

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 37-115B
Date Received: 11/15/88
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT E GARDNER Phone: (208)788-2568
PO BOX 1200
HAILEY ID USA 83333

C W & R H GARDNER FAMILY TRUST LTD PARTNERSHIP Phone: (208)788-2568
PO BOX 1200
HAILEY ID USA 83333

2. Date of Priority: 06/12/1886

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	36	SW NW	BLAINE

5. Description of diverting works:

DISTRICT 45 CANAL; ONE PIVOT AND HANDLINES FOR CORNERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	3.2	

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

SCANNED
APR 20 2007

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	19E	33	NE	SE		IRRIGATION	22
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	38
						Section Acres	140
01N	19E	34	SW	SW		IRRIGATION	3
						Section Acres	3
						Total Acres	143

11. Place of use in counties: BLAINE

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

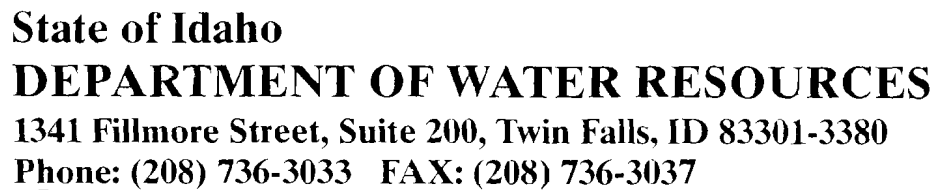
13. Other Water Rights Used:

14. Remarks:

ORIGINALLY DECREED TO R. F. AND ROSA B. BULLER IN S.C. FROST ET A L. V. ALTURUS WATER COMPANY CO. ET UX. PLACE OF USE TO THE EXTENT IT DIFFERS FROM THAT IN DECREE (WHICH DOES NOT IDENTIFY THE NUMBER OF IRRIGATED ACRES IN EACH 40 ACRE PARCEL), IS CLAIMED PURSUANT TO IDAHO CODE 42-1416(1)

12/5/00 tf; ownership changed Columbine Partners to Robert Gardner and Gardner Family Partnership per 1409(6) and deeds receive 3/13/00.

15. Basis of Claim: Decreed



KARL J. DREHER
DIRECTOR

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: SRBA Claim(s) A37-00115B, A37-00667C, A37-00881,
A37-04433

Dear Counselor:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to your clients . Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Rich

Trish Fawcett
Technical Records Specialist

enc.

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

March 10, 2000

RECEIVED

MAR 13 2000

Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

**Re: Notice of Change of Water Right Ownership
Water Right Nos. 37-12190 and 37-12191
Adjudication Claim Nos. A37-04433, A37-00115B, A37-00881 and A37-0667C**

Dear Allen:

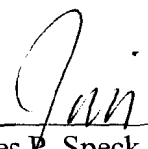
I represent Robert E. Gardner and C.W. & R.H. Gardner Family Limited Partnership in the above-referenced water rights and adjudication claims. Enclosed you will find Notices of Change of Water Right Ownership for the above referenced claims and water rights along with one copy of each. Please call me if you have any questions about these Notices. If not, kindly return the copies to me after your office has date stamped them and send me copies of the computer printouts reflecting the change of ownership once the information has been entered into the IDWR database.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____


James P. Speck

JPS:rsd
enclosures

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

RECEIVED
MAR 13 2000
 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.

1. Water Right Number(s) _____
 Adjudication Claim Number(s) A37-04433, A37-00115B, A37-00881, ~~A37-00667C~~, A37-00667C

2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acre outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Columbine Partners c/o Michael S. Engl
 Owner/Claimants Post Office Box 2500, Sun Valley, Idaho 83353

4. New Owner/Claimant(s) Robert E. Gardner and/or C.W. & R.H. Gardner Family Limited Partnership
 Name connector (check one): [] AND, [] OR, [X] AND/OR
 New Mailing Address Post Office Box 1200
 City, State and ZIP Code Hailey, ID 83333
 New Telephone Number (208) 788 - 2568

5. Date you acquired the property April 9, 1999

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(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.

7. Signature of New Robert E. Gardner Date 3/9/00
 Owner/Claimant(s) Robert E. Gardner
 _____ Date _____
 _____ Date _____
 (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.

