



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LAURA B JORGENSEN
CHARLES SCHWARTZ
937 ELDORADO DR
ROCK CREEK SUBDIVISION
SUPERIOR CO 80027

RE: Notice of Change of Water Right Ownership (NCO) for
34-02425A and Notice of Completed Administrative Proceeding
(NCAP)

Dear Ms. Jorgenson & Mr. Schwartz:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jennifer Crabtree
Technical Records Specialist

Enclosure

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

)

Water Rights: 34-02425A,
34-02425C, 34-02425D

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party ☒ Split **SILACCI – SILACCI & JORGENSEN/SCHWARTZ**

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

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: 7 March 2000

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/10, 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
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/**Seller** for Substitution of Party or attorney of record:
ROBERT SILACCI
854 RIKER ST
SALINAS CA 93901

3. One copy to:

Claimant/**Purchaser** for Substitution of Party, or attorney of record:
ROBERT SILACCI
854 RIKER ST
SALINAS CA 93901

LAURA B JORGENSEN
CHARLES SCHWARTZ
937 ELDORADO DR
ROCK CREEK SUBDIVISION
SUPERIOR CO 80027

4. One copy to:

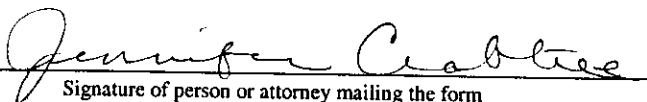
Each party in the subcase, or attorney of record
N/A

5. One copy each 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

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: FEB-22-2000
PAGE: A-2-----
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 34-02425D

NAME & ADDRESS: LAURA B JORGENSEN
CHARLES SCHWARTZ
937 ELDORADO DR
ROCK CREEK SUBDIVISION
SUPERIOR CO 80027

SOURCE: GROUNDWATER

QUANTITY: 0.208 CFS
36.4 AFY

PRIORITY DATE: 12/17/1961

POINT OF DIVERSION: T07N R25E S31 NWNESE Within CUSTER County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.208 CFS
			36.4 AFY

PLACE OF USE: IRRIGATION Within CUSTER County
T07N R25E S31 SWSE 10.4
10.4 ACRES TOTAL

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

A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL
BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 34-02425B,
34-02425C, 34-02425D, 34-07090A AND 34-07090B.

Jan. 19, 2000

Don Carlson

Idaho Dept. Water Resources
Fax # 208-525-7177

RECEIVED

JAN 24 2000

Department of Water Resources
Eastern Region

Re: Lots 16 & 17, Block 1
Crows Nest Estates
Custer County, Idaho

Dear Mr. Carlson -

Attached please find my completed application for change of water right ownership on the above lots.

I purchased lot 16 on 12/15/99 & just received the deed on it (I already owned lot 17 which I purchased in May '94). I spoke to you about a month ago and you advised I submit 1 application for both properties when I received the deed from the title company.

Enclosed are all the documents required for water right ownership change. If you need further info or have any questions, please call me at 303-554-8105. Thank you,

Lance Jorgensen

(P.S. - Copies will follow in the mail as back-up)

BOULDER VALLEY PULMONOLOGY

80 HEALTH PARK DRIVE, SUITE 350
LOUISVILLE, COLORADO 80027
(303) 442-2150

RANDAL BJERKE, M.D.
HUNTER R. SMITH, M.D.
THOMAS A. MINOR, M.D.

1000 ALPINE AVENUE, SUITE 100
BOULDER, COLORADO 80304
(303) 442-2150
Fax Number: 303-442-3363

FAX COVER SHEET

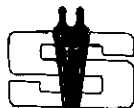
RECEIVED

NOV 23 1999

Department of State Resources
Eastern Region

FROM: Laura Jorgenson - home # (303) 554-8105 DATE: 11/23/95
TO: transfer - Enclosed are copies → FAX 208-525-7177
of water right transfer application,
Warranty Deed real estate brokers
and plats, quit claim deeds.
Please give this to Ernest Carlson.

