

MEMORANDUM

TO: JOHN HOMAN

FROM: KAY WALKER *Kay*

RE: Ownership of Right 79-4009B

Date: February 9, 2009

.....

We have an application for transfer pending on this right and the applicant (Augustus) has been putting pressure on us to process his application. I have copied and reviewed all the documents I could locate in regard to ownership of Rt. 79-4009B. I have prepared an excel spreadsheet (attached) that shows the information back to original statutory claimant based on documents located within IDWR records. The ownership of this right is unclear and it was suggested that I pursue legal advice before making any decisions. Would you please look at the attached and see what your thoughts are?

1. Jaros attempted to obtain ownership of this right in 1998 through an ownership change form and was advised that the right did not belong to the property he had purchased. He then submitted a copy of a Quit Claim Deed that does transfer this right to him. The Department failed to act on the information and never processed the ownership change. Mr. Jaros then sold the right to Augustus in 2004 through another Quit Claim Deed.
2. This right was decreed in April of 2001 to the property as claimed in the SRBA. The claim was submitted in July of 1988 and then sold within the next 10 years to Jaros. Since the right had never been transferred to Jaros property and IDWR failed to process the ownership documents another change in ownership to the lands as decreed (now owned by Wilkins) was processed in 2006. If the county records are correct, the decreed land is on a parcel that is only 0.049 acres in size which would not require this right to irrigate. Mr. Wilkins currently has another water right (79-13993) for irrigation of ½ acre of land from the Salmon River.
3. If we determine that Right 79-4009B was previously sold to Jaros, can we rescind the change in ownership for right 79-4009B after 2 years?

1/13/1972	Statutory Claim filed by Harvey Hosley 79-4009		0.16 cfs
1/25/1979	QuitClaim Deed from Harvey Hosley to Gerald Hosley 79-4009B		
11/14/1986	Statutory Claim assigned to Roberta Simonsen 79-4009		0.16 cfs
6/30/1988	SRBA Claim filed for portion of claim by Roberta Simonsen 79-4009A		0.02 cfs
7/11/1988	SRBA Claim filed for entire Statutory Claim By Roberta Simonsen 79-4009		0.16 cfs
7/12/1988	SRBA Claim filed for portion of claim by Hazel Irene Hosley 79-4009B		0.02 cfs
8/2/1995	Change in Ownership submitted by Glen Hosley for 79-4009A		0.02 cfs
12/2/1998	Ownership Change Hosley/Beck to Gene Jaros 79-4009B - NOT PROCESSED		
1994?	Warranty Deed Beck/Wells to Jaros includes 79-4009B - NOT PROCESSED		
4/8/1999	Ownership Change Hazel Hosley to Gerald/Nancy Hosley 79-4009B		
2/16/2001	79-4009A ownership split into 79-13993 and 79-13994		
2/16/2001	79-13993 - Hosley/Simonsen/Wilkins Decreed 2/6/2008		0.01 cfs
2/16/2001	79-13994 - Hosley/Simonsen/Cullin Decreed 2/20/2008		0.01 cfs
4/26/2001	Decree Issued to Gerald/Nancy Hosley 79-4009B		0.02 cfs
4/28/2004	Ownership Change Gerald/Nancy Hosley to Jaros to Augustus 79-4009B - NOT PROCESSED		
12/2/2005	QuitClaim Deed from Jaros to Augustus for 79-4009B - NOT PROCESSED		
8/2/2006	Ownership Change Gerald/Nancy Hosley to Wilkins 79-4009B		0.02 cfs

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 79-4009B

WATER RIGHT NUMBER: 79-4009B

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	HAZEL IRENE HOSLEY
Previous Owner	NANCY K HOSLEY
Previous Owner	GERALD LEE HOSLEY
Current Owner	MARK WILKINS

Priority Date: 05/15/1947

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

SALMON RIVER	NW1/4NW1/4NW1/4	Sec. 22, Twp 28N, Rge 01E, B.M.
IDAHO County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
28N	01E	22						X											

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. PARCEL NO. RP 00800007007A PROPERTY ALSO KNOWN AS ALL OF LOTS 7, 8, 9, 10 & 11, LOTS 13, 14 & 15, LESS EASEMENT, BLK 7, COPPERVILLE SUBDIV.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. DOMESTIC USE FOR LAWN & GARDEN.
5. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 79-4009B

Remarks:

Comments:

1. CWALKER 11/17/1998 COPIED FROM REMARKS

Comment: SPLIT RIGHT, WATER USED FOR LAWN AND GARDEN IRRIGATION ONLY.

Dates and Other Information:

Licensed Date:

Decreed Date: 4/26/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

RECEIVED

AUG 02 2006

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

WATER RESOURCES
WESTERN REGION

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
79-10092	PD	—			—
79-4009B	1	—			—
77-13996	Ad	—			—
		—			—
		—			—

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s)

Gerald and Nancy Hosley
HC 01 116A Whitebird, ID 83554

4. New Owner/Claimant(s)

Mark Wilkins

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

New Mailing Address

270 Lake Rd.

City, State and ZIP Code

Grangeville ID 83530

New Telephone Number

(208) 983-2796

5. Date you acquired the property

5-12-06

SUPPORT DATA

IN FILE # 79-4009B

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

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

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

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

Mark Wilkins

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 eg Date 8/2/06 Fee 50
 Received by eg Date 8/2/06 Receipt No. W034535
 Processed by _____ AJ Date _____ WR SK Date 8-17-07 WR #'s
79-40098 +
79-10092

448331

WARRANTY DEED

IDAHO COUNTY TITLE CO.	
at 12:15 P.	on 5-12-06
ROSE E. GEHRING	
By <i>[Signature]</i>	Recorder
Fees \$ 6.00	Deputy

For good and valuable consideration GERALD L. HOSLEY and NANCY K. HOSLEY, husband and wife, as GRANTORS, do hereby grant and convey unto MARK WILKINS, a single man, whose address is: 270 Lake Road, Grangeville, ID 83530, as GRANTEE, the following described real property situate in Idaho County, State of Idaho, to wit:

Lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and the S1/2 of Lot 16, Block 7 of the Original Townsite of Copperville, Idaho County, Idaho, according to the recorded plat thereof. Together with vacated alley and the North 12 feet of the N1/2 vacated D Street adjacent thereto. LESS Road right of way.

AND FURTHER:

A perpetual non-exclusive easement, in common with GRANTORS, and their heirs and assigns, over and across the South 18 feet of the N1/2 of vacated D Streets and alleys adjacent to Lots 12 and 13, for ingress, egress, and placement and maintenance of water lines and all utilities, said easement running with the land and being assignable by GRANTEE to GRANTEE'S successors in interest to the land, or any portions thereof upon further division.

SUBJECT TO:

1. Taxes for 2006 which are an accruing lien and not yet due and payable; and
2. Agreement Concerning Water Use, Removal of Personal Property, Provisions of Fill Material, including the terms and conditions thereof, by and between Gerald L. Hosley and Nancy K. Hosley, husband and wife, and Glenn T. Welsh and Regina F. Welsh, husband and wife, recorded June 24, 1998, under Instrument No. 400548, records of Idaho County, Idaho; and
3. All rights and interests of existing tenants to occupy the subject property, or a portion thereof, including but not limited to storage unit rentals and the Idaho Housing leasehold.

TO HAVE AND HOLD the premises, with all appurtenances, to GRANTEE, and his heirs, successors and assigns forever. GRANTORS do hereby covenant that GRANTORS are the owners of

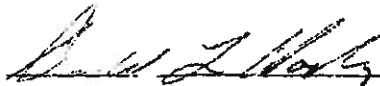
mw

said property in fee simple, that the premises ~~is~~ free from encumbrances except as set forth herein-above, and that GRANTORS will defend the same from all lawful claims except general taxes for the year 2006 and the above-stated exceptions, and interests of record or in use.