Order No. 13445

Title Search Published by First American Title Co

WARRANTY DEED

For Value Received

Columbine Partners, an Idaho general partnership

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

First Exchange Corporation, a California corporation
whose address is: c/o Robert E. Gardner, P. O. Box 470, Bellevue, ID 83313

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PARCEL I:

Section 33: A parcel of land more particularly described as follows:

SE 1/4 lying Southwesterly of the Gannett Highway (Bellevue-Carey State Highway)

PARCEL II:

Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence running in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northwesterly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the POINT OF BEGINNING.

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

Dated: June 14, 1989

Columbine Partners, an Idaho general partnership

Candida C. Forstmann
Michael S. Engr

STATE OF _____ COUNTY OF _____
On this 15th day of June, 1989.
Before me, a notary public in and for said State, personally appeared

Candida C. Forstmann
Michael S. Engr

proved to me on the basis of satisfactory evidence or known to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

Debra J. Walla
Notary Public

Residing at *Hailey*
Commission Expires: 4/15/91

386778
FIRST AMERICAN TITLE CO.
BLAINE CO. REQUEST
OF: *Debra*
JUN 23 PM 3 44
MARY GREEN, CLERK
FEES \$ 6

Instrument No.

①

STATE OF ~~Idaho~~ Idaho as
COUNTY OF Blaine
On June 15, 1989 before me the undersigned a Notary Public in and for
said State, personally appeared: Candida C. Forstmann and Michael S. Engi

Personally knows to me (or proved to me on the basis of better
evidence) to be the person that executed the within
instrument as General partner,
on behalf of Columbine Partners, an Idaho
General Partnership the partnership
therein named and acknowledged to me that the partnership
executed it.
WITNESS my hand and official seal
Signature Catherine [Signature]
Commission Expires: 4-15-91

3003 (6-87) Partnership First Amendment Title Company

(THIS AREA FOR OFFICIAL RECORDING)

GA

WARRANTY DEED

For Value Received

FIRST EXCHANGE CORPORATION, a California corporation,

the grantor do as hereby grant, bargain, sell and convey unto ROBERT E. GARDNER, a married man dealing in his sole and separate property as to an undivided 37.5% interest; and RUTH HELEN GARDNER, a married woman dealing in her sole and separate property as to an undivided 62.5% interest, as tenants in common, the grantees, the following described premises, in Blaine County Idaho, to-wit:

Legal description described in Exhibit "A" attached hereto and made a part hereof:

FIRST AMERICAN TITLE CO.
306779

BLAINE CO. REQUEST

OF:

89 JUN 23 PM 3 45

NANCY GREEN, CLERK

FEES \$16.00

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

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

Dated
FIRST EXCHANGE CORPORATION, a California corporation

BY:

BY: Barbara Heister

INSTRUMENT NO.

STATE OF CALIFORNIA } S.S.
COUNTY OF San Barbara

On this 23rd day of June 1989 before me,
the undersigned, a Notary Public in and for said County and State,
personally appeared Robert E. Gardner, personally

known to me or proved to me on the basis of satisfactory evidence to be
the President, and Barbara, personally

known to me or proved to me on the basis of satisfactory evidence to be
the Secretary of the corporation that executed the within
instrument on behalf of the corporation therein named, and acknowledged
to me that such corporation executed the within instrument
pursuant to its by-laws or a resolution of its board of directors.

Signature Jennifer C. Foulger

FOR NOTARY SEAL OR STAMP



SAFECO Stock No. CAL-0074 (Rev. 6-88) Ad. Corporation

Exhibit "A"

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PARCEL I:

Section 33: A parcel of land more particularly described as follows:

SE1/4 lying Southwesterly of the Garnett Highway (Bellevue-Carey State Highway)

PARCEL II:

Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence running in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northwesterly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the POINT OF BEGINNING.

1A

Order No. 13445

THIS SLASH FURNISHED BY FIRST AMERICAN TITLE CO.

(3)

QUITCLAIM DEED

For Value Received

Kathryn A. Gardner, wife of the Grantee

do hereby convey, release, remise and forever quit claim unto

Robert E. Gardner, a married man as his sole and separate property
whose address is: P. O. Box 470, Bellevue, Idaho 833.3

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

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PARCEL I:

Section 33: A parcel of land more particularly described as follows:

SE1/4 lying Southwesterly of the Gannett Highway (Bellevue-Carey State Highway)

PARCEL II:

Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence running in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northwesterly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the POINT OF BEGINNING.

