

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 37-21372
Date Received: 11/16/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

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

2. Date of Priority: 07/10/1884

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	Type
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	0.065	

7. Total Quantity Appropriated is:
0.065 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
01N	19E	29	SE	SE	IRRIGATION	20
					Section Acres	20
					Total Acres	20

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:

14. Remarks:

Parcel RP000370000030A

PROPERTY IS ALSO KNOWN AS LOT 3A, B.S. RANCH SUBDIVISION.

This right is a split from former right 37-664E.

15. Basis of Claim: Decreed



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 16, 2004

CARL BROWNING
BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313

RE: SRBA Claim(s) 37-114D, 37-664E, 37-665P, 37-666M,
37-667R, 37-11526C

Dear Mr. and Mrs. Browning:

Pursuant to the notification that you sold a portion of the property to which the above referenced adjudication claims are appurtenant, the department has split the original claims. Your portions have been numbered 37-21370, 37-21372, 37-21374, 37-21376, 37-21378 and 37-21380.

Enclosed please find your copies of the computer-generated claims. Review these documents and should you have any questions or corrections, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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

RECEIVED**JUN 10 2004**Department 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>37-114D</u>		☒	<u>37-11526C</u>		☒
<u>37-664E</u>		☒			
<u>37-665P</u>		☒			
<u>37-666M</u>		☒			
<u>37-667R</u>		☒			

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) B S RANCH
4. New Owner/Claimant(s) ROBERT STRUTHERS & CARL BROWNING
- LOT 2 LOT 3A
WES PURDY CARL & BARBARA BROWNING
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
PO BOX 6610 PO BOX 259
KETCHUM, ID 83340 BELLEVUE, ID 83313
- New Mailing Address
- City, State and ZIP Code
- New Telephone Number () 726-4911 WES PURDY
788-9673 CARL BROWNING
5. Date you acquired the property 6/7/04

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

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

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

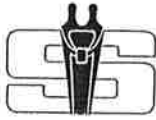
7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Wesley D. Dandy
Carl W. Broening

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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



WARRANTY DEED

For Value Received ROBERT J. STRUTHERS AND LAURIE STRUTHERS, NOW KNOWN AS LAURIE ADAMSON AND CARL BROWNING AND BARBARA BROWNING, WHO ACQUIRED TITLE AS B S RANCH, A PARTNERSHIP.

the Grantor hereby grants, bargains, sells, conveys and warrants unto CARL BROWNING AND BARBARA BROWNING, HUSBAND AND WIFE

the Grantee whose current address is: PO BOX 6610, KETCHUM, ID 83340

the following described premises, to-wit:

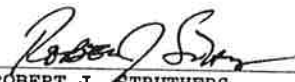
Lot 3A of B. S. RANCH SUBDIVISION, LOT 3 AMENDED according to the official plat thereof recorded March 26, 2004 as Instrument No. 500879 records of Blaine County, Idaho.

Parcel Number: RP000370000020A

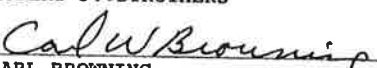
SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

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 encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 02, 2004


ROBERT J. STRUTHERS

LAURIE L. ADAMSON


CARL BROWNING


BARBARA BROWNING

State of IDAHO

SS.

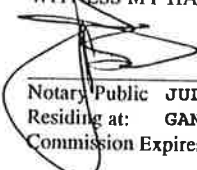
County of BLAINE

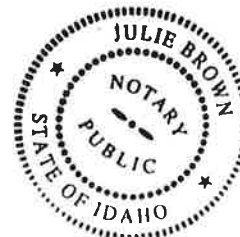
On this 7th day of June, 2004, before me, the undersigned, a Notary Public, in and for said State, personally appeared ROBERT J. STRUTHERS, CARL BROWNING AND BARBARA BROWNING

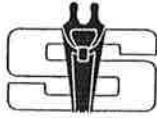
_____, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)


Notary Public JULIE BROWN
Residing at: GANNETT, ID
Commission Expires: July 09, 2005