COMMENTS: The quit claim deeds are proof that
my name changed from LAURA KUNIGK
TO LAURA JORGENSEN, AND also that
I have a partner, CHARLES SCHWARTZ.
If you need any further information,
or if this fax is not complete please
call me at home # 303 554 8105
or work # 303 442-2150



Order No. 94005933
This form furnished by
Blaine County Title Associates

6214465

QUITCLAIM DEED

THIS INDENTURE, Made this 29th day of September

in the year of our Lord one thousand nine hundred and ninety-seven
RON R. JORGENSEN and LAURA B. JORGENSEN, who acquired title as
LAURA KUNIGK, husband and wife, as to an undivided 50% interest

between

as Grantor and

LAURA B. JORGENSEN, (formerly known as LAURA KUNIGK), a married woman as her
sole and separate property, as to an undivided 50% interest as Grantee

whose current address is 937 Eldorado Drive, Superior, CO 80027

WITNESSETH That said Grantor for and in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises renounce, release and forever QUITCLAIM, unto the said Grantee and to its heirs and assigns all that certain lot, piece or parcel of land, situate, lying and being in, County of Blaine, State of Idaho, bounded and particularly described as follows, to-wit:

Lot 17 of Block 1 CROWS NEST ESTATES SUBDIVISION, according to the official plat thereof, filed for record as Instrument No. 200401, records of Custer County, Idaho.

This Quitclaim Deed is being executed by the undersigned in order that the Grantee may hold her entire 50% interest of the within described property as her sole and separate property.

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

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written. 214465

RON R. JORGENSEN

LAURA B. JORGENSEN

Custer County Reg. of
Blaine Title
and Escrow

11:05 A.M.

10-20-97

Errol M. Peck, Clerk

Wendy Murphy

32 Deputy

State of Colorado

County of Clear Creek

ss.

On this 13th day of October, 1997, before me, the undersigned, a Notary Public, in and for said State, personally appeared RON R. JORGENSEN and LAURA B. JORGENSEN

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

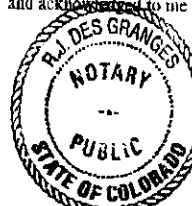
WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Notary Public

Residing at: P.O. Box 1456 - Idaho Springs Co. 80452

Commission Expires: April 1, 1999



My Comm. Expires April 1, 1999



Order No. 94005933
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Blaine County Title Associates

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sole and separate property, as to an undivided 50% interest

as Grantee

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TO HAVE AND TO HOLD. All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.

RON R. JORGENSEN

LAURA B. JORGENSEN

1/25/00



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: MAY 18, 1994LEGAL DESCRIPTION OF PROPERTY: Township 7 North Range 25 East

lot 17 Section 31, SW 1/4 of SE 1/4 of 1/4 Govt. Lot, BM.
and lot 17 Block, 1, Subdivision/Townsite Crowns Nest Estates - Costa County
lot 16 Township 7 North, Range 25 East
Section 31, SE 1/4 of SE 1/4 lot 16 BLOCK 1

☐ 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:

34-02425A

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

Robert Silacci824 Rikner StSalinas CA 93901

☐ New Owner/Claimant
(Purchaser):

LAURA B. JORGENSEN & CHARLES SCHWARTZ

☐ New Mailing Address:

937 Eldorado Dr.Rock Creek SubdivisionSuperior CO 80027

☐ New Telephone Number:

(303) 554-8105

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

lot 16 - 4.6"lot 17 - 5.8"please see attached 1st Amendment copy - regulated areas to covenants

☐ Attach proof of
ownership, describe
proof attached:

(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)

Laura B. Jorgensen
Charles Schwartz

Date 10/19/99, 1/19/00Date 7/1/00

☐ Signature of Former
Owner/Claimant(s):

Date

Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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

200023

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

ROGER E. CRIST, ESQ.
ATTORNEY AT LAW
POST OFFICE BOX 2326
KETCHUM, ID 83340

Blaine County Clerk
12:00 P.M.
Edna P. [illegible]
12 00 Dep. [illegible]

(Space above this line for Recorder's use)

FIRST AMENDMENT TO MASTER DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF
THE CROWS NEST SUBDIVISION

*1991

The Master Declaration of Covenants, Conditions and Restrictions as to the use of the Real Property Embraced Within The Crows Nest Subdivision Located in Custer County, Idaho dated October 17, 1944, and recorded on October 21, 1991, as Instrument No. 0200438 in the records of Custer County, Idaho, is hereby amended to add the following:

Robert Silacci, as one of the General Partners of the developer of said Crows Nest Subdivision, holds title in his name to certain agricultural irrigation water rights legally described in Exhibit A, attached hereto. Said ownership is in trust for the benefit of all of the owners of Lots in said Subdivision. The owner of a Lot in said Subdivision shall have the right to transfer a portion of said water into said Lot owner's name for use on said Lot. The extent of the water right to be transferred shall be a pro rata share of said water right based upon the schedule attached hereto as Exhibit B. Such owner who seeks to transfer a portion of said water right shall obtain all necessary governmental approvals for such transfer and shall pay all costs and expenses associated therewith.