Except as otherwise expressly provided in this instrument, GRANTORS hereby declare pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event GRANTORS shall have permitted or suffered at any time prior to the making of this instrument, any person or entity to possess, use or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of GRANTORS, it was not the intent of GRANTORS, by permitting or suffering such possession, use or occupation, to thereby define property boundaries or ownership thereof.

DATED this 12th day of May, 2006.

GRANTORS:

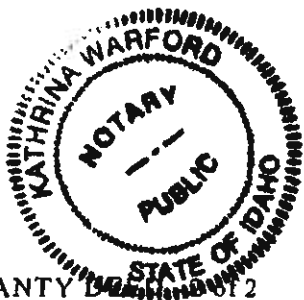

GERALD L. HOSLEY

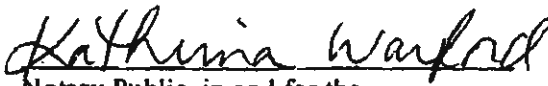

NANCY K. HOSLEY

STATE OF IDAHO)
 : ss.
County Of Idaho)

On this 12th day of May, 2006, before me personally appeared GERALD L. HOSLEY and NANCY K. HOSLEY, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year first written above.




Notary Public, in and for the
State of Idaho, residing at
Grangeville, therein.
My Commission Expires: 07/05/2011

WARRANTY DEED OF 2

772



146164

446190

QUITCLAIM DEED

For Value Received \$1.00

Gene K. Jaros

do hereby convey, release, remise and forever quitclaim unto

Albert A. Augustus and Rebecca Augustus
whose current address is PO Box 94 White Bird, Idaho 83554

the following described premises, to-wit:

Statement concerning water rights # A-7904009B
which was a warranty deed from Beck/Wells to
Jaros (Exhibit B) but originally omitted in Jaros
to Augustus (Exhibit A)

To add to warranty deed:

"Also water rights in claim number A-7904009B,
Idaho Department of Water Resources.

Together with all improvements, water, water rights,
ditches, ditch rights, easements, hereditaments
and appurtenances thereto."

together with their appurtenances.

Dated:

12-02-05

Gene Jaros

STATE OF IDAHO, COUNTY OF YAVAPAI
On this 2nd day of December,
before me, a notary public in and for the said State, per-
sonally appeared



KIMBERLEY K. ORTIZ
Notary Public - Arizona
Yavapai County
My Commission Expires
August 31, 2009

known to me to be the person
subscribed to the within instrument, and acknowledged to
me that

Residing at
Comm. Expires

Aug. 31 05

Notary Public

Idaho
AZ

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of Rebecca Augustus

at 35 minutes past 10 o'clock A.M.,
this 17 day of January
2006, in my office, and duly recorded in Book
of Deeds at Page

ROSE E. GEHRING

Ex-Officio Recorder

By

Fee \$ 16.00

Total to: See Above

Deputy.

STATE of IDAHO County of Idaho Recorded at request of	
Rebecca Augustus	
at 2:35 P m on 1-18-06	
ROSE E. GEHRING	
By	Recorder
Fees \$ 9.00	Deputy

m/see below

COPY

Exhibit B

397758

WARRANTY DEED

GRANTORS, MARTHA L. BECK, a married woman dealing with her sole and separate property and, VICTORIA ELIZABETH WELLS, an unmarried woman, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto, GENE R. JAROS, an unmarried man, of Box 671544 Chuglak, AK 99567, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

The following described parcels of the Village of Copperville, Idaho County, Idaho, according to the recorded plat thereof:
 Lot 5, 6, 7, 8, 9, and the south four feet of Lot 4, Block 4.
 The North half of "D" street commencing at the western edge of the Salmon River and continuing westward to the center of Main Street.
 The East half of Main Street adjacent to lot 5, 6, 7, 8, 9, and the South 4 feet Lot 4, Block 4, less the following described parcel:
 Commencing at the Southwest corner of Lot 9, Block 4 of the Copperville Addition to Idaho County, Idaho, and proceeding southerly along the extended West line of said Lot 9 a distance of 20 feet to THE POINT OF BEGINNING, thence continuing southerly along said extended line an additional 4 feet to an iron pin, thence at right angles easterly along an existing fence to the high water mark of the Salmon River, thence at right angles northerly 4 feet, thence at right angles westerly to THE POINT OF BEGINNING. Said 4 foot strip of land being located in the center of "D" Street of the platted Addition of Copperville, according to the recorded plat thereof.
 ALSO LESS THE RIGHT-OF-WAY for the COUNTY OF IDAHO and the DOUMECQ HIGHWAY DISTRICT road referred to in Instrument No. 324097, records of Idaho County, Idaho.

ALSO Water Right in Claim Number A-7904009D, Idaho Department of Water Resources.

Together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. Subject to RIGHT-OF-WAY DEED to THE COUNTY OF IDAHO and the DOUMECQ HIGHWAY DISTRICT dated September 7, 1985 and recorded December 16, 1985 in Instrument No. 324097, records of Idaho County, Idaho.
2. Matters as shown on survey recorded April 1, 1994 as Instrument Number 373541 records of Idaho County, Idaho.
3. COVENANTS, CONDITIONS, EASEMENTS, DEDICATIONS and RESTRICTIONS contained in the recorded plat of said subdivision.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant

WARRANTY DEED
PAGE 1



KIMBERLEY K. ORTIZ
Notary Public - Arizona
Yavapai County
My Commission Expires
August 31, 2009

Kimberley K. Ortiz
Attached to quit claim (1 of 2)

copy

to Augustus/Jaros
deed per quit claim

description

04/28/2004 07:34 FAX 12088832096
04/20/2004 08:01 FAX 12088832096

IDAHO COUNTY TITLE
IDAHO COUNTY TITLE

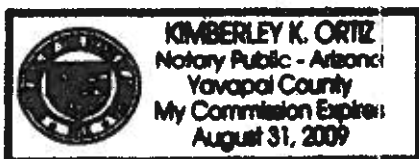
0007/007
010

EXHIBIT "A"**Jane/Augustus Property Description**

The following described parcel of the Village of Copperville, Idaho County, Idaho, according to the recorded plat thereof, Lots 5, 6, 7, 8, 9 and the South 4 feet of Lot 4, Block 4, The North 1/2 of "D" Street commencing at the western edge of the Salmon River and continuing westward to the center of Main Street, The East 1/2 of Main Street adjacent to Lots 5, 6, 7, 8, 9 and the South 4 feet of Lot 4, Block 4, LESS the following described parcel:

Commencing at the Southwest corner of Lot 9, Block 4 of the Copperville Addition to Idaho County, Idaho, and proceeding southerly along the extended West line of said Lot 9, 26 feet to the POINT OF BEGINNING;
thence continuing southerly along said extended line an additional 4 feet to an iron pin;
thence at right angles easterly along an existing fence to the high water mark of the Salmon River;
thence at right angles northerly 4 feet;
thence at right angles westerly to the POINT OF BEGINNING, said 4 foot strip of land being located in the center of "D" Street of the platted Addition of Copperville, according to the recorded plat thereof.

ALSO LESS the Right-of-Way for the County of Idaho and the Doumanq Highway District road referred to in Instrument No. 324097, records of Idaho County, Idaho.



