

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 37-21603
Date Received: 11/4/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

MEL OKEON Phone: (209)584-2400
PO BOX 169
HANFORD CA 93232-0169

2. Date of Priority: 04/21/1970

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	18E	25	NW NE SW	BLAINE	

5. Description of diverting works:

WELL, PUMP, 2 WHEEL-LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	0.46	

7. Total Quantity Appropriated is:
0.46 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	18E	25	NE SW	IRRIGATION	23

37-21603 11/04/2005

Section Acres 23

Total Acres 23

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:

OWNERSHIP CHANGE MADE 3/4/96 BY TLB.

SUPPLEMENT TO BIG WOOD RIVER WATER...A37-00102.

***** PURSUANT TO
APPROVED TRANSFER NO. 3766: 1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL
PROVIDE NO MORE THAN 3.0 AFA PER ACRE FOR THE LANDS ABOVE.

2. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED ON OR BEFORE APRIL
15, 1994.

3. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR
TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE
RESCINDED.

4. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE
VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

This right is a split from former right 37-7064b.

Place of use is also known as Lot 1, Okeon Subdivision.

15. Basis of Claim: License



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 7, 2005

MEL OKEON
PO BOX 169
HANFORD CA 93232-0169

RE: SRBA Claim(s) 37-7064B

Dear Claimant:

Pursuant to the notification that you sold a portion of the property to which the above referenced adjudication claim is appurtenant, the department has split the original claim. Your portion has been numbered 37-21603.

Enclosed please find your copy of the computer-generated claim. Review this document and should you have any questions or corrections, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', written over a horizontal line.

Trish Fawcett
Technical Records Specialist

enc.

Form 42-2182 (1-10-94) July, 2001

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
377064B					

Attached
Deed

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 (or 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)

Mel Olson, Trustee

4. New Owner/Claimant(s)

Peter & Victoria Madson

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Box 334

City, State and ZIP Code

Hailey, Id. 83333

New Telephone Number

28 788-9061

5. Date you acquired the property

9/16/03

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NOV 03 2005

Department of Water Resources
 Southern Region

Form 42-246 (1-1409/01 July, 2000)

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 <u>37-7064 B</u> Madsen		
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	<u>.26 CFS</u>	<u>13 Acres</u>
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>37-7064 B</u> O'Keefe		
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	<u>.46 CFS</u>	<u>23 Acres</u>
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) [Signature]
(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 _____ Date _____ For _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

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NOV 03 2005

Department of Water Resources
Southern Region

Order No. 63284

Instrument # 491507

HAILEY, BLAINE, IDAHO

2003-09-15

04:14:00

No. of Pages: 1

Recorded for: AMERITITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTAACORP DEED

WARRANTY DEED

FOR VALUE RECEIVED and as replacement property in an IRC 1031 Tax Deferred Exchange

MEL OKEON, TRUSTEE OF P.S.T.

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

PETER MADSEN and VICTORIA A. MADSEN, husband and wife

GRANTEE(s) whose address is: PO Box 334, Hailey, ID 83333-0334

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

Lot 2 of Okeon Subdivision, according to the official plat thereof, recorded as Instrument No. 482444, records of Blaine County, Idaho.

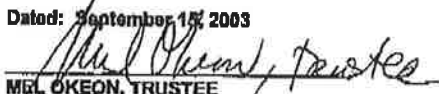
TOGETHER WITH THE FOLLOWING DESCRIBED WATER RIGHTS:

Permit No. 377064B with a priority date of 1970

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

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

Dated: September 15, 2003


 MEL OKEON, TRUSTEE

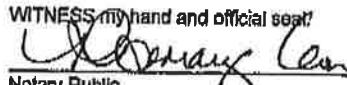
State of Idaho California

)
)ss.
)

County of Blaine Kings

On this 15th day of September, in the year 2003, before me, the undersigned, personally appeared MEL OKEON, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as trustee(s) of the P.S.T. TRUST, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal:


 Notary Public

Commission Expires: 6.9.07


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 NOV 03 2005

 Department of Water Resources
 Southern Region

OKEON SUBDIVISION

LOCATED WITHIN SECTION 25, TOWNSHIP 1 NORTH, RANGE 18 EAST,
BOISE MERIDIAN, BLAINE COUNTY, IDAHO

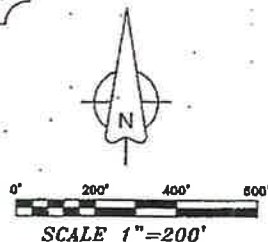
JUNE 2002

NOTES

SHEET 1 OF 2

LEGEND

- () R1 RECORD FOR INST. #410591
- BUILDING ENVELOPE
- EASEMENT LINE
- INTERIOR LOT LINES
- EXTERIOR BOUNDARY LINES
- FOUND 1/2" REBAR
- FOUND 5/8" REBAR
- FOUND 3/4" IRON PIPE
- BRASS CAP RIGHT OF WAY MARKER



UNPLATTED

UNPLATTED

CATTLE-LACK RANCH

1. All utilities shall be underground.
2. All new domestic wells in this subdivision shall be metered by the lot owners.
3. The purchaser or owner of each lot understands and agrees that private road construction, maintenance, and snow removal shall be the obligation of the owner, his successors in interest, or homeowners' association, and that Blaine County is in no way obligated to accept, maintain or improve these roads until the roads are brought up to county standards, dedicated, and accepted by the county, and that each owner shall notify in writing any successor in interest of these facts.
4. **MARKETING DISCLOSURE:** This property includes and is adjacent to active agricultural uses, which may involve activities occurring during the day or night. These activities may result in the production of noise, odors, and dust and may involve lights, aerial spraying, machinery and other inconveniences. All deeds conveying title to this property will contain a restriction prohibiting property owners from challenging lawfully conducted agricultural operations occurring within one (1) mile of the property.
5. **DEED RESTRICTION:** All deeds conveying title to real property within this subdivision shall include the following deed restriction: "Each Grantee taking this property or any portion thereof covenants and agrees for the Grantee and Grantee's heirs, executors and assigns, to not challenge any agricultural uses or operations that are authorized by the Blaine County zoning ordinance and conducted within one (1) mile of the property, and that were lawfully occurring, or authorized by any government agency, as of the date of each deed conveying any right, title or interest in this property or any portion thereof."
6. **GRANTEE'S ACKNOWLEDGMENT AND WAIVER:** Each Grantee shall contemporaneously with the execution of any deed conveying title to real property within this subdivision, sign and record with the Blaine County Recorder the following acknowledgment and waiver, which signing shall be duly acknowledged by a notary public: "The undersigned acknowledge and agree that the property described in Exhibit A (legal description of property being conveyed) is either located in, or near, an agricultural zone, and that lawful activities within an agricultural zone may occur during the day or night, and may result in the production of noise, odors and dust, and may involve lights, aerial spraying, machinery and other inconveniences. Each of the undersigned acknowledges that the deed conveying title will contain a restriction prohibiting challenging any agricultural uses or operations authorized by the Blaine County zoning ordinance and conducted within one (1) mile of the property described in Exhibit A that were lawfully occurring, or authorized by any governmental agency, as of the date of each deed conveying any right, title or interest in the property described in Exhibit A. Each of the undersigned, for the benefit of any owner of real property within one (1) mile of the property described in Exhibit A, hereby waives any right or cause of action the undersigned may have under law to challenge any such lawfully occurring or authorized agricultural uses or operations."
7. Owner's shall comply with Health Department regulations including sewage disposal system setbacks from irrigation distribution systems.
8. To allow wildlife migration, no fences within the subdivision shall exceed 42" in height. The bottom rail shall exceed 16" in height.
9. Individual lot owners are responsible for control of noxious weeds as per state regulations. Mowing and manual removal are recommended.
10. All fire protection requirements of the Wood River Rural Fire District, the Uniform Fire Code and the Blaine County Fire Protection Ord., 93-5, including but not limited to water supply, access (including humarounds) and clear zones shall be complied with prior to issuance of a building permit.
11. Culverts may be required by lot owners where driveways or other improvements are proposed to cross irrigation ditches.
12. Wildlife damage to ornamental trees and shrubs may occur. The cost of resolving problems caused by wildlife damage to private property shall be the responsibility of the property owner(s). Action taken to alleviate wildlife damage and depredations shall be those prescribed or approved by the Idaho Fish and Game Dept.
13. The decreed water rights shall remain with the two lots in this subdivision in perpetuity and shall not be sold off the land. Specifically, the .720 cfs of groundwater (Permit #A37-070648) shall be apportioned between Lot 1 and Lot 2 based upon acreage. The owner of Lot 1 shall be entitled to place on an underground irrigation pipeline on the Irrigation Easement shown on this Plat. In the event the owner of Lot 1 receives approval of a transfer application for a new this Irrigation Easement shall terminate and the owner of Lot 1 shall have no right to use the Irrigation well located on Lot 2.
14. No "employee" housing, as otherwise allowed in the A-20 zoning district, is permitted on either Lot 1 or Lot 2. Only one, 700 sq. ft. accessory dwelling unit is permitted per lot.
15. Duvelling is only allowed on these lots by a permit obtained from the Wood River Rural Fire District.

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1328, by the issuance of a certificate of disapproval.

Date: 2/29/02
South Central District Health Dept., EHS



OKEON SUBDIVISION
BEING A SUBDIVISION OF TAX LOT 8941

LOCATED WITHIN
SECTION 25, TOWNSHIP 1 NORTH, RANGE 18 EAST,
BOISE MERIDIAN, BLAINE COUNTY, IDAHO

FINAL PLAT
PROJECT NO. 00158
DRAWN BY: SWS/DCE/CPL
PLAT FILE 00158/FINAL.DWG
DATE: 6/20/02
SHEET 1 OF 2

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	8°24'03"	2824.79'	414.18'	N 10°32'44" E 413.81'
(C1)	8°24'04"	2824.79'	414.18'	N 10°33'00" E 413.32' R1
C2	1°08'18"	2824.79'	58.12'	N 06°54'42" E 58.12'
C3	7°15'45"	2824.79'	358.06'	N 11°05'55" E 357.92'

N 06°21'57" E 765.61'
(N 06°21'09" E 765.73') R1

N 14°45'20" E 383.20'
(N 14°43'30" E 383.22') R1

N 89°27'46" E 1135.80'
(N 89°27'33" E 1135.82') R1

LOT 1
25.17 ACRES±
1,096,266 SQ. FT.±

S 89°25'05" W 1402.51'
(S 89°25'00" W 1402.21') R1

LOT 2 LOGAN SUB'D.

LOT 2
20.50 ACRES±
892,978 SQ. FT.±

WEST 1306.37

FOUND 1/2" REBAR W/CAP L5009

FOUND 1/2" REBAR W/CAP L5009

FOUND 5/8" REBAR
SECTION 25 CP#159315

FOUND 5/8" REBAR
C1/4 SECTION 25
SEE R.O.S. INST. #410591

BAIS OF BEARING SEE INST. #410591
(S 00°18'58" E 1534.70'
(S 00°18'58" E 1534.95') R1

70' IRRIGATION EASEMENT
CREATED HEREON

DEAL POINT OF BEGINNING
FOUND 3/4" IRON PIPE
S.E. CORNER OF THE NE1/4 SW1/4
SECTION 25

(S 00°18'58" E 1513.97') R1

FOUND BRASS CAP R.P.O.B.
LOGAN SUBDIVISION &
S1/4 SECTION 25
CP#159312

PREPARED BY: BENCHMARK ASSOCIATES P.A.
P.O. BOX 733 - 100 BELL DRIVE
KETCHUM, IDAHO, 83340
PHONE (208)726-9512 FAX (208)726-9514

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Department of Water Resources
Southwest Region

OKEON SUBDIVISION

LOCATED WITHIN SECTION 25, TOWNSHIP 1 NORTH, RANGE 18 EAST,
BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SHEET 2 OF 2

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that MEL OKEON, as TRUSTEE OF P.S.T., does hereby certify that said trust is the owner of a certain parcel of land described as follows:

A parcel of land within Section 25, Township 1 North, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

Beginning at the Southeast Corner of the NE1/4SW1/4 of said Section 25, said point being the REAL POINT OF BEGINNING; THENCE S 89° 25' 05" W, 1402.51' to the Easterly Right of Way of Highway 75; THENCE along said Easterly Right of Way the following 3 courses and distances, N 6° 21' 57" E 765.61'; THENCE 414.18' along a curve to the right having a Radius of 2824.78, through a Central Angle of 8° 24' 03", and a Chord which bears N 10° 32' 44" E 413.81'; THENCE N 14° 45' 20" E, 383.20'; THENCE leaving said Easterly Right of Way N 89° 27' 46" E, 1135.80' to the Center 1/4 line of said Section 25; THENCE S 00° 18' 58" E, 1534.70' more or less to the REAL POINT OF BEGINNING.

TOGETHER WITH AND ALL WATER RIGHTS APPURTENANT THERETO.

The undersigned acknowledge and agree that the property described above is either located in, or near, an agricultural zone, and that lawful activities within an agricultural zone may occur during the day or night, and may result in the production of noise, odors and dust, and may involve lights, aerial spraying, machinery and other inconveniences. Each of the undersigned acknowledges that the deed conveying title will contain a restriction that will prohibit challenging all agricultural uses or operations authorized by the Blaine County Zoning Ordinance and conducted within one (1) mile of the property described above that were lawfully occurring, or authorized by any governmental agency, as of the date of such deed conveying any right, title or interest in the property described above. Each of the undersigned, for the benefit of any owner of real property within one (1) mile of the property described above, hereby waives any right or cause of action the undersigned may have under law to challenge any such lawfully occurring or authorized agricultural uses or operations.

The easements shown hereon are not dedicated to the public, but the right to use said easements for the intended purposes is hereby reserved forever. No structures other than for such utility and other designated uses are to be erected within the lines of said easements.

Pursuant to Idaho Code 50-1334, the undersigned, as owner, further certifies that the lots on this plot will be served by an individual domestic well.

It is the intention of the undersigned to include said land in this plot.

IN WITNESS THEREOF, I have hereunto set my hand this 17 day of January 2002.

Mel Okeon, trustee of P.S.T.
MEL OKEON, Trustee of P.S.T.

ACKNOWLEDGEMENT

COUNTY OF KING
STATE OF CA

On this 17th day of JAN, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared MEL OKEON, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of P.S.T. and acknowledged to me that said trust executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.
My commission expires: 5-26-04

Reading at: 1479 W. 120th, Hayward, Ca. 94530
Notary Public
Notie E. Gillum



SURVEYOR'S CERTIFICATE

I, STEVEN W. SCHWARZ, a duly Registered Land Surveyor in the State of Idaho, do hereby certify that the foregoing plot is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with Idaho State Code relating to plats and surveys.



Steven W. Schwarz, P.L.S.

COUNTY SURVEYOR'S APPROVAL

This is to certify that I, Jim W. Koonce, County Surveyor for Blaine County, Idaho, have checked the foregoing plot and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.

Jim W. Koonce 2/4/02
Jim W. Koonce

COUNTY PLANNING & ZONING APPROVAL

The foregoing plot was approved and accepted this 22nd day of July, 2002, by the Blaine County P & Z Administrator.

By: Santa Shaver

COUNTY COMMISSIONER'S APPROVAL

The foregoing plot was approved and accepted this 23rd day of July, 2002, by the County commissioners, Blaine County, Idaho.

By: monroe

COUNTY TREASURER'S CERTIFICATE

On this _____ day of _____, 20____, the foregoing plot was approved and accepted by the Blaine County Treasurer, Blaine County, Idaho.

By: _____

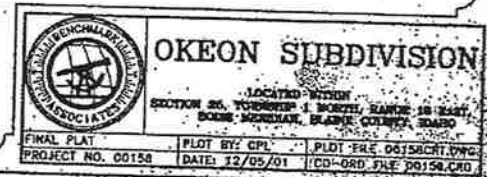
COUNTY RECORDER'S CERTIFICATE

I hereby certify that this instrument was filed at the request of _____ on this _____ day of _____ at _____ minutes past _____ o'clock, _____, A.D., in my office and duly recorded in book _____ of plots at page _____.

Instrument No. _____ Fee: \$ _____

By: _____

Instrument # 482444
HALEY, BLAINE, IDAHO
2002-06-21
Examined by: BENCHMILLER ASSOCIATES
BENCHMILLER ASSOCIATES
10000 Broadway Blvd.
Boise, ID 83725



RECEIVED
NOV 03 2005
Department of Water Resources
Southern Region



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 DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 4, 2005

HAILEY ID 83333

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM 37-102C

To Whom It May Concern:

A clip of a 1987 NAPP photo shows the claimed place of use for 37-102C and the allocations place of use for 37-102B. A copy of the claim and water right is enclosed for your use. I have not completed my review of this right, however, it appears that a portion of the right is also appurtenant to your property.

At this time I do not know the history of the delivery of surface water to ground in this area. This may have some bearing on the ultimate recommendation for portions of this right.

A change of ownership appears to be in order for your portion of claim 37-102C. Another change of ownership form is enclosed.

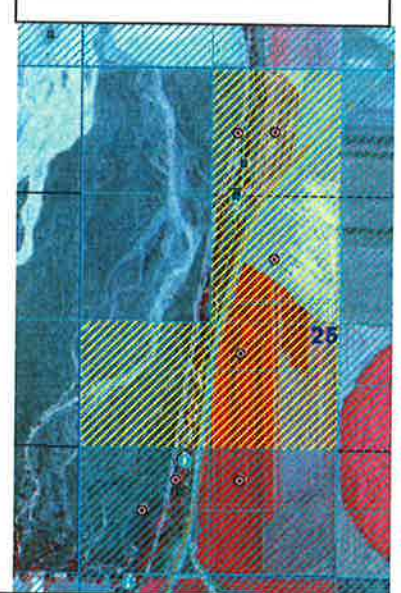
If you have any questions please give me a call or stop by the office and we can discuss the issues relating to this claim.

Sincerely

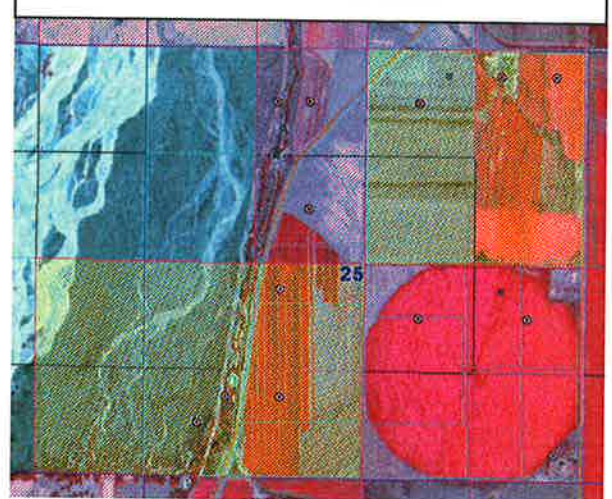
Kelly K Christensen
Sr Water Resource Agent
E-mail address: kelly.christensen@idwr.idaho.gov

Enclosures

Claimed P/U for 37-102C



Allocations recorded P/U for 37-102B



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: A37-07064B

Date Received: 6/13/1989

Receipt No: X777777

Received By: *QC ALB*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MEL OKEON
Address: PO BOX 169
HANFORD CA

209-584-2400

93232-0169

2. Date of Priority: APR 21, 1970

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	25	NW	NE	SW		BLAINE

5. Description of diverting works:
WELL, PUMP, 2 WHEEL-LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	0.720		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	25	NE	SW		IRR	36.0

Section Acres 36.0

10. Place of Use: Continued

Total Acres 36.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00102

14. Remarks:

OWNERSHIP CHANGE MADE 3/4/96 BY TLB.

SUPPLEMENT TO BIG WOOD RIVER WATER...A37-00102.

PURSUANT TO APPROVED TRANSFER NO. 3766:

1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE FOR THE LANDS ABOVE.
2. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED ON OR BEFORE APRIL 15, 1994.
3. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
4. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

15. Basis of Claim: LICENSE



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

FEB 27 1996

DATE OF CLOSING: _____

Department of Water Resources
Southern Region

LEGAL DESCRIPTION OF PROPERTY: Township 1 North Range 18 East
Section 25, 1/4 of 1/4 of 1/4 Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____, Boise Meridian
If you have additional legal descriptions, please attach separate sheet.

Blaine County

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) See attached
Warranty Deed

☐ Water Right Number(s)
Assigned by IDWR: A37-07064B

☐ Name and Address of Former Owner/Claimant(s)(Seller): Howard Benson

☐ New Owner/Claimant (Purchaser): Mel OKeon

☐ New Mailing Address: P.O. Box 169, Hanford, California

☐ New Telephone Number: (209) 584 - 2400

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: see attached Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): Mel OKeon Date 10-20-95

☐ Signature of Former Owner/Claimant(s): N/A Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 3/4/96 By: AKB

Claim Numbers of Split, if any:

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

NOT RECORDED

NOV 27 1996



FEB 27 1995

Order No. 95006986
This form furnished by
Blaine County Title Associates

Department of Water Resources

Southern Region

WARRANTY DEED

For Value Received HOWARD BENSEN, AN UNMARRIED MAN AND MARYALYCE JOHNSON, AN UNMARRIED WOMAN

the Grantor hereby grants, bargains, sells, conveys and warrants unto MEL OKEON, TRUSTEE OF P.S.T.

the Grantee whose current address is: P.O. BOX 169, HANFORD, CA 93232-0169

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.

381613

BLAINE CO. REQUEST

OF BLAINE COUNTY TITLE

'95 AUG 28 PM 2 34

MARY GREEN, CLERK

FEES \$ 9.00

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

Dated: August 21, 1995

HOWARD BENSEN

MARYALYCE JOHNSON

State of CALIFORNIA

County of SAN MATEO

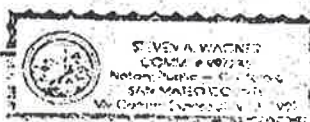
On this 28th day of August, 1995, before me, the undersigned, a Notary Public, in and for said State, personally appeared HOWARD BENSEN

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
Residing at: [Signature]
Commission Expires: 6/1/99



MICROFILMED
NOV 27 1995

RED

Ord.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-07064B**
Date Received: 6/13/1989
Receipt No: X777777
Received By: _____

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

1. Name: HOWARD BENSON 415-322-5455
Address: 191 HARDER RD #141
HAYWARD CA 94544

2. Date of Priority: APR 21, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	25	NW	NE	SW		BLAINE

5. Description of diverting works:
WELL, PUMP, 2 WHEEL-LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	0.720		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	25	NE	SW		IRR	36.0
Section Acres							36.0
Total Acres							36.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00102

14. Remarks:

SUPPLEMENT TO BIG WOOD RIVER WATER...A37-00102.

PURSUANT TO APPROVED TRANSFER NO. 3766:

1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE FOR THE LANDS ABOVE.
2. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED ON OR BEFORE APRIL 15, 1994.
3. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
4. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

RECEIVED

MAR 11 1993

Department of Water Resources
Southern Region Office

IN THE MATTER OF TRANSFER NO. 3766 OF)
WATER RIGHT NO. 37-07064C IN THE NAME OF)
THE JOHN B BROWN PROPERTY PARTNERSHIP)

ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER

On April 15, 1991, the Department approved the above referenced Application for Transfer with a condition that:

The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

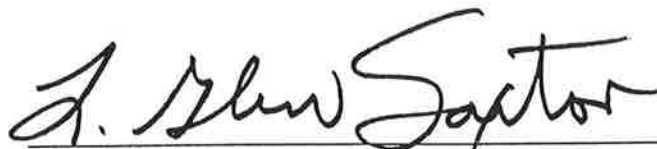
The Department has requested notification that the transfer has been completed.

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 3766 is granted an extension to April 15, 1994 in which to accomplish the transfer.

Dated this 23rd day of March, 1993.



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECORDED
NOV 27 1996

T# 3766 37-07064C

Form 42-1409(7)



**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

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

RECEIVED

DATE OF CLOSING: NOV 5, 1991

MAR 8 1994

LEGAL DESCRIPTION OF PROPERTY: Township 1 N Range 18 E Department of Water Resources
Section 25 1/4 of 1/4 of 1/4 Govt. Lot 1 BM. Southern Region Office
Lot 1 Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: 37-07064 B & C
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): JOHN W. SWEET
1605 - 5TH AVE N
SEATTLE, WA 98109
- ☐ New Owner/Claimant (Purchaser): MARYALICE JOHNSON AND HOWARD BENSEN
- ☐ New Mailing Address: % HOWARD BENSEN
191 HARDEN RD #141
HAYWARD, CA 94544
- ☐ New Telephone Number: (415) 322-5455
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
ALL RIGHTS ASSIGNED TO PROPERTY KNOWN
AS TAX LOTS - 1377, 1378 AND 1501

- ☐ Attach proof of ownership, describe proof attached: WARRANTY DEED
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Maryalice Johnson Date 2-4-94
Howard Bensen Date
- ☐ Signature of Former Owner/Claimant(s): Date
 Date

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: By:
Further Action Needed:

Further Action Taken
Date: By:
Final Review and Data-Entry
Date: 7/26/95 By: JR & KB
Claim Numbers of Split, if any:

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

MICROFILMED
NOV 27 1996

WARRANTY DEED

For Value Received DOROTHEA S. DOWD, a widow, ROY B. DOWD, a married man, NANCY D. SHORTRIDGE, a married woman, MYRON B. DOWD, JR., a Married man, WILLIAM F. DOWD, a married man, SALLY D. CONTERNO, a married woman, each 1/18 undivided interest, JOHN W. SWEET and MARY ELIZABETH SWEET, husband and wife, JOHN R. SWEET, a married** the grantor s, do hereby grant, bargain, sell and convey unto

HOWARD BENSEN, an unmarried man, JEFFREY JOHNSON, a single man and MARYALYCE JOHNSON, an unmarried woman

the grantees , whose current address is 191 Harder RD, #141, Hayward, CA 94544

the following described premises, in Blaine County, Idaho, to-wit:

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 25: All of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, shown on the Blaine County Assessors Rolls as Tax Lot 1377, EXCEPT the Highway Right-of-way; All of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, shown on the Blaine County Assessors Rolls as Tax Lot 1378, lying East of the Highway Right-of-way; and all of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, lying East of the Highway Right-of-way, shown on the Blaine County Assessors Rolls as Tax Lot 1501.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

**man, ELIZABETH S. LUTHY, a married woman, each 1/9 undivided interest; and MARIE S. HILL, a widow and GARY G. HILL, an unmarried man, each 1/6 undivided interest

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s , their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s , that they are the owner s in fee simple of said premises; that they are free from all incumbrances

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

Dated: October 16, 1991

John W. Sweet
X John W. Sweet
Marie S. Hill
by Gary G. Hill attorney in fact
X Marie S. Hill by Gary G. Hill, her attorney in fact

Dorothea S. Dowd
by Roy B. Dowd her attorney in fact
X Dorothea S. Dowd by Roy B. Dowd her attorney in fact

STATE OF IDAHO
COUNTY OF

On this day of , in year 19 , before me, a Notary Public, personally appeared

known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to that he executed the same.

Notary Public
Residing at , Idaho

RECEIVED

MAR 8 1994

Department of Water Resources
Southern Region Office

BLAINE CO. REQUEST

Sun Valley Title Co.

1991 NOV -5 P 2:48

MARY GREEN, CLERK
FEES \$ 15.00

0001071

Deed

Blaine Title Insurance

Roy B. Dowd

X Roy B. Dowd

Nancy D. Shortridge by Roy B. Dowd
her attorney in fact

X Nancy D. Shortridge by Roy B. Dowd
her attorney in fact

Myron B. Dowd by Roy B. Dowd his attorney in fact

X Myron B. Dowd, Jr by Roy B. Dowd
his attorney in fact

William F. Dowd by Roy B. Dowd his attorney in fact

X William F. Dowd by Roy B. Dowd
his attorney in fact

Sally D. Conterno by Roy B. Dowd her attorney in fact

X Sally D. Conterno by Roy B. Dowd
her attorney in fact

Gary G. Hill

X Gary G. Hill

Mary Elizabeth Sweet by John W. Sweet her attorney in fact

X Mary Elizabeth Sweet by John W. Sweet
her attorney in fact

John R. Sweet by John W. Sweet his attorney in fact

X John R. Sweet by John W. Sweet his
attorney in fact

Elizabeth S. Luthy by John W. Sweet her attorney in fact

X Elizabeth S. Luthy by John W. Sweet
her attorney in fact

STATE OF Washington }
COUNTY OF King }

On this 21st day of October, in the year 1991, before me, a
Notary Public, personally appeared
John W. Sweet
known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that he executed the same.

Philip J. Hawn
Notary Public
Residing at Seattle
Commission Expires 12-9-94



STATE OF Washington }
COUNTY OF King }

On this 22nd day of October, in the year 1991, before me, a
Notary Public, personally appeared
GARY G. Hill
known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that he executed the same.

Philip J. Hawn
Notary Public
Residing at Seattle
Commission Expires 12-9-94



STATE OF Oregon }
COUNTY OF Clatsop }

On this 24 day of October, in the year 1991, before me, a
Notary Public, personally appeared
ROY B. Dowd
known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that he executed the same.

Tom Dewey
Notary Public
Residing at _____
Commission Expires _____

OFFICIAL SEAL
TOM DEWEY
NOTARY PUBLIC-OREGON
COMMISSION NO. 002079
MY COMMISSION EXPIRES OCT. 7, 1994

STATE OF Ore. }
COUNTY OF Clatsop }

On this 24 day of October in the year 1991, before me, a
Notary Public, personally appeared ROY B. DOWD known or
identified to me to be the person whose name is subscribed to the
within instrument as the attorney in fact of DOROTHEA S. DOWD and
acknowledged to me that she subscribed the name of DOROTHEA S. DOWD
thereto as principal, and her own name as attorney in fact.

Tom Dewey
Notary Public
residing at _____
commission expires _____

OFFICIAL SEAL
TOM DEWEY
NOTARY PUBLIC-OREGON
COMMISSION NO. 002079
MY COMMISSION EXPIRES OCT. 7, 1994



STATE OF Washington }
COUNTY OF King }

On this 22nd day of October in the year 1991, before me, a Notary Public, personally appeared GARY G. HILL known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of MARIE S. HILL and acknowledged to me that she subscribed the name of MARIE S. HILL thereto as principal, and ~~her~~ ^{his} own name as attorney in fact.

Philip V. Harney
Notary Public
residing at Seattle
commission expires 12-9-94



STATE OF Washington }
COUNTY OF King }

On this 21st day of October in the year 1991, before me, a Notary Public, personally appeared JOHN W. SWEET known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of MARY ELIZABETH SWEET and acknowledged to me that he subscribed the name of MARY ELIZABETH SWEET thereto as principal, and his own name attorney in fact.

Philip V. Harney
Notary Public
residing at Seattle
commission expires 12-9-94



STATE OF Washington }
COUNTY OF King }

On this 21st day of October in the year 1991, before me, a Notary Public, personally appeared JOHN W. SWEET known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of JOHN R. SWEET and acknowledged to me that he subscribed the name of JOHN R. SWEET thereto as principal, and his own name as attorney in fact.

Philip V. Harney
Notary Public
residing at Seattle
commission expires 12-9-94



STATE OF Washington }
COUNTY OF King }

On this 21st day of October in the year 1991, before me, a Notary Public, personally appeared JOHN W. SWEET known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of ELIZABETH R. LUTHY and acknowledged to me that he subscribed the name of ELIZABETH R. LUTHY thereto as principal, and his own name as attorney in fact.

Philip V. Harney
Notary Public
residing at Seattle
commission expires 12-9-94



STATE OF *Oregon* }
COUNTY OF *Clack* }

On this *24* day of October in the year 1991, before me, a Notary Public, personally appeared ROY B. DOWD known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of NANCY D. SHORTRIDGE and acknowledged to me that she subscribed the name of NANCY D. SHORTRIDGE thereto as principal, and her own name as attorney in fact.

Tom Dewey
Notary Public
residing at _____
commission expires _____

OFFICIAL SEAL
TOM DEWEY
NOTARY PUBLIC-OREGON
COMMISSION NO. 002079
MY COMMISSION EXPIRES OCT. 7, 1994

STATE OF *Oregon* }
COUNTY OF *Clack* }

On this *24* day of October in the year 1991, before me, a Notary Public, personally appeared ROY B. DOWD known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of MYRON B. DOWD, JR. and acknowledged to me that she subscribed the name of MYRON B. DOWD, JR. thereto as principal, and her own name as attorney in fact.

Tom Dewey
Notary Public
residing at _____
commission expires _____

OFFICIAL SEAL
TOM DEWEY
NOTARY PUBLIC-OREGON
COMMISSION NO. 002079
MY COMMISSION EXPIRES OCT. 7, 1994

STATE OF *Oregon* }
COUNTY OF *Clack* }

On this *24* day of October in the year 1991, before me, a Notary Public, personally appeared ROY B. DOWD known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of WILLIAM F. DOWD and acknowledged to me that she subscribed the name of WILLIAM F. DOWD thereto as principal, and her own name as attorney in fact.

Tom Dewey
Notary Public
residing at _____
commission expires _____

OFFICIAL SEAL
TOM DEWEY
NOTARY PUBLIC-OREGON
COMMISSION NO. 002079
MY COMMISSION EXPIRES OCT. 7, 1994

STATE OF *Oregon* }
COUNTY OF *Clack* }

On this *24* day of October in the year 1991, before me, a Notary Public, personally appeared ROY B. DOWD known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of SALLY D. CONTERNO and acknowledged to me that she subscribed the name of SALLY D. CONTERNO thereto as principal, and her own name as attorney in fact.

Tom Dewey
Notary Public
residing at _____
commission expires _____

OFFICIAL SEAL
TOM DEWEY
NOTARY PUBLIC-OREGON
COMMISSION NO. 002079
MY COMMISSION EXPIRES OCT. 7, 1994

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: **A37-07064A**
Date Received: 6/13/1989
Receipt No: S008120
Received By: _____

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

1. Name: THE JOHN BROWN PROPERTIES PARTNERSHIP 206-283-8118
Address: C/O JOHN W. SWEET
1605 5TH AVE. N.
UNIT 301
SEATTLE WA 98109

2. Date of Priority: APR 21, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	25	NW	NE			BLAINE

5. Description of diverting works:
WELL & 75HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.240		

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:
4 POSSIBLE HOUSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	25	NE	NW		IRR	18.0
			SE	NW		IRR	23.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	25	NE	SW		IRR	36.0
			SE	SW		IRR	35.0
Section Acres							112.0
Total Acres							112.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00102

14. Remarks:
SUPPLEMENT TO BIG WOOD RIVER WATER...A37-00102.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
00724 1994

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: A37-07064A
Date Received: 6/13/1989
Receipt No: S008120
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE JOHN BROWN PROPERTIES PARTNERSHIP 206-283-8118
Address: C/O JOHN W. SWEET
1605 5TH AVE. N.
UNIT 301
SEATTLE, WA 98109

2. Date of Priority: APR 21, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	25	NW	NE			BLAINE

5. Description of diverting works:
WELL & 75HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.240		

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:
4 POSSIBLE HOUSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	25	NE	NW		IRR	18.0

A37-07064A

Page 1

Date: 06/13/89

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	25	SE	NW		IRR	23.0
			NE	SW		IRR	36.0
			SE	SW		IRR	35.0
						Section Acres	112.0
						Total Acres	112.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00102

14. Remarks:
SUPPLEMENT TO BIG WOOD RIVER WATER...A37-00102.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A37-07064A
Date Received _____
Receipt Number _____

RECEIVED

MAY 18 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) THE JOHN W BROWN PROPERTIES - A JOINT VENTURE (PARTNERSHIP)
JOHN W SWEET - MANAGER Phone (206) 203-8118
Mailing Address 1605-57H AVE N, SEATTLE, WA. Zip 98109

2. Date of Priority (Only one (1) per claim) APR. 21, 1970

3. Source of water supply (a) WELL AND PUMP (75 HP) - PERMIT NO. 37-7064 (JAMES I EAKIN)
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 01N Range 18E Section 25,
NW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BLAINE

Additional points of diversion if any: PROPOSED WELLS AND PUMPS - TAX LOT 1174, 1377, 1504
AND 6641 OR LESS IF OTHER ARRANGEMENTS ARE MADE - SEE 5 BELOW

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. THE EXISTING WELL + PUMP, PER PERMIT NO 37-7064
(JAMES I EAKIN) SUPPLIED WATER UP TO 112 MINER INCHES, AS NEEDED TO SUPPLEMENT JUNE, 01, 1877
WATER RIGHT OF 400 MINER INCHES - IDENT NO 37-00102 WHEN TURNED OFF EARLY, DUE TO DRY YEAR. THE
145 ACRES PLAT IS TO BE SOLD AS FOUR PARCELS. THE 112 MINER INCHES TO BE ALLOCATED AS FOLLOWS:
PARCEL 1, TAX LOTS 1174 + 1375 - 44.6 ACRES - 35 MINER INCHES; PARCEL 2, TAX LOTS 1377, 1378 +
1501 - 45.7 ACRES - 35 MINER INCHES; PARCEL 3, TAX LOTS 1504 + 1505 - 24 MINER INCHES;
AND PARCEL 4, TAX LOT 6641 - 18 MINER INCHES. MR JAMES I EAKIN DID NOT INCLUDE
OUR 112 MINER INCHES IN HIS NOTICE OF CLAIM TO A WATER RIGHT, IDENT. NO. A37-07064
OUR 112 MINER INCHES WERE INCLUDED IN THE WATER RIGHT LICENSE NO. A37-07064

MICROFILMED
FEB 23 1990

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 8/30 amount 2.24 or 112 MINER INCHES

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) (2.24 cfs) gms 112 MINER INCHES (cfs) and/or (b) (280) gms (acre feet)

8. Total consumptive use claimed is (280) gms acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NO HOUSEHOLDS AT PRESENT - 4 POSSIBLE

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
01	18	25												35					35
01	18	25									36								36
01	18	25								23									23
01	18	25					18.0												18

Total number of acres irrigated 112

11. In which county (ies) are lands listed above as place of use located? BLAINE

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
1887 WATER RIGHT 400 MINER INCHES WHEN AVAILABLE or None ()

14. Remarks: IDENT. NO A37-001102

Last Name SWEET Ident No. _____

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FEB 23 1993
Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 32-07064 (Part of)
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Number of attachments _____
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am MANAGER Title _____
of THE JOHN W BROWN PROPERTIES Organization _____, that I have signed the foregoing
document in the space below as MANAGER Title _____ of THE JOHN W BROWN PROPERTIES Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent John W Sweet
Title and Organization MANAGER, THE JOHN W BROWN PROPERTIES Date 5/15/89

State of ~~Idaho~~/or WASHINGTON)
County of KING) SS.

Subscribed and sworn (or affirmed) before me this 15th day of May 19 89

SEAL

Notary Public Regina J Thomas

Residing at Seattle, Wa 98109

My Commission Expires 8-29-92

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name SWEET Ident. Number _____

MICROFILMED

FEB 23 1993

Copies White-State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A hand-drawn map on a grid background showing a road layout. The map includes labels for 'CANAL', 'T.L. 6691', 'NE 1/4', 'TAX LOT 1505', 'US HY 75', 'TAX LOT 1504', 'PR 1', 'SE 1/4', 'TAX LOT 1501', 'SE 1/4', 'PR 1', 'NE 1/4', 'TAX LOT 1377', 'PR 1', 'SE 1/4', 'TAX LOT 1174', and 'SE 1/4'. A road is drawn through the center, with a 'SE 1/4' label near the bottom right.

MICROFILMED

FEB 23 1993

Ident No. _____

Copies: White-State, Yellow-Claimant

12/12/2006

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

RIGHT NUMBER: 37-21603

NAME AND ADDRESS: MEL OKEON
PO BOX 169
HANFORD CA 93232-0169

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.460 CFS
80.500 AFY

PRIORITY DATE: 04/21/1970

POINT OF DIVERSION:

T01N R18E S25 NWNESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	0.460 CFS 80.50 AFY

The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before May 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S25	NESW	24.00	T01N R18E S25	NWSW	0.20
---------------	------	-------	---------------	------	------

24.2 ACRES TOTAL

This right is limited to the irrigation of 23 acres within the place of use described above in a single irrigation season.

Right Nos. 37-21947 and 37-21603 are limited to the irrigation of a combined total of 24.2 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Rights 37-21603 and 37-21604 share a common point of diversion.

Property is also known as Lot 1, Okeon Subdivision.

This right is supplemental to surface water.

This right is a split from former right 37-7064B.



