanitary reductions as measured by larvae were T3+SQ, chapter 13, table 14a and table 15. Sanitary reductions may be compared to other forms with data from the SQ chapter 13, section 20-125, by the diameter of a circle of 1000000.

Note

South Central Bible Field Station
University of North Texas, Dallas, Texas



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 13, 2003

GLENDAL CONSTRUCTION INC
PO BOX 868
BELLEVUE ID 83313

RE: SRBA Claim Nos. 37-2341, 37-10073

Dear Claimant:

I received the Notice of Change of Water Right Ownership you recently submitted on the above listed claims. Because these claims have not yet been decreed in the Snake River Basin Adjudication, no fees are due to process the owner change. I am herein returning Glendale Construction Inc's check #308 for \$50.00.

Should you have any questions please contact me at the Dept. (208) 736-3033

Sincerely,

Carrie Hahn
Clerk

Enc. (check)

SCANNED

NOV 17 2003

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: A37-02341
Date Received: 6/02/1988
Receipt No: 5000319

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALAN L. KIME 208-886-2337
Address: 59 WEST WOODRIVER ROAD
SHOSHONE, ID 83352

AND/OR
Name: GLADYCE A. KIME 208-886-2337
Address: 59 WEST WOODRIVER ROAD
SHOSHONE, ID 83352

2. Date of Priority: JAN 18, 1917

3. Source: WASTE WATER Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	17E	14	NW	SE	NE		LINCOLN
			NE	NW	NW		LINCOLN
			NW	NW	NW		LINCOLN
		15	NE	NE	NE		LINCOLN
			SE	NE	NE	R	LINCOLN

5. Description of diverting works:
EARTHEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.780		

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

8. Total consumptive use is 192.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-02341

Page 1

Date: 06/02/88

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	17E	14	SW		NE		IRR	3.0
			SE		NE		IRR	9.0
			NW		NW		IRR	20.0
			SW		NW		IRR	15.0
			SE		NW		IRR	2.0
							Section Acres	49.0
		15	NE		NE		IRR	10.0
			SE		NE		IRR	5.0
							Section Acres	15.0
							Total Acres	64.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
36-4069, SHARES IN BWCC, & BENEFICIAL USE ADJ. CLAIM

14. Remarks:

THIS FILING BASED ON AN OLD LICENCE WHICH WAS ISSUED FOR AN UNNAMED STREAM. ACTUALLY THE SOURCE OF WATER IS WASTEWATER. THIS FILING IS FOR THE ACRES WHICH ARE PRESENTLY IRRIGATED FROM THE ORIGINAL LICENSE. CLAIM 37-4069 RECORDS AN EXPANSION OF THE ORIGINAL LANDS AND ALSO RECORDS ADDITIONAL WATER DIVERTED. AN ADDITIONAL ADJUDICATION CLAIM IS BEING FILED TO RECORD THE EXPANSION OF LANDS TO THIS LICENSE MADE IN 1980 WHEN A RELIFT PUMP AND SPRINKLER SYSTEM WAS ADDED. TOTAL NUMBER OF ACRES UNDER THE SPRINKLER SYSTEM AND GRAVITY SYSTEM IS 115 ACRES. THERE ARE 2 P/D IN NWSENE SEC. 14.

15. Basis of Claim: LICENSE
Water Right Number: 12770

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 Individuals:

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

Signature of Claimant(s): Alan J. Kime Date: 6-2-88
Gladys A. Kime Date: 6-2-88

State of Idaho)
County of Twin Falls) SS.