Kimberley K. Ortiz
Attchmt. to Quit Claim (2-#2)

copy

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
MAY 17 2004
Department of Water Resources
RECEIVED
MAY 17 2004
IDWR

1. Water Right No(s).: 79-4009B
Adjudication Claim No(s).: 11 11
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant NANCY K & GERALD LEE HOSLEY
HCO1 BOX 116A WHITE BIRD, ID
4. New Owner/Claimant(s) ALBERTA AND/OR REBECCA AUGUSTUS
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address BOX 94
City, State and ZIP Code WHITE BIRD, ID 83554
New Telephone Number (208) 839-2836
5. Date you acquired the property 4/28/4
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Rebecca Augustus

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

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

435041

WARRANTY DEED

For good and valuable consideration GENE R. JAROS, as GRANTOR, does hereby grant and convey unto ALBERT A. AUGUSTUS and REBECCA AUGUSTUS, husband and wife, whose address is: 905 S. Kurt Road, Harrison, ID 83833, as GRANTEEES, the following described real property situate in Idaho County, State of Idaho, to wit:

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

SUBJECT TO:

1. Taxes for 2004 which are an accruing lien and not yet due and payable; and
2. Right-of-Way Deed, including the terms and conditions thereof, recorded December 16, 1985, under Instrument No. 324097, records of Idaho County, Idaho; and
3. Matters as shown on Survey No. S-901, recorded April 1, 1994, under Instrument No. 373541, records of Idaho County, Idaho; and
4. Rights and easements in favor of the public for recreational uses of the Salmon River; and
5. Any claim arising from the difference in mean high water line of Salmon River and the meander line as shown by Government Survey or the State of Idaho.

TO HAVE AND HOLD the premises, with all appurtenances, to GRANTEEES, and their heirs, successors and assigns forever. GRANTOR does hereby covenant that GRANTOR is the owner of said property in fee simple, that the premises is free from encumbrances except as set forth herein-above, and that GRANTOR will defend the same from all lawful claims except general taxes for the year 2004 and the above-stated encumbrances, and interests of record or in use.

WARRANTY DEED - 1 of 2

STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
at	1:50 PM on 4-28-04
ROSE E. GEHRT	
By	ROSE E. GEHRT Recorder
Fees \$	9.00 Deputy

WJ/PC

DATED this 22nd day of APRIL, 2004.

GRANTOR:

GENE R. JAROS

On this 22 day of April, 2004, before me personally appeared GENE R. JAROS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

OFFICIAL SEAL
OLGA MCINTIRE
NOTARY PUBLIC - ALASKA
MY COMMISSION EXPIRES: JUNE 14, 2006

Notary Public, in and for the
State of AK, residing at
Anchorage, therein.
My Commission Expires: June 14

EXHIBIT "A"
Jaros/Augustus Property Description

The following described parcel of the Village of Copperville, Idaho County, Idaho, according to the recorded plat thereof, Lots 5, 6, 7, 8, 9 and the South 4 feet of Lot 4, Block 4, The North $\frac{1}{4}$ of "D" Street commencing at the western edge of the Salmon River and continuing westward to the center of Main Street, The East $\frac{1}{4}$ of Main Street adjacent to Lots 5, 6, 7, 8, 9 and the South 4 feet of Lot 4, Block 4, LESS the following described parcel:

Commencing at the Southwest corner of Lot 9, Block 4 of the Copperville Addition to Idaho County, Idaho, and proceeding southerly along the extended West line of said Lot 9, 26 feet to the POINT OF BEGINNING;
thence continuing southerly along said extended line an additional 4 feet to an iron pin;
thence at right angles easterly along an existing fence to the high water mark of the Salmon River;
thence at right angles northerly 4 feet;
thence at right angles westerly to the POINT OF BEGINNING, said 4 foot strip of land being located in the center of "D" Street of the platted Addition of Copperville, according to the recorded plat thereof.

ALSO LESS the Right-of-Way for the County of Idaho and the Doumecq Highway District road referred to in Instrument No. 324097, records of Idaho County, Idaho.

397758

WARRANTY DEED

INDEXED
TRACTED
FILED
APR 11 1985

GRANTORS, MARTHA L. BECK, a married woman dealing with her sole and separate property and, VICTORIA ELIZABETH WELLS, an unmarried woman, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto, GENE R. JAROS, an unmarried man, of Box 671544 Chugiak, AK 99567, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

The following described parcels of the Village of Copperville, Idaho County, Idaho, according to the recorded plat thereof.

Lots 5, 6, 7, 8, 9, and the south four feet of Lot 4, Block 4.

The North half of "D" street commencing at the western edge of the Salmon River and continuing westward to the center of Main Street.

The East half of Main Street adjacent to lots 5, 6, 7, 8, 9, and the South 4 feet Lot 4, Block 4. Less the following described parcel:

Commencing at the Southwest corner of Lot 9, Block 4 of the Copperville Addition to Idaho County, Idaho, and proceeding southerly along the extended West line of said Lot 9 a distance of 26 feet to THE POINT OF BEGINNING, thence continuing southerly along said extended line an additional 4 feet to an iron pin, thence at right angles easterly along an existing fence to the high water mark of the Salmon River, thence at right angles northerly 4 feet, thence at right angles westerly to THE POINT OF BEGINNING. Said 4 foot strip of land being located in the center of "D" Street of the platted Addition of Copperville, according to the recorded plat thereof.

ALSO LESS THE RIGHT-OF-WAY for the COUNTY OF IDAHO and the DOUMECQ HIGHWAY DISTRICT road referred to in Instrument No. 324097, records of Idaho County, Idaho.

ALSO Water Right in Claim Number A-7904009D, Idaho Department of Water Resources.

Together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. Subject to RIGHT-OF-WAY DEED to THE COUNTY OF IDAHO and the DOUMECQ HIGHWAY DISTRICT dated September 7, 1985 and recorded December 16, 1985 as Instrument No. 324097, records of Idaho County, Idaho.
2. Matters as shown on survey recorded April 1, 1994 as Instrument Number 373541 records of Idaho County, Idaho.
3. COVENANTS, CONDITIONS, EASEMENTS, DEDICATIONS and RESTRICTIONS contained in the recorded plat of said subdivision.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, his heirs and assigns forever. And the Said Grantors do hereby covenant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

A79-04009 B and

A79-10092

February 8, 1999

DIRK KEMPTHORNE
GOVERNOR

[Gene Jaros
PO Box 12
Whitebird ID 83554]

KARL J. DREHER
DIRECTOR

Dear Wateruser:

This office has reviewed the Notice of Change of Water Right Ownership form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).

X

There is no existing water right in our records either under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us.

Legal description of property. Please complete showing the legal description by $\frac{1}{4}$ $\frac{1}{4}$ (40-acre tract), Section, Township and Range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat.

It appears you received your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

Name and address of former owner (seller). This will clarify the original owner of the water right.

Name, address and phone number of new owner (purchaser).

This change in ownership appears to result in a splitting of the water right. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by $\frac{1}{4}$ $\frac{1}{4}$ with the number of acres in each $\frac{1}{4}$ $\frac{1}{4}$ (if applicable) and the point of diversion by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion. Enclosed is a computer copy of this right for your review.

Proof of ownership is needed. This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range.

Signature of new owner (purchaser) is needed on this form.

Other: _____

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Feel free to contact this office if you have questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

DB:d

Enclosures

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

RECEIVED

DEC 02 1998

Please print or type. Attach pages with additional information. Instructions are on the back of this page. WATER RESOURCES
WESTERN REGION
 Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): A79-04009B + A79-10092
2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Irene Hosley / North Bend
He 1, Box 116-B Copperville / Whitebird, ID. 83554
4. New Owner/Claimant(s) Gene Jans
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address Box 12
 City, State and ZIP Code Whitebird, ID 83554
 New Telephone Number (208) 983-1400

5. Date you acquired the property 1-5-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) [Signature]

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

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

THIS DEED OF TRUST, Made this 5th day of January, 1998, 19
 BETWEEN GENE R. JAROS, an unmarried man
 herein called GRANTOR,

whose address is Box 671544 Chugiak, AK 99567

INLAND TITLE COMPANY,

herein called TRUSTEE, and

MARTHA L. BECK, a married woman with her sole & separate property,

herein called BENEFICIARY,

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of IDAHO State of Idaho, described as follows and containing not more than twenty acres:

The following described parcels of the Village of Copperville, Idaho County, Idaho, according to the recorded plat thereof. Lots 5,6,7,8,9, and the South four feet of Lot 4, Block 4.