Idaho Department of Water Resources

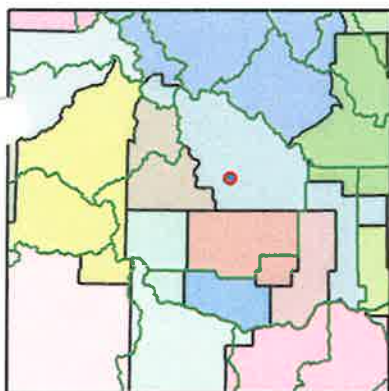
SRBA Recommendation:

37-21603

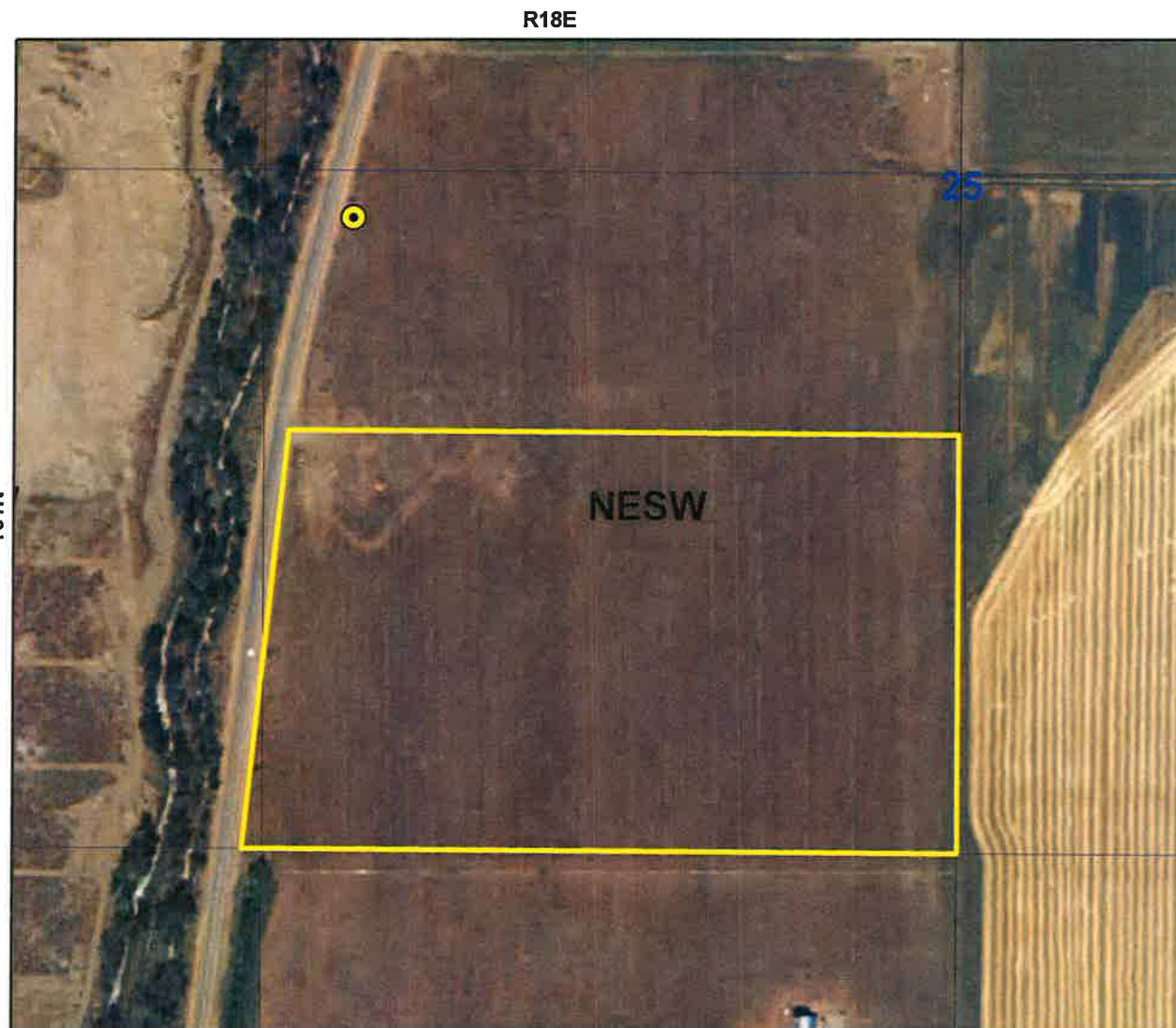
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Owner: Mel Okeon

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

Prepared by A. Merritt
On Tuesday, December 12, 2006
2004 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendation:

37-21603

(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by A. Merritt
On Tuesday, December 12, 2006
2004 Aerial Photography

Owner: Mel Okeon

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

GW
WR

Clipped
GW

Clipped
102

Shapes

13	37-21604 13	37-21949 1.12 20.4	5.9 18.2 20.1
23	37-21603 23	~~37-21947~~ 1.38 25	24.2
17.5	37-20896 21	37-20898 1.24cb 21	20.93
17.5	37-20895 24	37-20897 1.24 23.6	19.8 20.3

1.2

1.8 out

81

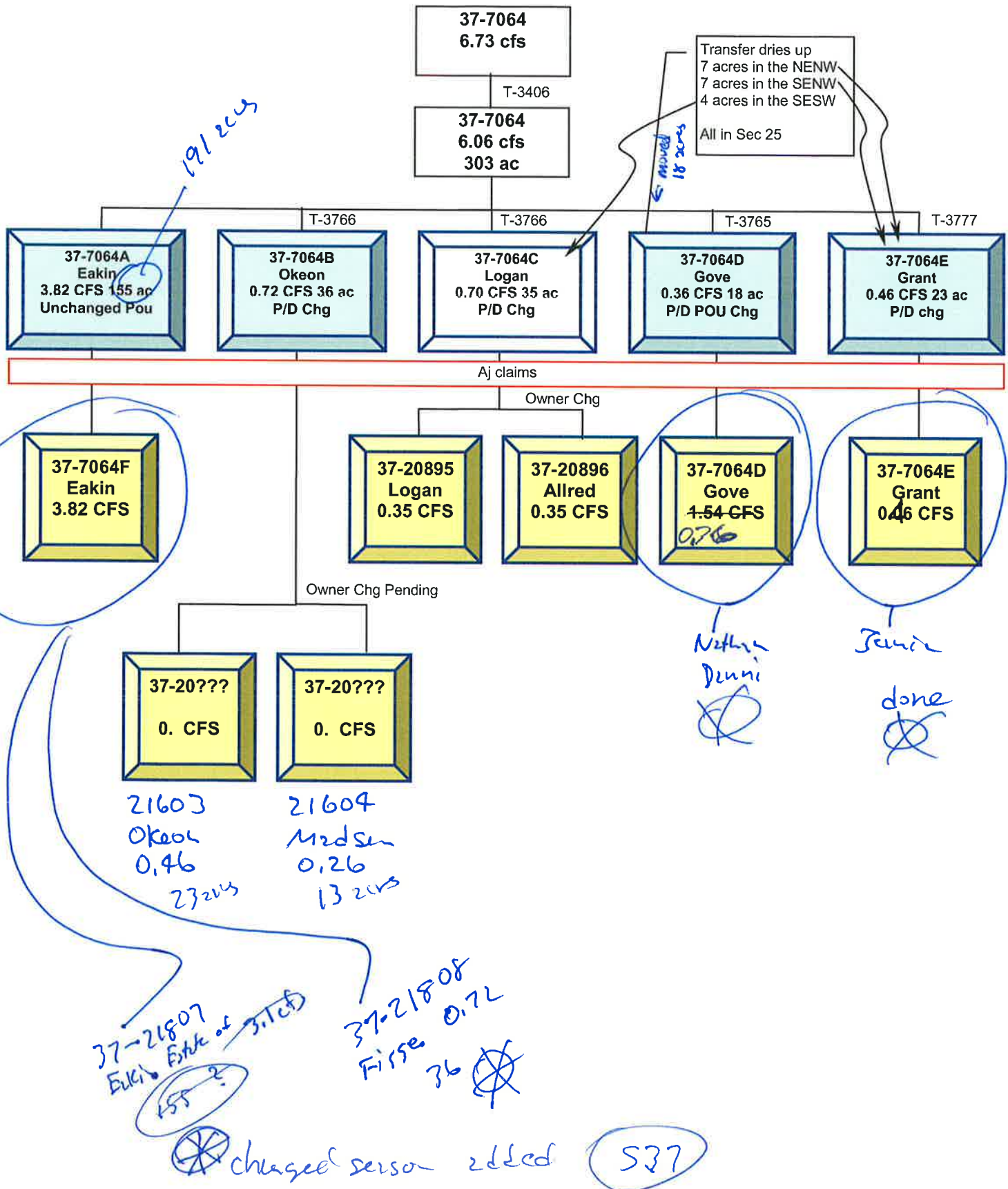
90

Idaho Dept of Water Resources Claims review notes and narrative

Date: 11-1-2005

File: 37-7064 split tree analysis

Prepared by Kelly K Christensen



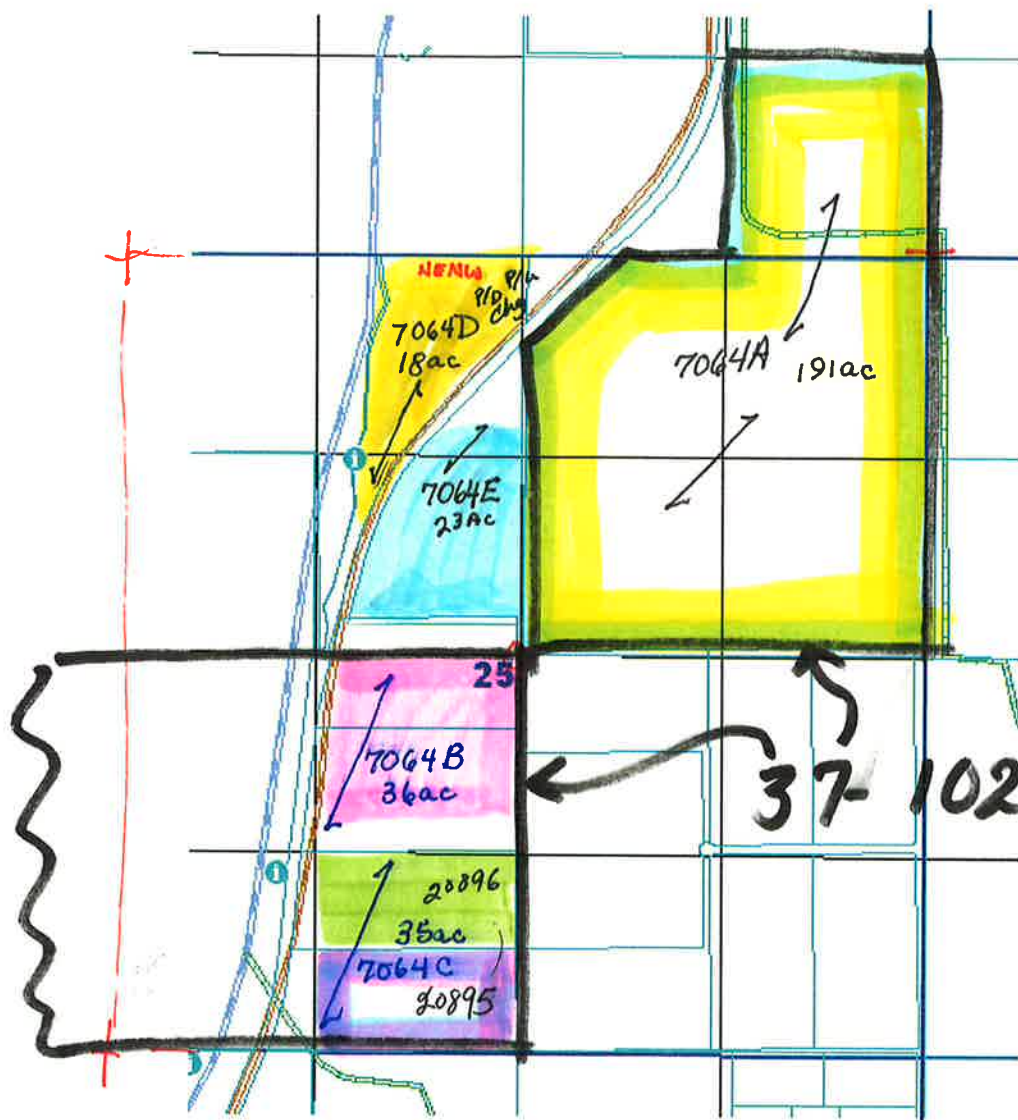
NE SW NW
Sec 76
2N 18E

634																
635	45	E	JAY LEE GOVE	37-21834 37-0102A	M.BROWN & M.S.BROWN	06	/	01	/	1887	67.80	1.36	18.20	396.90	1.36	
636	45	E	DAN ALLRED	37-20898	M BROWN & M S BROWN	06	/	01	/	1887	62.00	1.24	20.9	398.14	1.24	
637	45	E	ROBERT LOGAN	37-20897	M BROWN & M S BROWN	06	/	01	/	1887	62.00	1.24	20.3	399.38	1.24	
638	45	E	BILL GRANT	37-0102B	M.BROWN & M.S.BROWN	06	/	01	/	1887	83.00	1.66	23.20	401.04	1.66	
639	49	E	DR MEL O'KEON	37-0102	M.BROWN & M.S.BROWN	06	/	01	/	1887	125.20	2.50		403.55	2.50	
640												8.00				

8.00

$$\begin{array}{r} \text{Midson} \\ 37-21948 \\ \hline 20.1 \text{ acres} \\ 1.12 \end{array}$$

$$\begin{array}{r} \text{Okeson} \\ 37-21947 \\ \hline 24.2 \text{ acres} \\ 1.38 \end{array}$$



37-102 WR P/u

MEMORANDUM

TO: FILE

FROM: TIM LUKE *OK Luke*

DATE: April 8, 1991

RE: TRANSFER APP. NO.S 3765, 3766 & 3777/LICENSE NO. 37-7064
=====

Three separate transfers have been received on the above licensed right from different parties. From review of the transfers and supporting documentation, it appears that 112 acres of the 303 acres under the license are under separate ownership and have been subdivided among the three different parties. The transfers split the 112 acres from the original license and then split the 112 acre portion into four separate parts. The transfers will produce a total of five parts, A through E (see attached number index summary). Each split portion will have a separate well or point of diversion. There are also some slight changes in the place of use of the 112 acres.

The attached SRB adjudication place of use overlap report shows that a groundwater claim has been filed for the 112 acres under the name of Brown Properties Partnership. This claim is presently numbered A37-7064A but probably should be renumbered as parts B through E pursuant to the transfers and in accordance with the administrative numbering methodology. The number A37-7064A should be used for the remaining unchanged portion of the license (i.e.; the unchanged 191 acres).

Note: I spoke with Ed Lawson on 4/8/91 and it is the intent of Lawson and Stennett to split the 71 acres under this transfer into separate portions for the 36 and 35 acre tracts labeled on the transfer respectively as system A and B.

The transfers may be approved with the conditions below. Condition no. 1 below recommended since the 112 acre portion of the groundwater license overlaps the place of use for a surface water SRBA claim. Also, the annual field headgate volume of the original license was incorrectly assigned 3.5 acre-feet per acre rather than the usual 3.0 acre-feet per acre for this location. I have made changes to the database so that all portions of the right, including part A or the remaining portion, reflect the 3.0 afa field headgate volume.

1) <<R24>> This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.