WARRANTY DEED

For Value Received ROBERT J. STRUTHERS AND LAURIE STRUTHERS, NOW KNOWN AS LAURIE ADAMSON AND CARL BROWNING AND BARBARA BROWNING, WHO ACQUIRED TITLE AS B S RANCH, A PARTNERSHIP.

the Grantor hereby grants, bargains, sells, conveys and warrants unto CARL BROWNING AND BARBARA BROWNING, HUSBAND AND WIFE

the Grantee whose current address is: PO BOX 6610, KETCHUM, ID 83340

the following described premises, to-wit:

Lot 3A of B. S. RANCH SUBDIVISION, LOT 3 AMENDED according to the official plat thereof recorded March 26, 2004 as Instrument No. 500879 records of Blaine County, Idaho.

Parcel Number: RP000370000020A

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

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 encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 02, 2004

ROBERT J. STRUTHERS

Laurie L. Adamson
LAURIE L. ADAMSON

CARL BROWNING

BARBARA BROWNING

State of IDAHO

SS.

County of BLAINE

On this _____ day of _____, before me, the undersigned, a Notary Public, in and for said State, personally appeared ROBERT J. STRUTHERS, CARL BROWNING AND BARBARA BROWNING

_____, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Notary Public JULIE BROWN
Residing at: GANNETT, ID
Commission Expires: July 09, 2005

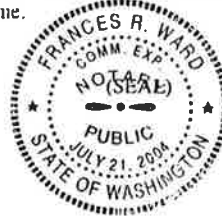
State of Washington
County of King ss.

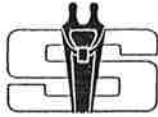
On this 3rd day of June, 2004, before me, the undersigned, a Notary Public, in and for said State, personally appeared LAURIE L. ADAMSON

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Frances R. Ward
Notary Public FRANCES R. WARD
Residing at: Kent WA
Commission Expires: 7-21-2004





WARRANTY DEED

For Value Received ROBERT J. STRUTHERS AND LAURIE STRUTHERS, NOW KNOWN AS LAURIE ADAMSON AND CARL BROWNING AND BARBARA BROWNING, WHO ACQUIRED TITLE AS B S RANCH, A PARTNERSHIP.

the Grantor hereby grants, bargains, sells, conveys and warrants unto ROBERT STRUTHERS, AN UNMARRIED MAN AND LAURIE L. ADAMSON, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY

the Grantee whose current address is: PO BOX 6610, KETCHUM, ID 83340

the following described premises, to-wit:

Lot 2 of B. S. RANCH SUBDIVISION, according to the official plat thereof recorded March 31, 1995 as Instrument No. 376973, records of Blaine County, Idaho.

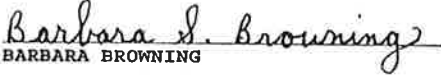
Parcel Number: RP000370000020A

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

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 encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 02, 2004


ROBERT J. STRUTHERS

LAURIE L. ADAMSON

BARBARA BROWNING

State of IDAHO

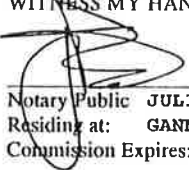
ss.

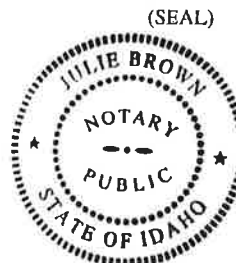
County of BLAINE

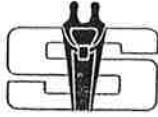
On this th day of June, 2004, before me, the undersigned, a Notary Public, in and for said State, personally appeared ROBERT J. STRUTHERS, CARL BROWNING AND BARBARA BROWNING

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.


