

Claim No. 13 4033

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that Thelma N. Youngman
(name of claimant)
of Rt. 2 Preston, Idaho, Box #83263 claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed Springs, tributary to, Beal River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>0.4</u>	Use <u>Irrigation</u>	Period of Use: From <u>April</u> To <u>Nov 1</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: 0.4 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1904 Sept 1
- A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SE 1/4 NW 1/4, Sec. 30 Twp. 14S Rge. 40E B. M. County of Franklin
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. wooden head box 5hp electric motor, main line, with lateral & 17 sprinkler nozzles.
Also row irrigation of a portion of the land.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14S	40E	30			12										8				20

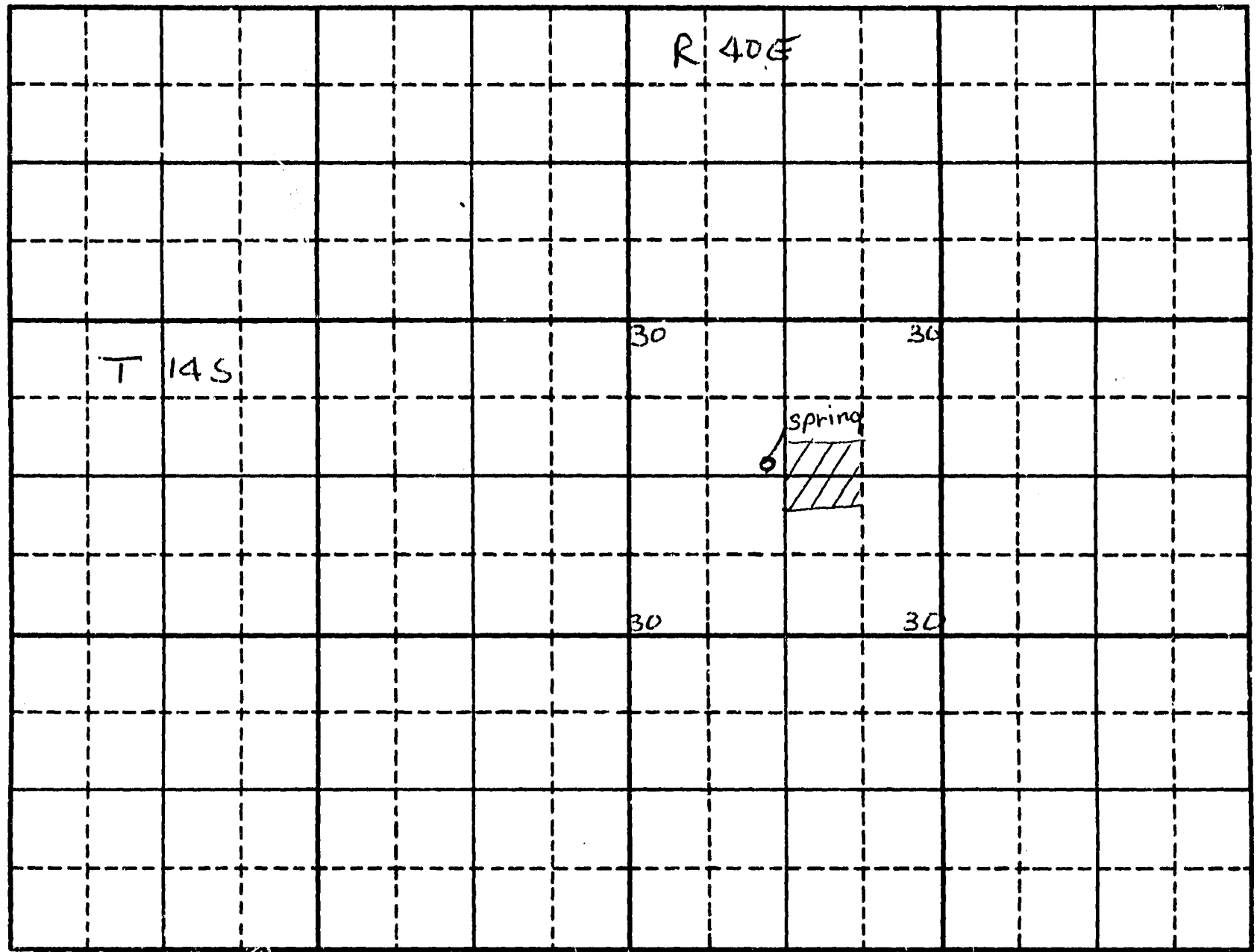
Total No. of acres 20

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

0001 61

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Franklin) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 25th day of March, 1976.
Thelma Youngman
(Claimant)

Gonnie Westover
Notary Public
Residing at Preston, Idaho

My bond commission expires 7/2/78

For Department Use Only

Received by <u>CL</u>	Date <u>3-29-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>LH</u>	Date <u>3/25/76</u>		claimant by:	
\$10.00 fee received by <u>CL</u>	Date <u>3-29-76</u>			
Approved for publication by <u>CL</u>	Date <u>5-06-76</u>	# <u>15718</u>		
Published in <u>Preston Citizen</u>				
Dates <u>April 9 & 15, 1976</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *Co. publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

April 8, 19*76*, and ending with the issue of *April 15*, 19*76*.

Fee \$ *11.84*

Subscribed and sworn to before me this *3* day of *May*, 19*76*.

William D. Liddis

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19*78*

RECEIVED

MAY 6 1976

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT NO. 12-4023