2) <<T07>> The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

(conditions continued on pg. 2)

APR 11 1991
APR 11 1991

MEMORANDUM

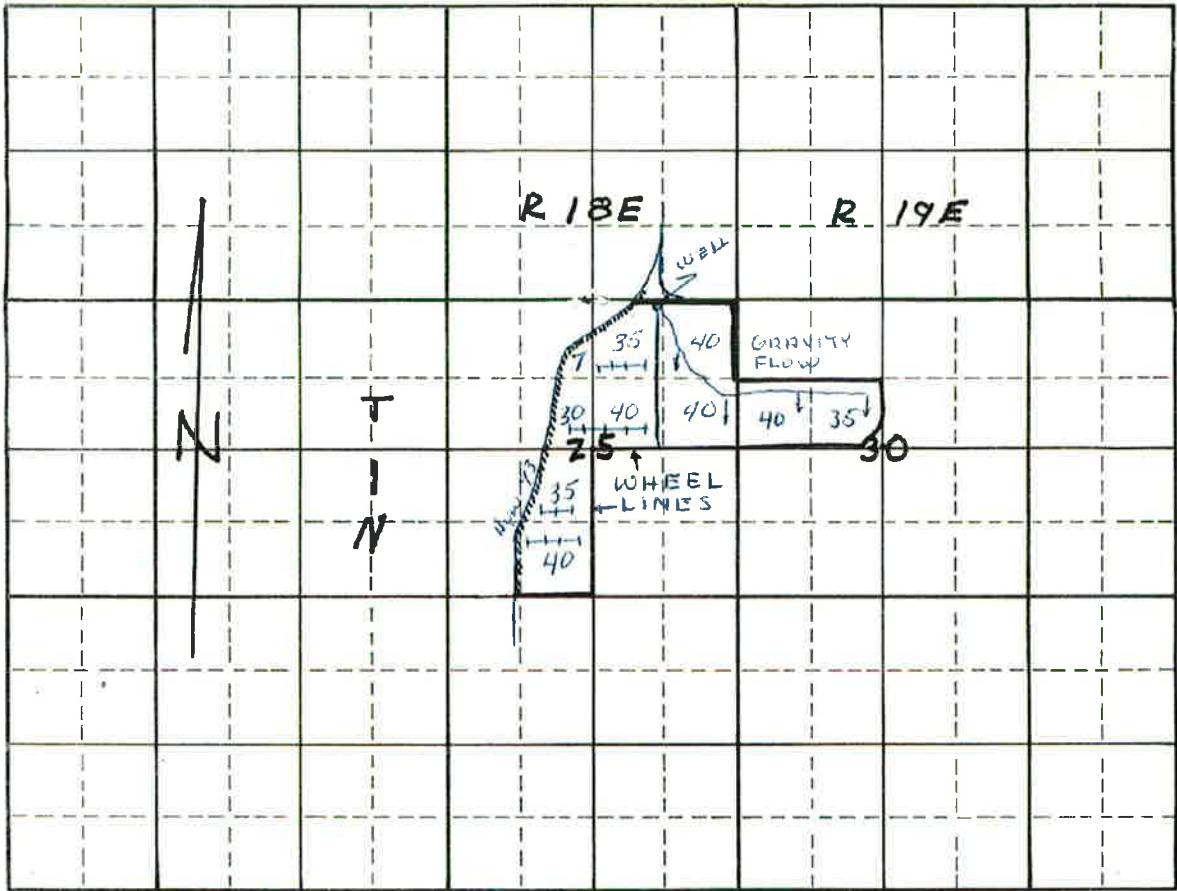
TO: File No(s): 37-7064A
FROM: Brenda Miller
DATE: April 18, 1991
RE: Transfer Nos. 3765, 3766 & 3777

=====

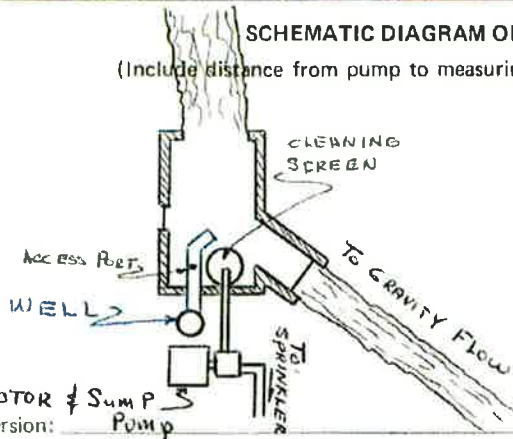
The original license was approved for 3.5 afa per acre; therefore, there should be no change to that portion of the right [part A] not affected by the above referenced transfers. The database has been changed to reflect the original amount of 3.5 afa per acre instead of the approved 3.0 afa per acre for Parts B through E. The adjudication process will resolve the problem in the form of an amended license.

1991
APR 22 1991

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM
(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion:

NW 1/4 NE 1/4, SEC. 25 T 1 N R 18 E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1 N	18 E	25	40	35	40	40	7			30	35			40					267
1 N	19 E	30							40	35									75

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature

Harry Lundberg

Date 09-11-1980

Checked by

John D. Coe

Date 9-15-80

Approved by

John D. Coe

Date 11-3-82

342

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	37-07064	James I Eakin	6.73

ACRES & CFS REDUCED BY TRANSFER #3406

Full Assignment	37-07064	James I Eakin	6.06
-----------------	----------	---------------	------

SPLIT INTO PARTS A, B, C, D & E BY TRANSFERS #3765, 3766 & 3777
 All Approved 4-15-91

Partial Assignment	37-07064A	James I Eakin T# 3766	3.82
+ 3766 Partial Assignment	37-07064B	W Clinton Stennett Edward A Lawson T# 3766	0.72
Partial Assignment	37-07064C	W Clinton Stennett Edward A Lawson T# 3766	0.70
Partial Assignment	37-07064D	Nancy Gove Jay Gove T# 3765	0.36
Partial Assignment	37-07064E	W. Clinton Stennett Bill Grant Betty Grant T# 3777 + 4338	0.46

RECEIVED

JUN 13 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7064 Priority April 21, 1970 Amount 6.73 cfs

THIS IS TO CERTIFY, that James I. Eakin
of Bellevue, Idaho, has complied with the terms and conditions of Permit
No. 37-7064 issued pursuant to Application for Permit dated April 21, 1970,
and has submitted proof to the Department of Water Resources on August 25, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 6.73 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>May 1</u> to <u>October 31</u>	at <u>6.73</u> cfs and	<u>1197.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 6.73 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1197.0 acre feet per year, said waters to be diverted within the NW 1/4, Section 25, Twp.
1N, Rge. 18E in the County of Blaine

Description and location of place of use:

Twp.	Range	Sec.	NEW				NWW				SWW				SEW				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	18E	25	40	35	40	40	7				30	35			40				267
1N	19E	30								40	35								75
1N	18E	24																36	36

Total number of acres irrigated 342 303

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 3.5 afa per acre for the lands above.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30TH day of
November _____, 19 82.

Acting for the Director

Norman C. Young

Water Right Number - R37-07064B

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
OKEON

MEL

1 - PO BOX 169

2 -

3 -

City- HANFORD

State- CA Zip- 932320169

Phone - 209-584-2400

*** O - ORIGINAL OWNER ***
BENSON

HOWARD

1 - 191 HARDER RD #141

2 -

3 -

City- HAYWARD

State- CA Zip- 94544

Phone - 415-322-5455

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/21/1970 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

01N 18E 25 NW NE SW (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 05/01 10/31 0.720

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.720 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

01N 18E 25 NE SW 36.0 01 IRRIGATION (13) BLAINE

Total Acres: 36.0

+ - - Diversion Means - WELL, PUMP, 2 WHEEL-LINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-00102

+ - - - - Remarks - - - - - +

NAM OWNERSHIP CHANGE MADE 3/4/96 BY TLB. BENSON TO OKEON.

GEN SUPPLEMENT TO BIG WOOD RIVER WATER...A37-00102.

MICROFILMED
NOV 27 1995

Water right number - R37-07064B

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

PURSUANT TO APPROVED TRANSFER NO. 3766:
1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN 3.0 AFA PER ACRE FOR THE LANDS ABOVE.
2. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED
ON OR BEFORE APRIL 15, 1994.
3. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS
CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY
THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
4. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY
FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE
ONGOING SNAKE RIVER BASIN ADJUDICATION.
+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found
+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.
+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000
+ - - - - Comments - - - - - +
Date: 12/06/1994 User Id: JROBERTS Subject: SPLIT/TRANSFER
This claim is a portion of A37-07064A which was split pursuant to approved Transfer No. 3766. jr
+ - - Audit Fields - - +
03/04/96 TBACKLUN
+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 06/13/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - X777777 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - Presumption Flag -
Notice of Error Flag -

NOV 27 1996
MICROFILM



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MARCH 4, 1996

MEL OKEON
PO BOX 169
HANFORD CA 93232-0169

RE: SRBA CLAIM(S) 37-07064B
BENSON

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S). WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

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

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

MACROFILMED
NOV 27 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 11, 1993

Howard Bensen
191 Harder Rd #141
Hayward, CA 94544

RE: WATER RIGHT 37-07064B & C - TRANSFER 3766

Dear Mr. Bensen:

The department has reviewed your letter dated March 1, 1993 in connection with the above referenced water right.

The copy of the warranty deed you submitted with your letter conveys a portion of the irrigated land shown on approved transfer 3766 of water right no. 37-07064 to new owners. Even though water rights are not described in the deed, appurtenant water rights are conveyed in a sales transaction unless specifically excluded. More specifically, 0.72 cfs of the water right no. 37-07064 which is appurtenant to 36 irrigated acres in the NE1/4SW1/4 Section 25, T1N, R18E, BM appears to be included in the conveyance together with the land.

The department will change our general water right ownership records to reflect the change. In addition, the adjudication bureau records of the department need to be changed. In order to do this, you need to complete and return the enclosed form. The ownership change can not all be done at once since the adjudication bureau records are a part of a judicial process which involves different requirements to change the owner of record as compared to ownership changes in our general water right records. Please return the completed form to our Twin Falls, Idaho office.

Based on the explanation in your letter, the department is willing to extend for another year the time for construction of the well shown as System A on the approved transfer. This extension changes condition of approval no. 2 on transfer no. 3766 to read as follows:

"The change authorized by this transfer shall be accomplished on or before April 15, 1994."

Please recognize that this extension does not stay the forfeiture provisions in the Idaho Code which provide that any water right can be lost through five (5) years continuous non-use.

RECEIVED

MAR 15 1993

Department of Water Resources
Southern Region Office

MICROFILMED
NOV 27 1996

For this reason you should take steps to assure that water under the approved transfer is beneficially reapplied to the authorized use before a five year period of non-use occurs.

As additional information for you, you are required to obtain a "drilling permit" from the department before a well can be constructed. This drilling permit is a separate requirement from the water right transfer which authorized a change in the location of the point of diversion (well).

Please feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." being small and the last name "Saxton" being larger and more prominent.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - S. Region
Adjudication Bureau - S. Region

MICROFILMED
NOV 27 1996

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Enclosure (1)

JUL 18 1991

ASSIGNMENT OF APPLICATION FOR PERMIT

Department of Water Resources

Southern Region Office

We X Edward A. Lawson and
W. Clinton Stennett

, hereby assign to The John B. Brown Property Partnership

of, 1605 5th Avenue North, Seattle, Washington 98109
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 37-07064 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Tax Lots 1377, 1378, 1501, 1174, 1375, TWP in

RGE 18E, SEC 25

1.42 CFS

Made this 5 day of April, 1991.

[Signature]
Applicant

W. Clinton Stennett
Applicant

State of Idaho)

County of Blaine) ss

On this 5th day of April, 1991, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.



Barbara Lyn Julian
Notary Public

My commission expires: 2/23/93

NOV 27 1998

37-7064 B/C T# 3766



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

April 23, 1991

JUL 18 1991

Department of Water Resources
Southern Region Office

RE: Water Right Nos. 37-07064B/C

The John B. Brown Property Partnership
1605 5th Ave. N.
Seattle, WA 98109

Dear Water Right Holder(s):

We are in receipt of the correspondence concerning ownership of the above referenced water rights.

In Idaho, licensed water rights are considered real property; therefore, proof of owning the land is proof of owning the water rights unless specifically excluded in the sale. We have placed your correspondence in the file for future reference and have changed our computer records to show you are the present owners of the property.

If you have any questions, please let us know.

Sincerely,

Sharla Curtis

SHARLA CURTIS
Technical Records Specialist

SC:blm

NOV 27 1991

Transfer No. 5

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

IT APPROVED

71

PART 1

6. General Information:

- a. Description of diversion system Wells will not be interconnected.
System A will have two (2) wheelines; System B
will have two (2) wheelines; each well will have a
separate pump.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change other than single acre swap in
tracts. Farm was split up but this
parcel remains unchanged.
- d. Remarks:
Supplemental groundwater to 37-0102
SRBA claim shows right as distributed
to parcels

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-07064

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

15th day of

April

, 19 91

A. Glen Saylor

CHIEF, WATER ALLOCATION BUREAU

COPIED
NOV 27 1998

CONDITIONS OF APPROVAL

Transfer of Water Right No. 37-07064
Transfer No. 3766

1. This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 15th day of April, 1991.

A. Glen Saylor
Chief, Water Allocation Bureau

NOV 27 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-7064 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☒ Other purchase docs

3. Source of water Groundwater tributary to _____

4. Date or priority 4/21/1970

5. Water is used for the following purpose:

amount 6.06 for Irrigation purposes from 5/01 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 6.06 cubic feet per second and/or 1060.5 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	IN	18E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	18E	24																36	36
IN	18E	25	40	35	40	40	7			30	35			40					267

Total acres 303

9. Describe any other water rights used for the same purpose as described above

37-0102

NOV 27 1996

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.42 for Irrigation purposes from 5/01 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
~~—~~	~~NW~~	~~NE~~	~~SW~~	~~25~~	~~IN~~	~~18E~~	~~Blaine~~	~~System A~~
~~—~~	~~NW~~	~~SE~~	~~SW~~	~~25~~	~~IN~~	~~18E~~	~~Blaine~~	~~System B~~

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
<u>IN</u>	<u>18E</u>	<u>25</u>									<u>26</u>			<u>35</u>					<u>71</u>
											<u>35</u>			<u>36</u>					

Total acres 71**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 4.64 for Irrigation purposes from 5/01 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
			<u>NW</u>	<u>NE</u>	<u>25</u>	<u>IN</u>	<u>Blaine</u>	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
<u>IN</u>	<u>18E</u>	<u>24</u>																<u>36</u>	<u>36</u>
		<u>25</u>	<u>40</u>	<u>35</u>	<u>40</u>	<u>40</u>	<u>7</u>			<u>30</u>			<u>4</u>						<u>196</u>