Notary Public JULIE BROWN
Residing at: GANNETT, ID
Commission Expires: July 09, 2005





WARRANTY DEED

For Value Received ROBERT J. STRUTHERS AND LAURIE STRUTHERS, NOW KNOWN AS LAURIE ADAMSON AND CARL BROWNING AND BARBARA BROWNING, WHO ACQUIRED TITLE AS B S RANCH, A PARTNERSHIP.

the Grantor hereby grants, bargains, sells, conveys and warrants unto ROBERT STRUTHERS, AN UNMARRIED MAN AND LAURIE L. ADAMSON, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY

the Grantee whose current address is: PO BOX 6610, KETCHUM, ID 83340

the following described premises, to-wit:

Lot 2 of B. S. RANCH SUBDIVISION, according to the official plat thereof recorded March 31, 1995 as Instrument No. 376973, records of Blaine County, Idaho.

Parcel Number: RP000370000020A

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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 encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 02, 2004

ROBERT J. STRUTHERS

Laurie L. Adamson
LAURIE L. ADAMSON

CARL BROWNING

BARBARA BROWNING

State of IDAHO

ss.

County of BLAINE

On this _____ day of _____, before me, the undersigned, a Notary Public, in and for said State, personally appeared ROBERT J. STRUTHERS, CARL BROWNING AND BARBARA BROWNING

_____, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Notary Public JULIE BROWN

Residing at: GANNETT, ID

Commission Expires: July 09, 2005

State of Washington

County of King

ss.

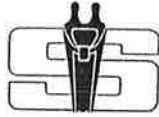
On this 3rd day of June, 2004, before me, the undersigned, a Notary Public, in and for said State, personally appeared LAURIE L. ADAMSON

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Frances R. Ward
Notary Public FRANCES R. WARD
Residing at: Kent, WA
Commission Expires: 7-21-2014





WARRANTY DEED

For Value Received **ROBERT J. STRUTHERS, AN UNMARRIED MAN AND LAURIE L. ADAMSON, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **WESLEY D. PURDY, AN UNMARRIED MAN**

the Grantee whose current address is: **PO BOX 6610, KETCHUM, ID 83340**

the following described premises, to-wit:

Lot 2 of B. S. RANCH SUBDIVISION, according to the official plat thereof recorded March 31, 1995 as Instrument No. 376973, records of Blaine County, Idaho.

Parcel Number: **RP000370000020A**

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

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 encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: **June 02, 2004**



State of **IDAHO**

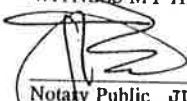
SS.

County of **BLAINE**

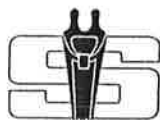
On this 7th day of June, 2004, before me, the undersigned, a Notary Public, in and for said State, personally appeared **ROBERT J. STRUTHERS**

_____, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.


Notary Public **JULIE BROWN**
Residing at: **GANNETT, ID**
Commission Expires: **July 09, 2005**





WARRANTY DEED

For Value Received **ROBERT J. STRUTHERS, AN UNMARRIED MAN AND LAURIE L. ADAMSON, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **WESLEY D. PURDY, AN UNMARRIED MAN**

the Grantee whose current address is: **PO BOX 6610, KETCHUM, ID 83340**

the following described premises, to-wit:

Lot 2 of B. S. RANCH SUBDIVISION, according to the official plat thereof recorded March 31, 1995 as Instrument No. 376973, records of Blaine County, Idaho.

Parcel Number: **RP000370000020A**

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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 encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: **June 02, 2004**

ROBERT J. STRUTHERS


LAURIE L. ADAMSON

State of **IDAHO**

ss.

County of **BLAINE**

On this _____ day of _____, before me, the undersigned, a Notary Public, in and for said State, personally appeared **ROBERT J. STRUTHERS**

_____, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Notary Public **JULIE BROWN**
Residing at: **GANNETT, ID**
Commission Expires: **July 09, 2005**

State of Washington

County of King

ss.

