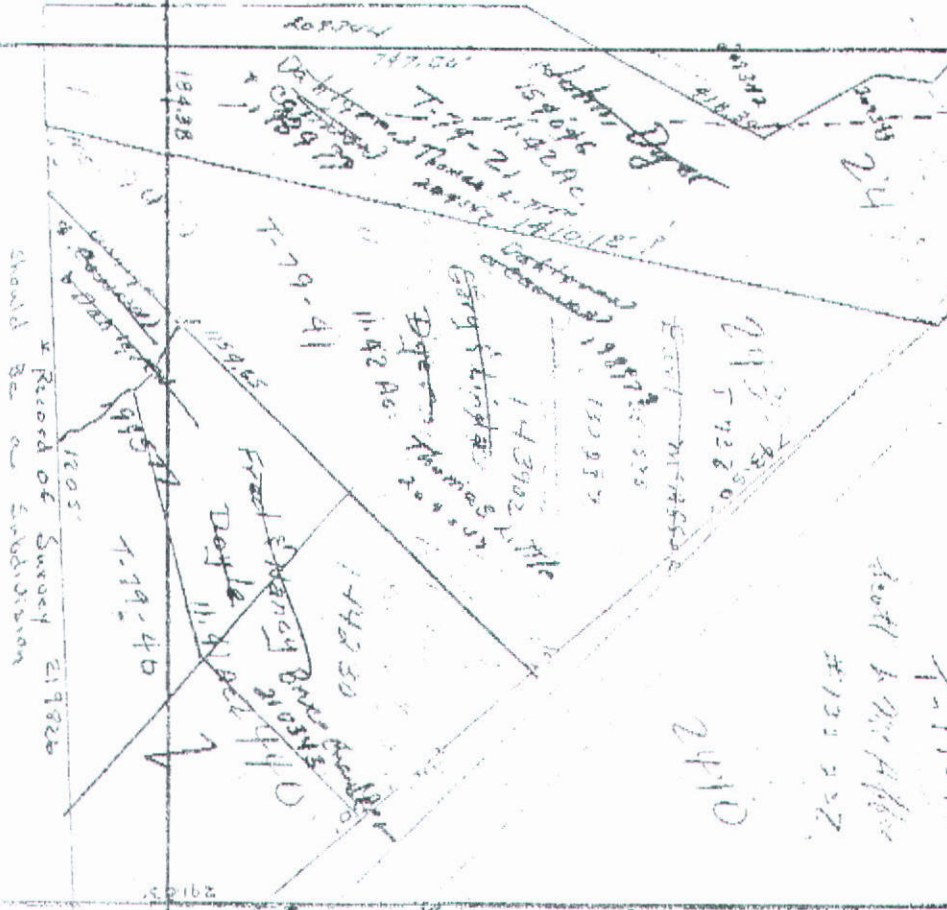


10/10/95

10/10/95
190967-68

1001

4201
F H & S ME



201026
Mortgage
Hobbs & Partners
189524
7.75
AC

146246.447
Scott & Gail McRae
197524

Jim McRae
0601

T 1894
48575

1810
213151

34-684A
34-685A
34-10829

34-100023

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'AUG 31 2001

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

Department of Water Resources

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

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SEP 27 2001

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
#34-10002B	01, 64	10-11-01 731	spoke to James B.J. Dorst. all		
* 3A-684A	at P.D. 1229-91		water rite should be included per enclosed		
3A-685A	01	Director Report	copies.		
* 3A-10829	at P.D. 123-96		10	10-11-01	

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) Hugh H. Dorst (Deceased)
4. New Owner/Claimant(s) Hugh H. Dorst Estate - James B.J. Dorst Per Rep
 Name Connector (Check one). ☐ and, ☐ or ☐ and/or
- New Mailing Address 4574 Hwy 93 North
- City, State and ZIP Code Moody Idaho 83251
- New Telephone Number (208) 588-2789
5. Date you acquired the property Hugh Dorst (Deceased) died on 4-MICROFILMED