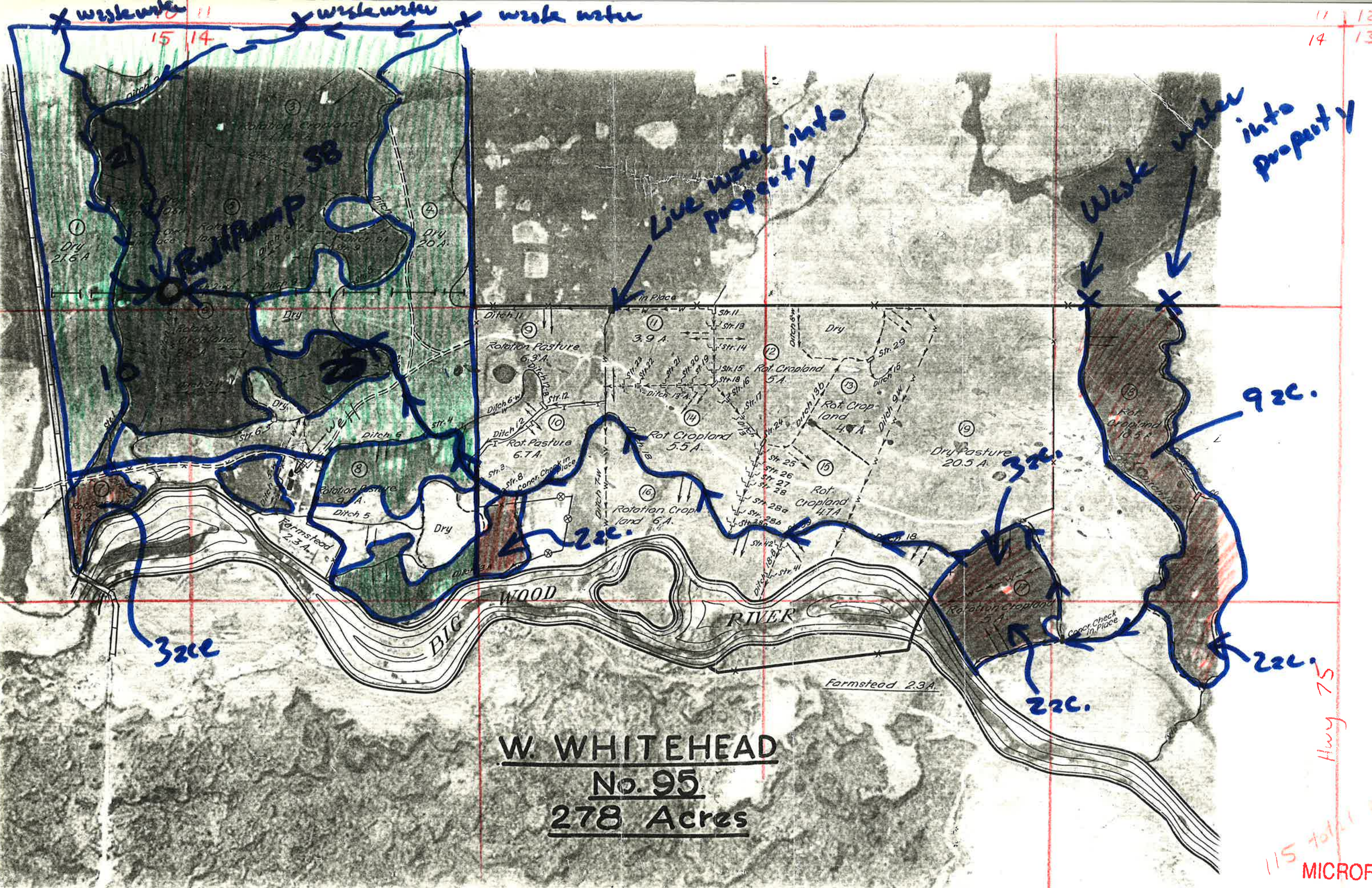
Subscribed and sworn (or affirmed) before me this 2nd day

of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding, ID
My Commission Expires 10/16/1992



W. WHITEHEAD
No. 95
278 Acres

115 total
MICROFILMED
FEB 23 1993

07/29/2004

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

RIGHT NUMBER: 37-21320
NAME AND ADDRESS: VORTEX INDUSTRIES
PO BOX 1147
SHOSHONE ID 83352
SOURCE: WASTE WATER
TRIBUTARY: BIG WOOD RIVER
QUANTITY: 0.670 CFS
PRIORITY DATE: 01/18/1917
POINT OF DIVERSION:

T05S R17E S14 NWSENE Within LINCOLN County
T05S R17E S14 NWSENE Within LINCOLN County
T05S R17E S14 NWNWNW Within LINCOLN County
T05S R17E S15 NENENE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.670 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R17E S14	SWNE	3.0	T05S R17E S14	NWNW	20.0
T05S R17E S14	SWNW	15.0	T05S R17E S14	SENW	2.0
T05S R17E S15	NENE	10.0	T05S R17E S15	SENE	5.0

55 ACRES TOTAL

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

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

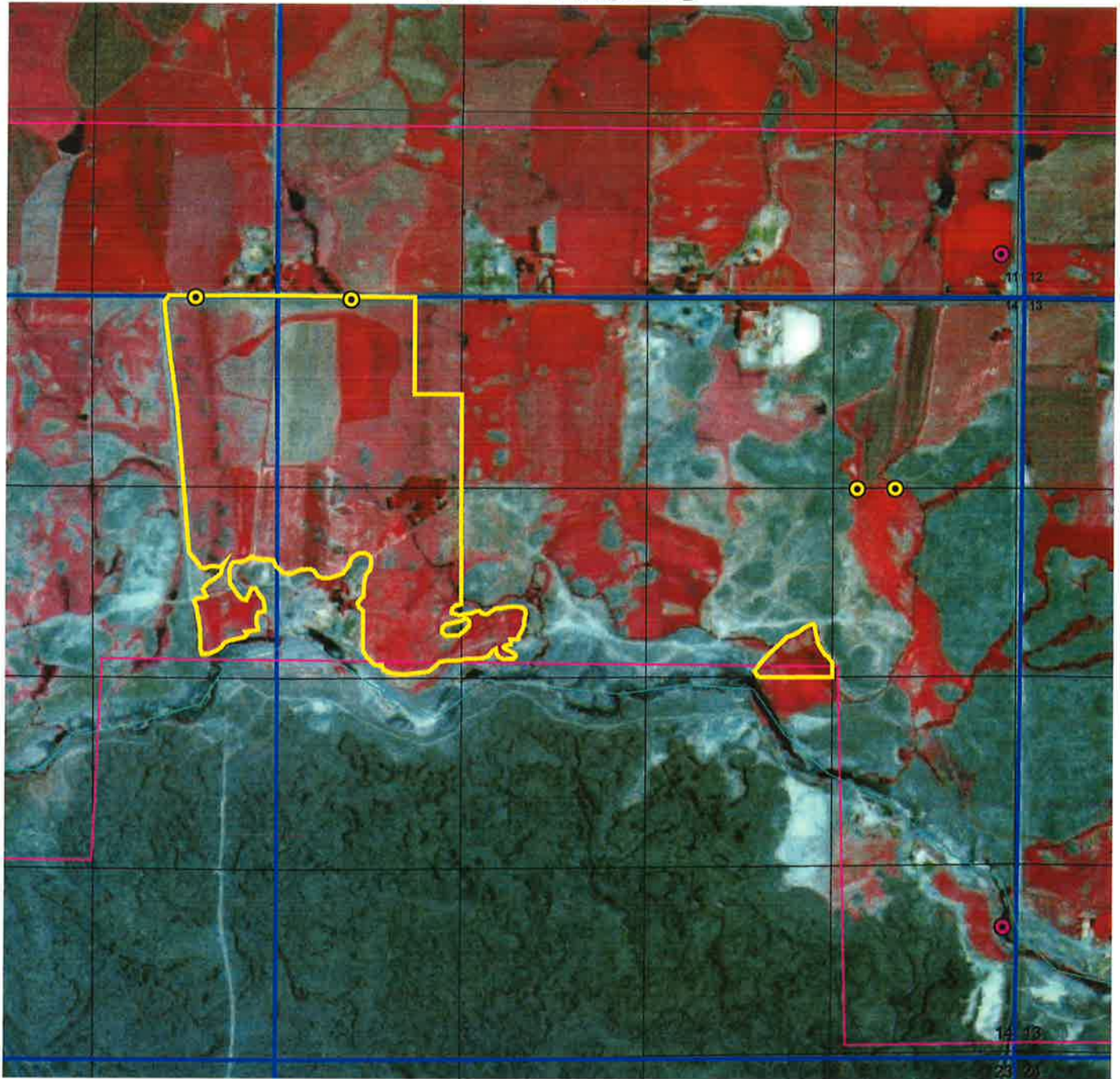
EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL
CO.