This Quitclaim Deed is given by me freely, in order that he may hold the within described property as his sole and separate property.

together with their appurtenances.

Dated: June 22, 1989

Kathryn A. Gardner

Kathryn A. Gardner

STATE OF *Idaho* COUNTY OF *Blaine*
On this *June* day of *1989*,
before me a Notary Public for said State, personally
appeared

Kathryn A. Gardner

known to me to be the person who bears the
signature on the foregoing instrument and acknowledged
to me that she executed the same for the purposes and
to the effect stated in the foregoing instrument.

Suzanne T. Hinkle

Notary Public

Residing at *Hailey*
Commission Expires: *5-16-93*

306780
FIRST AMERICAN TITLE CO.
BLAINE CO. REQUEST

OF: *Doc*
89 JUN 23 PM 3 46
MARY GREEN, CLERK
FEES \$309

(1)

Order No. 13445

THIS BLANK FURNISHED BY FIRST AMERICAN TITLE CO.

QUITCLAIM DEED

For Value Received:

C. W. Gardner, husband of the Grantee

do hereby convey, release, remise and forever quit claim unto

Ruth Helen Gardner, a married woman as her sole and separate property
whose address is: P. O. Box 470, Bellevue, Idaho 83313

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

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PARCEL I:

Section 33: A parcel of land more particularly described as follows:

SE1/4 lying Southwesterly of the Gannett Highway (Bellevue-Carey State Highway)

PARCEL II:

Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence running in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northwesterly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the POINT OF BEGINNING.

This Quitclaim Deed is given by me freely, in order that she may hold the within described property as her sole and separate property.

together with their appurtenances.

Dated: June 22, 1989

C. W. Gardner

STATE OF Idaho COUNTY OF Blaine
On this 22 day of June, 1989,
before me a Notary Public in and for said State, personally
appeared

C. W. Gardner

known or identified to me to be the person who herein
is subscribed to the within instrument and acknowledged
to me that he executed the same for the purposes and
considerations therein expressed.

Susan Hailey
Notary Public

Residing at Hailey
Commission Expires: 6-11-95

FIRST AMERICAN TITLE CO.

BLAINE CO. REQUEST

OF:

89 JUN 23 PM 3 47

MARY GREEN, CLERK

FEES \$300

306781

QUITCLAIM DEED

1. DATE, NAMES OF PARTIES AND ADDRESSES.

1.1. Date. This quitclaim deed is executed and delivered by Grantors to Grantee on April 9, 1999.

1.2. Name of Grantors and Address. Cloyd W. Gardner, whose address is P. O. Box 208, Hailey, Idaho 83333, and Ruth Helen Gardner, whose address is P. O. Box 208, Hailey, Idaho 83333, are the Grantors.

1.3. Name of Grantee and Address. C.W. & R.H. Gardner Family Limited Partnership, whose address is P. O. Box 208, Hailey, Idaho 83333, is the Grantee.

2. CONVEYANCE. For value received, Grantors release, remise and forever quitclaim to Grantee, all of their right, title and interest in and to certain real property located in Blaine County, Idaho, and more particularly described on the attached Exhibit A hereto. The real property is more commonly referred to as:

Main Ranch House, Gabino House and
Farm Buildings (both sites)

Parcel 1

Farm Property

Long Lands

Parcel 2

Baseline Ranch

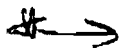
Parcel 3

East Fields by Gabino

Parcel 4

West Fields by Main House

Parcel 5



USP Property, River Street, Hailey, Idaho
Lot on Main Street, Bellevue, Idaho
Lot West of Bellevue, Idaho
Lots in Gannett, Idaho
South Lots in Gannett, Idaho
Range Land and Radio Site

Parcel 6

Parcel 7

Parcel 8

Parcel 9

Parcel 10

Parcel 11

3. SIGNATURES.

426161

Deed

BLAINE CO. REQUEST

OF: C. C. Thompson

'99 APR 14 AM 11:13

MARGARET E. GARDNER, CLERK

FEES \$12.00

Cloyd W. Gardner
CLOYD W. GARDNER

Ruth Helen Gardner
RUTH HELEN GARDNER

QUITCLAIM DEED

13279-001 \COMPAG2500R\FILES\g.gardner, cloyd\QUITCLAIM.doc 01-20-00

Page 1

Post-it® Fax Note

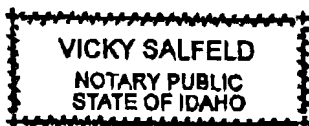
7671

Date	4/26	# of pages	4
To	Jean	From	Sandy
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

STATE OF IDAHO)
) ss.
COUNTY OF BLAINE)

On April 9th, 1999, before me, the undersigned, a notary public in and for said county and state, personally appeared Cloyd W. Gardner, 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 same day and year in this certificate first above written.