On this 3rd day of June, 2004, before me, the undersigned, a Notary Public, in and for said State, personally appeared LAURIE L. ADAMSON

_____, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Frances R. Ward

Notary Public FRANCES R. WARD
Residing at: Kent WA
Commission Expires: 7-21-2004





BLAINE COUNTY TITLE

126 Main Street South #B4
Hailey, Idaho 83333
Phone (208) 788-8300 Toll Free (800) 346-6879
Fax (208) 788-1985

RECEIVED

JUN 10 2004

Department of Water Resources
Southern Region

June 7, 2004

IDWR Southern Idaho
Attn: Trish
1341 Fillmore St. Suite 200
Twin Falls, ID 83301-3380

Re: Order 04012713

Purdy
Struthers/Adamson

Dear Trish:

In connection with the above referenced order, please find the attached copies of the following documents:

- Warranty Deeds
- Change in Water Right Ownership

Thank you for using Blaine County Title. If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely,

BLAINE COUNTY TITLE



Julie Brown
Escrow Officer
jb

Attachment(s)



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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

WES PURDY
PO BOX 838
BELLEVUE ID 83313

January 4, 2007

RE: 37-21371 Notice of Error Reply

Dear Mr. Purdy,

I am in receipt of your Notice of Error regarding the preliminary recommendation on 37-21371. I'll try to explain why the recommendation was changed and the diversion rate was reduced from your claimed rate.

Charlie Browning originally filed claim 37-664A in 1988 for 2.0 cfs. In 1990 an ownership change was received which indicated that 3 inches or 0.06 cfs of this right was to go to Sharon Dudley/Ellen Douthit. The claim was subsequently split into parts 37-664C - 1.94 cfs and 37-664D - 0.06 cfs.

Further ownership changes were later received on part C that indicated it should be split into 37-664E, B. S. Ranch for 0.13 cfs, 37-664F HG2 Limited Partnership for 1.77 cfs, and 37-664G Browning for 0.06 cfs. (Your portion came from part 37-664E which was split between you [37-21371] and Carl Browning [37-21372] for 0.65 cfs each.) During my review I realized that the splits for E, F, and G added up to 1.96 cfs, which was incorrect as only 1.94 cfs was available. I therefore reduced your recommendation and that of Carl Browning's to 0.055 cfs or 2.75 inches each, instead of the claimed 0.065 cfs or 3.25 inches each.

If you feel this was incorrect, perhaps you should talk to Struthers and Browning who filed the ownership changes for the splits. You should also file an Objection to your right as well as the other parts when the Director's Report is filed later this month. We can then get with the different parties and take a further look in order to determine where the reduction should come from.

Please feel free to give me a call at the office if you have further questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

RECEIVED
12/18/2006
JAN 04 2007
DEPARTMENT OF
WATER RESOURCES

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: 01/05/2007

Water right number: 37-21372

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

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

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: 12-26-06 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

RECEIVED
JAN 09 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

SCANNED
JAN 04 2007

12/13/2006

**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: 12/29/2006

Water right number: 37-21372

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

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

RECEIVED
DEC 20 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: 12-18-06 SIGNATURE: Carl W Browning
Please print your name: CARL W BROWNING

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

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: 37-21372

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

BARBARA 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



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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 14, 2006

CARL AND BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313

Dear Mr. and Mrs. Browning,

Enclosed is a copy of your revised recommendation.

If you have questions or comments, please contact Jeanie at the Department,
(208) 736-3033.

A handwritten signature in dark ink, appearing to read 'Carrie Hahn', is written over a horizontal line.

Sincerely,
Carrie Hahn
Clerk

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

This right is a split from former right 37-664E.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21372 V1

WATER RIGHT NUMBER: 37-21372 V1

<u>Owner Type</u>	<u>Name and Address</u>
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
Original Owner	B S RANCH 388 GANNETT RD BELLEVUE, ID 83313 (208)788-4613
Current Owner	BARBARA BROWNING PO BOX 259 BELLEVUE, ID 83313 (208)788-9673

Priority Date: 07/10/1884

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	0.055 CFS	
	<u>Total Diversion:</u>	0.055 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																	20.0
																			20.0

Total Acres: 20

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-21372 V1

Conditions of Approval:

1. 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.: 37-21370, 37-21372, 37-21374, 37-21376, 37-21378, and 37-21380.
2. J01 PROPERTY IS ALSO KNOWN AS LOT 3A, B.S. RANCH SUBDIVISION. Parcel RP00037000003AA
3. P21 This right is a split from former right 37-664E.
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.