The North half of "D" street commencing at the Western edge of the Salmon River and continuing westward to the center of Main Street.

The East half of Main Street adjacent to lots 5,6,7,8,9, and the South 4 feet Lot 4, Block 4. Less the following described parcel: Commencing at the Southwest corner of Lot 9, Block 4 of the Copperville Addition to Idaho County, Idaho, and proceeding southerly along the extended West line of said Lot 9 a distance of 26 feet to THE POINT OF BEGINNING, thence continuing southerly along said extended line an additional 4 feet to an iron pin, thence at right angles easterly along an existing fence to the high water mark of the Salmon River, thence at right angles northerly 4 feet, thence at right angles westerly to THE POINT OF BEGINNING. Said 4 foot strip of land being located in the center of "D" Street of the platted Addition of Copperville, according to the recorded plat thereof.

ALSO LESS THE RIGHT-OF-WAY for the COUNTY OF IDAHO and the DOUMECQ HIGHWAY DISTRICT road referred to in Instrument No. 324097, records of Idaho County, Idaho.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits,

For the Purpose of Securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of Fifty Thousand Dollars, (\$ 50,000.00),

final payment due February 5th, 2027

and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay: at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the payment by Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default under this trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at eight per cent per annum.

6. Should Grantor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof. Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, or in enforcing this Deed of Trust by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.

B. It is mutually agreed that:

1. Any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.

2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

3. At any time or from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee may: reconvey all or any part of said property; consent to the making of any map or plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or charge hereof.

4. Upon written request of Beneficiary stating that all sums secured hereby have been paid, and upon surrender of this Deed and said note to Trustee for cancellation and retention and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The recitals in any reconveyance executed under this deed of trust of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantee in such reconveyance may be described as "the person or persons legally entitled thereto."

5. As additional security, Grantor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Grantor the right, prior to any default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

09/08/2000

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

RIGHT NUMBER: 79-4009B

NAME AND ADDRESS: GERALD LEE HOSLEY
HC 01 116A
WHITEBIRD, ID 83554

NANCY K HOSLEY
HC 01 BOX 116A
WHITEBIRD, ID 83554

SOURCE: SALMON RIVER TRIBUTARY: Snake River

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/15/1947

POINT OF DIVERSION: T28N R01E S22 NWNWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
1-01 12-31

QUANTITY
0.02 CFS

DOMESTIC USE FOR LAWN & GARDEN

PLACE OF USE:

DOMESTIC Within IDAHO County
T28N R01E S22 NWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER
RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

**PARCEL NO. RP 00800007007A
PROPERTY ALSO KNOWN AS ALL OF LOTS 7, 8, 9, 10 & 11,
LOTS 13, 14 & 15, LESS EASEMENT, BLK 7, COPPERVILLE SUBDIV**

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

In Re SRBA

Case No. 39576

SUBCASE NO. 79-04009B & 79-10092

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

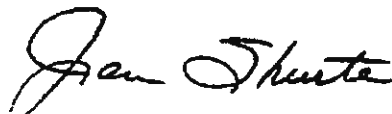
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

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

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

DATED: September 8, 2000



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 8, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Hazel Irene Hosley
HC 01 Box 116B
Whitebird ID 83554
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Gerald L Hosley
Nancy K Hosley
HC 01 Box 116A
Whitebird ID 83554
4. One Copy to:
Each party in the subcase or attorney of record:
N / A
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

RECEIVED

APR 08 1999

Please print or type. Attach pages with additional information. Instructions are on the back of this page. WATER RESOURCES
WESTERN REGION
Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): 79-10092 79-040098
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant HAZEL IRENE HOSLEY
HCO1 BOX 116B White Bird, ID 83554
4. New Owner/Claimant(s) GERALD L. Hosley Nancy K. Hosley
Name Connector (Check one): ☐ and ☐ or ☒ and/or
New Mailing Address HCO1 BOX 116A
City, State and ZIP Code White Bird, IDAHO 83554
New Telephone Number (208) 476-7336 839-2604
5. Date you acquired the property 1979 1989
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 1 Number and type of stock 10 HEAD
Diversion rate in CFS 0.04 0.02 Number of homes 3 Other uses HOUSE & GARDEN
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Gerald L. Hosley
Nancy K. Hosley
Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

COPPERVILLE.

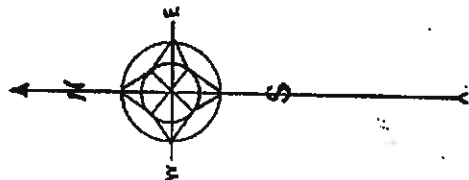
I CERTIFY THAT THIS IS A CORRECT PLAT OF THE VILLAGE OF (UPPERVILLE AND SURROUNDING) BY ME JULY 7, 1904. IT IS SITUATED UPON AND ACCORDING TO LOT, 34 AND 35, 28, N. 4, E. 2, 24, IN LOUISIANA COUNTY, IOWA.

McNair Co Surveyor.

1.1/1545677. Natural Product.