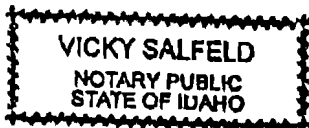


Vicky Salfeld
NOTARY PUBLIC FOR IDAHO
Residing at Harley, Id
My Commission Expires: 7-26-2000

STATE OF IDAHO)
) ss.
COUNTY OF BLAINE)

On April 9th, 1999, before me, the undersigned, a notary public in and for said county and state, personally appeared Ruth Helen Gardner, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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



Vicky Salfeld
NOTARY PUBLIC FOR IDAHO
Residing at Harley, Id
My Commission Expires: 7-26-2000

EXHIBIT A

LEGAL DESCRIPTIONS

Parcel 1	Main Ranch House, Gabino House and Farm Buildings (both sites)	½ int, FR NENE TL 1702 and 1703, NWNE, SENE
Parcel 2	Long Lands	½ int, SESW, Sec 34 1N 19E ½ int, FR NESE TL 4392, Sec 33, FR NWSW TL 810, FR SWSW, TL 4423, Sec 34 1N 19E
Parcel 3	Baseline Ranch	FR SWSW TL 4422, Sec 34 1N 19E
Parcel 4	East Fields by Gabino	½ int, Lots 2, 3, 4, 5, N½ NE, Sec 7 1S 20E ½ int, FR SESE TL 1714 and 1715, Sec 12, FR NWSE TL 1710, 1711 ½ int, Lots 3, 4, Sec 8 1S 20E
Parcel 5	West Fields by Main House	½ int, Lot 1 TL 1693 and 1694, NENW; Lot 2, TL 1695 and 1696, Lots 3 and 4; SENW TL 1697 and 1698, NESW TL 1699 and 1700, SESW TL 1701, Sec 18 1S 20E
Parcel 6	USP Property, River Street, Hailey, ID	Lots 1, 2, 3, 4, 5, 6, 7, Block 31
Parcel 7	Lot on Main Street, Bellevue, ID	½ int, Lot 1, Block C
Parcel 8	Lot West of Bellevue, ID	½ int, Lot 2, Block 92
Parcel 9	Lots in Gannett, ID	½ int, Lots 11 and 12, Block 14
Parcel 10	South Lots in Gannett, ID	½ int, Lots 13, 14, 15, 16, 17, 18, Block 7
Parcel 11	Range Land & Radio Site	½ int, SENE, Sec 25, 1S 19E ½ int, N½ NW, NWNE, Sec 23, NE, N½ NW, NWSE, Sec 24, 2S 19E N½ NW, Sec 33, 1S 19E ½ int, All Sec 9 N½, N½ S½, SWSW, Sec 10,

Columbine?

QUITCLAIM DEED

13279-001 \COMPAG2500\FILES\g\gardner, cloyd\QUITCLAIM.doc 03-29-99

Page 3

N $\frac{1}{2}$, SE, NWSW, Sec 11, W $\frac{1}{2}$, E $\frac{1}{2}$ SE, SWSE,
Sec 13, NESE, Sec 15, E $\frac{1}{2}$, SW, Sec 14, 2S 19E

SESW, SWSW, Sec 28, S $\frac{1}{2}$, S $\frac{1}{2}$ Sec 29, 1S 19E

$\frac{1}{2}$ int, W $\frac{1}{2}$, Sec 1, All Sec 2, All Sec 3, All Sec
4, 2S 19E

QUITCLAIM DEED

13279-001 \COMPAG2500\FILES\g\gardner, cloyd\QUITCLAIM.doc 03-29-99

Page 4

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: A37-00115B
Date Received: 10/27/1988
Receipt No: C003367
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: COLUMBINE PARTNERS 208-726-8151
Address: C/O MICHAEL S. ENGL
P.O. BOX 2500
SUN VALLEY, ID 83353

2. Date of Priority: JUN 12, 1886

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	36	SW	NW			BLAINE

5. Description of diverting works:
DISTRICT 45 CANAL; ONE PIVOT AND HANDLINES FOR CORNERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	33	NE	SE		IRR	22.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0

A37-00115B

Page 1

Date: 11/15/88

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	33	SE	SE		IRR	38.0
						Section Acres	140.0
		34	SW	SW		IRR	3.0
						Section Acres	3.0
						Total Acres	143.0

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:
37-00881, 37-00667C, 37-04433

14. Remarks:
ORIGINALLY DECREED TO R. F. AND ROSA B. BULLER IN S.C. FROST ET A
L. V. ALTURUS WATER COMPANY CO. ET UX. PLACE OF USE TO THE
EXTENT IT DIFFERS FROM THAT IN DECREE (WHICH DOES NOT IDENTIFY TH
E NUMBER OF IRRIGATED ACRES IN EACH 40 ACRE PARCEL), IS CLAIMED P
URSUANT TO IDAHO CODE 42-1416(1).

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

S. C. FROST, ET AL
Decree Plaintiff

vs

ALTURAS WATER CO., ET AL
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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Columbino Angels CLAIM ENT. NO. 37-00115B

DATE RECEIVED 10/27/88 P.M. CK # 8678 AMOUNT \$ 372.00

1. Is the name and address complete with zip code? YES ☒ NO ☐
2. Is a priority date entered? YES ☒ NO ☐

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? YES ☒ NO ☐
- (b) Is a tributary to entered? (if required) N/A ☒

4. Is the legal description of the p.d. sufficient? YES ☒ NO ☐

5. Is there a description of the diverting works? YES ☒ NO ☐

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. YES ☒ NO ☐

Is the period of use included? YES ☒ NO ☐

Is a quantity claimed for each use? YES ☒ NO ☐

7. Is a total quantity claimed entered? YES ☒ NO ☐

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? YES ☒ NO ☐

11. Is (are) the county(ies) entered? YES ☒ NO ☐

12. Is the ownership of p.u. checked? YES ☒ NO ☐

13. Are other water rights listed or "none" indicated? YES ☒ NO ☐

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? YES ☒ NO ☐

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?) YES ☒ NO ☐

Has the claim been signed, sealed, and dated by a notary? YES ☒ NO ☐

Was this claim filed on time, or was an extension granted? YES ☒ NO ☐

Is the fee enclosed correct? 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? YES ☒ NO ☐

Claim checked by: WICK

Comments: date entry 11/15/88

FILED
FEB 22 1993

20+

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: 39356
Ident Number A37-00115B
Date Received _____
Receipt Number 0003367

RECEIVED

OCT 17 1988

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): Columbine Partners
Phone: (208) 726-8151
Mailing Address: c/o Michael S. Engl
P.O. Box 2500
Sun Valley, ID 83353
2. Date of Priority: June 12, 1886
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
2N	18E	36		SW	NW		Blaine

Additional points of diversion if any: None.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: District 45 Canal; one (1) pivot and handlines for the corners.

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6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	3.2 cfs

7. Total Quantity Claimed: 3.2 cfs

8. Total consumptive use claimed is 357.5 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
1N	19E	33	NE	SE	I	22
1N	19E	33	NW	SE	I	40
1N	19E	33	SW	SE	I	40
1N	19E	33	SE	SE	I	38
1N	19E	34	SW	SW	I	3

Total number of irrigated acres: 143

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-0881, 37-0667C, 37-4433.

14. Remarks: Originally decreed to R. F. and Rosa B. Buller in S.C. Frost et al. v. Alturus Water Company Co. et ux. Place of use, to the extent it differs from that in decree (which does not identify the number of irrigated acres in each 40 acre parcel), is claimed pursuant to Idaho Code §42-1416(1).