All other terms and provisions of said Master Declaration not inconsistent herewith shall remain in full force and effect.

DATED this 10 day of June, 1994.

FIRST AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF THE CROWS NEST SUBDIVISION - 1

#206833

LOST RIVER DEVELOPMENT COMPANY,
an Idaho Partnership,
Owner of Lots 1 through 5, 7, 10,
14 through 19 of Block 1 and Lots 1
through 6 of Block 2

By

Robert Silacci
Robert Silacci, General Partner

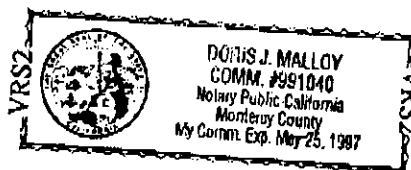
STATE OF *California*)
County of *Monterey*) ss.

On this 10th day of June, 1994, before me, the undersigned notary public in and for said State, personally appeared ROBERT SILACCI, known to me to be the General Partner of Lost River Development Company, signer of the foregoing instrument, and he duly acknowledged to me that he executed the same in his capacity therein.

WITNESS MY HAND AND SEAL the day and year first written above.

Doris J. Malloy
Notary Public
Residing at: *Monterey County, Cal.*
Comm. expires: *5/25/97*

CORP\CROWS.AMD



FIRST AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF THE CROWS NEST SUBDIVISION - 2

206833

Exhibit A

Water Right No.:	34-02425
Owner:	Robert Silacci 824 Riker Street Salinas, CA 93901
Priority Date:	12/17/1951
Purpose of Use:	Irrigation
Period of Use:	4/15 to 10/15
Maximum Quantity:	2.52 cfs on 126 miner's inches
Basis of Claim:	License
Source:	Groundwater
Point of Diversion:	T07N R25E S31

206833

EXHIBIT B

BLOCK 1

Lots:

1 = 5.1"
2 = 6.0"
3 = 5.1"
4 = 4.6"
5 = 4.6"
6 = 4.6"
7 = 5.7"
8 = 6.7"
9 = 4.2"
10 = 4.1"
11 = 4.1"
12 = 6.0"
13 = 6.0"
14 = 4.6"
15 = 4.6"
16 = 4.6"
17 = 5.8"
18 = 5.7"
19 = 5.2"

BLOCK 2

Lots:

1 = 5.0"
2 = 4.8"
3 = 4.7"
4 = 4.7"
5 = 4.8"
6 = 4.7"



Order No. 94005933
This form furnished by
Blaine County Title Associates

QUITCLAIM DEED

200858

THIS INDENTURE, Made this 18th day of May

in the year of our Lord one thousand nine hundred and ninety four
LAURA KUNIGK, AN UNMARRIED WOMAN,

between

as Grantor and

LAURA KUNIGK, AN UNMARRIED WOMAN, AS TO AN UNDIVIDED 50%
INTEREST AND CHARLES SCHWARTZ, AN UNMARRIED MAN, AS TO AN UNDIVIDED 50% as Grantee
INTEREST
whose current address is

WITNESSETH That said Grantor for and in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee and to its heirs and assigns all that certain lot, piece or parcel of land, situate, lying and being in, County of Blaine, State of Idaho, bounded and particularly described as follows, to-wit:

Lot 17 of Block 1 CROWS NEST ESTATES SUBDIVISION, according to the official plat thereof, filed for record as Instrument No. 200401, records of Custer County, Idaho.

206858
Custer County Rec. of
Blaine County Title

20508
7-8-94
300
1/1/94

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

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.

Laura Kunigk
LAURA KUNIGK

State of IDAHO

County of BLAINE

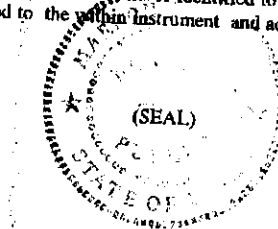
ss.