2. jroberts 12/12/2006 Cahnged diversion rate
Comment: This right was split off of part C, which should have been 1.94 cfs. [Part A was 2.0 cfs and was split into C (1.94 cfs) and D (.06 cfs).] The records for Part C were somehow later changed to 1.96 cfs and then split into E (0.13 cfs), F (1.77 cfs) and G (0.06 cfs). I have reduced Part E to 0.11 cfs, which then split into 37-21371 and 37-21372 for 0.055 cfs each instead of 0.65 cfs each.

Water Supply Bank:

11/14/2006

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

RIGHT NUMBER: 37-21372
NAME AND ADDRESS: CARL BROWNING
PO BOX 259
BELLEVUE ID 83313
BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.065 CFS
PRIORITY DATE: 07/10/1884
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	0.065 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S29 SESE 20.00

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.: 37-21370, 37-21372, 37-21374, 37-21376, 37-21378, and 37-21380.

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

PROPERTY IS ALSO KNOWN AS LOT 3A, B.S. RANCH SUBDIVISION. Parcel RP00037000003AA

This right is a split from former right 37-664E.



Idaho Department of Water Resources

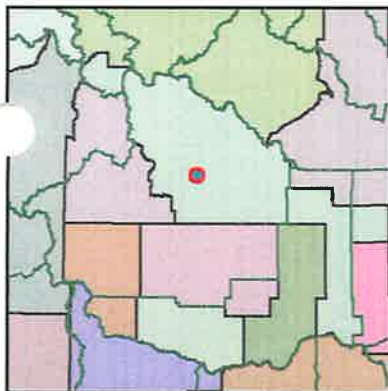
SRBA Recommendation:

37-21372

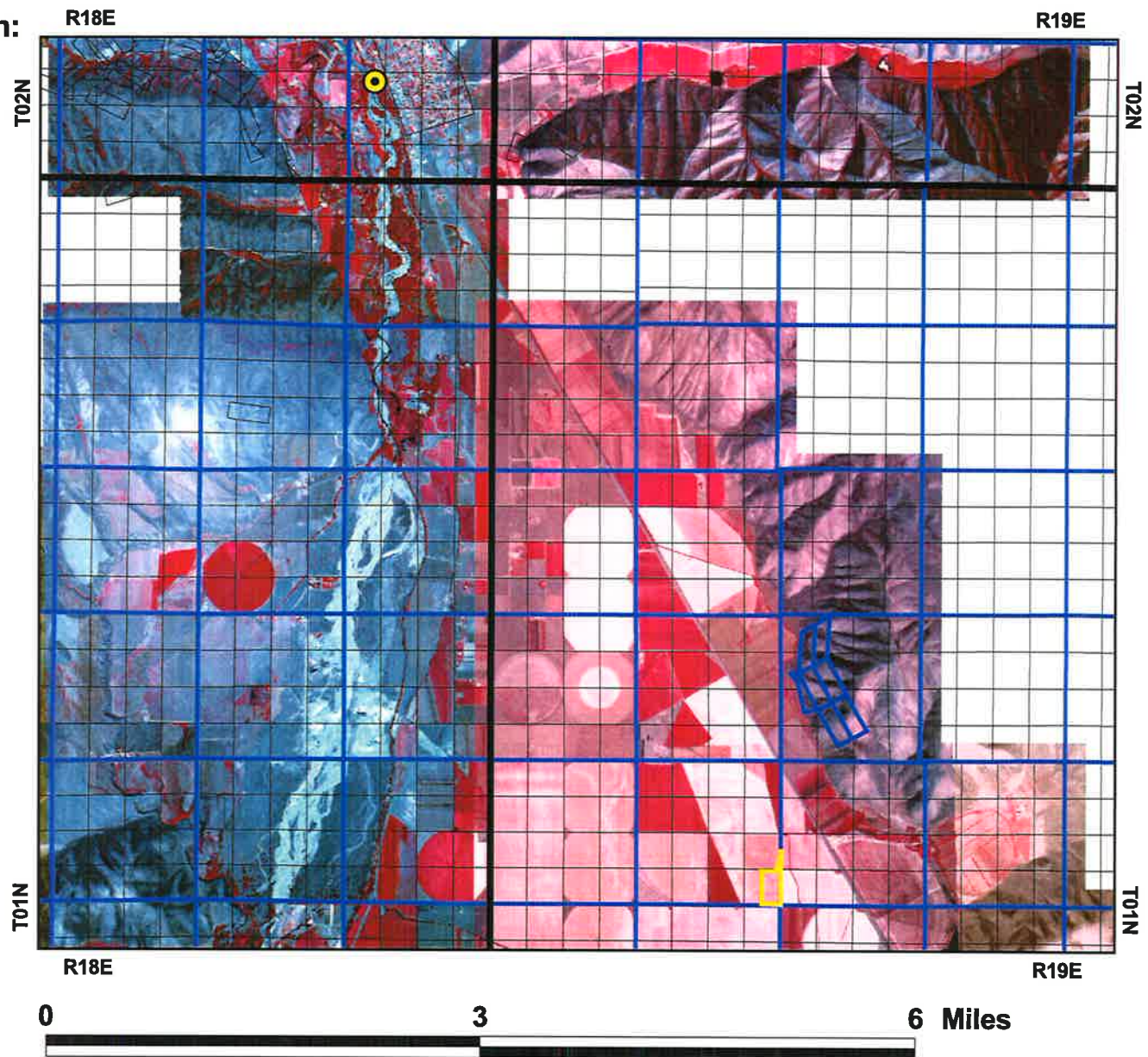
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37