IDAHO DEPT OF WATER RESOURCES

37-21320



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 5S
RNG: 17E
SEC. 14 & 15



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: JULY 29, 2004

37-2341

37-4069

37-10073

8/20/03
SCC

original license was filed to provide additional water to the Carey Art Water (BWCC).

Changes in POD from original license have been made and need to be confirmed.

Mailings to current owner have all been returned. Tax lot info lists several new owners of the claimed parcels. Below are the largest land owners listed:

- | | |
|---------------------|--------------------------------|
| ① VORTEX INDUSTRIES | ② GIESSLER FAMILY LIVING TRUST |
| PO Box 1147 | 57 FOUR MILE RD |
| Shoshone ID 83352 | SHOSHONE ID |

- ③ GLENDALE CONST INC

PO Box 868

BELLEVUE ID 83313

Sent letters for ownership change to the 3 above on 8/20/03.

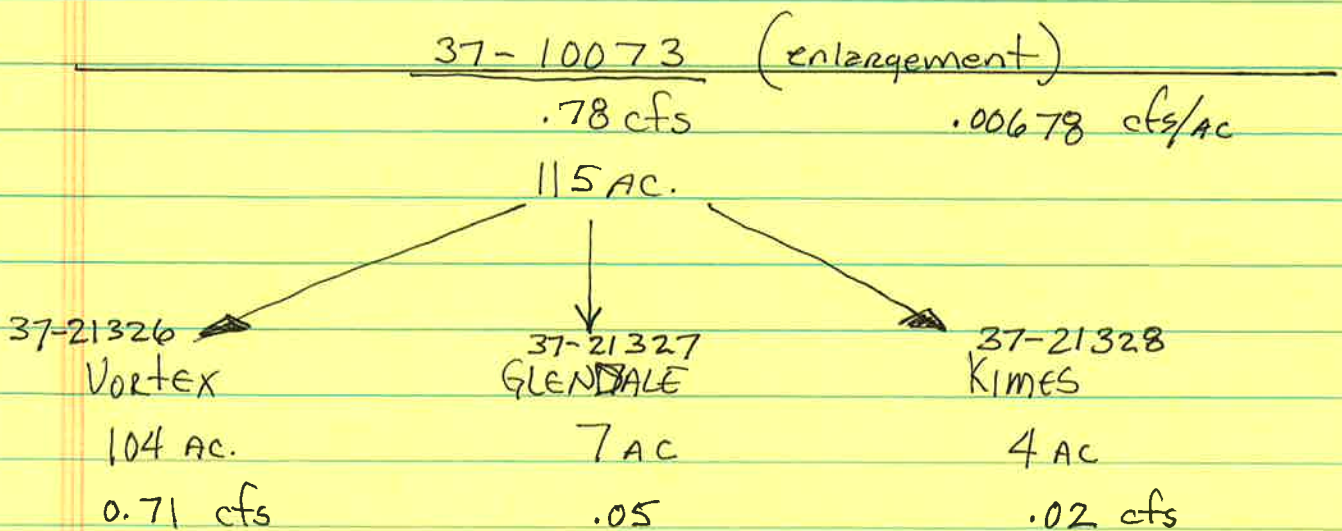
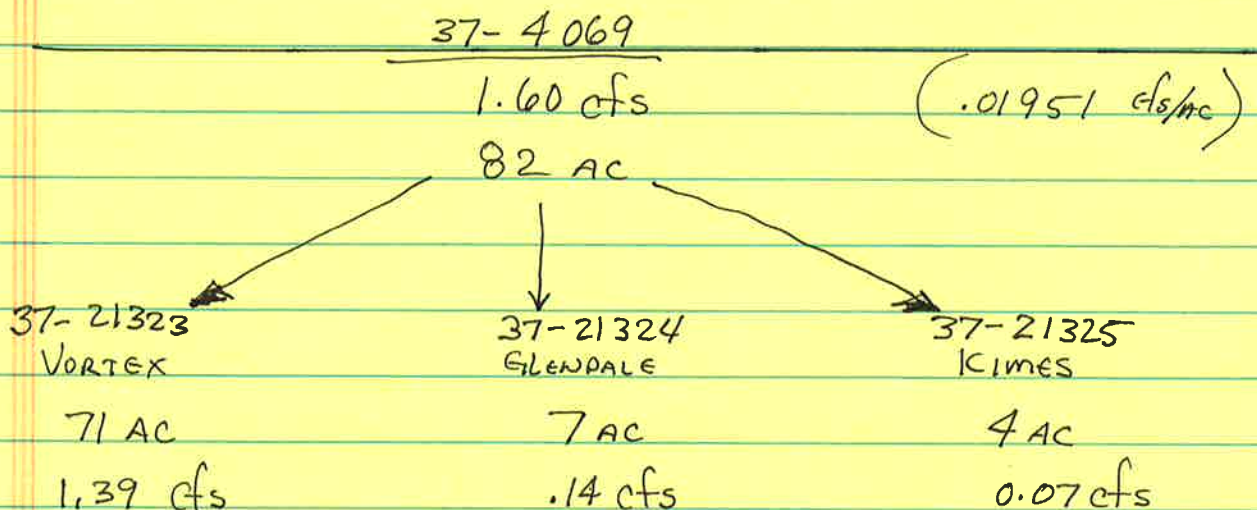
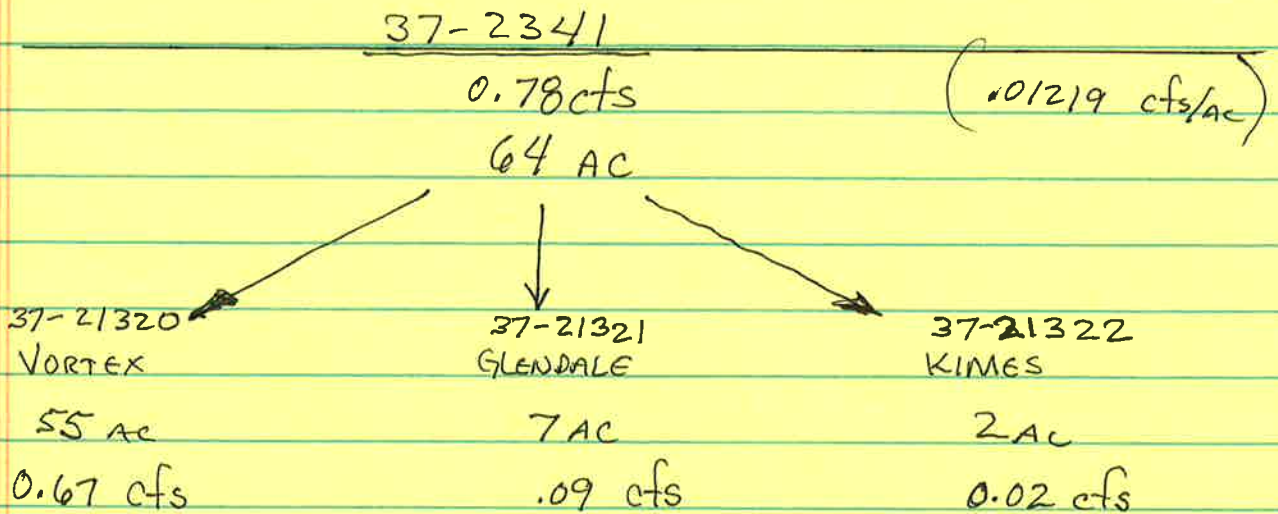
7/29/04 Rec'd license rates as claimed
SCC

no proof for beneficial use rights to WW

BWCC shareholders re-using canal water is okay.