75

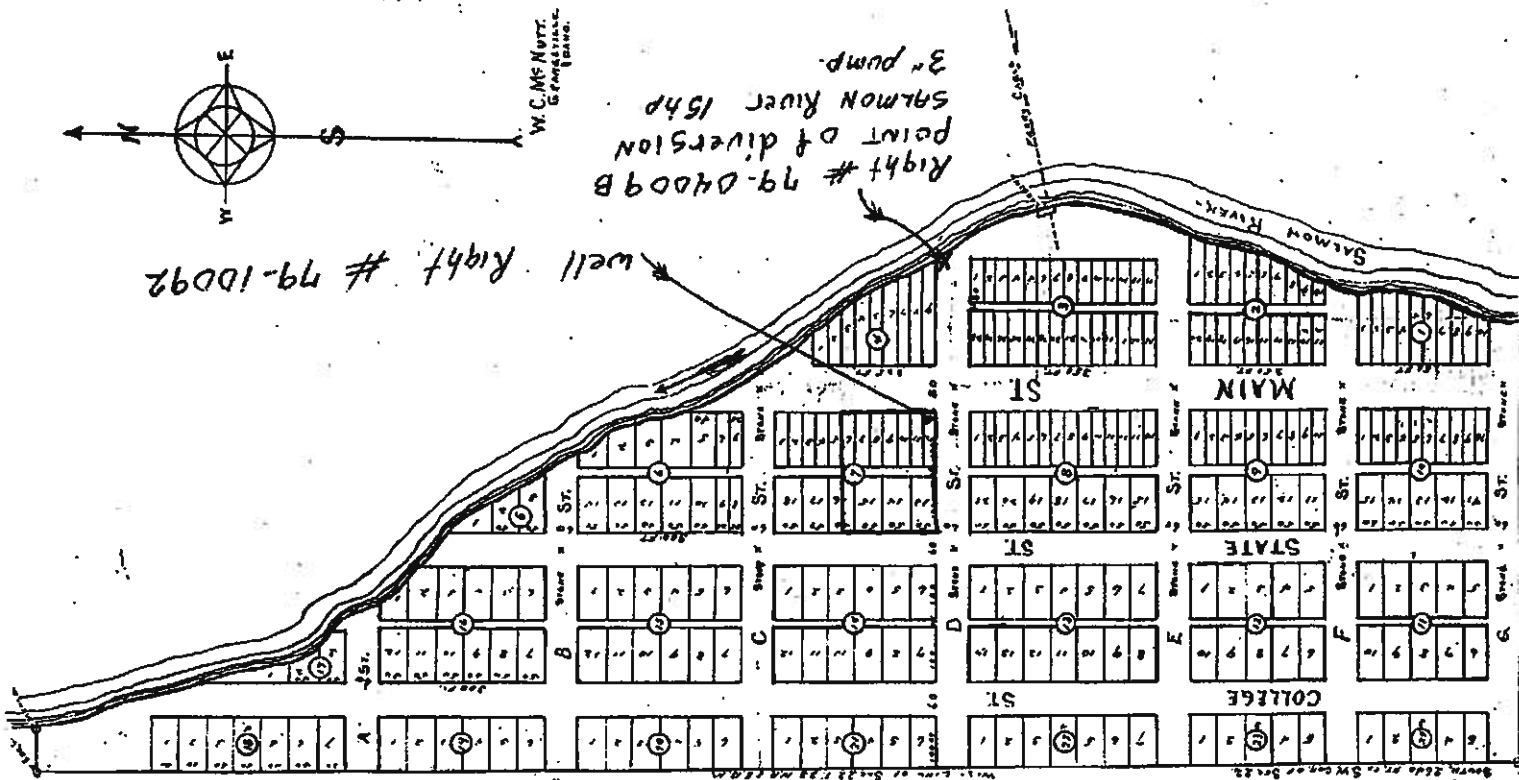
И. И. БАНСКИЙ. НАЧАЛО РАССКАЗА



W. C. Mc NUTT.
Graftville.
Ipswich.

Right # 79-04009B
point of diversion
salmon River 15hp
3" pump.

Well. Right. # 79-10092



346625

BARGAIN AND SALE DEED

THIS INDENTURE, made and entered into on this 15th day of March, 1989, by and between H. IRENE HOSLEY, also known as IRENE HOSLEY, a single woman, dealing with her sole and separate property, of HC01 Box 116B, White Bird, ID 83554, hereinafter referred to as the Party of the First Part, and GERALD L. HOSLEY and TERESA L. HOSLEY, husband and wife, of HC01 Box 116A, White Bird, Idaho 83554, hereinafter referred to as the Parties of the Second Part.

COMPUTER
INDEXED
FILED
RECORDED

WITNESSETH:

That the Party of the First Part, for and in consideration of the sum of Ten Dollars (\$10), lawful money of the United States of America, and other good and valuable considerations, to her in hand paid by the Parties of the Second Part, the receipt of which is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the Parties of the Second Part, their heirs and assigns forever, all that certain parcel of real property, situate in the County of Idaho, State of Idaho, and described as follows, to wit:

Lot 12 and one-half of the vacated D Street adjacent to said Lot 12, together with one-half of the alley bisecting Block 7 adjacent to Lot 12, all within Block 7 of the Copperville Subdivision of Idaho County, State of Idaho.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the premises, together with the appurtenances unto the Parties of the Second Part, their heirs and assigns forever.

IN WITNESS WHEREOF, the Party of the First Part, has hereunto set her hand and seal the day and year first above written.

H. Irene Hosley
H. IRENE HOSLEY

BARGAIN & SALE DEED

WATER Right # 79-10092

277446

QUITCLAIM DEED

FOR VALUE RECEIVED,

Harvey H Hosley

INDEXED 10
 TRACTED 6
 FILMED 14
 ASSESSOR 14

REVENUE STAMPS

do hereby convey, release, remise and forever quitclaim unto

Gerald L Hosley

the following described premises, to-wit:

All of lots 7,8,9,10,14, and 15 of block 7
 of Connerville, Idaho county, Idaho according
 to the recorded plat thereof on file with the
 Idaho county recorders office.

together with their appurtenances.

Dated:

Harvey H Hosley
 Gerald L Hosley

WATER Right # 79-04009B

STATE OF IDAHO, COUNTY OF Idaho —ss.
 I, the undersigned, a Notary Public in and for said State, personally
 appeared Gerald L Hosley

known to me to be the person whose name
 subscribed to the within instrument, and acknowledge to
 me that Gerald L Hosley executed the same.

Notary Public

Residing at _____, Idaho.

My commission expires 1979

STATE OF IDAHO, COUNTY OF Idaho —ss.
 I Hereby Certify that this instrument was filed for record
 at the request of Gerald L Hosley
 at 40 minutes past 2 o'clock P M.,
 this 25 day of January, 1979,
 in my office, and duly recorded in Book _____ of Deeds

at Page _____

Bob J White
 Ex-officio Recorder.

By Clara Hunsbeck
 Deputy.

Fees \$ 1.00Mail to: Box 12

Whitewid, Idaho 83554

INSTRUMENT NO.

278015

QUITCLAIM DEED

FOR VALUE RECEIVED,

 INDEXED ☒
 TRACTED ☒
 FILMED ☒
 ASSESSOR ☒

REVENUE STAMPS

Harvey H. Hosley

do hereby convey, release, remise and forever quitclaim unto

Gerald L. Hosley

the following described premises, to-wit:

All of lots 11, 12, and 13 of block 7 of
 Cornerville, Idaho County, Idaho according
 to the recorded plat thereof on file with
 the Idaho county recorders office.

together with their appurtenances.

Dated:

Harvey H. Hosley
Gerald L. Hosley

WATER Right # 79-04007B

STATE OF IDAHO, COUNTY OF _____ —ss.
 On this _____ day of _____, 19____,
 before me, a notary public in and for said State, personally
 appeared _____

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

Richard R. Collins
 Notary Public
 _____, Idaho.
 My commission expires *Sept. 1979*

STATE OF IDAHO, COUNTY OF *Idaho* —ss.
 I Hereby Certify that this instrument was filed for record
 at the request of *Gerald L. Hosley*
 at *5* minutes past *2* o'clock *P* M.,
 this *15* day of *March*, 19*79*,
 in my office, and duly recorded in Book _____ of Deeds
 at Page _____

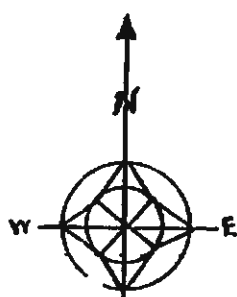
Bob J. White
 Ex-officio Recorder.

By *Clara Housbeck*
 Deputy.

Fees \$ *1.00*Mail to: *Box 12**White Bird, Idaho 83554*

INSTRUMENT NO.