NOTICE IS HEREBY GIVEN that Thelma N. Youngman, Preston, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.40 cubic feet per second of water from unnamed springs tributary to Bear River with point of diversion in the SE 1/4 NW 1/4, Sec. 30, T. 14S, R. 40E, B.M. Franklin County.

The water is claimed to be used from April 1 to Nov. 1 for the irrigation of 20 acres with a priority of Sept. 1, 1904; the place of use is within the SW 1/4 NE 1/4, NW 1/4 SE 1/4, Sec. 30, T. 14S, R. 40E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Legal No. 122—Published in the Preston Citizen, Preston, Idaho, on April 8 and April 15, 1976.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4033

Notice is hereby given that Thelma N. Youngman,

Preston, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 0.40 cubic feet per second ~~acre feet per annum~~

of water from unnamed springs tributary to Bear River

with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 14S, R. 40E, B.M., Franklin
County

The water is claimed to be used from Apr. 1 to Nov. 1

for the irrigation of 20 acres

with a priority of Sept. 1, 1904 ;

the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 14S, R. 40E,
B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the **Preston Citizen, Preston, Idaho**

on April 8 and April 15, 1976

me - 6.
me - 5.
me - 4.

**NOTICE OF CLAIM TO
A WATER RIGHT
NO. 13-4033**

**NOTICE IS HEREBY
GIVEN** that Thelma N.
Youngman, Preston, Idaho,
has filed a claim to a water
right established by diver-
sion and application to bene-
ficial use of 0.40 cubic feet
per second of water from
unnamed springs tributary
to Bear River with point of
diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 30, T. 14S, R. 40E, B.M.
Franklin County.

The water is claimed to
be used from April 1 to Nov. 1
for the irrigation of 20 acres
with a priority of Sept. 1,
1904; the place of use is
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 14S, R.
40E, B.M.

Any exception to this
claim of water right may be
filed with the Idaho Depart-
ment of Water Resources,
1515 Lincoln Road, Idaho
Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Legal No. 122--Publish-
ed in the Preston Citizen,
Preston, Idaho, on April 8
and April 15, 1976.