Change of ownership
SPLIT OWNERSHIP -

7/28/04
SCC



SPLIT OWNERSHIP REVIEW

7/27/04 SCC

10
10
21

20
31
38

36 5

22 41
12 28

5
6 13

15
17
25

Vortex

2
2
2

3

3
3
3

3
2.3

2
2

Glendale cons.

9
9
9

7
5

(12)

2

Kinos

2
2

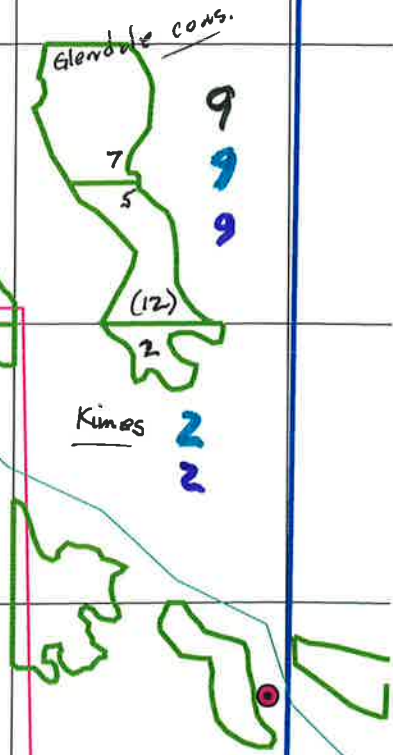
37-2341 = 64 AC.

37-4069 = 82 AC.

37-10073 = 115 AC.



11 12
14 13



14 13
23 24



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

AUGUST 20, 2003

VORTEX INDUSTRIES
PO BOX 1147
SHOSHONE ID 83352

RE: CHANGE OF OWNERSHIP OF SRBA CLAIMS 37-2341, 374069 & 37-10073

DEAR SIRs,

Enclosed please find the form 42-1409(6) used to change the ownership of an SRBA claim to a water right within the SRBA and a copy of the claims listed above. It appears you may now be the correct owner of a portion of the SRBA claims listed above.

If you wish to pursue this claim please complete the form and sign as indicated and return to our office with a copy of proof of ownership, such as a warranty deed, and a map of your property, such as a plat map. A complete chain of title is needed from the owner described in the enclosed claim report to you as the current owner of the rights. Complete instructions are included with this form.

If you are no longer the owner of this parcel please forward this packet to the new owner or return to IDWR indicating this information.

If you have any further questions please call our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

AUGUST 20, 2003

GIESSLER FAMILY LIVING TRUST
57 FOUR MILE RD
SHOSHONE ID 83352

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State of Idaho

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

AUGUST 20, 2003

GLENDALÉ CONST INC
PO BOX 868
BELLEVUE ID 83313

RE: CHANGE OF OWNERSHIP OF SRBA CLAIMS 37-2341, 374069 & 37-10073

DEAR SIRs,

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If you have any further questions please call our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

GIS = 123.4 AC.
w/o BLM

BLM

37-2341
37-4069
12-10-02 scc
T5S R17E
draft
37-10073 exp.

15 14
22 23

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2341WATER RIGHT NUMBER: **37-2341**

Owner Type Name and Address
 Current Owner NOVINGER & DARRAH SHEEP CO
 SHOSHONE, ID

Priority Date: 01/18/1917

Basis: License

Status: Active

Source Tributary
 UNNAMED STREAM BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	0.780 CFS	
	<u>Total Diversion:</u>	0.780 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM SE1/4SE1/4 Sec. 11, Twp 05S, Rge 17E, B.M.
 LINCOLN 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	
05S	17E	14			3.0	12.0			20.0	15.0	14.0								64.0
05S	17E	15	10.0			5.0			25.0										40.0

Total Acres: 104

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2341

Dates and Other Information:

Licensed Date: 5/10/1979
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False