

08/11/2010

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

RIGHT NUMBER: 37-113P
NAME AND ADDRESS: DOUGLAS H NIEDRICH
PO BOX 291
HAILEY ID 83333

LISA A NIEDRICH
PO BOX 291
HAILEY ID 83333

VERIFIED BY

KKC
8-11-10

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.120 CFS
PRIORITY DATE: 07/10/1884

POINT OF
DIVERSION: T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.120 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S01	SWNE	~~4.60~~ 3.90	T01N R18E S01	NWSE	0.60
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~~5.2~~ 4.5 ACRES TOTAL

This right is limited to the irrigation of 2.3 acres within the place of use described above in a single irrigation season.

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

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 - Decreed

initial hearing
Dec 9, 2009

37-113P Niedrich
May 26 3:00 PM

e-mail address

you win you are the best @ Gmail.com

Lisa will get a copy of W:D for northern
parcel to me by e-mail.

Apparently the W:D is silent on WRights.

WARRANTY DEED

COPY

FOR VALUE RECEIVED, and as consideration as part of an IRC § 1031 tax-deferred exchange,

Richard A. Niedrich and Elaine Niedrich, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Douglas H. Niedrich and Lisa A. Niedrich, husband and wife

the grantee(s), whose current address is Box 291
Hailey ID 83333

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

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

This transaction is a 1031 Exchange for the benefit of Douglas H. Niedrich and Lisa A. Niedrich, as replacement property.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

And: A Deed of Trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby

Amount: \$166,500.00
Dated: July 12, 2001
Grantor: Richard Niedrich and Elaine Niedrich, husband and wife
Trustee: Sun Valley Title Company
Beneficiary: America's Wholesale Lender
Maturity Date: August 1, 2031
Recorded: July 16, 2001
Instrument No.: 423168, records of Blaine County Idaho which the grantee herein assumes and agrees to pay.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and 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 said premises are free from all encumbrances

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

Dated: November 13, 2001

Richard A. Niedrich
Richard A. Niedrich

Elaine Niedrich
Elaine Niedrich

State of: Idaho

County of: Blaine

On this 13th day of Nov, 2001,
before me a Notary Public in and for said State,
personally appeared Richard A. Niedrich and Elaine
Niedrich known or identified to me to be the person
whose names are subscribed to the within instrument,
and acknowledged to me that they executed the same.

Carolyn Baird
Notary Public

Residing at: Hailey

Comm. Expires: 3/14/2003



Exhibit "A"

Parcel I:

A parcel of land within the East ½, SECTION 1, TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

Commencing at the Northwest corner of said East ½, Section 1; thence South 89°57'30" East, 195.82 feet along the northerly boundary of said Section 1 to an iron pin on the easterly boundary of State Highway No. 75; thence South 18°47'00" East, 2641.33 feet along said easterly boundary of State Highway No. 75 to the REAL POINT OF BEGINNING; thence continuing South 18°47'00" East, 100.55 feet; thence North 71°13'00" East, 407.24 feet to the centerline of the canal; thence North 8°32'00" East, 113.17 feet along said canal centerline; thence South 71°13'00" West, 459.18 feet to the POINT OF BEGINNING.

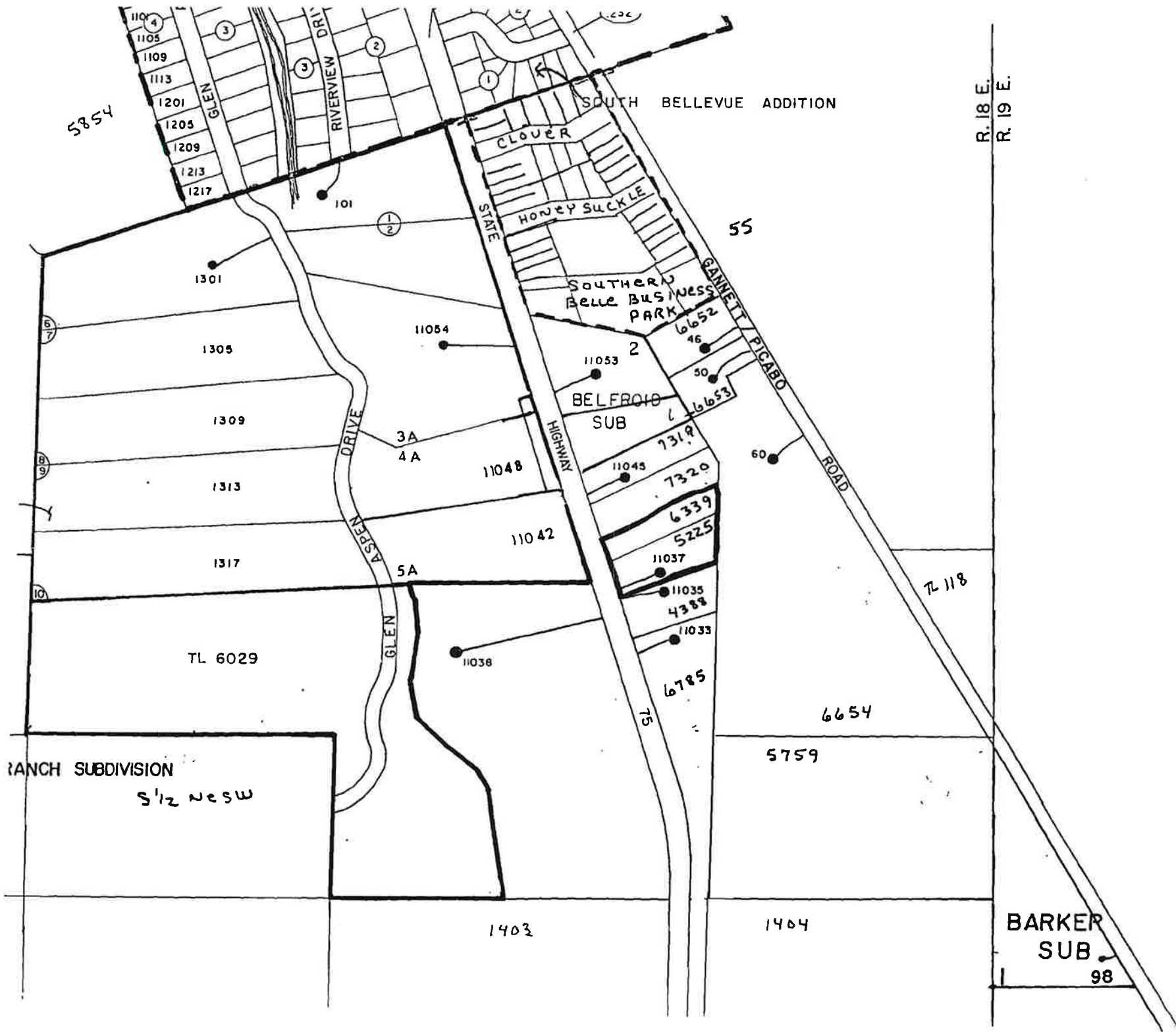
(Shown on the Blaine County Tax Assessor's Rolls as Tax Lot #6339)

Parcel II:

A parcel of land in the East ½, SECTION 1, TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

Commencing at the Northwest corner of said East ½, Section 1; thence South 89°57'30" East, 195.82 feet along the northerly boundary of said East ½, Section 1 to an iron pin on the easterly boundary of U. S. Highway No. 93; thence South 18°47'00" East, 2741.88 feet along said easterly boundary of Highway 93 to the REAL POINT OF BEGINNING; thence continuing South 18°47'00" East, 255.72 feet along said easterly boundary of Highway 93 to a iron pin; thence North 71°13'00" East, 269.00 feet to the centerline of a canal; thence North 14°40'10" East, 51.13 feet along said canal centerline; thence North 8°32'00" East, 239.81 feet along said canal centerline; thence South 71°13'00" West, 407.24 feet to the POINT OF BEGINNING.

(Shown on the Blaine County Tax Assessor's Rolls as Tax Lot #5252)



R. 18 E.
R. 19 E.

BARKER
SUB

98

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, August 05, 2009 4:11 PM
To: 'Kevin Lakey'
Subject: Douglas Niedrich delivery

I looked on the 2004 watermaster data that we have and it shows 0.12 cfs of 37-113 water being delivered to Niedrich. The property went from Blake to Niedrich in Feb 2001. (the 2 North tax lots)

A second purchase from Stephenson to Richard Niedrich in July 2001 with appurtenances for the 2 south tax lots. Then from Richard Niedrich to Douglas Niedrich in Nov 2001 with appurtenances again for the 2 south tax lots and dated Nov 1987.

The dept has a quit claim deed from Swanson to Stephenson for the south 2 tax lots stating 0.12 cfs of 37-113 and dated Nov 1987

They are arguing that they also have an additional 0.12 cfs through a second purchase.

I do not know which parcel is actually associated with the 0.12 cfs on your books. Currently the recommendation spreads that water across all 4 tax lots.

In looking at older aerial photos the only obvious irrigation occurs on the property associated with the Stephenson purchase. The Blake ground appears consistently dry.

Would you have anything around the mid 1980s associated with either/or Blake, Stephenson, or Swanson?

I hope I have arranged this in a reasonably intelligent manner to where you can follow what I need.

Thanks,

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, June 09, 2010 8:18 AM
To: 'Family Niedrich'; Spencer, Nick; Kelly, Vicki
Subject: 37-113P and 37-11281 Neidrich proposed settlement

Attached is my proposal with information relating to the basis for my decisions. I understand that there are several technical issues involved that do not lend itself to a short explanation for complete understanding of the issues.

I would be glad to visit with you and go through the proposed recommendations and the logic behind the proposal if you wish. I could also discuss the pros and cons associated with recommendations based upon the permissible place of use concept. You can reach me at the number listed below.



37-113P Niedrich
objection rev...

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

37-113P and 37-11281 OBJECTION SETTLEMENT ANALYSIS

Based upon currently available information it has been determined that 0.12 cfs is appurtenant to each of the two southern lots. Therefore both claims should be recognized as valid rights. What has not been resolved is the irrigated POU that has historically been associated with each lot. The east boundary of the three lots is the District 45 canal. Good information is not available that would establish the number of historically irrigated acres. Prior to the development of home sites it appears that approximately 4.5 acres were irrigated within the two southern lots (2.2 acres in the southern most lot and 2.3 acres in the middle lot). The status of the historical appurtenance for the northern lot is not known nor is the current status completely clear. It does appear to be a part of the Neidrich irrigation project and as such I am inclined to recognize the irrigated POU as shown in the lower 2009 aerial photo. This assumes that there was an unrecorded transfer of the ground in the southern lots now covered by buildings, roads, and such to the northern lot.

Based upon currently available information I am proposing to recommend the two rights when combined for the irrigation of 4.5 acres as shown in the lower photo and outlined in orange. The recommendation would recognize both rights at 0.12 cfs each with 37-113P being limited to the irrigation of 2.3 acres and 37-11281 being limited to the irrigation of 2.2 acres within the permissible place of use of 4.5 acres.

The permissible place of use is a concept where the department recognizes that two or more rights used on their historically independent places of use have over time been basically combined and now is being operated as a system with no differentiation in the POU. Both rights are spread over a common POU.

All three lots owned by Neidrich.
(Approximate boundary)
1987 aerial photo.



Estimate of irrigated property covering
all 3 lots
2009 aerial photo



37-113P, 37-11281 NIEDRICH OBJECTION REVIEW AND ANALYSIS

Attached is a clip of the 1992 aerial photo showing the property in question. The 1992 aerial photo is being utilized as it is clearer than the 1987 aerial photo and there does not appear to be any significant differences in property development between those years.

In reviewing the warranty deeds submitted with the two claims I found the following. The northern most lot is not addressed in any warranty deeds included within the two claim files.

The middle lot appears to be associated with 37-113P and the quit claim deed states that 6 inches of 37-113 are appurtenant to that lot.

The southern parcel is identified in two different warranty deeds and is associated with adjudication claim 37-11281. The first deed is from Frank Stephenson to Richard Niedrich, and the second is from Richard Niedrich to Douglas Niedrich. The deeds identifies "with appurtenances". A 1987 quit claim deed Swanson to Stephenson identifies 6 inches of July 10, 1884 priority date water.



Based upon the submitted documentation, the two southern lots each have six inches or 0.12 cfs of base right 37-113 appurtenant to them. Therefore both claims 37-113P and 37-11281 should be recognized as valid rights. The most significant issue remaining is identifying what should the irrigated place of use associated with each claim be. For 37-113P I have outlined in light green what appears to be irrigated in 1987/1992. For 37-11281 I have outlined in red the ground that appears irrigated in that lot.

37-113P 37-11281 NIEDRICH ANALYSIS

SUMMARY

The objections to the two rights seek 0.12 cfs for each right as valid based upon the premise that their property was made up of the purchase of two different properties bordering each other and each with 0.12 cfs appurtenant to their respective parcels. Warranty deeds and/or quitclaim deeds do identify 0.12 cfs for two different parcels (three different transactions) now owned by Niedrich which is in conflict with the recommendation and water master records as shown in the 2004 records. At this point I have not researched the watermaster records nor do I know the historical delivery as associated with the various parcels as shown. Further research did determine that a portion of the recommended POU included a third parcel not associated with either of the two previously discussed parcels. Historical irrigation activity on the northern 2/3rds is not clear. On available photography it appears dry from 1987 to an unknown date prior to 2004.

ANALYSIS

37-113P was recommended for the irrigation of 5.2 acres at 0.12 cfs. The amended claim was for 5.6 acres at 0.12 cfs. The claim was amended to increase the claimed place of use for 37-113P from 3 acres to the 5.6 acres. The intent was to recognize both claimed place of uses for the claims listed above on one claim. The original claim was filed by Charles Mc Maines in 1988.

37-11281 was recommended for disallowal. The primary reason for disallowal was that the watermaster records only show 0.12 cfs associated with Niedrich and that 37-113P was amended to include all of the Niedrich property.

The northern most parcel is owned by Douglas Niedrich but is not a part of the properties identified in the various deeds.

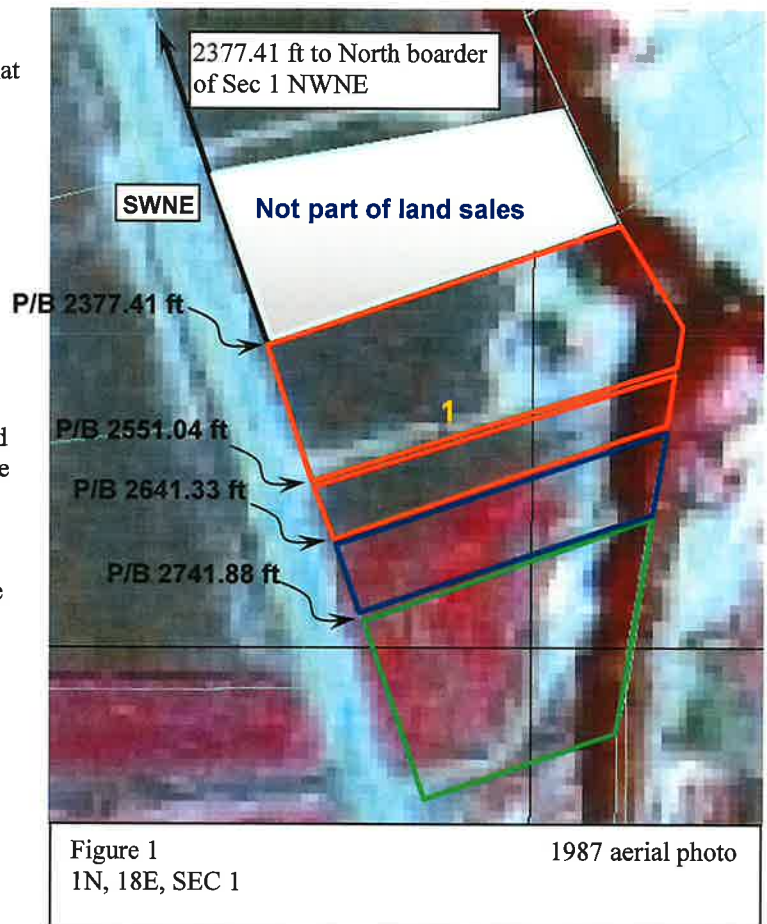
For the northern parcel outlined in orange warranty deed # 448183 Blake to Niedrich dated Feb 5, 2001 states with appurtenances (PC Doc 37-113P, Pgs 29-30) but a quit claim deed dated Feb 9, 2001 states 6" of 37-113 water and 37-12094. (PC Doc 37-113P, Pgs 6-7). The property description is the same in both documents and is attached as Figure 2. The purchased property is in Figure 1 and the exception is outlined in Blue.

The change of ownership from Frank Stephenson to Douglas Niedrich on 11-10-2004 included the front page from two different warranty deeds and one Attachment A that describes the property. The assumption is that the two warranty deeds are for the same ground.

The first warranty deed Frank Stephenson to Richard Niedrich is dated July 3, 2001, and includes appurtenances (PC Doc 37-11281 Pg 6).

The second warranty deed Richard Niedrich to Douglas Niedrich is dated Nov 13, 2001, and includes appurtenances (PC Doc 37-11281 Pg 7). The attachment identifies two parcels with the first parcel being the exception area previously identified as the blue parcel and the second parcel as the green parcel. Parcel 1 is identified as 1 acre and parcel 2 as 2 acres for a total acreage of 3 acres (PC Doc 37-11281 Pg 8).

The same 2 parcels are also identified in a quitclaim deed Swanson to Stevenson dated Nov 30, 1987 and specifically identifies "Six inches (6") of waters of the Big Wood River with date of priority of July 10, 1884. (Priority # 40-D. State # 37-113)" (PC Doc 37-11281 Pg 14).



Currently 1957, 1987, 1992, 2004, and 2006 aerial photography are available for this area. In 1957 the entire area between the highway and the canal was pasture and irrigation on approximately 2/3rds of the ground is visible. It may be that water just hadn't been applied to the eastern portion of that ground yet. Irrigation was from north to the south basically parallel to the highway. The 1987 photo (insert) shows irrigation on the Stephenson parcel with the remainder appearing dry. The 1992 photo does not show any irrigation other than around the homes. By 2004 the pasture areas of the Blake purchased property show what appears to be rows of trees or other large vegetation in the pasture area and an increase in 'lawn' area around the two homes. The southern parcel pasture area appears dry. There does not appear to be much or any changes in the 2006 aerial photo.

Although there is some evidence suggesting that at least two different parcels are independent and each parcel has 0.12 cfs appurtenant, this is still in conflict with the currently available watermaster records. Also based upon warranty deed information the northern most parcel would not be included in a revised POU recommendation.

Please provide the department with additional information relating to the historical delivery practices by the watermaster for both purchased parcels and the northern parcel also. At this point I am not considering a draft modified recommendation as I expect that additional information could significantly affect the recommendation.

Figure 2

Attachment A associated with a quitclaim deed Gregory Blake to Douglas Niedrich dated Feb 9, 2001.
(PC Docs 37-113P Pg 7.

Figure 3 Attachment A

Associated with warranty deed Frank Stephenson to Richard Niedrich dated July 3, 2001.
Also, warranty deed Richard Niedrich to Douglas Niedrich dated Nov 13, 2001
(PC Docs 37-11281 Pgs 6 - 8.

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 1: Two parcels of land in the East ½ more particularly described as follows:

Commencing at the Northwest corner of said East ½ of Section 1; thence South 89°57'30" East, 195.82 feet along the Northerly boundary of said East ½, Section 1 to an iron pin on the Easterly boundary of State Highway 75; thence South 18°47'00" East, 2377.41 feet along said Easterly boundary of Highway 75 to the REAL POINT OF BEGINNING; thence continuing South 18°47'00" East, 173.63 feet; thence North 71°13'00" East, 505.80 feet to the centerline of a canal; thence North 8°32'00" East, 25.90 feet along said canal centerline; thence North 32°16'00" West, 117.10 feet along said canal centerline; thence North 24°53'00" West, 36.95 feet along said centerline; thence South 71°13'00" West, 486.46 feet to the POINT OF BEGINNING

AND

Commencing at the Northwest corner of said East ½, Section 1; thence South 89°57'30" East, 195.82 feet along the Northerly boundary of said East ½, Section 1 to an iron pin on the Easterly Boundary of State Highway No. 75; thence South 18°47'00" East, 2551.04 feet along said Easterly Boundary of Highway 75 to the REAL POINT OF BEGINNING; thence continuing South 18°47'00" East, 190.84 feet along said Easterly boundary of Highway 75; thence North 71°13'00" East, 407.24 feet East to the centerline of a canal; thence North 8°32'00" East, 214.79 feet to the centerline of a canal; thence South 71°13'00" West, 505.80 feet to the POINT OF BEGINNING.

EXCEPTING therefrom the following:

Commencing at the Northwest corner of said East ½, Section 1; thence South 89°57'30" East, 195.82 feet along the Northerly Boundary of said Section 1 to an iron pin on the Easterly Boundary of State Highway No. 75; thence South 18°47'00" East, 2641.33 feet along said Easterly Boundary of State Highway No. 75 to the REAL POINT OF BEGINNING; thence continuing South 18°47'00" East, 100.55 feet along said highway; thence North 71°13'00" East, 407.24 feet to the centerline of the canal; thence North 8°32'00" East, 113.17 feet along said canal centerline; thence South 71°13'00" West, 459.18 feet to the POINT OF BEGINNING.

Parcel I:

A parcel of land within the East ½, SECTION 1, TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

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(Shown on the Blaine County Tax Assessor's Rolls as Tax Lot #6339)

Parcel II:

A parcel of land in the East ½, SECTION 1, TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

Commencing at the Northwest corner of said East ½, Section 1; thence South 89°57'30" East, 195.82 feet along the northerly boundary of said East ½, Section 1 to an iron pin on the easterly boundary of U. S. Highway No. 93; thence South 18°47'00" East, 2741.88 feet along said easterly boundary of Highway 93 to the REAL POINT OF BEGINNING; thence continuing South 18°47'00" East, 255.72 feet along said easterly boundary of Highway 93 to a iron pin; thence North 71°13'00" East, 269.00 feet to the centerline of a canal; thence North 14°40'10" East, 51.13 feet along said canal centerline; thence North 8°32'00" East, 239.81 feet along said canal centerline; thence South 71°13'00" West, 407.24 feet to the POINT OF BEGINNING.

(Shown on the Blaine County Tax Assessor's Rolls as Tax Lot #5252)

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, June 09, 2010 8:18 AM
To: 'Family Niedrich'; Spencer, Nick; Kelly, Vicki
Subject: 37-113P and 37-11281 Neidrich proposed settlement

Attached is my proposal with information relating to the basis for my decisions. I understand that there are several technical issues involved that do not lend itself to a short explanation for complete understanding of the issues.

I would be glad to visit with you and go through the proposed recommendations and the logic behind the proposal if you wish. I could also discuss the pros and cons associated with recommendations based upon the permissible place of use concept. You can reach me at the number listed below.



37-113P Niedrich
objection rev...

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

Status Conf. 3:00 P.M.

5-26-2010

● 37-133P-11281 Neidrich

next hearing

Sept 1, @ 11:00 AM,

promised SF-5 (prelim) to Neidrich by
next week.

**37-113P, 37-11281 NIEDRICH
OBJECTION REVIEW AND ANALYSIS**

Attached is a clip of the 1992 aerial photo showing the property in question. The 1992 aerial photo is being utilized as it is clearer than the 1987 aerial photo and there does not appear to be any significant differences in property development between those years.

In reviewing the warranty deeds submitted with the two claims I found the following. The northern most lot is not addressed in any warranty deeds included within the two claims.

The middle lot appears to be associated with 37-113P and the quit claim deed states that 6 inches of 37-113 are appurtenant to that lot.

The southern parcel is identified in two different warranty deeds and is associated with adjudication claim 37-11281. The first deed is from Frank Stephenson to Richard Niedrich, and the second is from Richard Niedrich to Douglas Niedrich. The deeds identifies "with appurtenances". A 1987 quit claim deed Swanson to Stephenson identifies 6 inches of July 10, 1884 priority date water.



Based upon the submitted documentation, the two southern lots each have ^{5.7}~~6~~ inches or 0.12 cfs of base right 37-113 appurtenant to them. Therefore both claims 37-113P and 37-11281 should be recognized as valid rights. The most significant issue remaining is identifying what should the irrigated place of use associated with each claim be. For 37-113P I have outlined in light green what appears to be irrigated in 1987/1992. For 37-11281 I have outlined in red the ground that appears irrigated in that lot.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

October 30, 2009

C.L. "BUTCH" OTTER
Governor

DOUG NIEDRICH
PO BOX 291
HAILEY ID
83333

GARY SPACKMAN
Interim Director

RE: Adjudication claims 37-113P and 37-11281

Dear Doug

In reviewing the available information I agree that both claims are valid at 0.12 cfs each. Attached is a one page narrative that summarizes an analysis of the documentation available to the department that I utilized to reach that conclusion. However, there are additional details that need to be resolved prior to finalizing a settlement agreement. The largest issue is the northern lot and the irrigated acreage. The northern lot was not identified in any supporting documentation associated with either claim and as it stands, that ground would not be included in the recommendation for either claim.

I have outlined what appears to be the irrigated ground (POU) for each lot, one in light green and the other in red. The department's direction is to recommend the POU as it existed in 1987 therefore I used the 1992 aerial photo as the basis for developing the irrigation boundaries. If you have knowledge or know someone that has knowledge of the historical irrigation practices that would alter the irrigated POU boundary please provide that information to me.

Another minor issue is that your property actually covers 4 different 40-acre tracts. Ultimately the recommendations will be identified by the number of irrigated acres in each one of the tracts. At this point I expect to be able to correct this through the recommendation process.

The department has utilized the e-mail process for communication and is actually my preferred method of communication short of a personal meeting. If you have e-mail capabilities you can reach me at the e-mail address listed below. You can also reach me at the number listed above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kelly.christensen@idwr.idaho.gov

Attachment

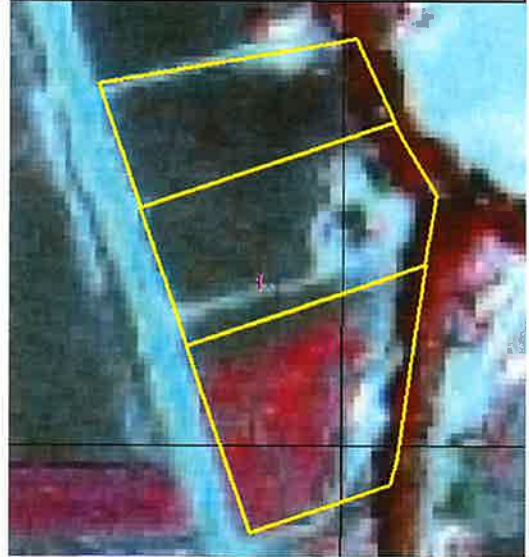
37-113P and 37-11281 OBJECTION SETTLEMENT ANALYSIS

Based upon currently available information it has been determined that 0.12 cfs is appurtenant to each of the two southern lots. Therefore both claims should be recognized as valid rights. What has not been resolved is the irrigated POU that has historically been associated with each lot. The east boundary of the three lots is the District 45 canal. Good information is not available that would establish the number of historically irrigated acres. Prior to the development of home sites it appears that approximately 4.5 acres were irrigated within the two southern lots (2.2 acres in the southern most lot and 2.3 acres in the middle lot). The status of the historical appurtenance for the northern lot is not known nor is the current status completely clear. It does appear to be a part of the Neidrich irrigation project and as such I am inclined to recognize the irrigated POU as shown in the lower 2009 aerial photo. This assumes that there was an unrecorded transfer of the ground in the southern lots now covered by buildings, roads, and such to the northern lot.

Based upon currently available information I am proposing to recommend the two rights when combined for the irrigation of 4.5 acres as shown in the lower photo and outlined in orange. The recommendation would recognize both rights at 0.12 cfs each with 37-113P being limited to the irrigation of 2.3 acres and 37-11281 being limited to the irrigation of 2.2 acres within the permissible place of use of 4.5 acres.

The permissible place of use is a concept where the department recognizes that two or more rights used on their historically independent places of use have over time been basically combined and now is being operated as a system with no differentiation in the POU. Both rights are spread over a common POU.

All three lots owned by Neidrich.
(Approximate boundary)
1987 aerial photo.



Estimate of irrigated property covering
all 3 lots
2009 aerial photo



Kelly,
Re: Adjudication claims 37-113P and 37-11281.

RECEIVED

FEB 23 2010

WATER RESOURCES
WESTERN REGION

I am sending you the Warranty Deed on property 11049 Hwy 75, Bellevue.

It looks like all of our water rights go with 11045 Hwy 75 and 11037 Hwy 75.
Let me know if I need to do anything else.

Thank you for your help,
Lisa Niedrich
788-4145
PO Box 291
Hailey, ID 83333

RECEIVED

SVTC Order No. 01-16339

FEB 23 2001

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

FOR VALUE RECEIVED

Marc Belfroid and Kimberly Dulmstra, husband and wife

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

Douglas H. Niedrich and Lisa A. Niedrich, husband and wife

the grantees, whose current address is PO Box 291

Halley, ID 83333

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

Lots 1 and 2, of BELFROID SUBDIVISION, according to the official plat thereof recorded on
25, 1997, as Instrument No. 404223, records of Blaine County, Idaho.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances
shown of record, if any.

Instrument # 448186

HALEY, BLAINE, IDAHO

2001-02-20 10:00 AM

Recorded for: SUN VALLEY TITLE

MARSHA RIEMANN

Ex-Officio Recorder, Deput

Index to: WTHOCORE.DED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantees
and their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said
Grantees, that he is the owner in fee simple of said premises; that said premises are free from all
encumbrances

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

Dated: February 5, 2001

Marc Belfroid
Marc Belfroid

Kimberly Dulmstra
Kimberly Dulmstra

State of Idaho
County of Blaine

On this 20th day of Feb, 2001, Before me a Notary Public in and for said State, personally
appeared Marc Belfroid and Kimberly Dulmstra known or identified to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that they executed the same.

Carolyn Baird
Notary Public
Residing at Halley
Comm. Expires 3-14-2005



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 37-113P
Date Received: 10/26/1988
Receipt No: M001773
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

DOUGLAS H NIEDRICH Phone: (208)788-4145
PO BOX 291
HAILEY ID USA 83333

LISA A NIEDRICH Phone: (208)788-4145
PO BOX 291
HAILEY ID USA 83333

2. Date of Priority: 07/10/1884

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	16	NW SE	BLAINE	

5. Description of diverting works:

DITCH TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.12	

7. Total Quantity Appropriated is:
0.12 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

01N 18E 1

SW NE
NW SE

IRRIGATION 4.9
IRRIGATION 0.7

Section Acres 5.6

Total Acres 5.6

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

LANDS ARE WEST OF RAILROAD RIGHT OF WAY.
OWNERSHIP CHANGE MADE 4/9/96 BY TLB.

claim amended to include acres irrigated under 37-113 and previously claimed
under 37-11281. AJK 12-6-2006

15. Basis of Claim: Decreed

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 _____ 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): Doug Morris Date: 12/6-06
Lisa A. Hedrick Date: 12-6-06

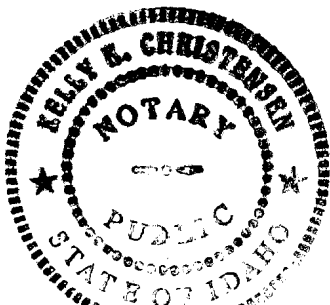
State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this
of December 2006

Kelly K. Christensen
Notary Public

Residing at Twin Falls ID
My commission Expires 4-2-2010



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 37-113P
Date Received: 10/26/1988
Receipt No: M001773
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DOUGLAS H NIEDRICH Phone: (208)788-4145
PO BOX 291
HAILEY ID 83333

LISA A NIEDRICH Phone: (208)788-4145
PO BOX 291
HAILEY ID 83333

2. Date of Priority: 07/10/1884

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Delivered from 45 dipnet canal

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	16	NW SE	BLAINE	

5. Description of diverting works:

DITCH TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.12	

7. Total Quantity Appropriated is:
0.12 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	1	SW	NE	IRRIGATION	3
					Section Acres	3
01N	19E	7	NW	SW	3	IRRIGATION
					Total Acres	3

psu

??? don't own property here

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:

14. Remarks:

LANDS ARE WEST OF RAILROAD RIGHT OF WAY.
OWNERSHIP CHANGE MADE 4/9/96 BY TLB.

15. Basis of Claim: Decreed

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

RECEIVED
FEB 23 2001
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Water Right Number(s) 37-12094 and 37-0113 P

Adjudication Claim Number(s) _____

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.

Name and Address of Former Owner/Claimant(s) Gregory G. Blake

Hailey ID 83333

New Owner/Claimant(s) Douglas H. Niedrich and Lisa A. Niedrich

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

New Mailing Address PO Box 291

City, State and ZIP Code Hailey ID 83333

New Telephone Number () - -

Date you acquired the property 2/01

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) *Douglas H. Niedrich* Date _____

Lisa A. Niedrich Date 2/23/01

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. 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.

SVTC Order No. 01-16316

QUITCLAIM DEED

For Value Received **GREGORY G. BLAKE**, an unmarried man who acquired title as a married man,
as his sole and separate property

Do hereby convey, release, remise and forever quitclaim unto

DOUGLAS H. NIEDRICH and LISA A. NIEDRICH, husband and wife

Whose current address is PO Box 291
Hailey, ID 83333

the following described premises, to-wit:

Any and all water rights including but not limited to Water Right 37-12094 on the following described
property and 6 inches of 710 1884 water, right # 37-0113

Please see attached Exhibit "A"

Together with their appurtenances.

Dated: February 5, 2001

Gregory G. Blake
Gregory G. Blake

State of: *Idaho*

County of: *Blaine*

On this *9th* day of *Feb* 2001, before me, a Notary Public in
and for said State, personally appeared Gregory G. Blake known or identified to me to be the person whose
name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Carolyn Band
Notary Public

Residing at: *Hailey*

Comm. Expires: *3-14-2003*

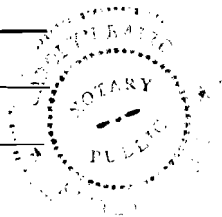


Exhibit "A"

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 1: Two parcels of land in the East ½ more particularly described as follows:

Commencing at the Northwest corner of said East ½ of Section 1; thence
South 89°57'30" East, 195.82 feet along the Northerly boundary of said East ½, Section 1 to an
iron pin on the Easterly boundary of State Highway 75; thence
South 18°47'00" East, 2377.41 feet along said Easterly boundary of Highway 75 to the REAL
POINT OF BEGINNING; thence
continuing South 18°47'00" East, 173.63 feet; thence
North 71°13'00" East, 505.80 feet to the centerline of a canal; thence
North 8°32'00" East, 25.90 feet along said canal centerline; thence
North 32°16'00" West, 117.10 feet along said canal centerline; thence
North 24°53'00" West, 36.95 feet along said centerline; thence
South 71°13'00" West, 486.46 feet to the POINT OF BEGINNING

AND

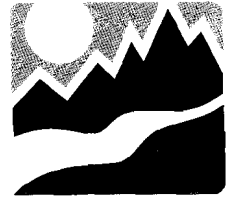
Commencing at the Northwest corner of said East ½, Section 1; thence
South 89°57'30" East, 195.82 feet along the Northerly boundary of said East ½, Section 1 to an
iron pin on the Easterly Boundary of State Highway 75; thence
South 18°47'00" East, 2551.04 feet along said Easterly Boundary of Highway 75 to the REAL
POINT OF BEGINNING; thence
continuing South 18°47'00" East, 190.84 feet along said Easterly boundary of Highway 75;
thence
North 71°13'00" East, 407.24 feet East to the centerline of a canal; thence
North 8°32'00" East, 214.79 feet to the centerline of a canal; thence
South 71°13'00" West, 505.80 feet to the POINT OF BEGINNING.

EXCEPTING therefrom the following:

Commencing at the Northwest corner of said East ½, Section 1; thence
South 89°57'30" East, 195.82 feet along the Northerly Boundary of said Section 1 to an iron pin
on the Easterly Boundary of State Highway No. 75; thence
South 18°47'00" East, 2641.33 feet along said Easterly Boundary of State Highway No. 75 to the
REAL POINT OF BEGINNING; thence
continuing South 18°47'00" East, 100.55 feet along said highway; thence
North 71°13'00" East, 407.24 feet to the centerline of the canal; thence
North 8°32'00" East, 113.17 feet along said canal centerline; thence
South 71°13'00" West, 459.18 feet to the POINT OF BEGINNING.

February 21, 2001

SUN VALLEY
TITLE
C O M P A N Y



IDWR Southern Region
1341 Fillmore Suite 200
Twin Falls ID 83301

Re: 01-16316
Gregory G. Blake
Douglas H. Niedrich
T1N, R18E, Sec 1 ARB 15

RECEIVED
FEB 23 2001
Department of Water Resources
Southern Region

Regarding the above, I have enclosed the following:

- Water Transfer
- Quitclaim Deed

Sincerely,

A handwritten signature in cursive script, appearing to read "CBaird".

Carolyn Baird
Escrow Closing Agent

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: A37-00113P
Date Received: 10/26/1988
Receipt No: M001773
Received By: *Q/C ALB*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: GREGORY G BLAKE 208-788-3618
Address: PO BOX 360
BELLEVUE ID 83313
AND
Name: KIMALEE BLAKE 208-788-3618
Address: P BOX 360
BELLEVUE ID 83313

2. Date of Priority: JUL 10, 1884

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	16	NW	SE			BLAINE

5. Description of diverting works:
DITCH TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	1	SW	NE		IRR	3.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
	19E	7	NW	SW	3	IRR
					Total Acres	3.0

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:
NONE

14. Remarks:
LANDS ARE WEST OF RAILROAD RIGHT OF WAY.
OWNERSHIP CHANGE MADE 4/9/96 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ANNIE I. HARRIS
Decree Plaintiff

SEWELL H. CHAPMAN ET AL
vs Decree Defendant

MICROFILMED
NOV 21 1996

March 28, 1996

RECEIVED

MAR 29 1996

Department of Water Resources

Idaho Dept. of Water Resources
Statehouse Mail
Boise, ID 83720-9000

To whom it may concern,

Enclosed is a Notice of Change of Water Right Ownership and copies of a Quitclaim Deed for water rights located at 11045 Hwy. 75, Bellevue, Idaho.

If you have any questions regarding the information enclosed, please call me at 788-3157 of 788-3618.

Sincerely,

Gregory G. Blake

RECEIVED

APR 02 1996

Department of Water Resources
Southern Region

MICROFILMED
NOV 21 1996

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: **A37-00113P**
Date Received: 10/26/1988
Receipt No: M001773
Received By: _____

RECEIVED

APR 19 1993

Department of Water Resources
Regional Office
Salem, OR

AMENDED

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

AMENDED

1. Name: CHARLES MC MAINES 208-788-3618
Address: BOX 343
BELLEVUE ID 83313
AND/OR
Name: HELEN MC MAINES 208-788-3618
Address: BOX 343
BELLEVUE ID 83313

2. Date of Priority: JUL 10, 1884

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	16	NW	SE			BLAINE

5. Description of diverting works:
DITCH TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	1	SW	NE		IRR	3.0

MICROFILMED

OCT 24 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
	19E	7	NW	SW	3	IRR
					Total Acres	3.0

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:
NONE

14. Remarks:
LANDS ARE WEST OF RAILROAD RIGHT OF WAY.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ANNIE I. HARRIS
Decree Plaintiff

SEWELL H. CHAPMAN ET AL
vs Decree Defendant

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 _____ 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): Charles J. Davis Date: 4-16-93

Helen J. McGinnis Date: 4/16/93

MICROFILMED

OCT 24 1994

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 16 day

of April 19 93

W. L. Dink
Notary Public

Seal

Residing at Harvey
My Commission Expires 2-27-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

12-Apr-1993 09:26

Charles and Helen Mc Maines
Box 343
Bellevue, ID 83313

RE: Amend Claim A37-00113P

Dear Mr. & Mrs. Mc Maines:

Pursuant to our phone conversation of this day please find enclosed the draft amendment of the above referenced claim to correct the "Bad Address Record" which we have found on your original claim. I have enclosed a copy of the front of your original claim with the problem address circled in red. As we discussed if the amendment seems appropriate please sign the amended claim before a notary and return it to our office. If you have questions please feel free to contact our office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Allen D. Merritt'. The signature is fluid and cursive, with a large initial 'A'.

Allen D. Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED
OCT 28 1994

CONVERSATION MEMO

FILE A37-00113P
AGENT: Allen Merritt
DATE: 4/12/93

RE: B2d Address
NAME OF PARTY: Helen Mc Mzines

After ~~calling~~ calling Charles @ home I called Helen @ work (726-4481). I described our discovery of bad address and she indicated that (Northwestern...) should be deleted. I told her I would send record but would need to send amendment to her for her review. She would need to sign & have notarized & return to our office.

MICROFILMED

OCT 24 1994

MEMORANDUM

To: Allen Merritt
From: Helen Harrington-Thornton *list*
Date: March 26, 1993
Subject: "Bad Address List"

=====

A request was recently made by Judge Hurlbutt for a list of addresses of all claimants in the SRBA. When that list was prepared, several claims showed up with errors in the address. Attached is a portion of that list that is pertinent to Southern Region.

It would appear that at least a few of these are "original" owners that were accidentally left on the claim without a change in ownership code. However, since we may have a claim listing these names, we will need to have the correct claimant amend the claim to correct the records. However, I am forwarding these to the region rather than taking care of them myself because the original claim file will need to be checked to confirm what is actually on the claim. If we are lucky, the problem is a data entry error rather than a claimant error (i.e., the claim is handwritten and is correct, but the data entry neglected to changed the owner code).

I believe that if the error is NOT a data entry error, we will need to have the claimant amend the claim to correct the problem.

I haven't heard that there is any deadline for these corrections, but you might check with Carter or Don if you have any questions.

MICROFILMED
OCT 24 1994

AJ5806NP-COURT
SELECTION FILE: DBS-A
WATER RIGHT NUMBER

LAST NAME

WATER RIGHTS
BAD ADDRESS LIST

OWNER
CODE

CITY

STATE ZIP CODE

DATE: 03/05/93
TIME: 00:01:59
PAGE: 1

A02-02186	SAILOR CREEK WATER CO.	C	TWIN FALLS	ID
A02-02262	TRAVELERS INSURANCE CO.	C		
A21-07132	MARTINDALE	C		
A21-07341	ZOLLINGER	C		
A22-04108	PETERSON	C		
A22-04109	PETERSON	C		
A29-02292	JENSEN	C		
A31-07248	MARTIN FAMILY TRUST	C		
A31-10024	LEONARD	C	ST. ANTHONY	ID
A31-10024	LEONARD	C	ST ANTHONY	ID
A31-10024	LEONARD	C	ST ANTHONY	ID
A31-10024	HITESMAN	C	ST ANTHONY	ID
A31-10024	LEONARD	C	ST. ANTHONY	ID
A34-00578	NICHOLS	C		ID
A34-02254	US DEPT OF INTERIOR	C	SAN FRANCISCO	CA
A35-02505	WESTFALL	C	ABERDEEN	ID
A35-02579	MICHAELSON	C	AMERICAN FALLS	ID
A35-07184	DBA SCHATZ BROTHERS	C		
A35-10461	PECKHAM	C	WEST VALLEY	UT
A35-10461	PECKHAM	C	WEST VALLEY	UT
A36-02316	MILLER	C		
A36-07154	PARRS LOCKER STORAGE	C		
A37-00113P	NORTHWESTERN & PACIFIC HYPOTHEEKBANK	C		
A37-01191	SJMS, GUARDIAN	C		
A37-01191	SILVA	C		
A37-01191	SILVA	C		
A37-04040	DBA WHITE ARROW RANCH	C		
A37-04041	DBA WHITE ARROW RANCH	C		
A37-07005	STIMPSON	C		
A37-07005	STIMPSON	C		
A37-07426	DBA WHITE ARROW RANCH	C		
A37-07857	BONNEVILLE PACIFIC CORP.	C		
A45-07567	GOLDEN VALLEY LAND & CATTLE CO.	C		
A47-10544	FARNWORTH	C	BUHL	ID
A47-10769	SMITH	C	HOUSTIN	TX
A47-11221	BLEI	C	PORTLAND	ID
A51-02443	CONNER	C		
A57-00157	TOY	C		
A63-03162	GIBBENS	C		
A63-04111	HANSBERGER	C	BOISE	ID
A63-04849	GIBBENS	C		
A63-08085	DEE MAR INC.	C	BOISE	ID
A63-08123	ROBERTS	C	BOISE	ID
A63-08123	ROBERTS	C	BOISE	ID
A63-08376	THE TRAVELERS INSURANCE CO.	C		
A65-00850	IRVING	C		ID
A65-00851	IRVING	C		
A65-05385	SIMMONS	C		
A65-07321	NICHOLS	C		
A65-07321	NICHOLS	C		
A65-07714	BURROUGHS	C		
A65-07719	MORELL	C		
A65-07719	SCOTT	C		

Eastern

Southern

Western

OCT 24 1994

MICROFILMED

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: A37-00113P
Date Received: 10/26/1988
Receipt No: M001773
Received By: RW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES MC MAINES 208-788-3618
Address: BOX 343
BELLEVUE, ID 83313

AND/OR

Name: HELEN MC MAINES 208-788-3618
Address: BOX 343
BELLEVUE, ID 83313

AND/OR

Name: NORTHWESTERN & PACIFIC HYPOTHEEKBANK
Address:

2. Date of Priority: JUL 10, 1884

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	16	NW	SE			BLAINE

5. Description of diverting works:
DITCH TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00113P

Page 1

Date: 10/26/88

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	1	SW	NE		IRR	3.0
						Section Acres	3.0
	19E	7	NW	SW	3	IRR	
						Total Acres	3.0

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:
NONE

14. Remarks:
LANDS ARE WEST OF RAILROAD RIGHT OF WAY.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ANNIE I. HARRIS

Decree Plaintiff

vs

SEWELL H. CHAPMAN ET AL

Decree Defendant

MICROFILMED
FEB 22 1993

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: 1

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): *x Helen McMain* Date: *x 10/26/88*

Date: _____

State of Idaho)
County of *Blaine*) SS.

Subscribed and sworn (or affirmed) before me this *26* day
of *Oct* 19 *88*

John D. Carlson
Notary Public

Seal

Residing at *Boise ID*

My Commission Expires *6/2/94*

1) *Trichostema* 9.11.78 H

TINER 19E

T. IN R. 18E

5. 1

SW NE

WICHITA FILMED
FEB 22 1993

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 37-113P
Date Received: 10/26/1988
Receipt No: M001773
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DOUGLAS H NIEDRICH Phone: (208)788-4145
PO BOX 291
HAILEY ID 83333

LISA A NIEDRICH Phone: (208)788-4145
PO BOX 291
HAILEY ID 83333

2. Date of Priority: 07/10/1884

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	16	NW SE	BLAINE	

5. Description of diverting works:

DITCH TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.12	

7. Total Quantity Appropriated is:
0.12 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	1	SW	NE	IRRIGATION	3
					Section Acres	3
01N	19E	7	NW	SW	3	IRRIGATION
					Total Acres	3

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:

14. Remarks:

LANDS ARE WEST OF RAILROAD RIGHT OF WAY.
OWNERSHIP CHANGE MADE 4/9/96 BY TLB.

15. Basis of Claim: Decreed



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

July 26, 2002

DOUG NIEDRICH
LISA NIEDRICH
PO BOX 291
HAILEY ID 83333

Re: SRBA Claim(s) 37-113P
Decreed Water Right 37-12094

Dear Mr. and Mrs. Niedrich:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. I am also enclosing your check 3996. The ownership on the decreed right was updated when the request was first received; consequently, no fee is due. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

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

RECEIVED
DEC 12 2001
 Department of Water Resources
 Southern Region

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

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
37-113P					
37-12094					

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)

Greg⁶ Blake
 Hailey Id 83333

4. New Owner/Claimant(s)

Doug and/or Lisa Niedrich

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

PO Box 291

City, State and ZIP Code

Hailey Id 83333

New Telephone Number

(208) 788 4145

5. Date you acquired the property

3.01.01

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)
(include title if applicable)

Doyle Nielsen
Lisa Nielsen

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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by *[Signature]* AJ Date *7/2/02* WR _____ Date _____

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

RECEIVED
DEC 12 2001
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Water Right Number(s) 37-12094 and 37-0113
Adjudication Claim Number(s) _____

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.

Name and Address of Former Owner/Claimant(s) Gregory G. Blake
Hailey ID 83333
New Owner/Claimant(s) Douglas H. Niedrich and Lisa A. Niedrich
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address PO Box 291
City, State and ZIP Code Hailey ID 83333
New Telephone Number () - -
Date you acquired the property 2/01

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 cubic feet per second Number of homes _____ Other uses _____

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.

Signature of New Owner/Claimant(s) *Douglas H. Niedrich* Date _____
Lisa A. Niedrich Date 2-13-01

(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.

WARRANTY DEED

FOR VALUE RECEIVED, and as consideration as part of an IRC 1031 tax deferred exchange

GREGORY G. BLAKE, an unmarried man who acquired title as a married man, as his sole and separate property

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

DOUGLAS H. NIEDRICH and LISA A. NIEDRICH, husband and wife

the grantees, whose current address is **PO Box 291**
Hailey, ID 83333

the following described premises, in **BLAINE COUNTY, IDAHO**, to wit:

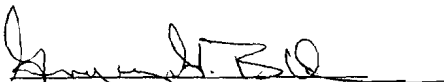
Please see attached Exhibit "A"

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

This transaction is a 1031 Exchange for the benefit of Douglas H. Niedrich and Lisa A. Niedrich as Replacement Property

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

Dated: February 5, 2001


Gregory G. Blake

Instrument # 448183

HAILEY, BLAINE, IDAHO
2001-02-20 04:14:00 No. of Pages: 2
Recorded for : SUN VALLEY TITLE
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index to: WTYQICORP DEED

State of Idaho
County of Blaine

On this 9th day of Feb, 2001, Before me a Notary Public in and for said State, personally appeared Gregory G. Blake known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

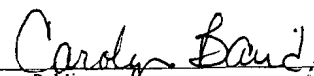

Notary Public
Residing at Hailey
Comm. Expires 3-14-2003



Exhibit "A"

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 1: Two parcels of land in the East ½ more particularly described as follows:

Commencing at the Northwest corner of said East ½ of Section 1; thence
South 89°57'30" East, 195.82 feet along the Northerly boundary of said East ½, Section 1 to an
iron pin on the Easterly boundary of State Highway 75; thence
South 18°47'00" East, 2377.41 feet along said Easterly boundary of Highway 75 to the REAL
POINT OF BEGINNING; thence
continuing South 18°47'00" East, 173.63 feet; thence
North 71°13'00" East, 505.80 feet to the centerline of a canal; thence
North 8°32'00" East, 25.90 feet along said canal centerline; thence
North 32°16'00" West, 117.10 feet along said canal centerline; thence
North 24°53'00" West, 36.95 feet along said centerline; thence
South 71°13'00" West, 486.46 feet to the POINT OF BEGINNING

AND

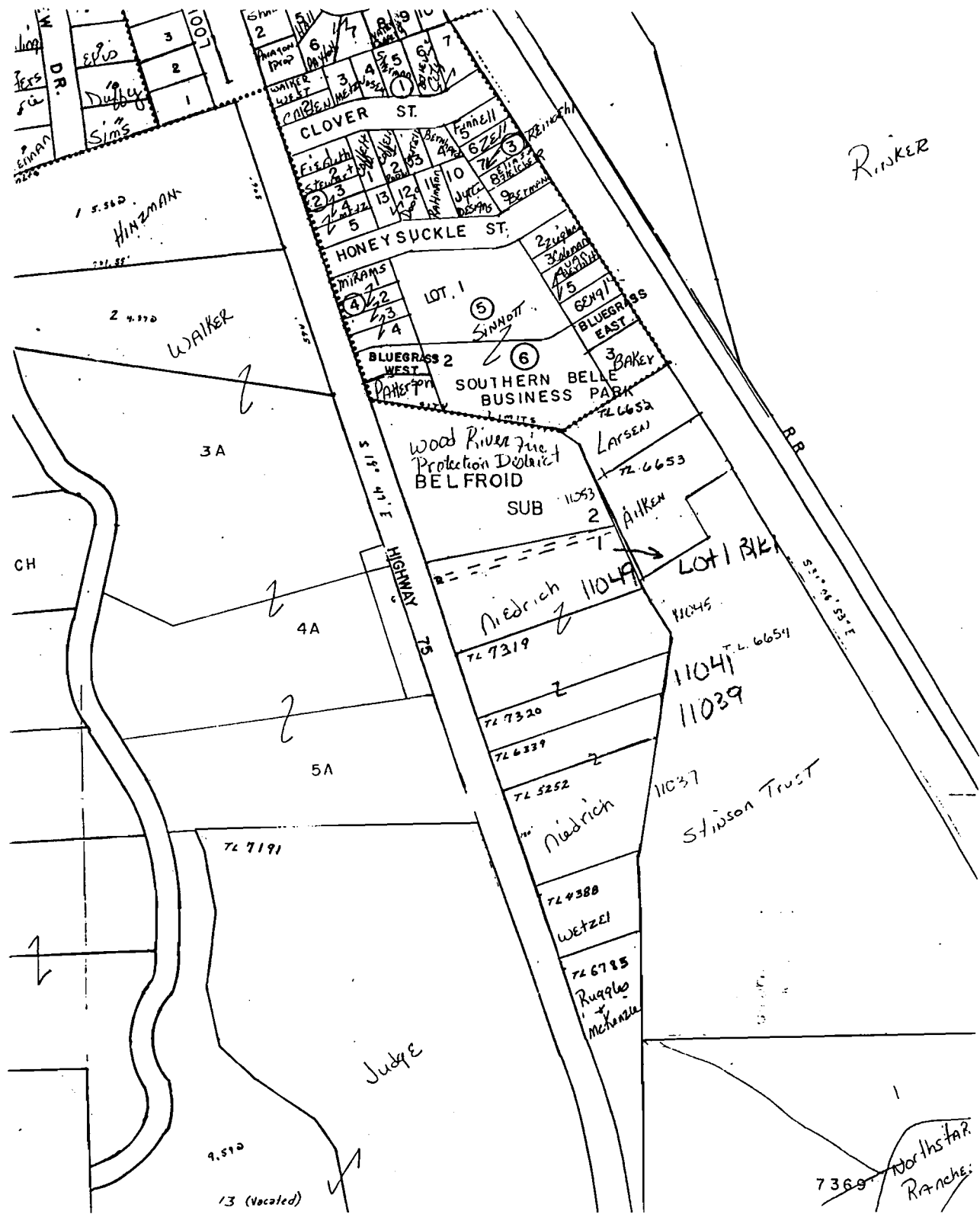
Commencing at the Northwest corner of said East ½, Section 1; thence
South 89°57'30" East, 195.82 feet along the Northerly boundary of said East ½, Section 1 to an
iron pin on the Easterly Boundary of State Highway 75; thence
South 18°47'00" East, 2551.04 feet along said Easterly Boundary of Highway 75 to the REAL
POINT OF BEGINNING; thence
continuing South 18°47'00" East, 190.84 feet along said Easterly boundary of Highway 75;
thence
North 71°13'00" East, 407.24 feet East to the centerline of a canal; thence
North 8°32'00" East, 214.79 feet to the centerline of a canal; thence
South 71°13'00" West, 505.80 feet to the POINT OF BEGINNING.

EXCEPTING therefrom the following:

Commencing at the Northwest corner of said East ½, Section 1; thence
South 89°57'30" East, 195.82 feet along the Northerly Boundary of said Section 1 to an iron pin
on the Easterly Boundary of State Highway No. 75; thence
South 18°47'00" East, 2641.33 feet along said Easterly Boundary of State Highway No. 75 to the
REAL POINT OF BEGINNING; thence
continuing South 18°47'00" East, 100.55 feet along said highway; thence
North 71°13'00" East, 407.24 feet to the centerline of the canal; thence
North 8°32'00" East, 113.17 feet along said canal centerline; thence
South 71°13'00" West, 459.18 feet to the POINT OF BEGINNING.

Legal description:

1 T 1 N, R 18 E, Tax lots 7319 & 7320



12/06/2006

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

RIGHT NUMBER: 37-113P

NAME AND ADDRESS: DOUGLAS H NIEDRICH
PO BOX 291
HAILEY ID 83333

LISA A NIEDRICH
PO BOX 291
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 07/10/1884

POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.120 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S01	SWNE	4.60	T01N R18E S01	NWSE	0.60
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5.2 ACRES TOTAL

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

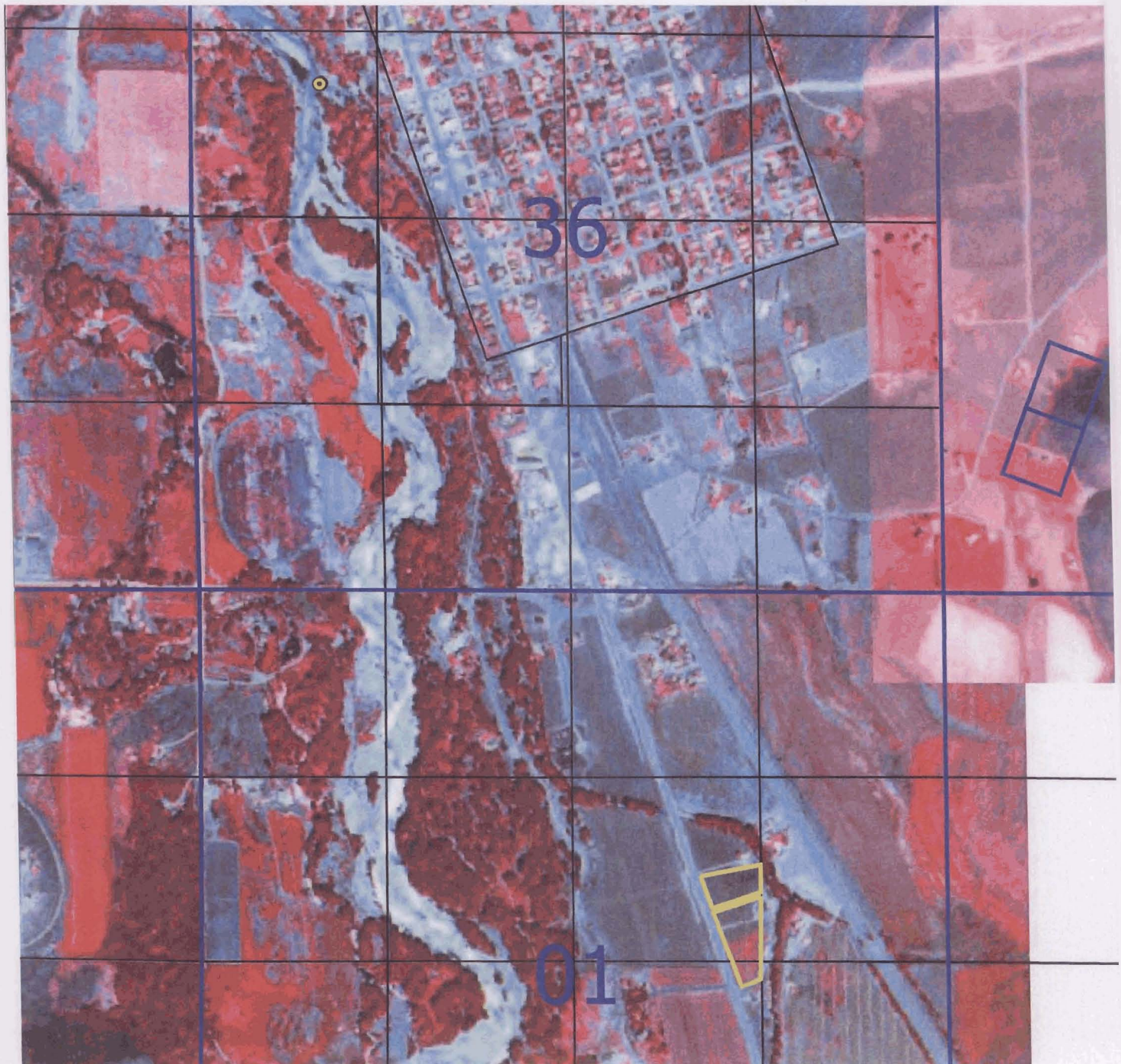
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

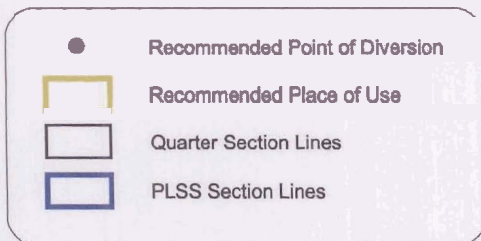
Idaho Department of Water Resources

Right(s): 37-113P

Recommended Place of Use
TWP 01N RNG 18E S01
Prepared December 6, 2006



660 0 660 1320 Feet



GIS Place of Use Presentation
1987 NAPP Aerial Photography

Prepared by Amanda Kriwox

11/29/2006

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

RIGHT NUMBER: 37-113P

NAME AND ADDRESS: DOUGLAS H NIEDRICH
PO BOX 291
HAILEY ID 83333

LISA A NIEDRICH
PO BOX 291
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 07/10/1884

POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.120 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R18E S01 SWNE 3.00

3 ACRES TOTAL

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

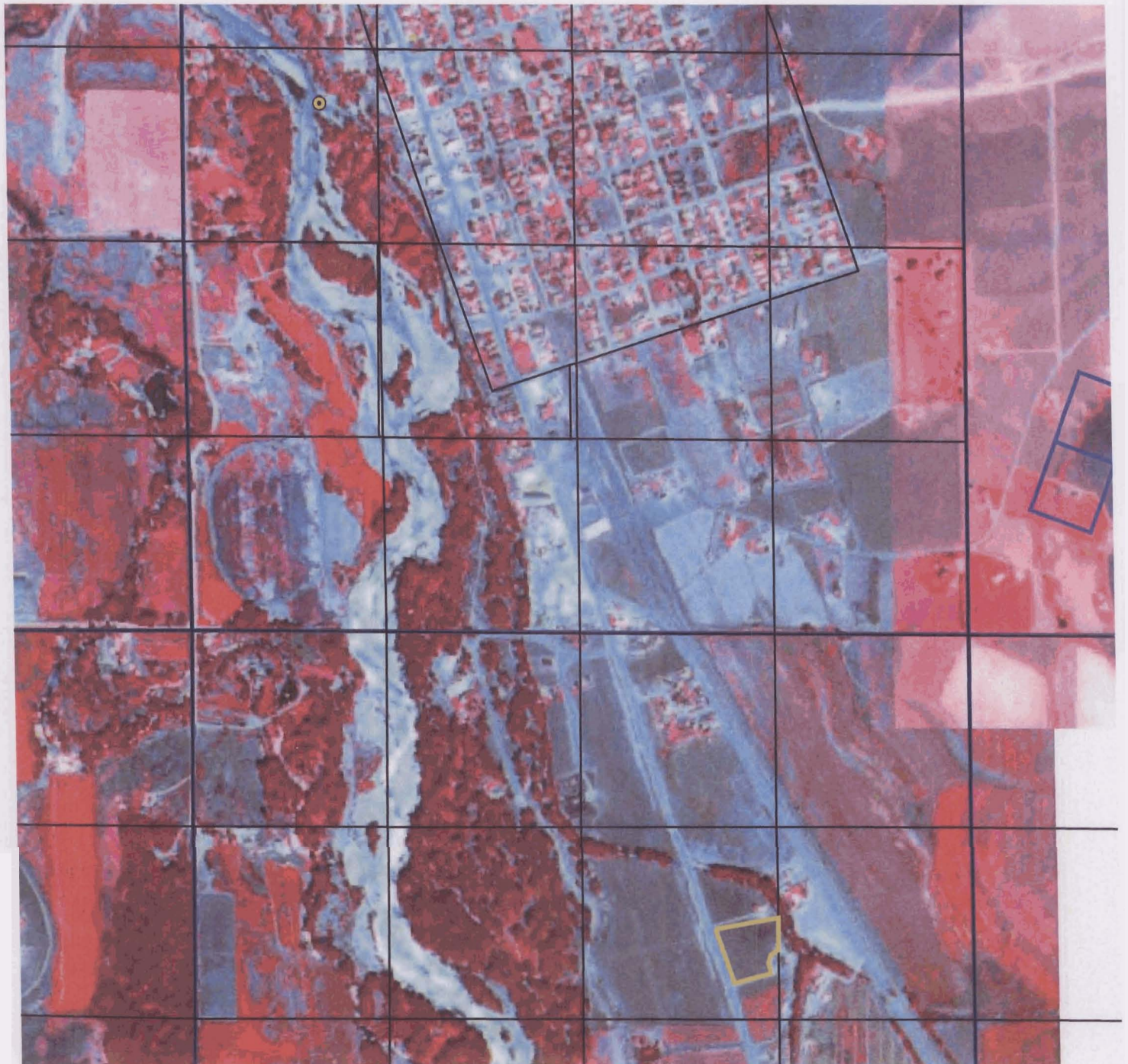
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

Right(s): 37-113P

Recommended Place of Use
TWP 01N RNG 18E S01
Prepared November 29, 2006



660 0 660 1320 Feet



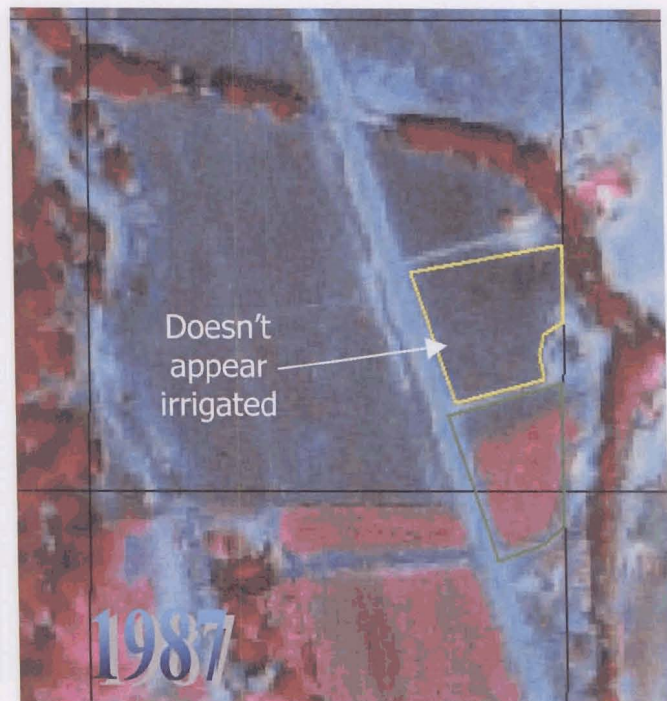
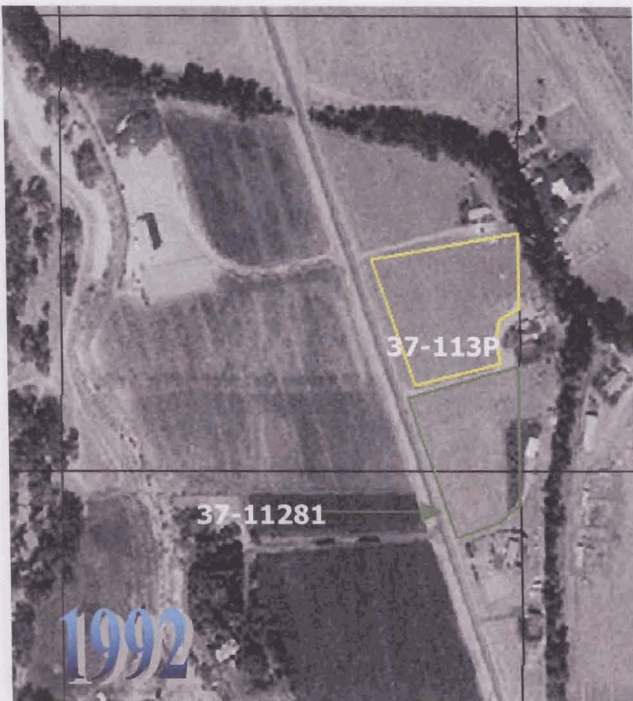
- Recommended Point of Diversion
- Recommended Place of Use
- Quarter Section Lines
- PLSS Section Lines



GIS Place of Use Presentation
1987 NAPP Aerial Photography

Prepared by Amanda Kriwox

37-113P & 37-11281



Inclination is to disallow A37-11281, as Watermaster records do not show water being delivered under that right, only under 37-113P.

Since 113P is being delivered 0.12 cfs (as claimed) which is 2" to the acre, claimant could have the option of amending SRBA claim 37-113P to include area claimed under 11281...with no more diversion rate...which would essentially be @ 6 acres of irrigation at 1" per acre.

Call to B37 Watermaster on Nov. 29, 2006 indicated that he was only delivering water under 37-113P.

Watermaster records indicate that this right is delivered via the district canal ... appears claimed location is incorrect ... rec. will be per watermaster records.

BIG WOOD RIVER	37-0113K	R.F. & ROSA BUHLER	07 / 10 / 1884	0.08		
DOUGLAS H NIEDRICH	37-0113P	R.F. & ROSA BUHLER	07 / 10 / 1884	0.12	0.12	0.12
B S RANCH	37-0114	R.F. & ROSA BUHLER	05 / 01 / 1886	0.16	0.28	0.28
CARL BROWNING	37-0114	R.F. & ROSA BUHLER	05 / 01 / 1886	0.08	0.36	0.36