CO

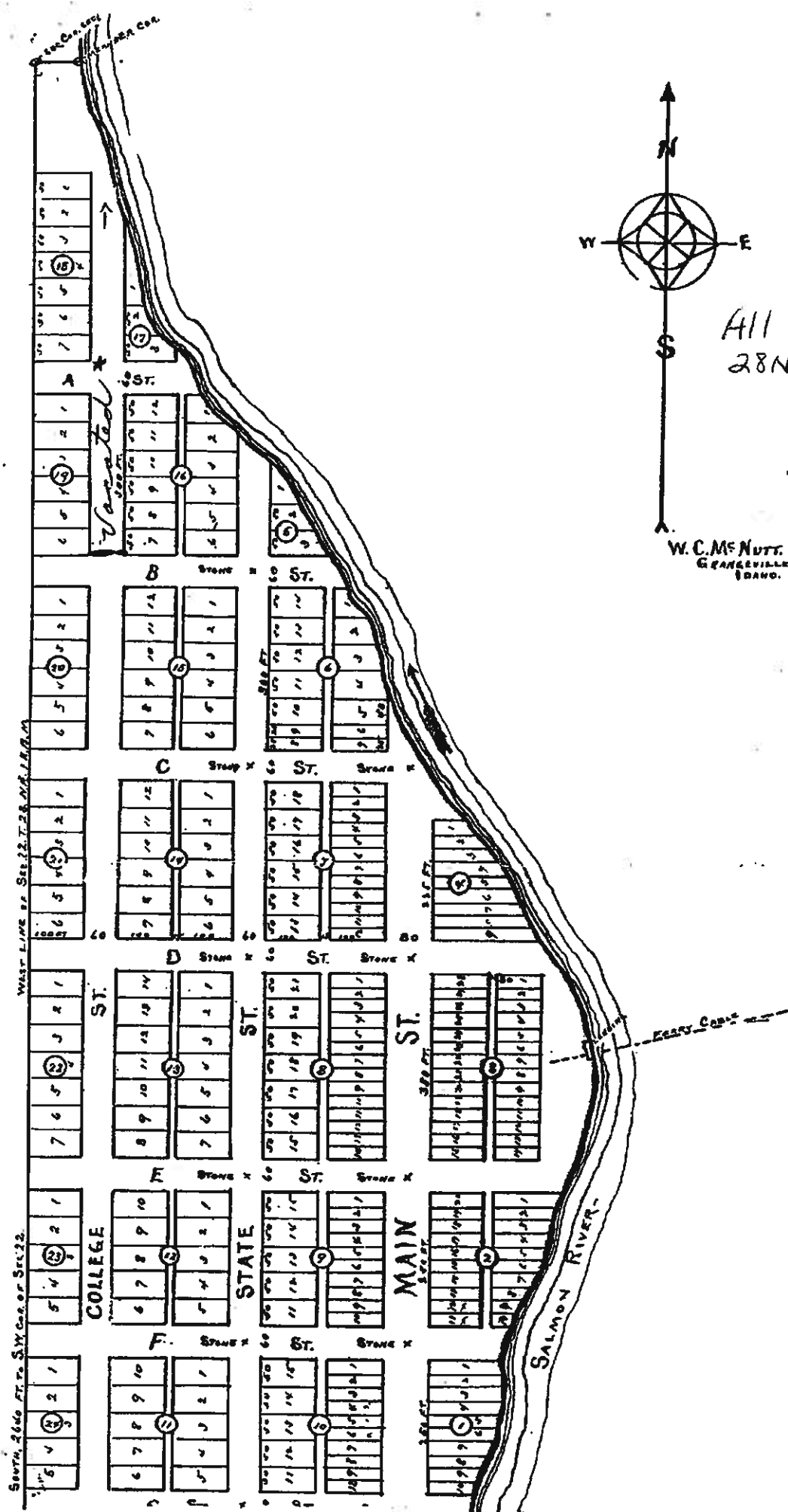


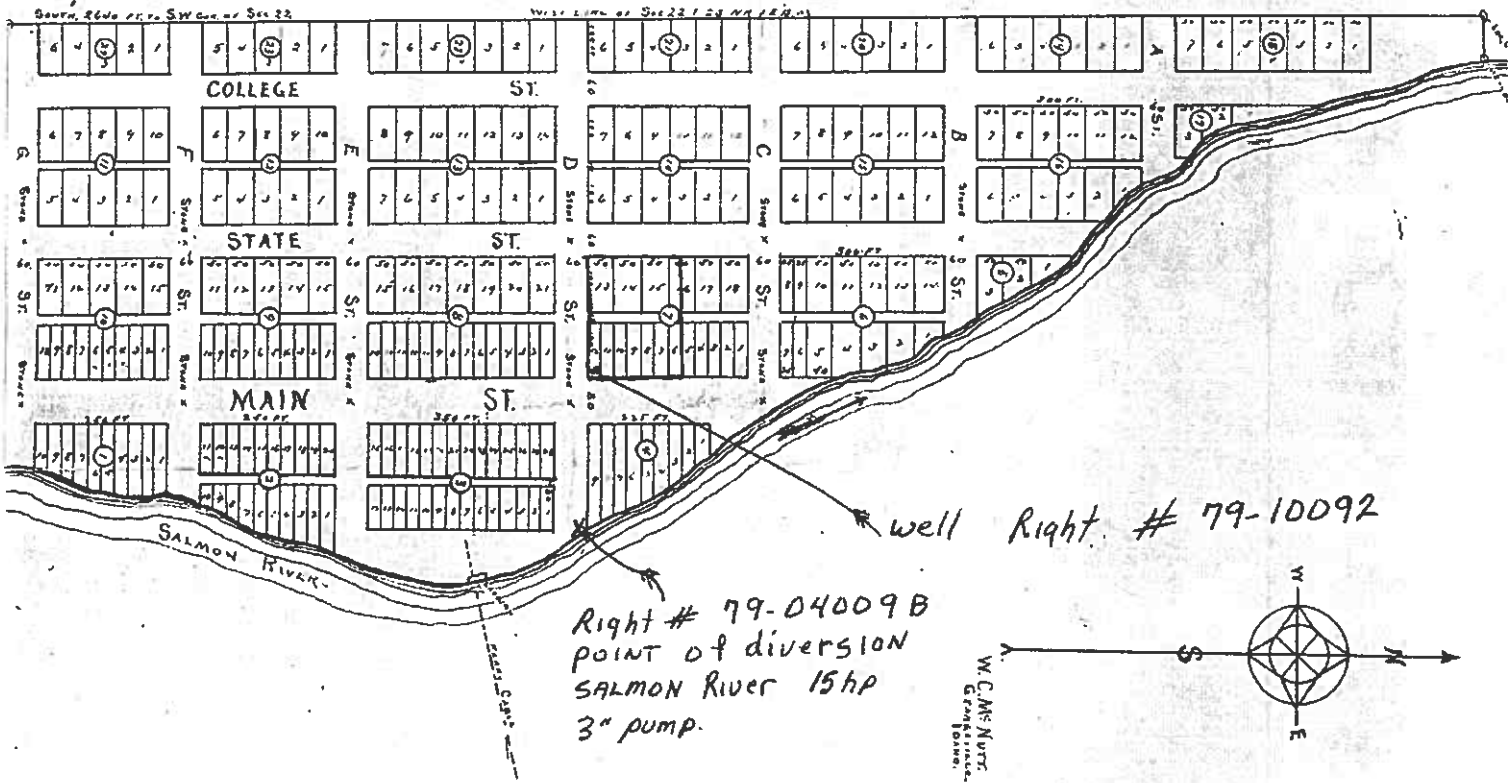
All of Lots 3¹/₄, 4, Sec. 22
28N 1E

I CERTIFY THAT THIS IS A CORRECT PLAT
BY ME JULY 7, 1904. IT IS SITUATED
T. 28. N. R. 1 E. B. M. IN IDAHO COUNTY, IDAHO. W. C.

SUBSCRIBED AND SWORN TO BEFORE ME THIS

W. C. McNUTT,
GRANGEVILLE,
IDAHO.





I CERTIFY THAT THIS IS A CORRECT PLAT OF THE VILLAGES OF COPPERVILLE AND COPERVILLE, INDIANA, AS SHOWN BY ME JULY 7, 1904. IT IS SITUATED WITHIN AND SUBJECT TO THE ACTS OF CONGRESS RELATIVE TO THE LANDS OF THE UNITED STATES IN INDIANA. W.C. Mc NUTT Geographer, Indiana.

COPPERVILLE

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: A79-04009B
Date Received: 7/12/1988
Receipt No: M000366
Received By: ERK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAZEL IRENE HOSLEY 208-839-2315
Address: HC01 BOX 116-B
WHITEBIRD, ID 83554

2. Date of Priority: MAY 15, 1947

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	22	NW	NW	NW		IDAHO

5. Description of diverting works:
PUMP FROM RIVER TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ LAWN AND GARDEN IRRIGATION UP TO 1/2 ACRE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	22	NW	NW		DOMEST	

11. Place of use in counties: IDAHO

A79-04009B

Page 1

Date: 07/12/88

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OCT 06 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:
SPLIT RIGHT, WATER USED FOR LAWN AND GARDEN IRRIGATION ONLY.