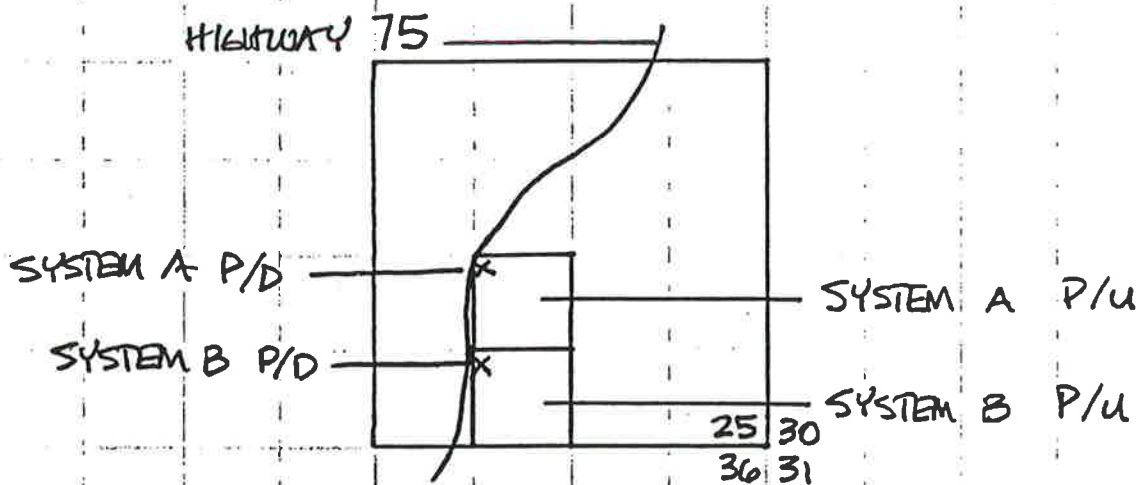
NOV 27 1996
 Total acres 232

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

BLAINE COUNTY
SECTION 25, TWP 1N, R. 18E



(P/D's WILL BE LOCATED
AS CLOSE TO HIGHWAY
AND POWERLINE AS POSSIBLE)

NOV 27 1996

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Edward Q. Lawson

(Signature of Applicant)

Subscribed and sworn to before me this 11th day of September, 1990.

John I. Bull

(Notary Public)

My commission expires 12/12/93

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachmentsReceived by M. Baldwin Date 9/12/90

Protest filed by _____

Prelim. check by DRS Fee \$50.00Received by J. F. Stanton Date 9-12-90 5012655Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 10/24 & 10/31/90

Hearing held by _____ Date _____

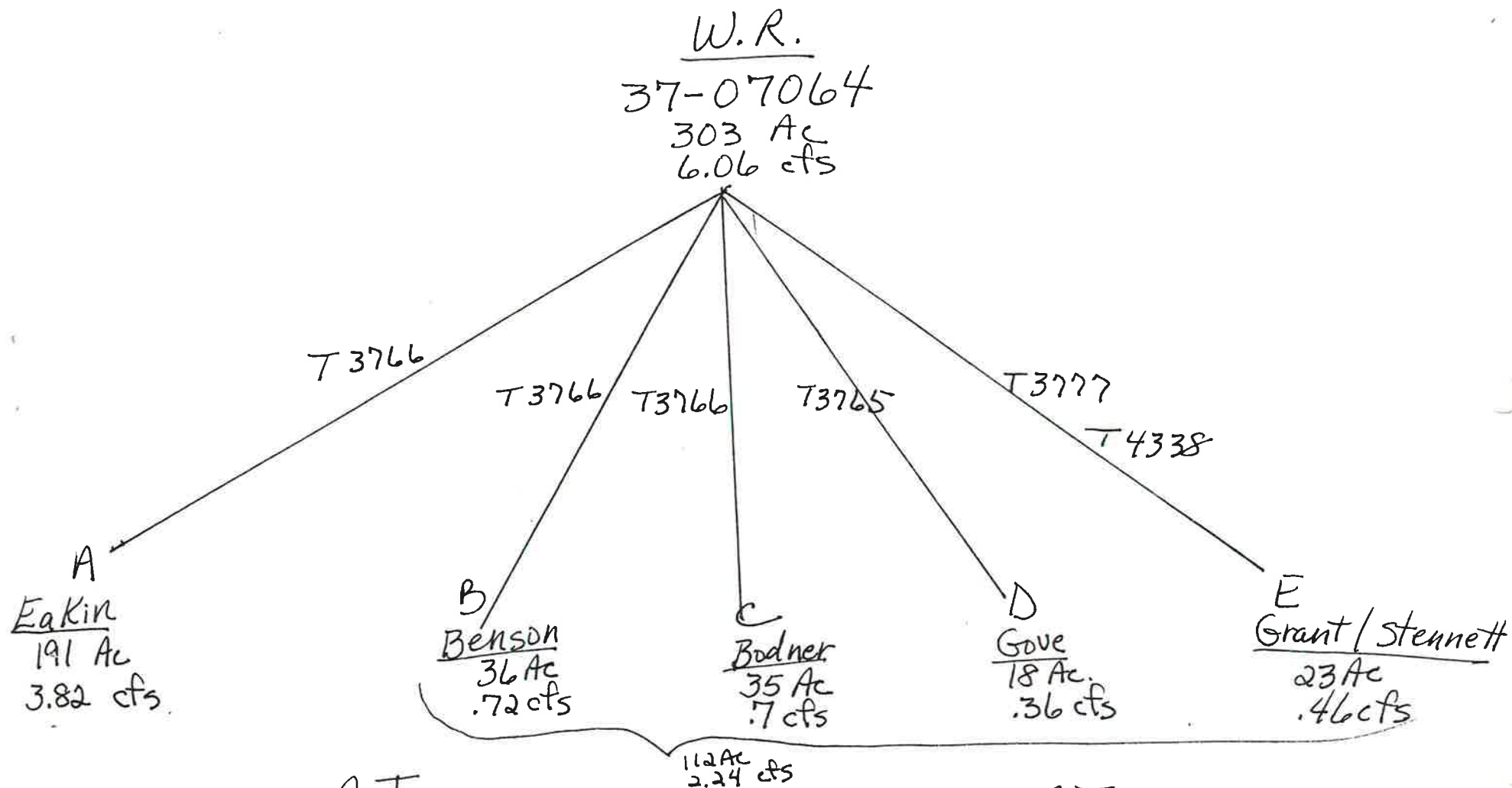
Watermaster recommendation requested on N/ARecommended for ☒ approval ☐ denial

_____ rec'd. _____

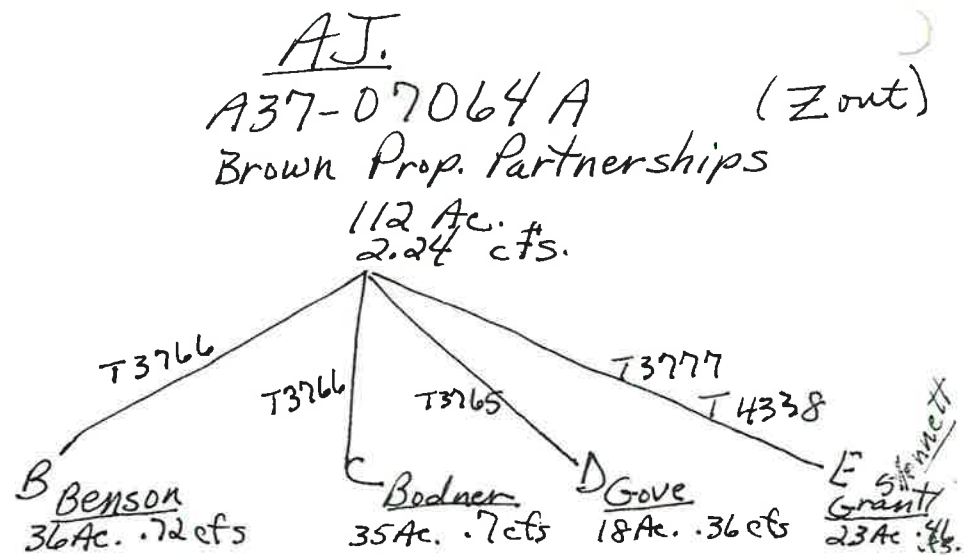
by John I. Bull

Copy of transfer sent to lien holder _____

RECEIVED
NOV 27 1990



A.J.
A37-07064 (Z out)
Eakin
191 Ac
6.06 cfs
↓ T3765, 3766, 3777
A37-07064 F
Eakin
191 Ac
3.82 cfs



NOV 27 1996

Water Right Number - R37-07064B

Prefix Translation:

RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

BENSON

HOWARD

1 - 191 HARDER RD #141

2 -

3 -

City- HAYWARD

State- CA Zip- 94544

Phone - 415-322-5455

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/21/1970 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

01N 18E 25 NW NE SW (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

05/01

10/31

0.720

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.720 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

01N

18E

25

NE SW

36.0

01

IRRIGATION

(13) BLAINE

Total Acres: 36.0

+ - - Diversion Means - WELL, PUMP, 2 WHEEL-LINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-00102

+ - - - - Remarks - - - - - +

SUPPLEMENT TO BIG WOOD RIVER WATER...A37-00102.

PURSUANT TO APPROVED TRANSFER NO. 3766:

1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE FOR THE LANDS ABOVE.
2. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED ON OR BEFORE APRIL 15, 1994.
3. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY

1007271996

Water right number - R37-070648

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
4. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY
FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE
ONGOING SNAKE RIVER BASIN ADJUDICATION.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 12/06/1994 User Id: JROBERTS Subject: SPLIT/TRANSFER

This claim is a portion of A37-07064A which was split pursuant to approved Transfer No. 3766. jr

+ - - Audit Fields - - +

12/06/94 JROBERTS

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

NOTED
MAY 27 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 6, 1994

HOWARD BENSON
191 HARDER RD #141
HAYWARD CA 94544

Re: Ownership Change for Adjudication Claim #A37-07064B
BROWN PROP PARTNERSHIPS/BENSON

Dear Claimant(s):

Pursuant to the approval of Transfer Nos. 3766 and notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, the Department has changed the records of the current owner and amended the claim as per the transfer. Please find enclosed a copy of the computer record of the claim noting these changes.

Please review the records and if you have any corrections or questions, please feel free to call this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie'.

Jeanie Robertson
Water Right Agent

/jr
Enclosures

MACROFILMED
NOV 27 1996

RECEIVED

NOV - 4 1988

Department of Water Resources
Southern Region Office

November 2, 1988

John W. Sweet
1605 5th N
Seattle, WA 98109

RE: WATER RIGHT LICENSE NO. 37-7064

Dear Mr. Sweet:

Your letter dated October 21, 1988 in connection with the above referenced license has been referred to me for response. Your interpretation of the department's September 16, 1970 letter is basically correct with the exceptions and additional explanation noted below.

The land to which water right license 37-7064 is appurtenant includes one miner's inch (0.02 cfs) for each acre in the following legal descriptions:

Section 25, T1N, R18E, BM

NE1/4NW1/4	7 acres
SE1/4NW1/4	30
NE1/4SW1/4	35
SE1/4SW1/4	40

TOTAL 112 acres

This means a portion of the above referenced water right is appurtenant to the 112 acres in the amount of 112 miners's inches (2.24 cfs) from a ground water source with a priority of April 21, 1970.

As far as I can determine from the land descriptions you have provided, you are correct that the first three parcels are irrigated with water from this licensed water right and that the fourth parcel is not included.

There are two options available to obtain a water right for the fourth parcel. You or a successor in interest can submit an application for permit to initiate a new appropriation for irrigation of the fourth parcel or include the land in a transfer as described below. An application, if approved would have a priority date as of the date of submittal of the application and would have a development period of up

NOV 27 1988

37-7064-4

to five years if granted by the department.

Another option which you might want to consider to provide some water to each of the four parcels is to file a transfer changing both the points of diversion and place of use of the existing portion of the water right such that some of the 112 irrigated acres is within each of the four parcels. Such a transferred water right, however, can not include the irrigation of more than a total of 112 acres. Another way of describing this procedure is that for each non irrigated acre in the fourth parcel to which water is transferred will result in the drying up of an irrigated acre in one of the first three parcels.

A transfer as described in the previous paragraph may be in your best interest, since the department has not been able to approve new appropriations of water in the Bellevue area for a number of years. The reason is due to the ongoing resolution to a very complex water right issue described as the "Swan Falls" water right controversy. There will be a substantial delay in processing of new applications due to the already existing backlog.

To obtain approval to drill separate wells on any of the parcels, you or a successor in interest will have to file a transfer of water right with the department to change the point of diversion (add a well or wells) on some or all of the parcels. In addition to filing a transfer to drill additional wells, a "drilling permit" must also be obtained from the department for the construction of each new well, or for deepening or modification of an existing well. These permits are relatively easy to obtain from the department when issued in connection with a domestic use or well under an approved transfer.

Your letter referred to domestic use. Water right 37-7064 does not include domestic use and is not a part of the right. The right to obtain water from a well for domestic use, however, is relatively simple. Domestic use from a well for single family use can be obtained simply by obtaining a "drilling permit" and having the well constructed by a licensed well driller.

An application for permit or transfer application and instructions can be obtained from our Southern Regional office located at 2148 4th Avenue East, Twin Falls, ID 83301. The completed application for permit or transfer application should also be filed with our Twin Falls office.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

c: S. Region

UNOFFICIAL
NOV 27 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 12, 1987

John W. Sweet
1605-5th North #301
Seattle, WA 98109

RECEIVED

NOV 13 1987

Re: License No. 37-7064

Department of Water Resources
Southern Region Office

Dear Mr. Sweet:

Your letter of October 25, 1987, asked: (1) whether 112 acres which you own are listed under License No. 37-7064, (2) whether an additional 28 acres could be added to the license, and (3) how much water per acre is allowed for a sprinkling system.

Unless you provide a detailed description of the 112 acres which you own, I cannot tell you whether your land is appurtenant ground under the water right license. I have included for your reference, however, a copy of the water right license from which you should be able to determine whether your land is appurtenant irrigated acreage.