NOV 14 2003

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Hugh D. Estelle - Junior D. Estelle Per Rep.
(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 <u>G. Massi</u>	Date <u>9/27/01</u>	Fee <u>\$50.00</u>
Received by <u>G. Massi</u>	Date <u>9/27/01</u>	Receipt No. <u>2056529</u>
Processed by _____	AJ Date _____	WR _____ Date _____

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NOV 14 2003

JAMES R. BENNETTS
ATTORNEY AT LAW
P. O. BOX 36
CHALLIS, IDAHO 83226
TELEPHONE (208) 879-4488

DISTRICT COURT
CUSTER COUNTY

JUL 10 10 45 AM '00

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CUSTER
MAGISTRATES DIVISION

In the Matter of the Estate of	)	
	)	Probate Case No 5P-00-29
	)	
HUGH HENRY DORST,	)	LETTERS TESTAMENTARY
	)	
Deceased	)	

1 JAMES B J DORST was duly appointed and qualified as General Personal Representative of the estate of the above named decedent on the 10th day of July, 2000, by the Court with all authority pertaining thereto

2 Administration of the estate is unsupervised

These Letters are issued to evidence the appointment, qualification and authority of the said Personal Representative

WITNESS, my signature and the Seal of this Court, this 10th day of July, 2000.

STATE OF IDAHO)
COUNTY OF CUSTER)SS
I hereby certify that the foregoing is a full,
true and correct copy of the original on file
in this office.
Date 7-10-00
Ann Bresson
Deputy Clerk

/s/ Charles L. Roos
Magistrate

34-684A 3A-10829
3A-685A (3A-10002B)
MICHAEL
JUL 10 2000

9/19/01

PMS100 - PARCEL MASTER INQUIRY

10:30:11

PARCEL: RP 07N24E181215 A

F9=MS F10=SW

F17=DD F19=SP

LEGAL DESCRIPTION

TRACT 88-12

SEC 18 T7N R24E

DORST, HUGH H

% DORST, JAMES

4574 US HWY 93 NORTH

CODE AREA 900

OWNER CODE

PARC TYPE RL

LOC CODE 322

MACKAY ID 83251

EFFDATE 10/1989

EXPDATE

4574 N US HIGHWAY 93 ID 83251

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2000	7750	AC	31680				
32	2000			2030				
34	2000			6230				

TOTALS

7750

109940

ENTER NEXT PARCEL NUMBER

RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
 F8=CT F13=TM F18=ES F20=Srch F22=EU

34-684A

34-685A

34-10829

34-10002B

MICRO

554-2404

SPRING
POINT OF DIV.

219.52

N55°15'45"W
760.53

HUGH DORST

TRACT 88-12

7.75 ACRES MORE OR LESS

N65°07'21"W
479.28

S46°27'54"E
1161.43

N30°05'43"E
444.38

34-684A
34-685A
34-10829
34-10002B

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NOV 14 2003

Title:		Date: 09-19-2001
Scale: 1 inch = 135 feet	File:	
Tract 1 7.752 Acres: 337669 Sq Feet 31370.5 Sq Meters No significant closure error. ; Perimeter = 3065 feet		
001=NE,NE,NE,18,07N,24E	004=S46.2754E 1161.43	007=N55.1545W 760.53
002=S01.1841W 845.17	005=N30.0543E 444.38	
003=S01.1841W 219.52	006=N65 0721W 479 28	

T-88-12

HUGH H & ~~MARY~~ M. DORST

187524

Parcel#07N24E181215

213161

A parcel of land located in the NE1/4 of Sec. 18, T7N, R24E, BM, CUSTER COUNTY, IDAHO, more particularly described as:

commencing the NW corner of said NE4; thence along the westerly boundary of said NE4 S. 1°18'41" W., 845.17 feet to the REAL POINT OF BEGINNING: thence along the westerly boundary of said NE1/4 S. 1°18'41" West, 219.52 feet to the point on the NORTHEASTERLY R-O-W boundary of U.S. Hwy #93; thence along said R-O-W South 46°27'54" East, 1161.43 feet; thence N. 30°05'43" East 444.38 feet; thence N. 65°07'21" West 479.28 feet; thence N. 55°15'45" W. 760.53 feet to the RPOB.