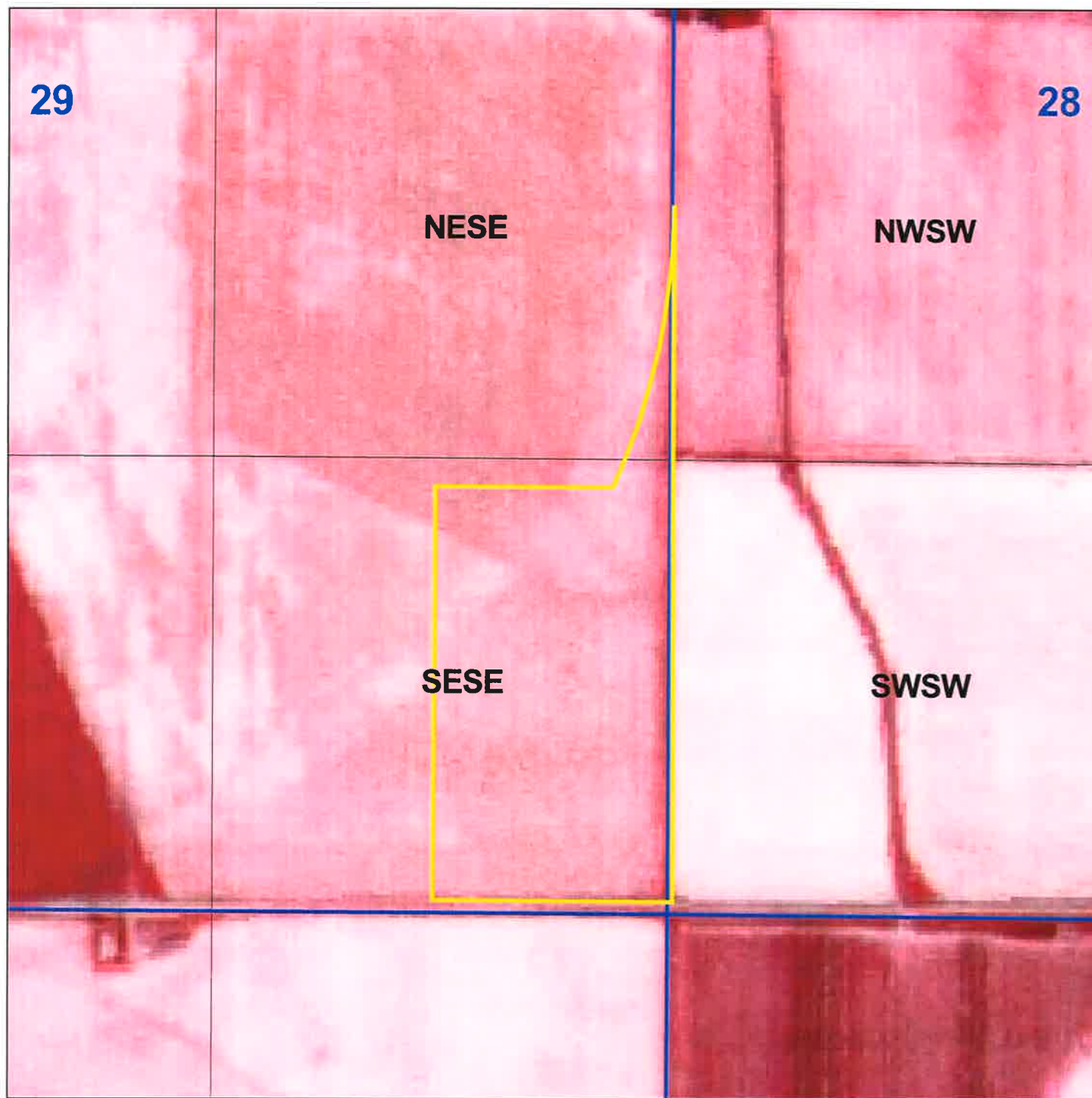
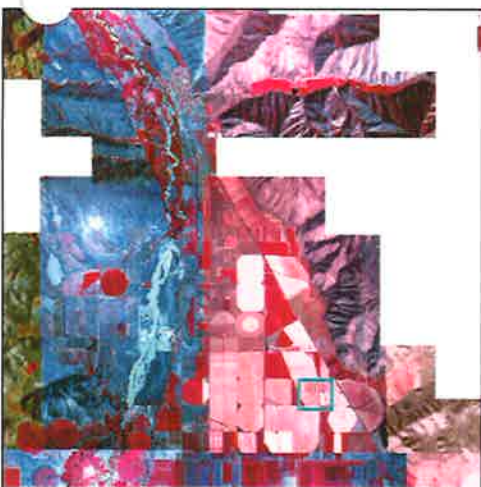