April 2, 1976

RE: Claims to Water Rights Nos. 13-4033 YOUNGMAN
13-4034 YOUNGMAN
13-4035 FISHER
Application for Permit No. 13-7131 BENSON

The Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 5-06-76 by CW

RDC:ME

Legal Notices (4)

April 6, 1976

RE: Claim to a Water Right No. 13-4033 and 13-4034

Ms. Thelma N. Youngman
Rt. #2, Box 430
Preston, Idaho 83236

Dear Ms. Youngman:

Attached herewith is departmental receipt No. 15718 in the amount of \$20.00 for the above referenced claims.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

April 26, 1976

RE: Claim to a Water Right No. 13-4033 Youngman
" " " No. 13-4034 Youngman
" " " No. 13-4035 Fisher
Application for Permit No. 13-7131 Benson

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on April 8 and April 15, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CM

*Called 5-0376
CW*

May 7, 1976

RE: Claim to a Water Right No. 13-4033

Ms. Thelma N. Youngman
Rt. #2
Preston, Idaho 83263

Dear Ms. Youngman:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Copy of Claim

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 29 1998

1. Water Right Number(s) ~~13-4034~~ 13-07079
 Claim Number(s) 13-4033 and 13-4034
Department of Water Resources
 Eastern Field Office
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 on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) John B. Youngman
Route 2
Preston, ID 83263
4. New Owner/Claimant(s) John M. Youngman and Myrtle Youngman, husband and wife
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
 New Mailing Address 2088 East 4400 North
 City, State and ZIP Code Preston, ID 83263
 New Telephone Number (208) 852 - 1119
5. Date you acquired the property May 6, 1998
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 actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 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/Claimant(s) John M. Youngman Date 5-22-98
Myrtle Youngman Date 5-22-98
Myrtle Youngman
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

202240 1-3

Recorded at the request of

Jay R. McKenzie

WARRANTY DEED

FOR VALUE RECEIVED

THELMA N. YOUNGMAN, a widow,

the grantor, does hereby grant, bargain, sell and convey unto

JOHN M. YOUNGMAN and MYRTLE YOUNGMAN, husband and wife,

whose current address is: 2088 East 4400 North
Preston, ID 83263

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

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY
REFERENCE**

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

DATED this 6th day of May, 1998.

Thelma N. Youngman
THELMA N. YOUNGMAN

STATE OF IDAHO)
) ss.
COUNTY OF FRANKLIN)

On this 6th day of May, 1998, before me, a Notary Public in and for said State, personally appeared Thelma N. Youngman, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Jay R. McKenzie
NOTARY PUBLIC
Residing at: Preston, Idaho
My Commission Expires: 11-16-2003



202240 2-3

Exhibit "A"

Township 14 South, Range 40 East of the Boise Meridian, Franklin
County, Idaho
Sections 30

and 31: Beginning at a point approximately 2395 feet South and 21 feet East of the North quarter corner of Section 30; thence North 26°19' East 197 feet; thence North 48°42' East 67 feet; thence North 73°37' East 161 feet; thence South 82°15' East 51 feet; thence South 57°08' East 88 feet; thence South 46°18' East 207 feet; thence South 33°56' East 116 feet; thence South 25°04' West 74 feet; thence South 56°23' East 51 feet; thence North 89°28' East 158 feet; thence South 53°51' East 115.4 feet; thence South 0°39' West 2609.5 feet; thence East 3 rods, more or less, to a permanent fence line; thence due South 68 rods to North bank of Bear River; thence in a Northeasterly direction 40 rods along North bank of said river; thence East 48 rods along North bank of said river; thence Northeast 65 rods along bank of said river; thence North 16 rods along bank of said river; thence Northwest 51 rods along bank of said river; thence Northeast 58 rods along bank of said river; thence to a point 21 rods West of Southeast corner of Southeast quarter of Northeast quarter of Section 30, thence in a Northeasterly direction 44 rods along the bank of said river to a point on the Section line, thence North 40 rods to the Northeast corner of the Southeast quarter of Northeast quarter of Section 30; thence West 160 rods; thence South to a point 2395 feet South of the North quarter corner of said Section 30; thence East 21 feet to the place of beginning;

EXCEPTING THEREFROM: Beginning at a point 2395 feet South of the North quarter corner of Section 30 and running thence North 250 feet; thence East 100 feet; thence Southwest along a permanent fence line 250 feet, more or less, to point of beginning.