contains 7.75 acres M/L

34-684A

34-684B

34-10829

34-10002B

Important Information About Your Water Right

December 14, 2001

MARY M DORST
HUGH H DORST
STAR ROUTE
MACKAY, ID 83251

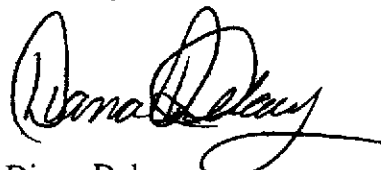
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 34-00684A. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order*** in combination with the ***Partial Decree*** that was issued for this water right on December 29, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of the water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued the same date that the ***Partial Decree*** was originally issued.

Sincerely,



Diana Delaney
Case Administrator

MAILED
DEC 14 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 SRBA)
)
Case No. 39576)
_____)

Water Right 34-00684A

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 05-01 10-15

THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated December 14, 2001

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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NOV 14 2003

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 34-00684A

1997 DEC 29 PM 4:37

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: MARY M DORST
HUGH H DORST
STAR ROUTE
MACKAY ID 83251

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.04 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION: T07N R23E S12 NWNWSE Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.04 CFS

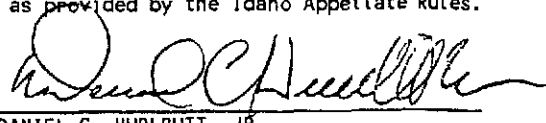
PLACE OF USE:	IRRIGATION	Within CUSTER County
	T07N R24E S18	NWNE 5 SWNE 1
	6 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NO. 34-00685A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 6 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

WR's 34-684A and 34-10829
Mail posted w/ address
change form.
Kari Lynn 10/31/03

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise Idaho 83720-0098

Postage Service Requested

RECEIVED

OCT 31 2003

Department of Water Resources

DORS574

DORS574 832512001 1A03 04 10/29/03
RETURN TO SENDER
DORST
4400 SAWTELLE ST
CHUBBUCK ID 83202-1735
RETURN TO SENDER

1AAGTME 832512001





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 23, 2003

JAMES B J DORST
4574 HWY 93 N
MACKAY ID 83251

RE: Change of Ownership for Water Rights 34-684A and 34-10829

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records. Also enclosed is a receipt for the \$50.00 filing fee

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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NOV 14 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 13, 2003

JAMES B J DORST
4574 HWY 93 NORTH
MACKAY ID 83251

RE: Change of Ownership for Decreed Water Rights 34-684A, 34-685A, 34-10002B,
34-10829

Dear Mr. Dorst:

The Notice of Change in Water Right Ownership paperwork that you sent to the Department of Water Resources has been forwarded to me for final processing.

A review of this paperwork shows that water right 34-10002B includes 1 acre in the SENE of T7N, R24E, S18 but that ¼ ¼ (SENE) is not shown on the deed or the map that accompanied your ownership change request. We are unable to finalize your request without complete proof of ownership.

The \$50.00 filing fee that was submitted with the ownership change request is not sufficient to cover the processing of these four (4) water rights. The filing fee is \$25.00 per water right and \$100.00 for any water right that needs to be split between multiple owners.

Please call me at your earliest convenience to discuss the final processing of these water rights. My telephone number in Boise is 208-327-7941.

Sincerely,



Kari Lynn Townsend
Secretary

KLT:k

MAIL ROOM

AUG 14 2003

RECEIVED

9/24/01

SEP 27 2001

Department of Water Resources

TO: SALLY SHERMAN

I'm afraid I'm quite ignorant about water matters but the way I read the decrees we have two water rights so I made the check for 50⁰⁰-. If this isn't right please let me know - also if this isn't the right info. I got the plate from the realtor that has the place for sale.

I'm usually at 588-2789 after
→ 4:00 PM. if you need ~~the~~ call about this. Thank you for your patience.

Sincerely
James B. Johnston

34-10002B

34-684A

34-685A

34-10829

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NOV 14 2001