Acreage not covered by the original license cannot be added as a place of use unless 28 acres which are now licensed are taken out of production. In order to irrigate an additional 28 acres, without any reduction in other land, you must file another application to appropriate water.

Finally, the Department allows .02 cfs per acre as the maximum amount of water that can be applied for irrigation without wasting water.

If I can be of further assistance, please contact me.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: ✓ Southern Region

Enclosure

NOV 27 1986

37-7064

SD-42

Basin: 37

Starting Water Right: 07064

STATE

Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Code Desc
37-07064			00/00/0000	/		
37-07064A	EAKIN, JAMES I.	C	04/21/1970	L/	GROUNDWATER	01 IRR
37-07064B	BENSON, HOWARD	C	04/21/1970	L/	GROUNDWATER	01 IRR
37-07064C	BODNER, RON	C	04/21/1970	L/	GROUNDWATER	01 IRR
	BODNER, CATHY	C				
37-07064D	GOVE, NANCY	C	04/21/1970	L/	GROUNDWATER	01 IRR
	GOVE, JAY	C				
37-07064E	GRANT, BILL	C	04/21/1970	L/	GROUNDWATER	01 IRR
	GRANT, BETTY	C				
	STENNETT, W CLINTON	C				
37-07065	BUTTRAM, THET	C	00/00/0000	/L		
37-07066	BUTTRAM, K. R.	C	00/00/0000	/L		
37-07067	DAVIS, WILLIAM C.	C	00/00/0000	/L		
37-07068	FIFE, MILTON	C	05/12/1970	L/	GROUNDWATER	10 COMMER
37-07069			00/00/0000	/		
37-07069A	POTHIER, CARL R.	C	07/18/1970	L/	GROUNDWATER	43 DOMEST

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

RECORDED
NOV 27 1974

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent TARA BACKLUND

DATE	CUSTOMER
July 26, 1995 4:03pm	JOHN SWEET

SUBJECT: OWNERSHIP CHANGE A37-07064B & A37-07064E
phone call (.) walk-in (.)

IN REVIEWING THE OWNERSHIP CHANGE FOR BOTH CLAIM, I SAW THEY WERE
DONE BY JEANIE ROBERTSON THROUGH TRANSFERS. I ATTACHED THE
FORMS TO THE CLAIMS

NOV 27 1998

HOWARD D. BENSEN
191 HARDER RD. #141
HAYWARD, CA 94544

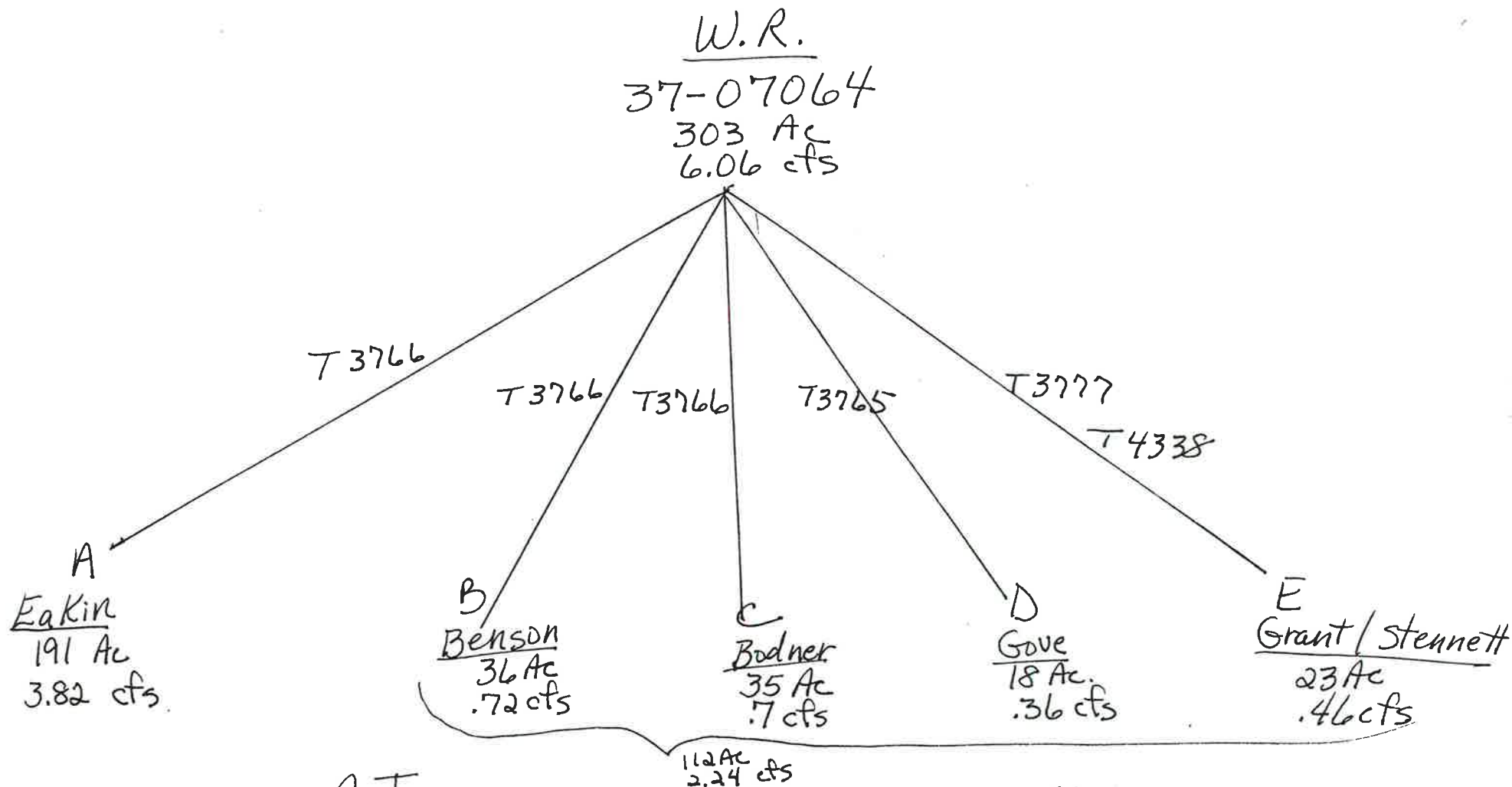


This U.S. stamp,
along with 25¢
of additional
U.S. postage,
is equivalent to
the 'F' stamp rate



IDWR SOUTHERN REGION
222 SHOSHONE ST. EAST
TWIN FALLS, ID
83301

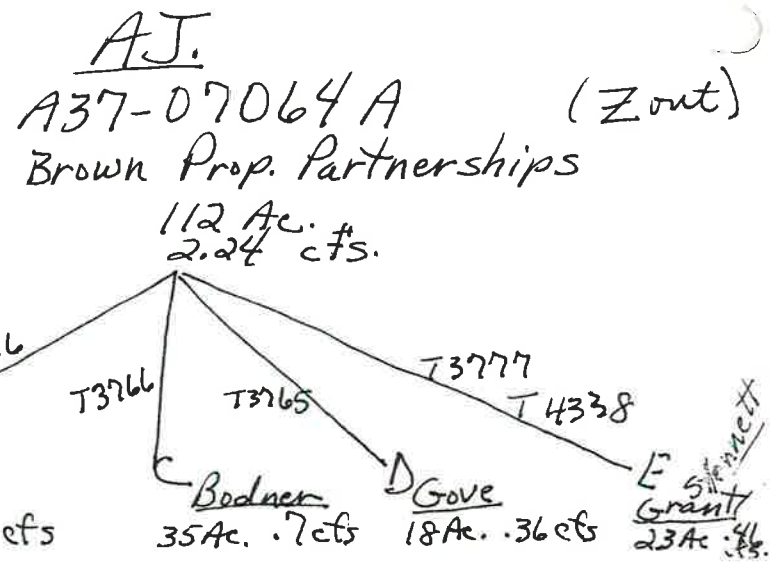
NOV 27 1996



A.J.
A37-07064 (Z out)
EaKin
191 Ac
6.06 cfs

↓ T 3765, 3766, 3777

A37-07064 F
EaKin
191 Ac
3.82 cfs



MICROFILMED
NOV 27 1995

RECEIVED

NOV - 4 1988

Department of Water Resources
Southern Region Office

November 2, 1988

John W. Sweet
1605 5th N
Seattle, WA 98109

RE: WATER RIGHT LICENSE NO. 37-7064

Dear Mr. Sweet:

Your letter dated October 21, 1988 in connection with the above referenced license has been referred to me for response. Your interpretation of the department's September 16, 1970 letter is basically correct with the exceptions and additional explanation noted below.

The land to which water right license 37-7064 is appurtenant includes one miner's inch (0.02 cfs) for each acre in the following legal descriptions:

Section 25, T1N, R18E, BM

NE1/4NW1/4	7 acres
SE1/4NW1/4	30
NE1/4SW1/4	35
SE1/4SW1/4	40

TOTAL 112 acres

This means a portion of the above referenced water right is appurtenant to the 112 acres in the amount of 112 miners's inches (2.24 cfs) from a ground water source with a priority of April 21, 1970.

As far as I can determine from the land descriptions you have provided, you are correct that the first three parcels are irrigated with water from this licensed water right and that the fourth parcel is not included.

There are two options available to obtain a water right for the fourth parcel. You or a successor in interest can submit an application for permit to initiate a new appropriation for irrigation of the fourth parcel or include the land in a transfer as described below. An application, if approved would have a priority date as of the date of submittal of the application and would have a development period of up

37-7064
MICROFILMED
NOV 27 1998

to five years if granted by the department.

Another option which you might want to consider to provide some water to each of the four parcels is to file a transfer changing both the points of diversion and place of use of the existing portion of the water right such that some of the 112 irrigated acres is within each of the four parcels. Such a transferred water right, however, can not include the irrigation of more than a total of 112 acres. Another way of describing this procedure is that for each non irrigated acre in the fourth parcel to which water is transferred will result in the drying up of an irrigated acre in one of the first three parcels.

A transfer as described in the previous paragraph may be in your best interest, since the department has not been able to approve new appropriations of water in the Bellevue area for a number of years. The reason is due to the ongoing resolution to a very complex water right issue described as the "Swan Falls" water right controversy. There will be a substantial delay in processing of new applications due to the already existing backlog.

To obtain approval to drill separate wells on any of the parcels, you or a successor in interest will have to file a transfer of water right with the department to change the point of diversion (add a well or wells) on some or all of the parcels. In addition to filing a transfer to drill additional wells, a "drilling permit" must also be obtained from the department for the construction of each new well, or for deepening or modification of an existing well. These permits are relatively easy to obtain from the department when issued in connection with a domestic use or well under an approved transfer.

Your letter referred to domestic use. Water right 37-7064 does not include domestic use and is not a part of the right. The right to obtain water from a well for domestic use, however, is relatively simple. Domestic use from a well for single family use can be obtained simply by obtaining a "drilling permit" and having the well constructed by a licensed well driller.

An application for permit or transfer application and instructions can be obtained from our Southern Regional office located at 2148 4th Avenue East, Twin Falls, ID 83301. The completed application for permit or transfer application should also be filed with our Twin Falls office.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

c: S. Region

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NOV 27 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 12, 1987

John W. Sweet
1605-5th North #301
Seattle, WA 98109

RECEIVED

NOV 13 1987

Re: License No. 37-7064

Department of Water Resources
Southern Region Office

Dear Mr. Sweet:

Your letter of October 25, 1987, asked: (1) whether 112 acres which you own are listed under License No. 37-7064, (2) whether an additional 28 acres could be added to the license, and (3) how much water per acre is allowed for a sprinkling system.

Unless you provide a detailed description of the 112 acres which you own, I cannot tell you whether your land is appurtenant ground under the water right license. I have included for your reference, however, a copy of the water right license from which you should be able to determine whether your land is appurtenant irrigated acreage.

Acreage not covered by the original license cannot be added as a place of use unless 28 acres which are now licensed are taken out of production. In order to irrigate an additional 28 acres, without any reduction in other land, you must file another application to appropriate water.

Finally, the Department allows .02 cfs per acre as the maximum amount of water that can be applied for irrigation without wasting water.

If I can be of further assistance, please contact me.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: ✓ Southern Region

Enclosure

NOV 27 1987

37-7064

SD-0403
MODIFY CLAIM

Idaho Department of Water Resources
Adjudication Names Screen

Date: 06/07/94
Time: 08:48:05

Water Right Number: A37-07064A

FIRST PAGE

```

Owner Codes: O Original Owner   P Present Owner       L Lien Holder   T Trustee
              C Current Owner   R Representative     S Lessee
              K Also Known As   A Attorney of Record D Dir Rpt Owner
Last: BROWN PROPERTIES PARTNERSHIP      First: THE JOHN
Address: C/O JOHN W. SWEET                1605 5TH AVE. N.
        UNIT 301                          City: SEATTLE
        State: WA  Zip: 98109              Phone: (206) 283-8118
        Owner Code: C

```

Last: _____ Name Connector: _____ First: _____
 Address: _____

 State: ID Zip: _____ City: _____
 Owner Code: C _____ Phone: (208) ____ - ____

(GOLD2=Update) (GOLD4=Prev Screen) (GOLD6=End of Data) (Enter=Exit)
(GOLD5=Next Screen) (GOLD8=Cancel)

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OCT 24 1994

SD-0604-2 Township: 01N			Range: 18E		Section: 25		Tract:		Lot:	
S	L		STATE	O	S	Max #	Records	60		
E	O	Water	Name	W	T	Priority	Use			
L	Tract	Right No.	Last, First	N	AC	G	Date	Code	Desc	
—	SENE	A37-00476	FOX, J. C.	O	40	D	06/20/1884			
—	SENE	A37-00477	EAKIN, JAMES I.	C						
—			MELICK, JOHN	O	40	D	06/02/1890	01	IRR	
—			CURTIS, H. D.	O						
—			FOX, J. C.	O						
—			EAKIN, JAMES I.	C						
—	SENE	A37-07064	EAKIN, JAMES I.	C	40	L	04/21/1970	01	IRR	
—	SENE	A37-00577V	EAKIN, JAMES I.	C	40	D	03/24/1883	01	IRR	
—	NENW	A37-00102	BROWN PROPERTIES, THE	C	26	D	06/01/1887	01	IRR	
—	NENW	A37-07064A	BROWN PROPERTIES PARTN	C	18	L	04/21/1970	01	IRR	
—	SENE	A37-00102	BROWN PROPERTIES, THE	C	33	D	06/01/1887	01	IRR	
—	SENE	A37-07064A	BROWN PROPERTIES PARTN	C	23	L	04/21/1970	01	IRR	
—	NESW	A37-00102	BROWN PROPERTIES, THE	C	39	D	06/01/1887	01	IRR	
—	NESW	A37-07064A	BROWN PROPERTIES PARTN	C	36	L	04/21/1970	01	IRR	
—	NWSW	A37-00102	BROWN PROPERTIES, THE	C		D	06/01/1887	01	IRR	
—	SWSW	A37-00102	BROWN PROPERTIES, THE	C	4	D	06/01/1887	01	IRR	

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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OCT 24 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 15 1991

ASSIGNMENT OF APPLICATION FOR PERMIT

Department of Water Resources
Southern Region Office

We ☒ Edward A. Lawson and
W. Clinton Stennett, hereby assign to The John B. Brown Property Partnership
of, 1605 5th Avenue North, Seattle, Washington 98109
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 37-07064A to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Tax Lots 1377, 1378, 1501, 1174, 1375, TWP in

RECEIVED

TRG 18E, SEC 25

1.42 CFS

APR 10 1991

Department of Water Resources
Southern Region Office

Made this 5 day of April, 1991.

E. A. Lawson
Applicant

W. Clinton Stennett
Applicant

State of Idaho)

ss

County of Blaine)

On this 5th day of April, 1991, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Barbara Lyn Julian
Notary Public



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OCT 24 1994

37-7064A

PART 1

6. General Information:

a. Description of diversion system one well ; new pump ;
two wheel lines ; System C is a
separate system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

WCS
my NO change other than single acre
swap in tracts. Farm was split up
but this parcel remains unchanged.

d. Remarks:

Supplemental groundwater to 37-00102
SRBA claim shows right as distributed
to this parcel. Refer to APPLICATION
FOR TRANSFER RE SYSTEM A and B

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-07064

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 15th day of April, 19 91

J. Glen Saylor
CHIEF, WATER ALLOCATION BUREAU

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OCT 24 1994

CONDITIONS OF APPROVAL

Transfer of Water Right No. 37-07064
Transfer No. 3777

1. This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 15th day of April, 1991.

A. Shaw Saylor
Chief, Water Allocation Bureau

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OCT 24 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 37-7064 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☒ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 4/21/1970

5. Water is used for the following purpose:

amount 6.06 for IRRIGATION purposes from 5/01 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 6.06 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	IN	18E	BLAINE	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
IN	18E	24																36	36
IN	18E	25	40	35	40	40	7			30	35			40					267

9. Describe any other water rights used for the same purpose as described above

Total acres

37-00102

303

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OCT 24 1984

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.46 for IRRIGATION purposes from 5/01 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
~~SE~~	~~NE~~	~~NW~~	~~25~~	~~IN~~	~~18E~~	~~BLAINE~~	~~SYSTEM C~~	
		NW	NE	25	IN	18E	Blaine	WCS
								Am BRS

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	18E	25					2			21									23

Total acres 23**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 5.6 for IRRIGATION purposes from 5/01 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	IN	18E	BLAINE	

3. Lands irrigated or place of use:

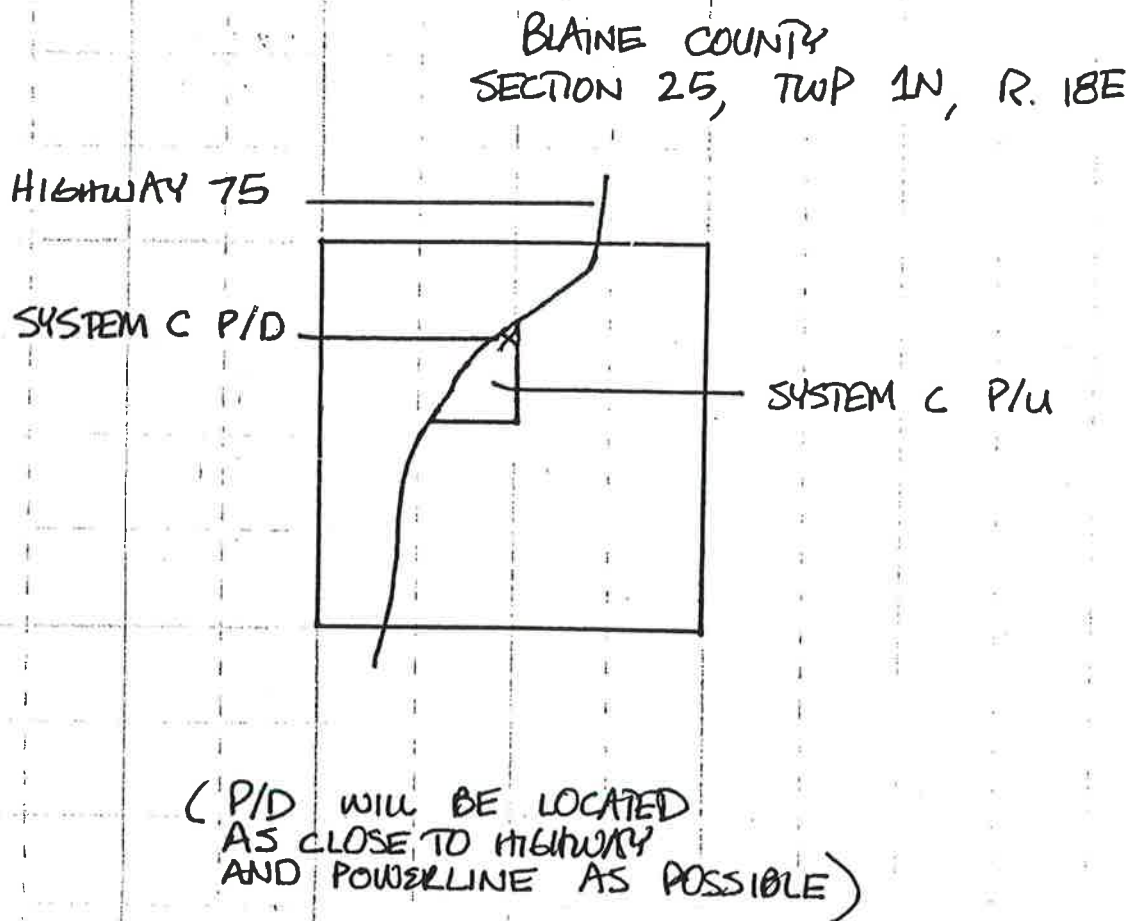
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	18E	24																36	36
IN	18E	25	40	35	40	40	5			9	35			40					244

Total acres

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 280
 OCT 24 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 13th day of September, 1990

W. Clinton Shuff

(Signature of Applicant)

[Signature]

(Notary Public)

My commission expires 12/12/93

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 7 attachmentsReceived by M. Baldwin Date 10-4-90 Protest filed by BabinPrelim. check by DR Fee \$50.00 5012727Receipted by J. F. Linton Date 10-4-90Published in Wood River Journal Copies of protest forwarded byPub. dates 11/7 + 11/14/90 Hearing held by DateWatermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

rec'd. by

Copy of transfer sent to lien holder

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OCT 24 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:29:41
03/07/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-07064A

LAST: BROWN PROPERTIES PARTNERSHIP
ADDRESS: C/O JOHN W. SWEET
1605 5TH AVE. N.
UNIT 301

FIRST: THE JOHN

CITY: SEATTLE
PHONE NUMBER: 206-283-8118

STATE: WA ZIP: 98109

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: SUPPLEMENT TO BIG WOOD RIVER WATER...A37-00102.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Jim Peterson

PHONE NUMBER: () 788-4921

DATE OF FIELD EXAM: 3/12/91

APPOINTMENT MADE: Y (☒) N ()

TIME: : A () P ()

ACCOMPANIED BY: Jim Peterson

PHONE NUMBER: () 788-4921

RELATIONSHIP TO CLAIMANT: Real Estate Agent

DIRECTIONS TO PROPERTY / REMARKS:

Also visited site 3/12/91. Field exam was done by
L.H.

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FEB 23 1993

A. AJ CLAIM: # A37-07064A PRIORITY DATE: 04-21-1970 STAGE: L
B. WR RECORD: # 37-07064 PRIORITY DATE: 04-21-1970 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER ☒

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
04-21-1970

REVIEWED BY

D Jones

DATE

3/2/91

FEB 7 3 1991

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-07064A	01N	18E	25		NW	NE		BLAINE
OTHER AJ CLAIMS WITH SAME AJ POD				WR RECORDS IN SAME 40 ACRE TRACT				
A PREFIX NONE				R PREFIX NONE				

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-07064	01N	18E	25		NW	NE		BLAINE
OTHER WR RECORDS WITH SAME WR POD				AJ CLAIMS IN SAME 40 ACRE TRACT				
NONE				A PREFIX A37-07064 R PREFIX NONE				

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE
DUE TO SOURCE DISCREPANCY?	(Y/N)	

FIELD
EXAMINER

REMARKS:

FEB 23 1993
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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>1W</u>	<u>18E</u>	<u>25</u>	<u>NE</u>	<u>NW</u>	<u>NE</u>	<u>—</u>	<u>Blaine</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

T Jones

DATE:

3/7/91

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FEB 23 1993

A. ROOT WATER RIGHT NUMBERS: A37-07064
A37-07064A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	* FOUND 0 THUS APP X UP TOUS- FIELD EXAM.	RECOMM. ACRES
01N	18E	25	NE	NW		BROWN PROPERTIES PARTNERSHIP	A37-07064A /18.0	- /	17.0	* 7	
			NE	NW		BROWN PROPERTIES , THE JOHN	A37-00102 /26.9	- /		0 17	7
			NE	NW		EAKIN , JAMES I.		37-07064 / 7.0		X 0	
01N	18E	25	SE	NW		BROWN PROPERTIES PARTNERSHIP	A37-07064A /23.0	- /	23.0	* 30	
			SE	NW		BROWN PROPERTIES , THE JOHN	A37-00102 /33.3	- /		0 1	30
			SE	NW		EAKIN , JAMES I.		37-07064 /30.0		X 23	
01N	18E	25	NE	SW		BROWN PROPERTIES PARTNERSHIP	A37-07064A /36.0	- /	39.0	* 39	
			NE	SW		BROWN PROPERTIES , THE JOHN	A37-00102 /39.1	- /		0 0	35
			NE	SW		SOMMERS , MRS. J. C.		37-00102B /40.0		X 35	
			NE	SW		EAKIN , JAMES I.		37-07064 /35.0			
01N	18E	25	SE	SW		BROWN PROPERTIES PARTNERSHIP	A37-07064A /35.0	- /	40.0		
			SE	SW		BROWN PROPERTIES , THE JOHN	A37-00102 /39.7	- /			40
			SE	SW		SOMMERS , MRS. J. C.		37-00102B /40.0			
			SE	SW		EAKIN , JAMES I.		37-07064 /40.0			
TOTAL ACRES							A37-07064A	112.00	119.00		112

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

Y

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FEB 23 1993

PRESUMPTION FLAG:

REMARKS:

Recommended acres reflect licensed and transferred acreages. License holder (James Eakin) leased subject property from claimant (John Brown Properties). SRBA claim represents ~~split~~ use as if this transfer is already approved. Surface water right appurtenant to move acres than groundwater right. Supplemental gw right

RECOMMENDATIONS:

TOTAL ACRES: 112

REVIEWED BY: D. Jones

DATE: 3/13/91

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A37-07064A IRRIGATION	FROM 04-01 TO 11-01	2.240 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.240 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
37-07064 IRRIGATION	FROM 05-01 TO 10-31	6.060 CFS 1060.50 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		6.060 CFS 1060.50 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>SEP</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(/) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(/) N() Explain in remarks, below.

REMARKS:

Claimed as standard for water right.

FEB 23 1993

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(/) N(/)

AJ TOTAL CLAIMED DIVERSION RATE: 2.240 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 6.060 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A37-00102

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-07064A	GROUNDWATER	BROWN PROPERTIES PARTNERSHIP	2.240	0.020		
A37-00102	BIG WOOD RIVER	BROWN PROPERTIES , THE JOHN	8.000	0.055		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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FEB 23 1993

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 112 x 0.02 CFS/ACRE = 2.24 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 280.0 AF/A

ACRES 112 x CONSUMPTIVE VOL. AF/A FOR AREA 25 =
TOTAL CONSUMPTIVE USE 280 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 112 x DIVERSION VOL. AF/A FOR AREA 3.0 =
TOTAL DIVERSION VOLUME 336 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

In combination w/ 37-0102, 37-7064A shall not exceed 0.0283
per acre or 336 AF/A headgate or 280 AF/A consumptive
total volumes

FEB 23 1993

MICROFILMED

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 2.240 <u>224</u>	DATABASE EXAMINER <u>336</u>	DATABASE EXAMINER 280.0 <u>280</u>
TOTAL FOR THIS RIGHT		2.240		280.0

REVIEWED BY:

DR Jones

DATE:

3/13/91

FEB 23 1993

MICROFILMED

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	(/)	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-07064

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 6.060 EXAMINER / CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A37-07064	6.060	-		37-07064	6.060
-	A37-07064A	2.240	-		-	
TOTAL CFS		8.300				6.060

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE N FIELD EXAMINER /

REMARKS:

The div. rate of A37-7064 (James Eakin) is excessive for acres claimed

AUTHENTICATION:

SIGNATURE: Douglas Jones

DATE: 3/13/91

NAME OF FIELD EXAMINER: Douglas Jones

TITLE: Eng Spec.

FEB 23 1993

NOT RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:29:41
03/07/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-07064A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		LH 3/7/91		5	DJ 3/13/91		
SOURCE								
PLACE OF USE	Y		LH 3/12/91	N	5 1, (6 Lic. Exam)	DJ 3/13/91		
DIV. AMOUNT CFS/VOLUME	Y					DJ 3/13/91		
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y					DJ 3/13/91		
BASIS OF CLAIM	Y					DJ 3/13/91		
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAEP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED
FEB 23 1993