15. Basis of Claim: BENEFICIAL USE

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): W. Hazel Irene Ashley Date: 7-12-88

Date: _____

State of Idaho)
County of Idaho) SS.

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

of July 19 88

John Dale Carson
Notary Public

Seal

Residing at Boise Id.

My Commission Expires 8/2/94

026/1998
0:21:55

SOFTWARE SYSTEMS
PMB001
ALPHA ROLL
BY CODE/CATEGORY

** PARCEL KEY **
TYPE PARCEL NO STATUS NAME/ADDRESS LEGAL DESCRIPTION
CODE OLD PARCEL NO
MAP NUMBER

MH 11507212566A A HOSLEY, GERALD 1972 SAHARA
127-00 * 56 X 12
P O BOX 206 S# 2182 TITLE# 421 740
WHITE BIRD ID 83554 IN COPPERVILLE

PROPERTY ADDRESS:

INSP YR: 1998

RP 00800004001A A HOSLEY, GERALD L COPPERVILLE
127-00 RP00080004001AA * LOTS 1, 2, 3 BLK 4
HC 01 BOX 116-A N 21° OF LOT 4, ALSO
WHITE BIRD ID 83554 1/2 VAC ST ADJ TO E
EXTENDED TO RIVER,
LESS R O W

322283-LAL
382151-LAL
359238
393805

PROPERTY ADDRESS:

INSP YR: 1995

RP 00800007006B A HOSLEY, GERALD L COPPERVILLE
127-00 RP00080007006BA HC 01 BOX 116-A LOT 6, S2 LOT 16 BLK 7
WHITE BIRD ID 83554 E ALLEY ADJ TO LESS
ROAD R O W

384477-LAL

PROPERTY ADDRESS:

INSP YR: 1995

RP 00800007007A A HOSLEY, GERALD L COPPERVILLE
127-00 RP00080007007AA * LOTS 7-11, LOTS 13-15
HC 01 BOX 116-A 1/2 VAC STS & ALLEY, LESS
WHITE BIRD ID 83554 E2 STATE ST ADJ TO LOT
13-15, LESS R O W

384477-LAL
382151-LAL
346627

PROPERTY ADDRESS:

INSP YR: 1995

COPPERVILLE

RP 008000070120 A HOSLEY, IRENE COPPERVILLE
127-00 RP000800070120A X HOSLEY, GERALD L LOT 12 BIK 7
HC 01 BOX 116-A 1/2 VAC STREETS & ALLE
WHITE BIRD ID 83554 LESS ROW

359238

AJ5856NP

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

NO LETTER

DATE: FEB-13-1998
PAGE: A-145

RIGHT NUMBER: 79-040098

NAME & ADDRESS: HAZEL IRENE HOSLEY *c/o Gerald L Hosley*
HC01 BOX 116-B ✓
WHITEBIRD ID 83554

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 05/15/1947

POINT OF DIVERSION: T28N R01E S22 NW/4 Within IDAHO County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC D/ LAWN AND GARDEN IRRIGA	01-01 12-31	0.02 CFS

PLACE OF USE: DOMESTIC ✓ Within IDAHO County
? T28N R01E S22 NW/4

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

SPLIT RIGHT, WATER USED FOR LAWN AND GARDEN IRRIGATION ONLY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 008 0000 7007A

*Copperville
lots 7-11, lots 13-15 BLK 7
E2 State St. adj. + lots
13-15, less ROW.*

?

003-17-98

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 79-13993

WATER RIGHT NUMBER: 79-13993

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROBERTA LEE SIMONSEN
Original Owner	GLEN A HOSLEY
Previous Owner	GERALD LEE HOSLEY
Previous Owner	NANCY K HOSLEY
Current Owner	MARK WILKINS

Priority Date: 05/15/1947

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.010 CFS	
	<u>Total Diversion:</u>	0.010 CFS	

Location of Point(s) of Diversion

SALMON RIVER	SW1/4NW1/4	Sec. 22, Twp 28N, Rge 01E, B.M.
IDAHO County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28N	01E	22							.5										.5
									L 4										

Total Acres: 0.5

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 79-13993

Licensed Date:
Decreed Date: 2/6/2008
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 79-13994

WATER RIGHT NUMBER: 79-13994

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROBERTA LEE SIMONSEN
Original Owner	GLEN A HOSLEY
Current Owner	PHILLIP T CULLIN
Current Owner	CHERYL L WRIGHT CULLIN

Priority Date: 05/15/1947

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.010 CFS	
	<u>Total Diversion:</u>	0.010 CFS	

Location of Point(s) of Diversion

SALMON RIVER	SW1/4NW1/4	Sec. 22, Twp 28N, Rge 01E, B.M.
IDAHO County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28N	01E	22								.5									.5
										L 4									

Total Acres: 0.5

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 79-13994

Licensed Date:
Decreed Date: 2/20/2008
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False
Combined Use Limits:

Water Supply Bank:

02/16/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 79-4009A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SPLIT CLAIM

Remarks:

1. THIS IS A PART OF WATER RIGHT NUMBER A79-04009-- THE LEGAL LAND DESCRIPTION FOR THE POU IS KNOWN AS LOTS 7,8,9,AND S2 OF LTS 3 & 10 IN BLOCK 14 AND LOTS 4,5,6, AND S2 OF LOT 3 IN BLOCK 21... OWNERSHIP CHANGED BY LH 8/17/95.
This claim has been split. See nos. 79-13993 and 79-13994. DB 2/16/2001.

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: A79-04009A
Date Received: 6/30/1988
Receipt No: M000238
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLEN A HOSLEY 503-471-7211
Address: 3990 PLACER RD
SUNNY VALLEY OR 97497

2. Date of Priority: MAY 15, 1947

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	22	NW	SW	NW		IDAHO

5. Description of diverting works:
PUMP,

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/15	10/01	0.020		

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

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	22	SW	NW		IRR	1.0

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OCT 24 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
					Total Acres	1.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS IS A PART OF WATER RIGHT NUMBER A79-04009-- THE LEGAL LAND DESCRIPTION FOR THE POU IS KNOWN AS LOTS 7,8,9, AND S2 OF LTS 3 & 10 IN BLOCK 14 AND LOTS 4,5,6, AND S2 OF LOT 3 IN BLOCK 21... OWNERSHIP CHANGED BY LH 8/17/95.