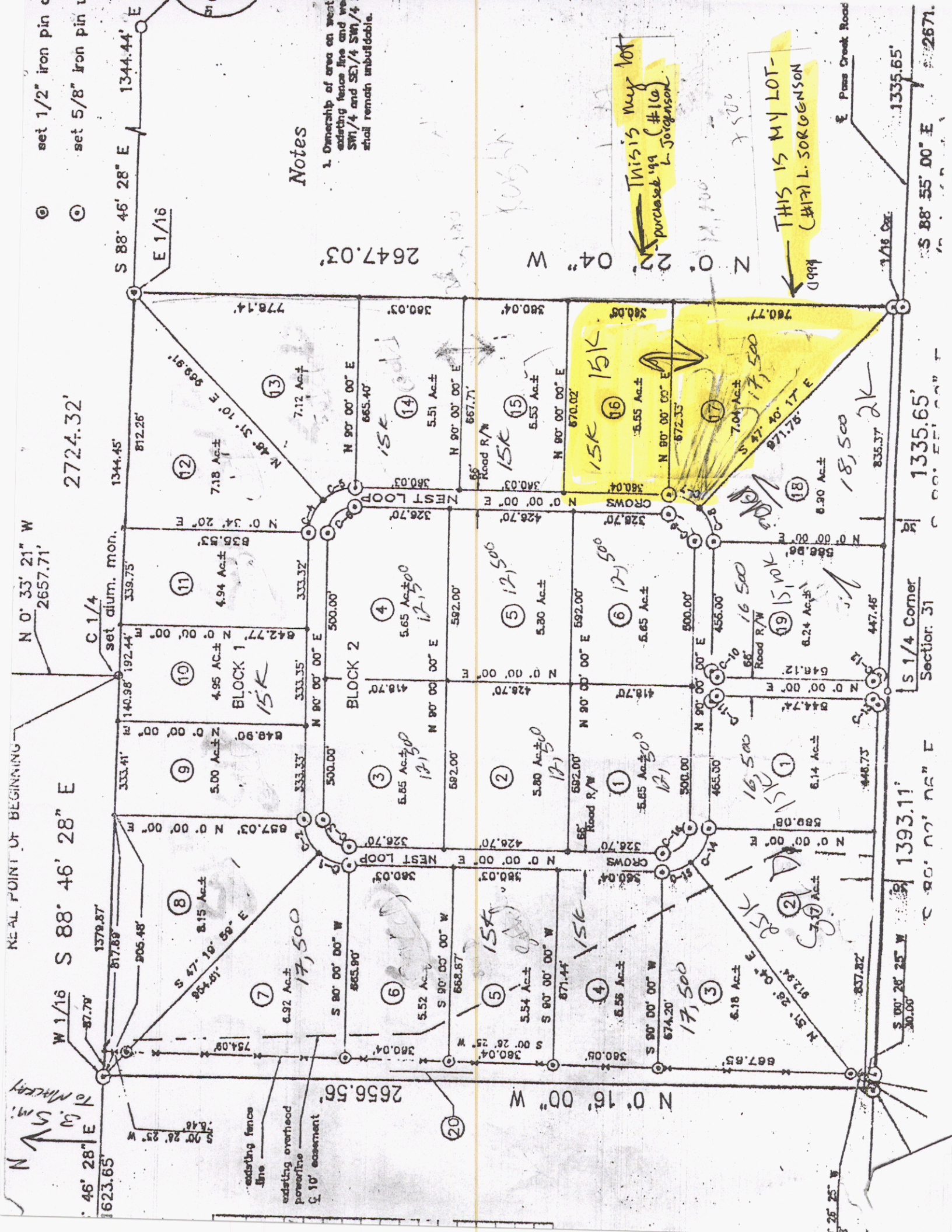
On this 1st day of July, 1994, before me, the undersigned, a Notary Public, in and for said State, personally appeared LAURA KUNIGK

satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

W. M. Oney
Notary Public
Residing at: Ketchum, ID
Commission Expires: 12/31/97







ORIGINAL

Order No. 94005933
This form furnished by
Blaine County Title Associates

WARRANTY DEED

200841

For Value Received LOST RIVER DEVELOPMENT COMPANY, AN IDAHO PARTNERSHIP,

the Grantor hereby grants, bargains, sells, conveys and warrants unto LAURA KUNIGK, AN UNMARRIED WOMAN,

the Grantee whose current address is: P.O. BOX 765, KETCHUM, IDAHO 83340

the following described premises, to-wit:

Lot 17 of Block 1 CROWS NEST ESTATES SUBDIVISION, according to the official plat thereof, filed for record as Instrument No. 200401, records of Custer County, Idaho.

206841
Blaine County Title
12:00 P
6 July 5 94
Erdel M. Beck
3⁰⁰

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

Dated: May 18, 1994

LOST RIVER DEVELOPMENT COMPANY, AN
IDAHO PARTNERSHIP,
(Partnership Name)

By [Signature]

By _____

X State of CALIFORNIA

County of Monterey ss.

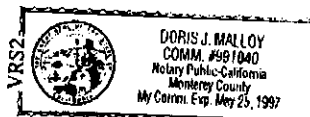
On this 23rd day of May, 1994, before me, the undersigned, a Notary Public, in and for said State, personally appeared ROBERT SILACCI

_____, known to me, or identified to me on the basis of satisfactory evidence, to be GENERAL of the Partnership that executed the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Doris J. Malloy
Notary Public
Residing at: Monterey County, California
Commission Expires: 5/25/97

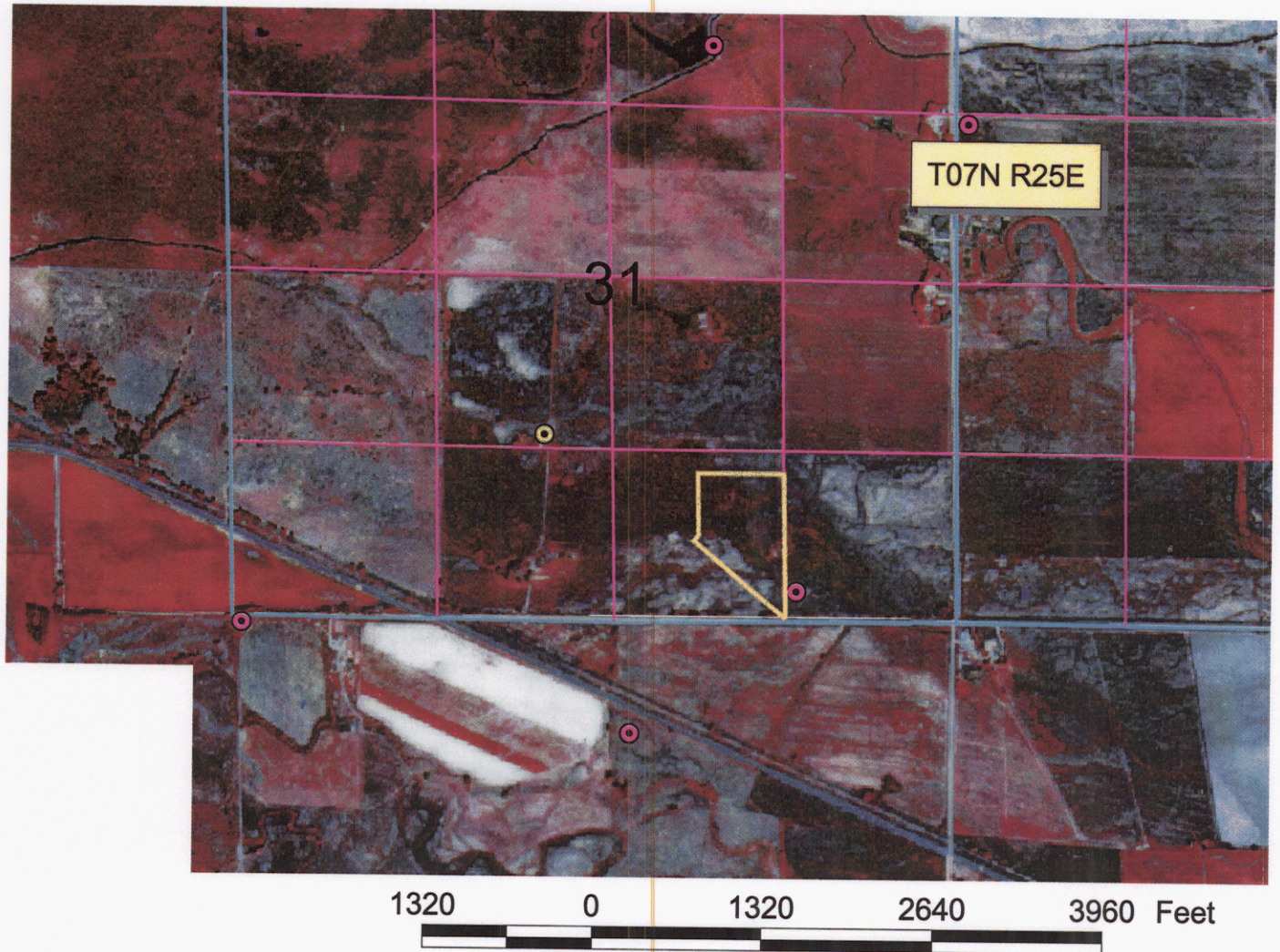


not found

STATE OF IDAHO

Department of Water Resources

Water Right(s): 34-02425D



LEGEND



Point of Diversion



Place of Use

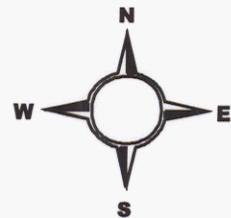


Section Line



Quarter-section line

Acres Irrigated = 10.4



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: February 2000