ALSO EXCEPTING: A strip of land of varying width being along each side of the following described center line of the Mink Creek Road as surveyed and shown on the official plat of Project S-1803(2) Road Survey on file in the office of the Department of Highways of the State of Idaho; the width of said strip of land on the right side of said centerline is 35 feet and continues 35 feet wide; the width of said strip of land on the left side of said centerline is 35 feet at Sta. 35/72 and

continues 35 feet wide to Sta. 60/00, increasing to a width of 150 feet at Sta. 62/00; and lying over and across the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 14 South Range 40 East of the Boise Meridian.

Beginning at Sta. 35/72 of said Road Survey which station is a point on tangent approximately 672 feet North and 890 feet East of the SW corner of the said NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30; thence North 42°54' East on tangent a distance of 1784.9 feet to Sta. 53/56.9 which Sta. is a point of curvature; thence running with a 0°40' curve to the right a distance of 819.1 feet to Sta. 61/76 which Sta. is a point on curve lying and being situated on the East boundary of the said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30 approximately 169 feet South of the Northeast corner of the said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30.

There is also granted hereby an easement adjacent to the above described road right of way for relocation of all irrigation and/or drainage ditches and structures now located on such right of way and such surface drain ditches as may be necessary to the proper construction of the Road

Excepting that portion already dedicated by public use as public road. New right of way required being approximately 4.27 acres of the 4.58 acres above described.

ALSO EXCEPTING: Township 14 South, Range 40 East of the Boise Meridian

Section 30: Beginning at a point 2395 feet South and 21 feet East of the North Quarter Corner of Section 30 thence running South 57°30' East 274 feet; thence South 20°16' West 201 feet; thence South 49°46' East 66 feet; thence South 88°36' East 277 feet; thence South 0°29' West 2280 feet; thence South 52°54' East 132 feet; thence South 67°55' East 170 feet; thence North 87° East 130 feet; thence North 0°39' East 2609.6 feet; thence North 53°51' West 115.4 feet; thence South 89°28' West 158 feet; thence North 56°23' West 51 feet; thence North 25°04' East 74 feet; thence North 33°56' West 116 feet; thence North 46°18' West 207 feet; thence North 57°08' West 88 feet; thence North 82°15' West 51 feet; thence South 73°37' West 161 feet; thence South 48°42' West 67 feet; thence South 26°19' West 197 feet to the point of beginning.

TOGETHER WITH the following water rights: (1) Idaho Department of Water Resources Claim to a Water Right No. 134034; (2) Idaho Department of Water Resources Claim to a Water Right No. 134033.

202239 1-5

Recorded at the request of

Jay R. McKenzie

a.m. MAY 07 1998 4:40 p.m.

JAY R. MCKENZIE
Attorney at Law
102 North State Street - Suite 1
Preston, Idaho 83263
Telephone: (208) 852-3500

V. ELLIOTT LARSEN, RECORDER
By Ruth K. Rawling Deputy
FRANKLIN COUNTY, IDAHO

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FRANKLIN
MAGISTRATE'S DIVISION

IN THE MATTER OF THE ESTATE OF)

JOHN BONHAM YOUNGMAN,)

Deceased.)

Probate Case No. SP-98-39

DECREE VESTING ESTATE
IN SURVIVING SPOUSE

Upon consideration of the Petition for Summary Administration in Which Surviving Spouse is Sole Beneficiary filed by Thelma N. Youngman on April 20, 1998, the Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, John Bonham Youngman, died on May 18, 1992, domiciled in Franklin County, Idaho.
4. Venue is proper.
5. The decedent and Thelma N. Youngman were duly married at Danville, Pennsylvania, on May 25, 1938, and remained married until the date of decedent's death.
6. The surviving spouse, Thelma N. Youngman, is the sole heir or devisee of the decedent.
7. The decedent died intestate.

202239

8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent, all of which is community property.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. Thelma N. Youngman is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.