15. Basis of Claim: BENEFICIAL USE

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

AUG 07 1995

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 28N Range 01E
Section 22, NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, 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: A79-04009A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
Roberta SIMONSEN
12110 BOMBARDIER AVE.
NORWALK, CA 90650
- ☐ New Owner/Claimant (Purchaser):
ELEN A. HOSLEY
- ☐ New Mailing Address:
3990 PLACER RD.
SUNNY VALLEY, OR 97497
- ☐ New Telephone Number: (503) 471-7211
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Tax Bill

(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): Elen A. Hosley Date 8/2/95
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 8-17-95 By JD

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date 8-17-95 By JD

Claim Numbers of Split, if any:

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

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OCT 24 1996

CHECK PAYABLE TO: TAX BILL/RECEIPT CODE AREA 127-00
ICE SCHMIDT
COUNTY TREAS. TAX COLL TAX YEAR 1994 BILL NO 6309
EST MAIN, ROOM 2
SEVILLE, ID 83530-1994

PARCEL NUMBER
RP00080014003C
L 17.58
I 25.29

POOR ORIGINAL

TAX 174.95 2ND TAX
PEN HALF PEN
INT INT
COST COST
TOT TOT

174.95 FULL TAX
PEN
INT
COST
TOT

349.90

TOT MV 42.87
HM- 12.64
NET MV 30.22

HOSLEY GLEN A ETUX ETAL
3990 PLACER RD
SUNNY VALLEY OR 97497

TAXING DISTRICT	**RATE**	**AMOUNT**
STATE	.000000000	
COUNTY	.002543434	76.9
SCHOOL #241	.003910738	118.2
SYRINGA HOSP	.000436405	13.2
W*TBIRD CEM	.000317047	9.5
DOUMECO HWY	.000000000	
SOLID WASTE		132.0
TOTALS	.007207624	349.9
NET TAX/SPECIALS DUE		349.9

COPPERVILLE
LOTS 7, 8, 9 BLK 14
S2 LTS 3 & 10
S2 LOT 3, LOTS 4, 5, 6 BLK 21
1/2 VAC STREETS & ALLEY ADJ TO
LIFE ESTATE

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

208-983-2801

RECEIVED

AUG 07 1995

WATER RESOURCES
WESTERN REGION

MICROFILMED

OCT 24 1996

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: A79-04009
Date Received: 6/30/1988
Receipt No: _____
Received By: RA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERTA LEE SIMONSEN 213-864-3995
Address: 12110 BOMBARDIER AVE.
NORWALK, CA 906500000

2. Date of Priority: MAY 15, 1947

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	22	NW	NW			IDAHO

5. Description of diverting works:
PUMP, 15 HP PUMP WITH A 3" PIPE LINE TO THE POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	10/01	0.160		

7. Total Quantity Appropriated is:
0.160 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	Lot	Use	Acres
28N	01E	22	NW	NW		IRR	8.0
Section Acres							8.0
Total Acres							8.0

A79-04009 Page 1 Date: 07/11/88

MICROFILMED
OCT 06 1992

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

13. Other Water Rights Used:

14. Remarks:

P/D IN BLK. 4, S22, T28N, R1E, TOWNSITE OF COPPERVILLE, ID.
P/U IN BLK. 4, ALL LOTS; BLK. 7, LOTS 6-11 & 13-18; BLK. 14, LOTS
1-12; BLK. 21, ALL LOTS, S22, T28N, R1E, TOWNSITE COPPERVILLE ID.
PRIORITIES ARE 5-15-1947 OF .06 CFS & 5-15-1952 OF .1 CFS.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments:

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): Roberta L. Linnerson Date: 7-11-88
Date: _____

State of Idaho)
County of *Idaho*) SS.

Subscribed and sworn (or affirmed) before me this 11 day

of July 19 20

John Paul Carson
Notary Public

Seal

Residing at *Bain Isl*

My Commission Expires 6/2/94

MICROFILMED

OCT 06 1992

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: A79-04009A
Date Received: 6/30/1988
Receipt No: M000238
Received By: DE SL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERTA SIMONSEN 213-864-3995
Address: 12110 BOMBARDIER AVE.
NORWALK, CA 90650

2. Date of Priority: MAY 15, 1947

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	22	NW	SW	NW		IDAHO

5. Description of diverting works:
PUMP,

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/15	10/01	0.020		

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

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	22	SW	NW		IRR	1.0
Section Acres							1.0

A79-04009A

Page 1

Date: 08/25/88

MICROFILMED
OCT 06 1992

10. Place of Use: Continued

Total Acres 1.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS IS A PART OF WATER RIGHT NUMBER A79-04009-- THE LEGAL LAND
DESCRIPTION FOR THE POU IS KNOWN AS LOTS 7,8,9,AND S2 OF LTS 3 &
10 IN BLOCK 14 AND LOTS 4,5,6, AND S2 OF LOT 3 IN BLOCK 21...

15. Basis of Claim: BENEFICIAL USE

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

NOTE:

This claim has been changed to match the original map drawn.

J
This is the changed claim as it should read.

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: A79-04009A
Date Received: 6/30/1988
Receipt No: M000238
Received By: GG

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERTA SIMONSEN 213-864-3995
Address: 12110 BOMBARDIER AVE.
NORWALK, CA 90650
2. Date of Priority: MAY 15, 1947
3. Source: SALMON RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 28N | 01E | 22 | NE | NW | NW | | IDAHO |
5. Description of diverting works:
PUMP,
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 05/15 | 10/01 | 0.020 | | |
7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 3.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
28N	01E	22	SW	NW		IRR	1.0
Section Acres							1.0

A79-04009A

Page 1

Date: 06/30/88

MICROFILMED

OCT 06 1992

10. Place of Use: Continued

Total Acres 1.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
 NONE

14. Remarks:

 THIS IS A PART OF WATER RIGHT NUMBER A79-04009-- THE LEGAL LAND
 DESCRIPTION FOR THE POU IS KNOWN AS LOTS 7,8,9,AND S2 OF LTS 3 &
 10 IN BLOCK 14 AND LOTS 4,5,6, AND S2 OF LOT 3 IN BLOCK 21...

15. Basis of Claim: BENEFICIAL USE
 Water Right Number:

A79-04009A

Page 2

Date: 06/30/88

MICROFILMED

OCT 06 1992

16. Signature(s)

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

Number of attachments: _____

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): Roberta L. Lemmon Date: 6-30-88

Date: _____

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 30 day

of June 19 88

John Dale Carter
Notary Public

Seal

Residing at Boon Id

My Commission Expires 8/3/94

Identification No. _____
Claim No. 79-40098
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Harvey H. Hosley
post office address Whitebird, Idaho 83554

2. The point of diversion is in Block 4 of Townsite of Copperville, Idaho County, Idaho
In Section 22, T28N, R18E, B1M, SE CORNER of N.W. 1/4, N.W. 1/4
Range _____ B.M. located on Salmon River
(name of source)

tributary to Snake River in Idaho County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

May 15, 1947 amount: 0.06 c.f.s. or _____ acre feet

May 15, 1952 amount: 0.10 c.f.s. or _____ acre feet

amount: _____ c.f.s. or _____ acre feet

Total claimed 0.16 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from May 15 to Oct 1 (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;

width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

Water is diverted by use of a pump at the river, a pipeline to the field and a sprinkler system on the field.

b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____

capacity of pump is _____ g.p.m.; name and address of well driller is _____

d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

75 4009

State of Idaho
Department of Water Resources

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ASSIGNMENT OF PERMIT

Department of Water Resources
Western Regional Office

I, Harvey H. Hosley, hereby assign to Roberta Lee Simonsen
of 12110 Bombardier Avenue, Norwalk, CA 90650
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 79-4009P, aka 79-4009
to appropriate the public waters of the State of Idaho.

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

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Point of diversion equals Block 4, Townsite of Copperville,
Idaho County, Idaho, located in Section 22, Township 28 North,
Range 1 East, Boise Meridian, at the SE corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$
located on the Salmon River for .16 CFS for the use of irrigation
to provide water to the Townsite of Copperville in said Section

Made this 2nd day of September, 1986. (see attach
ment)

x Harvey H. Hosley
Permit Holder - Harvey H. Hosley

Not applicable
Spouse of Permit Holder

State of Idaho)
County of Idaho) ss.

On this 2nd day of September, 1986, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he ~~(she)~~ ~~(they)~~ executed the same.

seal

My commission expires:
2-25-88

Deus J. Miller
Notary Public residing at Grangeville, Idaho

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DEC 17 1986

Attachment to Assignment of Permit

Township and Range, above-mentioned, as follows:

Block 4, all lots; Block 7, Lots 6, 7, 8, 9, 10, 11 and 13 through 18, inclusive; Block 14, Lots 1 through 12; Block 21, all lots; for total irrigated acres of 8.

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Western Regional Office