Prepared by J. Roberts
On Tuesday, November 14, 2006
1987/88 Aerial Photography

Owner: Carl Browning

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

37-21372



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21372 V1

WATER RIGHT NUMBER: 37-21372 V1

<u>Owner Type</u>	<u>Name and Address</u>
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
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Original Owner	B S RANCH 388 GANNETT RD BELLEVUE, ID 83313 (208)788-4613
Current Owner	BARBARA BROWNING PO BOX 259 BELLEVUE, ID 83313 (208)788-9673

Priority Date: 07/10/1884

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	0.065 CFS	
	<u>Total Diversion:</u>	0.065 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																20.0	20.0

Total Acres: 20

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-21372 V1

Conditions of Approval:

1. 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.: 37-21370, 37-21372, 37-21374, 37-21376, 37-21378, and 37-21380.
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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.

Water Supply Bank:

11/08/2006

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

RIGHT NUMBER: 37-21372
NAME AND ADDRESS: CARL BROWNING
PO BOX 259
BELLEVUE ID 83313

BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.065 CFS

PRIORITY DATE: 07/10/1884

POINT OF
DIVERSION: T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.065 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S29

SESE 20.00

20 ACRES TOTAL

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

EXPLANATORY MATERIAL: BASIS OF CLAIM -

PROPERTY IS ALSO KNOWN AS LOT 3A, B.S. RANCH SUBDIVISION.

Parcel RP000370000030A

This right is a split from former right 37-664E.