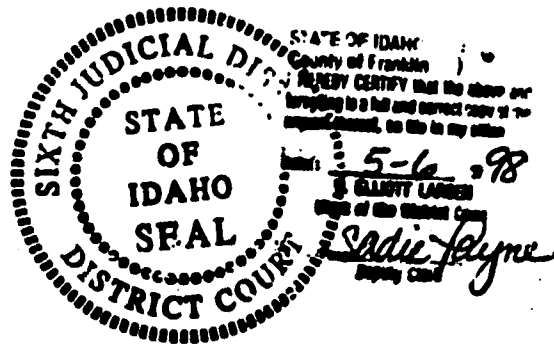
2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to Thelma N. Youngman, free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.

3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.

4. There shall be no administration of the estate of the decedent.

DATED this 6 day of May, 1998.

Original signed by
LOWELL D. CASTLETON
LOWELL D. CASTLETON, Magistrate



202239 5

JAY R. MCKENZIE
Attorney at Law
102 North State Street - Suite 1
Preston, Idaho 83263
Telephone: (208) 852-3500

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FRANKLIN
MAGISTRATE'S DIVISION

IN THE MATTER OF THE ESTATE OF	)	Probate Case No. SP- <u>98-39</u>
	)	
JOHN BONHAM YOUNGMAN,	)	SCHEDULE OF PROPERTY
	)	ATTACHED TO DECREE
	)	FOR SUMMARY ADMINISTRATION
Deceased.	)	
	)	

DECEDENT'S COMMUNITY PROPERTY SHARE IN AND TO:

1. Real property located in Franklin County, Idaho, and more particularly described as follows, to-wit:

See Exhibit "A" attached hereto and made a part hereof by reference

2. Fourteen shares of water stock in Nelson Ditch Company, as evidenced by Certificate No. 44
3. Forty-seven shares of water stock in Nelson Ditch Company, as evidenced by Certificate No. 32
4. Idaho Department of Water Resources Water Right License No. 13-7079
5. Idaho Department of Water Resources Claim to a Water Right No. 134034
6. Idaho Department of Water Resources Claim to a Water Right No. 134033
7. All miscellaneous personal property and personal effects

202239 4-5

Exhibit "A"

Township 14 South, Range 40 East of the Boise Meridian, Franklin
County, Idaho

Sections 30

and 31: Beginning at a point approximately 2395 feet South
and 21 feet East of the North quarter corner of
Section 30; thence North 26°19' East 197 feet;
thence North 48°42' East 67 feet; thence North
73°37' East 161 feet; thence South 82°15' East 51
feet; thence South 57°08' East 88 feet; thence
South 46°18' East 207 feet; thence South 33°56'
East 116 feet; thence South 25°04' West 74 feet;
thence South 56°23' East 51 feet; thence North
89°28' East 158 feet; thence South 53°51' East
115.4 feet; thence South 0°39' West 2609.5 feet;
thence East 3 rods, more or less, to a permanent
fence line; thence due South 68 rods to North bank
of Bear River; thence in a Northeasterly direction
40 rods along North bank of said river; thence East
48 rods along North bank of said river; thence
Northeast 65 rods along bank of said river; thence
North 16 rods along bank of said river; thence
Northwest 51 rods along bank of said river; thence
Northeast 58 rods along bank of said river; thence
to a point 21 rods West of Southeast corner of
Southeast quarter of Northeast quarter of Section
30, thence in a Northeasterly direction 44 rods
along the bank of said river to a point on the
Section line, thence North 40 rods to the Northeast
corner of the Southeast quarter of Northeast
quarter of Section 30; thence West 160 rods; thence
South to a point 2395 feet South of the North
quarter corner of said Section 30; thence East 21
feet to the place of beginning;

EXCEPTING THEREFROM: Beginning at a point 2395
feet South of the North quarter corner of Section
30 and running thence North 250 feet; thence East
100 feet; thence Southwest along a permanent fence
line 250 feet, more or less, to point of beginning.

