

Memorandum

Date: December 14, 2006
To: WR File 36-7640
From: Jeff Peppersack

Re: Owner Name for Water Right

Angie from NSGWD called today to discuss a possible error in IDWR's records regarding ownership of the right referenced above. A notice filed in March 2005 was withdrawn due to an error by the title company. In the process of changing the owner back, IDWR used the original 1997 decree as the basis and changed it back to Borchard. In 1998, David Sybesma filed a notice to change the ownership (see attached note on proof report). The court updated the decreed owner and it was reflected on the amended decree in the name of Sybesma.

I have corrected the owners name to reflect David Sybesma as the current owner.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 36-7640 V1

Comments:

1. WORSTELL 11/8/1991 ILLEGAL DIVERSION
Comment: 36 ACRES ARE IRRIGATED BY THIS PIVOT SYSTEM THAT ARE NOT COVERED BY THIS LICENSE. THEY LIE IN THE SWSE OF SEC. 33, T7S, R14E.
2. SSHERMAN 12/15/1994 ADDRESS CHANGE
Comment: ADDRESS CHANGE.
3. SCLELLAN 12/11/1997 REFORMAT UPDATE
Comment: REFORMAT UPDATE
4. TFAWCETT 6/24/1998 OWNER CHANGE
Comment: OWNER CHANGED BORCHARD TO SYBESMA PER 1409(6) AND WARRANTY DEED.
5. AJU10-DS 12/22/1999 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date: 12/18/2001
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: And
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank: