

56⁰²

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: A37-11812
Date Received: 10/20/1988
Receipt No: COO3134
Received By: _____

RECEIVED

OCT 27 1988

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN H. MC DONALD 208-726-5135
Address: BOX 1
KETCHUM, ID 83340

2. Date of Priority: JUN 15, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	18E	31	NW	NE	SW		BLAINE

5. Description of diverting works:
65' DEEP 1 HP. PUMP. 6" WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.120		
IRRIGATION	04/02	11/01	0.060		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE AND 6 TRAILER HOUSES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	18E	31	SW	NE		IRR	2.0
			SW	NE		DOMEST	

Section Acres 2.0

A37-11812

Page 1

Date: 10/20/88

MICROFILMED

FEB 26 1993

10. Place of Use: Continued

Total Acres 2.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
3700048.

14. Remarks:
ACTUAL ACRES IRR. 1.5.

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 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): Jalen A. McDonald Date: 10-20-88

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of Oct 19 88

John Dale Carlson
Notary Public

Seal

Residing at Blaine ID
My Commission Expires 6/2/94

PLAT SHOWING

CLEAR CREEK LIGHT INDUSTRIAL PARK

LOCATED IN THE SW 1/4, NE 1/4, SECTION 31, T.4 N., R. 18 E., B.M.

BLAINE COUNTY, IDAHO

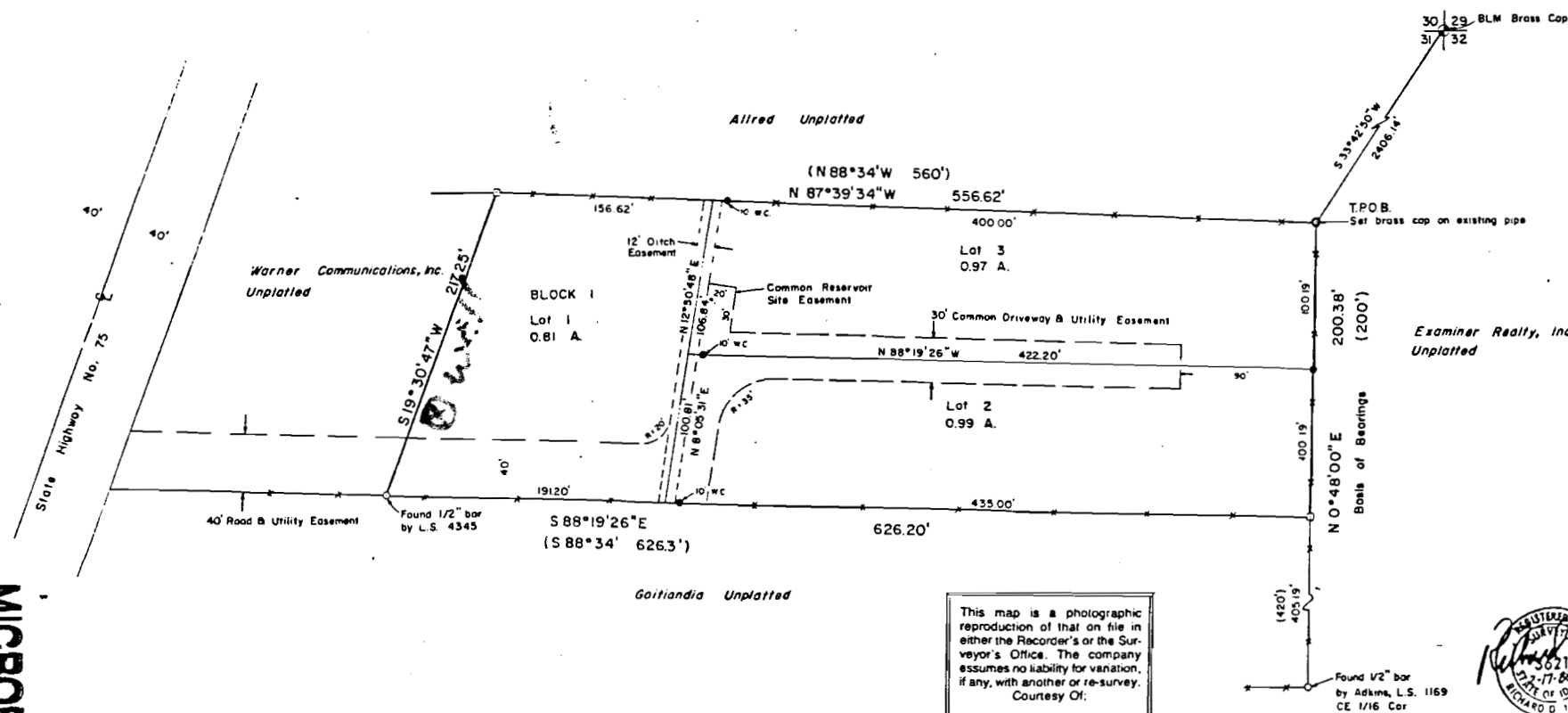
JANUARY 1986

NOTES

1. Landscaping of the north and east lot lines of the parcel is a responsibility of the developer.
2. Utilities shall be underground.
3. Before a lot may be sold, the developer must install paved access roads and domestic water to each lot.
4. Before a building permit can be issued, the developer must provide for fire protection, a water storage tank and water piping to each lot.
5. The Planning and Zoning Commission shall review any development plans for the lots.
6. A 10' Public Utility Easement is centered on interior lot lines and adjacent to exterior lot lines.

LEGEND

- Brass Cap
- Found Iron Pipe
- Found Square Iron Monument
- Found 1/2" Bar
- Set 1/2" Bar Capped L.S. 3621
- - - Fence Line



This map is a photographic reproduction of that on file in either the Recorder's or the Surveyor's Office. The company assumes no liability for variation, if any, with another or re-survey. Courtesy Of:



CLEAR CREEK LIGHT INDUSTRIAL PARK
GALENA ENGINEERING, INC.
KETCHUM, IDAHO
SHEET 1 OF 2

FEB 26 1993

MICROFILMED

FEB 25 1963

MICROFILMED

4N

T3N

40'

4837

4836

720 000
FEET

4835

4834

T. 4 N.

T. 3 N.

43° 37' 30"
114° 22' 30"

R. 17 E.

R. 18 E.

713

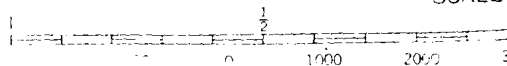
HAILEY 7 MI.
TWIN FALLS 72 MI.

410 000 FEET

15 20'

16

SCALE



X 24

RECEIVED

01/06/2007

JAN 26 2007

NOTICE OF ERROR
REPLY

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/19/2007

Water right number: 37-11812

JOHN H MC DONALD
PO BOX 1
105 MC DONALD LN
KETCHUM ID 83340

Telephone Number: (208) ~~726-5135~~ 720-1003

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

THERE ARE 7 HOMES LISTED ON THE FILING.

2. Describe the changes you wish to make in the proposed recommendation:

7 X 13000 GAL/DAY $\approx$ 91000 PER DAY

3. Give a brief explanation as to why you disagree with these portions:

SEC FILING PRIORITY DATE OF 06-15-1961

____ I AGREE with this proposed recommendation: no changes need to be made.

(NO)

DATE: 01-17-07 SIGNATURE: John McDonald
Please print your name: John McDonald 720-1003

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

01/06/2007

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

RIGHT NUMBER: 37-11812
NAME AND ADDRESS: JOHN H MC DONALD
PO BOX 1
105 MC DONALD LN
KETCHUM ID 83340

SOURCE: GROUND WATER
QUANTITY: 0.150 CFS
4.50 AFY

TRIBUTARY:

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/15/1961

POINT OF DIVERSION:

T04N R18E S31 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.120 CFS
IRRIGATION	04/15 10/31	0.030 CFS
Domestic use is for 7 homes.		4.50 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T04N R18E S31 SWNE 1.00

DOMESTIC in BLAINE County

T04N R18E S31 SWNE

1 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

SRBA Recommendation:

37-11812

(Irrigation)

Legend

Place of Use



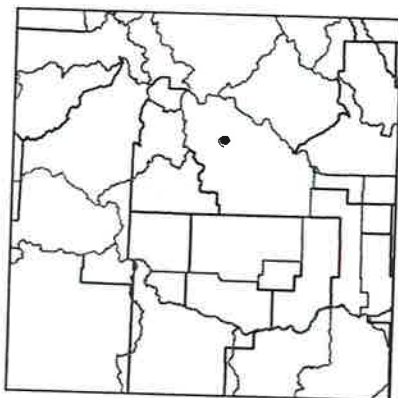
Townships



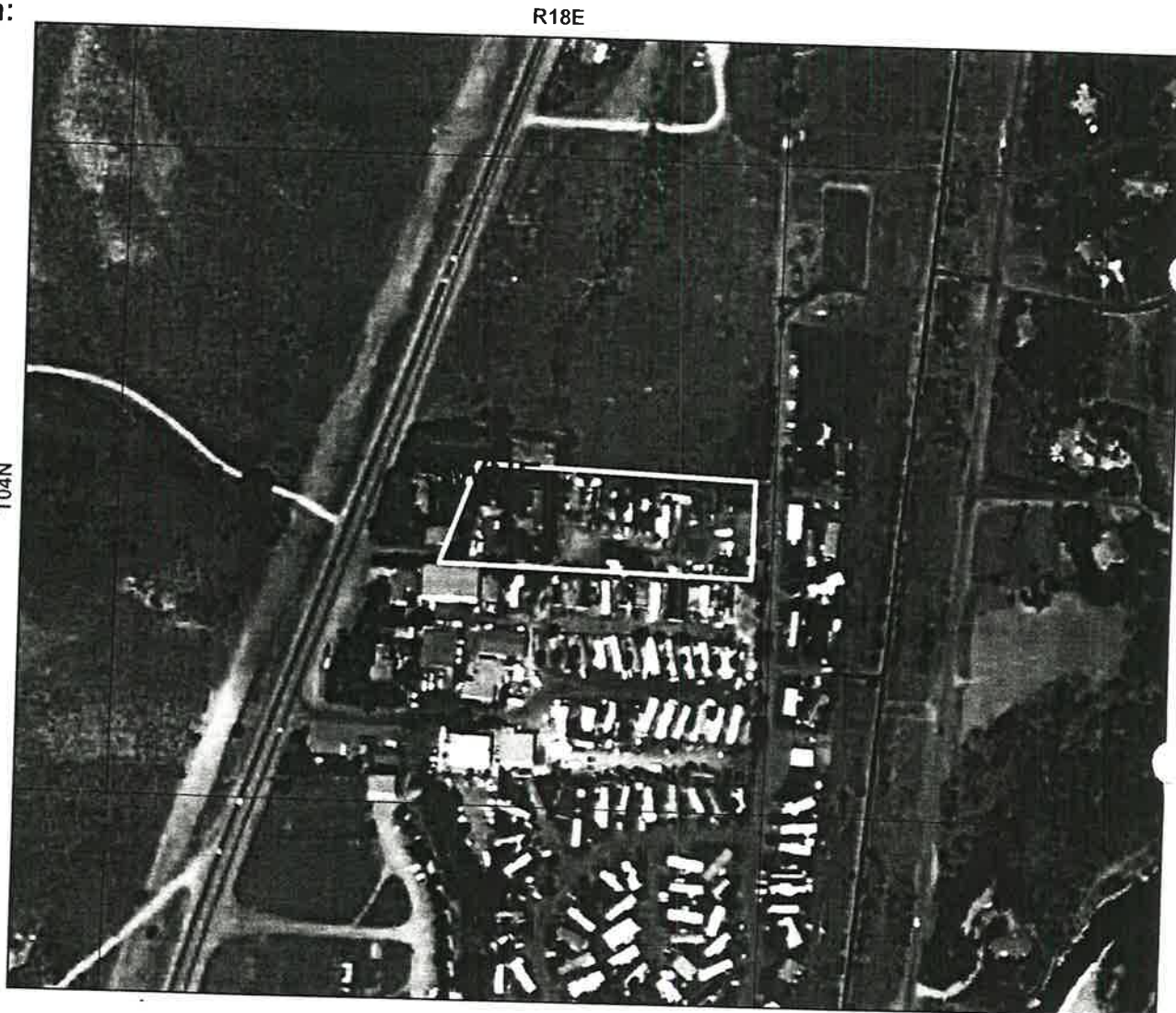
PLS Sections



Quarter Quarters



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

A horizontal scale bar with markings for 0, 0.1, and 0.2 miles.

Prepared by M. Ciscell
On Saturday, January 6, 2007
2004 Aerial Photography

09/16/2008

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

RIGHT NUMBER: 37-11812

NAME AND ADDRESS: JOHN H MC DONALD
PO BOX 1
105 MC DONALD LN
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS
4.50 AFY

~~The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.~~

PRIORITY DATE: 06/15/1961

POINT OF
DIVERSION:

T04N R18E S31 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.120 CFS
IRRIGATION	04/15 10/31	0.030 CFS
		4.50 AFY

Domestic use is for 7 homes.

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S31 SWNE 1.500

DOMESTIC in BLAINE County

T04N R18E S31 SWNE

1.5 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use is
not a determination of historical beneficial use.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-11812 V1

WATER RIGHT NUMBER: 37-11812 V1

Owner Type Name and Address
 Current Owner JOHN H MC DONALD
 PO BOX 1
 105 MC DONALD LN
 KETCHUM, ID 83340
 (208)726-5135

Priority Date: 06/15/1961

Basis: Beneficial Use

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.120 CFS	
IRRIGATION	04/15 to 10/31	0.030 CFS	4.50 AF
	<u>Total Diversion:</u>	0.150 CFS	4.50 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4NE1/4 Sec. 31, Twp 04N, Rge 18E, B.M.
 BLAINE County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	18E	31	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	18E	31	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	

Total Acres: 1

Conditions of Approval:

1. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
2. X01 Domestic use is for 7 homes. *7 homes * .6 AF = 4.2 AF*
3. 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.
4. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-11812

WATER RIGHT NUMBER: 37-11812

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN H MC DONALD PO BOX 1 105 MC DONALD LN KETCHUM, ID 83340 (208)726-5135

Priority Date: 06/15/1961
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.120 CFS	
IRRIGATION	4/02 to 11/01	0.060 CFS	
	<u>Total Diversion:</u>	0.180 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4SW1/4	Sec. 31, Twp 04N, Rge 18E, B.M.
BLAINE County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	31			X														

IRRIGATION

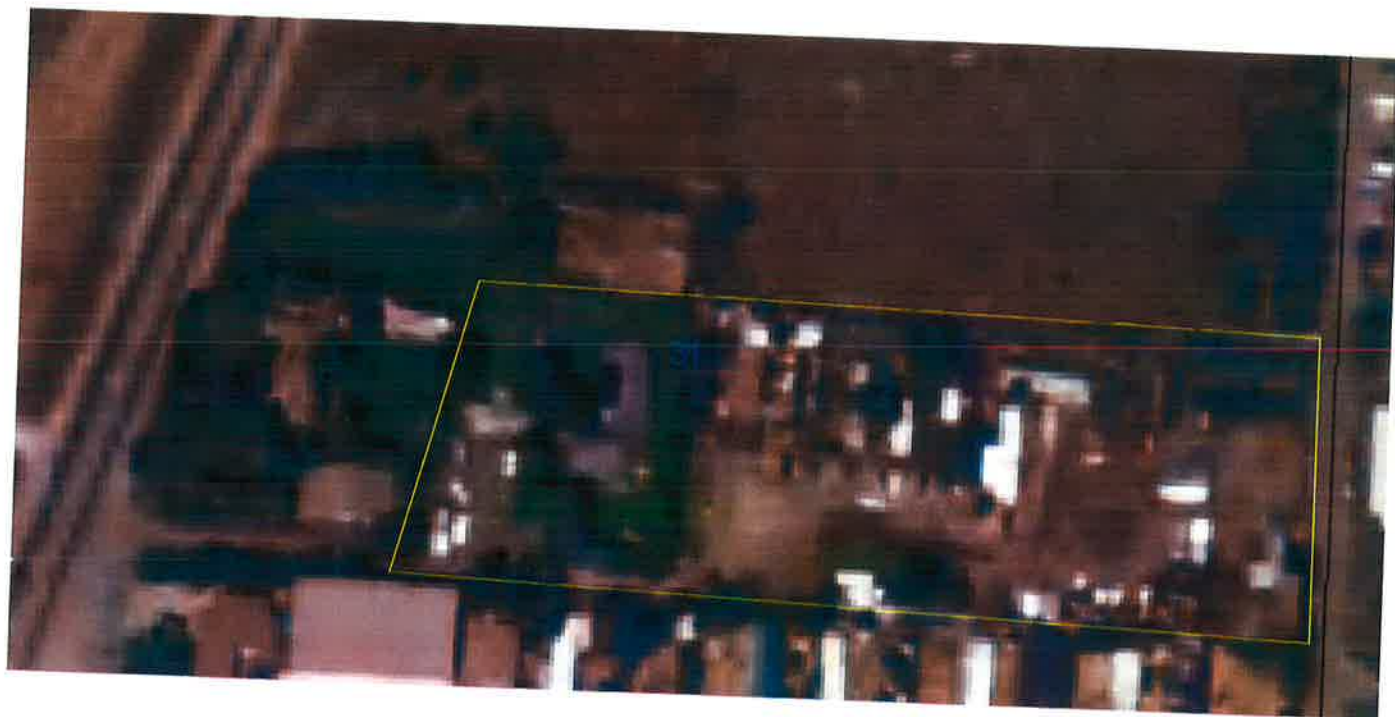
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	31			2.0														2.0

Total Acres: 2

Conditions of Approval:

1. ACTUAL ACRES IRR. 1.5.

37-11812 Mc Donald



RECEIVED
MAR 16 2007
DEPARTMENT OF
WATER RESOURCES

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

A. Subcase 37-11812
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: John H. McDonald

Address: Box 1
Ketchum, Id 83340

Daytime Phone: 208-720-1003

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: John H. McDonald

Address: Box 1 105 McDonald Ln
Ketchum, Id 83341

D. I object to the following elements as recommended in the Director's Report (Please check the appropriate box(es))

1 ☐ Name and Address

Should be: _____

2 ☐ Source

Should be: _____

3 ☒ Quantity

Should be: 26,000 GAL PER DAY

4 ☐ Priority Date

Should be: _____

5 ☐ Point(s) of Diversion

Should be: _____

6 ☐ Instream Flow Description

Should be: _____

7 ☐ Purpose(s) of Use

Should be: _____

8 ☐ Period of Year

Should be: _____

9 ☒ Place of Use

Should be: TWO ACRES

11 I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): THERE ARE 7 YARDS
WHICH ARE IRRIGATED THAT EXCEED THE ONE ACRE AS
WELL AS THE DOMESTIC USE.

01/03/2007

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

RIGHT NUMBER: 37-11812

NAME AND ADDRESS: JOHN H MC DONALD
PO BOX 1
105 MC DONALD LN
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS
4.500 AFY

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 06/15/1961

POINT OF DIVERSION:

T04N R18E S31 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.120 CFS
IRRIGATION	04/15 10/31	0.030 CFS 4.50 AFY

Domestic use is for 7 homes.

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S31 SWNE 1.00

DOMESTIC in BLAINE County

T04N R18E S31 SWNE

1 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use is not
a determination of historical beneficial use.

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 -

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

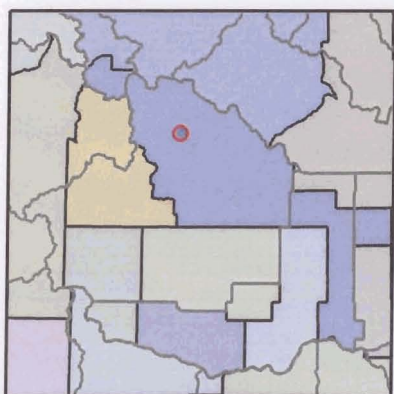
SRBA Recommendation:

37-11812

(Irrigation)

Legend

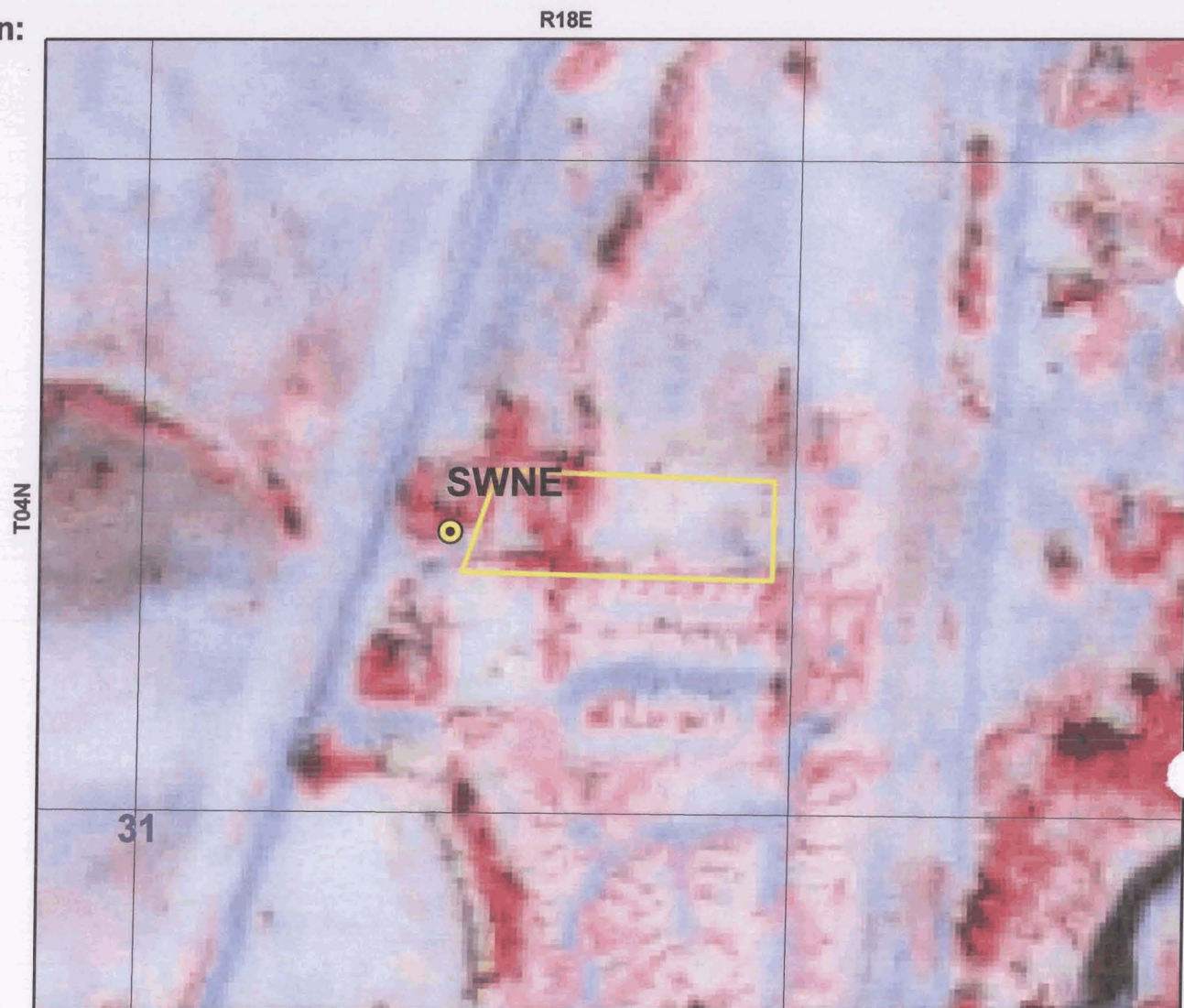
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



Prepared by S. Egbert
On Wednesday, January 3, 2007
1987/88 Aerial Photography



0 0.1 0.2 Miles

A scale bar showing distances of 0, 0.1, and 0.2 miles.

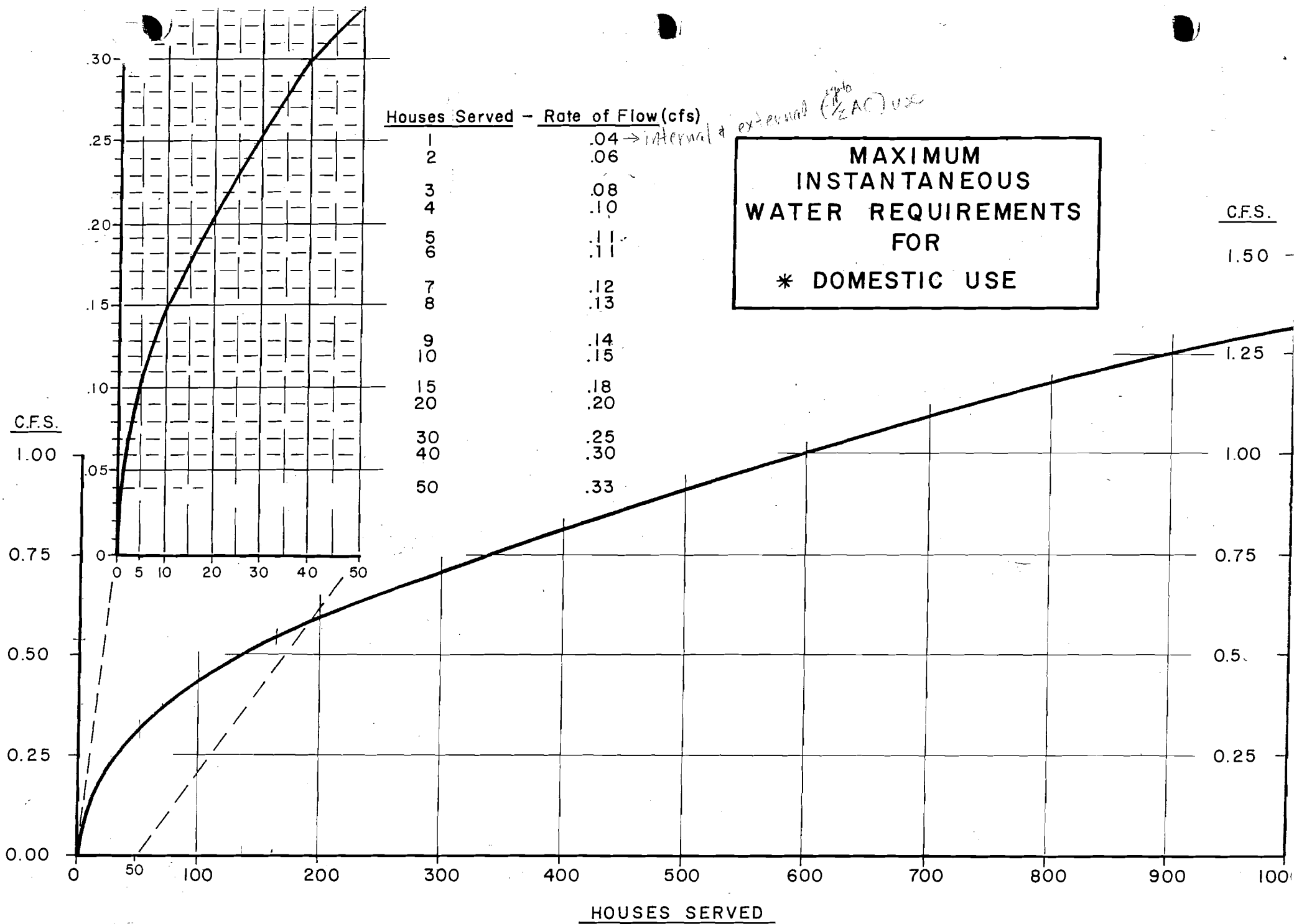


FIG. 1.

McDonald, John H - Ketchum, ID

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST. STE 200
TWIN FALLS, IDAHO 83301-3037

CLAIM # 37-11812

RECEIVED
JUN 15 2005
Department of Water Resources
Southern Region

TO WHOM IT MAY CONCERN:

ENCLOSED IS A COPY OF DEED FROM DONALD P. WESCOTT TO ELDON TURNER DATED JULY 30, 1960. MR TURNER WAS THE PARTY THAT I PURCHASED THIS PROPERTY FROM ON AUGUST 25, 1971. AT THE TIME OF PURCHASE MR TURNER WAS PROVIDING WATER FOR THE TRAILER PARK AS WELL AS THE IRRIGATION OF THE YARDS AND TREES. MR TURNER HAD DEVELOPED THE PARK IN THE EARLY SIXTIES AND TOOK PASTURE OUT OF PRODUCTION AS HE DID THIS. THE ABOVE INFORMATION WAS PROVIDED TO ME PERSONNELLY BY MR TURNER AND THE PROPERTY IS STILL UNDER THE SAME USE TODAY.

SINCERELY

John H. McDonald
JOHN H. MCDONALD
BOX 1
KETCHUM, IDAHO 83340

208-720-1003

ATTACHED ARE COPY OF DEEDS THAT RELATE TO THIS CLAIM.

1. WESCOTT TO TURNER
2. TURNER TO MCDONALD

STATE OF IDAHO } ss.
COUNTY OF BLAINE
On this 14th day of June, in the year 2005, before me
JUDIANNE FULLER, a Notary Public
in and for said State, personally appeared JOHN H. MCDONALD
known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Judianne Fuller
Notary Public for Idaho, residing at Ketchum, Idaho.

JUDIANNE FULLER
NOTARY PUBLIC
STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-11812

WATER RIGHT NUMBER: 37-11812

Owner Type Name and Address
 Current Owner JOHN H MC DONALD
 PO BOX 1
 105 MC DONALD LN
 KETCHUM, ID 83340
 (208)726-5135

Priority Date: 06/15/1961
 Basis: Beneficial Use
 Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.120 CFS	
IRRIGATION	4/02 to 11/01	0.060 CFS	
	<u>Total Diversion:</u>	0.180 CFS	

4.15 11.15
SWNE 1/4 map of Blaine

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4SW1/4 Sec. 31, Twp 04N, Rge 18E, B.M.
 BLAINE County

Place of UseDOMESTIC Within BLAINE County

T04N R18E S31 SWNE

IRRIGATION Within BLAINE County

T04N R18E S31 SWNE 20

Total Acres: 2

Conditions of Approval:Remarks:

1. General ACTUAL ACRES IRR. 1.5.

Comments:

SCANNED

OCT 02 2006

WARRANTY DEED

For Value Received

ELDON TURNER and EVELYN M. TURNER, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

JOHN H. McDONALD and LOIS F. McDONALD, husband and wife, whose address is Ketchum, Idaho,

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

TOWNSHIP 4 NORTH, RANGE 18 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, STATE OF IDAHO:

SECTION 31: That portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:Commencing at the Southeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31; thence

N. 0° 48' W. 420 feet to the TRUE POINT OF BEGINNING; thence

N. 88° 34' W. 626.3 feet; thence

N. 19° 36' E. 210.55 feet; thence

S. 88° 34' E. 560 feet; thence

S. 0° 48' E. 200 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee's, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 25, 1971.

Eldon Turner
ELDON TURNEREvelyn M. Turner
EVELYN M. TURNER

STATE OF IDAHO, COUNTY OF BLAINE

On this 25th day of August, 1971, before me, a notary public in and for said State, personally appeared

ELDON TURNER and EVELYN M. TURNER, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public
Residing at Halley, Idaho
Comm. Expires 1/23/74

STATE OF IDAHO, COUNTY OF Blaine

I hereby certify that this instrument was filed for record at the request of Land Title Insurance Co.

at 35 minutes past 3 o'clock P.M., this 26th day of August, 1971, in my office, and duly recorded in Book of Deeds at page

George L. McLaughlin
Ex-Officio Recorder

By Marilyn L. Brown Deputy

Book 8/100
Mail to:

INDEXED
RECORDED
FILED

INSTRUMENT NO. 146133

SCANNED

OCT 02 2006

BLAINE COUNTY

121

No. 114293

DONALD P. WESCOTT, ET UX TO ELDON TURNER

WARRANTY DEED

THIS INDENTURE, Made this _____ day of July
in the year of our Lord one thousand nine hundred and sixty
DONALD P. WESCOTT and JANE WESCOTT, husband and wife, between
of Ketchum, County of Blaine, State of Idaho
the parties of the first part, and ELDON TURNER, State of Idaho
of Ketchum, County of Blaine, State of Idaho
the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
Three Thousand (\$3000.00) DOLLARS,
lawful money of the United States of America,

part of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents
do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns,
forever, all of the following described real estate, situated in _____ County of
Blaine, State of Idaho, to-wit:

A parcel of land located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Twp. 4 North, Range 18 E.S.M. described as follows:

Beginning at a point on the east boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, from which the southeast corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, bears south 0 deg. 48' west 420 feet distant; thence north 88 deg. 34' west 526 feet to a point; thence north 19 deg. 36' east 211.57 feet to a point; thence south 88 deg. 34' east 560 feet to the east boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence south 0 deg. 48' west 200 feet to the point of beginning.

Together with an easement for access to above described property which easement is 12 feet in width, the southern boundary of which easement is the projection of the south boundary of the above described property to U. S. Highway No. 93 and the north boundary of which easement is parallel to the south and a distance of 12 feet north thereof, together with 8 feet additional width for snow removal only

(Affixed and)
(Cancelled)

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the revenues and royalties, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and in-

SCANNED

12 feet north thereof, together with 5 feet additional width for snow removal only;
(33.30 I. R. S.)
(Affixed and)
(Cancelled)

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said part 105 of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part y of the second part, and to his heirs and assigns forever, and the said part 105 of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said part 105 of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in Presence of

Donald P. Wescott [SEAL]

Jane Wescott [SEAL]

[SEAL]

[SEAL]

STATE OF IDAHO,

{ ss.

County of Blaine

On this 30th day of July

G. R. Kneeland

in the year 19 60, before me
a Notary Public

in and for said State, personally appeared

Donald P. Wescott and Jane Wescott

subscribed to the within instrument, and

known to me to be the persons whose names are
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 in this certificate first above written.

G. R. Kneeland

Notary Public for the State of Idaho.

SCANNED

OCT 02 2006

STATE OF IDAHO.

County of Blaine

ss.

On this 30th day of

July

G. R. Kneeland

in the year 19 60 , before me
a Notary Public

in and for said State, personally appeared

Donald P. Wescott and Jane Wescott

subscribed to the within instrument, and

known to me to be the persons whose names are
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 in this certificate first above
written.

(SEAL)

G. R. Kneeland

Notary Public for the State of Idaho.

Residing at Sun Valley, Idaho.

My Commission expires August 5, 1963

STATE OF IDAHO, }
County of Blaine, } ss.

I hereby certify that this instrument was filed for record at the request of
at 00 minutes past 10:00 o'clock A. M., this 15
in my office, and duly recorded in Book 175 of Deeds

Eldon Turner

day of August
at page 121 .

, A.D. 19 60 ,

George F. McNay

Ex-Officio Recorder.

By Goldie Bacon, Deputy.

SCANNED

OCT 02 2006

Meriam J. Dyl
MERIAM J. BYBEE, formerly known
as Meriam J. Dubbe

Helen Bobier
HELEN BODIER

STATE OF IDAHO,

ss.

County of Twin Falls.

On this 22nd day of August, 1966, before me, a Notary Public in and for said State, personally appeared Meriam J. Bybee, formerly known as Meriam J. Dubbe, a single woman, and Helen Bobier, a single woman, known to me to be the persons whose names are subscribed to the within 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 in this certificate first above written.

(SEAL)

Milo W. Pope
Notary Public for Idaho
Residing at Twin Falls, Idaho
My Commission Expires April 1, 1970

Filed for record at the request of Mrs. Helen Laab at 11:00 o'clock A. M., October 22, 1967.

George F. McCoy, Ex-Officio Recorder

By Hazel Barber, Deputy

No. 128206

CORRECTION WARRANTY DEED

DONALD P. WESCOTT ET UX TO ELDON TURNER

For Value Received DONALD P. WESCOTT and JANE WESCOTT, husband and wife the grantors, do hereby grant, bargain, sell and convey unto ELDON TURNER, a married man whose address is: Ketchum, Idaho the grantees, the following described premises, in Blaine County Idaho, to wit:

That portion of the SW 1/4 Sec. 31; T 4N, R 18 E.B.M. described as follows:

SCANNED

OCT 02 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

Re: Evidence of Priority

RESPONSE DEADLINE
JUNE 17, 2005

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-_____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, R.E.
Water Rights Supervisor

Enclosures

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME McDonna CLAIM IDENT. NO. 437-11812
DATE RECEIVED 10-27-88 CK # 310 AMOUNT \$ 109

	YES	NO
1. Is the name and address complete with zip code?	☒	☐
2. Is a priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
3. (a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	☒ N/A	☐
4. Is the legal description of the p.d. sufficient?	☒	☐
5. Is there a description of the diverting works?	☒	☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
7. Is a total quantity claimed entered?	☒	☐
8. If required is a consumptive use entered?	☒ N/A	☐
Is the consumptive use correct?	☒ N/A	☐
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒ N/A	☐
10. Is (are) the place(s) of use and purpose(s) indicated?	☒ 2 Areas	☐
11. Is (are) the county(ies) entered?	☒	☐
12. Is the ownership of p.u. checked?	☒	☐
13. Are other water rights listed or "none" indicated?	☒	☐
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒ N/A	☐
15. Is the basis of the claim indicated?	☒	☐
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Was this claim filed on time, or was an extension granted?	☒	☐
Is the fee enclosed correct?	☒ 52	Exempt ☐
If this claim is based on an existing water right, has the identification number been entered?	☒ N/A	☐
Should this claim be receipted and data entered?	☒	☐

Claim checked by: [Signature]

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO Office of State Auditor

AGENCY USE

6390
Date
08/14/89
Code
193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAY

CLEAR CREEK LIGHT IND.
C/O JOHN H. MC DONALD
BOX 1
KETCHUM, ID 83340

TO

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REF. #C003134 PER DON SHAFF 7/17/89 6.00	6.00	
WR/NO A 37-000488 A 37-4812 ✓						6.00	
TOTAL						6.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

MICROFILMED

Date

Head of Agency or Institution

State Auditor

FEB 26 1993

9/89

RECEIVED

Drilling Permit No. 7-90-5-103Water Right Permit No. A 37-11812

Injection Permit No. _____

JUN 28 1990

Department of Water Resources
Southern Region OfficeState of Idaho
Department of Water Resources

D R I L L I N G P E R M I T

1. Applicant (Please Print) John H. McDonald2. Mailing Address Box 1 Ketchum ID 83340Telephone 208-726-5135☒ Well Owner ☐ Well Operator ☐ Other, specify _____3. Proposed well location NW 1/4 NE 1/4, ^{SW}, or Gov't lot No. _____,Sec. 31, Twp. 4N, Rge. 18E, County BLAINE,Street Address of Well Site 105 McDONALD,Lot, block and subdivision Lot #1 CLEAR CREEK Light Ind. PARK

4. Proposed use of well:

☐ Single family or stockwater use (less than 13,000 gallons per day)☐ Irrigation (more than 1/2 acre)☐ Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____☒ Other (describe fully) 1 house & 6 trailer Homes & Stock WATER

5. Well construction information:

A. ☐ New well ☐ Deepen ☒ Replace - See Condition 9.B. Proposed surface diameter 6" Maximum depth 200

C. Anticipated bottom hole temperature:

- ☒
- 85°F or less (Cold water well)
-
- ☐
- 85°F to 212°F (Low temp. geothermal well)
-
- ☐
- 212°F or more (Geothermal well)

6. Construction Start Date 6-26-907. Anticipated Well Driller KEV Smith - Wood River
NOTE: The actual well driller must be identified prior to drilling.8. Applicant's signature John H. McDonald Date 6-26-90Title OWNER
(Owner, Firm Representative, Other)

MICROFILMED

FEB 26 1993

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved Date 6/29/90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Loren O. Halverson MANAGER, SOUTHERN REGION
Signature of Authorized Department Representative Title

Receipt No. 5012458 Received by JR Fee 100 Date 6/29/90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.