ALSO EXCEPTING: A strip of land of varying width
being along each side of the following described
center line of the Mink Creek Road as surveyed and
shown on the official plat of Project S-1803(2)
Road Survey on file in the office of the Department
of Highways of the State of Idaho; the width of
said strip of land on the right side of said
centerline is 35 feet and continues 35 feet wide;
the width of said strip of land on the left side of
said centerline is 35 feet at Sta. 35/72 and

202239-5-5

continues 35 feet wide to Sta. 60/00, increasing to a width of 150 feet at Sta. 62/00; and lying over and across the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 14 South Range 40 East of the Boise Meridian.

Beginning at Sta. 35/72 of said Road Survey which station is a point on tangent approximately 672 feet North and 890 feet East of the SW corner of the said NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30; thence North 42°54' East on tangent a distance of 1784.9 feet to Sta. 53/56.9 which Sta. is a point of curvature; thence running with a 0°40' curve to the right a distance of 819.1 feet to Sta. 61/76 which Sta. is a point on curve lying and being situated on the East boundary of the said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30 approximately 169 feet South of the Northeast corner of the said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30.

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Excepting that portion already dedicated by public use as public road. New right of way required being approximately 4.27 acres of the 4.58 acres above described.

ALSO EXCEPTING: Township 14 South, Range 40 East of the Boise Meridian

Section 30: Beginning at a point 2395 feet South and 21 feet East of the North Quarter Corner of Section 30 thence running South 57°30' East 274 feet; thence South 20°16' West 201 feet; thence South 49°46' East 66 feet; thence South 88°36' East 277 feet; thence South 0°29' West 2280 feet; thence South 52°54' East 132 feet; thence South 67°55' East 170 feet; thence North 87° East 130 feet; thence North 0°39' East 2609.6 feet; thence North 53°51' West 115.4 feet; thence South 89°28' West 158 feet; thence North 56°23' West 51 feet; thence North 25°04' East 74 feet; thence North 33°56' West 116 feet; thence North 46°18' West 207 feet; thence North 57°08' West 88 feet; thence North 82°15' West 51 feet; thence South 73°37' West 161 feet; thence South 48°42' West 67 feet; thence South 26°19' West 197 feet to the point of beginning.

Jay R. McKenzie Law Office, P.A.

Attorney and Counselor

May 28, 1998

RECEIVED

MAY 29 1998

Department of Water Resources
Eastern District Office

Department of Water Resources
Eastern Region
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Water Right No. 13-4034
Permit No.: 13-7079

RECEIVED

JUN 03 1998

Department of Water Resources

Gentlemen:

The land in which the above-referenced water rights pertain has been transferred from the parents to the son and his wife, as follows:

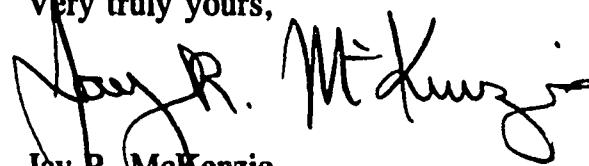
John M. Youngman and Myrtle Youngman, husband and wife
2088 East 4400 North
Preston, ID 83263

I enclose two signed forms to notify you of the transfer. The forms are entitled "Notice of Change of Water Right Ownership" and "Assignment of Permit".

If you need addition or different information, please do not hesitate to give me a call. I would appreciate some type of confirmation that you have made the appropriate change.

Thank you very much for your assistance in this matter.

Very truly yours,



Jay R. McKenzie
Attorney at Law

JRM:bj

Enclosures

(208) 852-3500
(208) 852-3502 (Fax)

102 North State Street - Suite 1

Preston, ID 83263



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

May 11, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN M YOUNGMAN
MYRTLE YOUNGMAN
2088 E 4400 N
PRESTON ID 83263

RE: Statutory Claims 13-04033 & 13-04034 &
Water Right 13-02215

Dear Mr. & Mrs. Youngman:

The Department is in receipt of the correspondence changing ownership of the above referenced statutory claims and water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

If you have any questions regarding this matter, please feel free to contact me at 208-327-7947.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over the typed name and title.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

cc: Jay R McKenzie