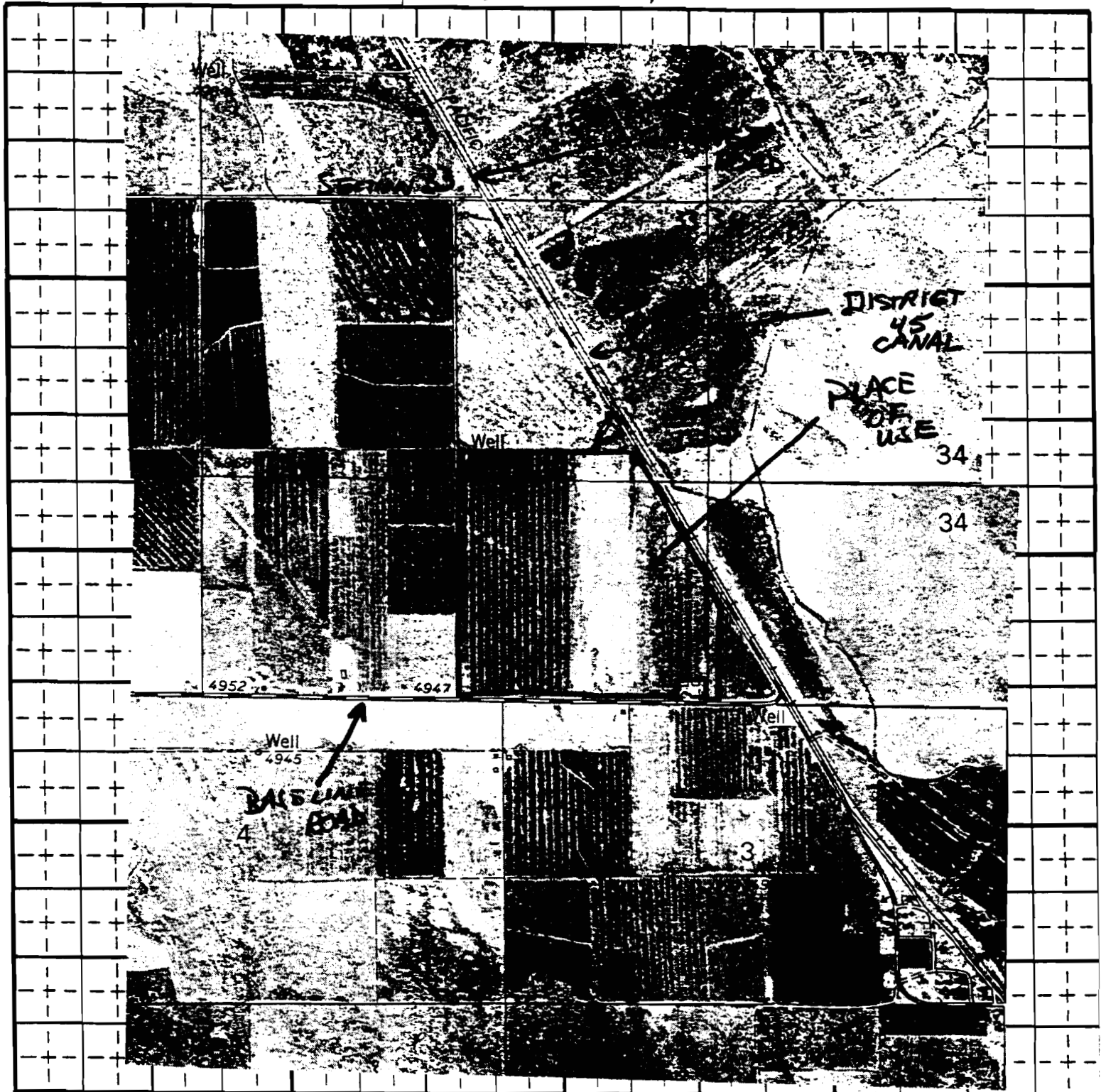
Last Name: Columbine Ident No. _____

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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: ~~2 inches equals 1 mile~~

TOWNSHIP 1 NORTH, RANGE 19 EAST, B.M.



Last Name

COLUMBINE

Ident No.

Copies: White-State, Yellow-Clay

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FEB 22 1984

15. Basis of Claim: Decree
IDWR Water Right Number: 37-0115B
Court: Lincoln county
Case Number:
Decree Date: December 13, 1909
Plaintiff v. Defendant:
S.C. Frost et al. v. Alturus Water Company Co. et ux.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments 0

[For Organizations] I do solemnly swear or affirm that I am a general partner of Columbine Partners, that I have signed the foregoing document in the space below as a general partner of Columbine Partners and that the statements contained in the foregoing document are true and correct.

Signature of General Partner

Michael S. Engl

Title of Organization: Columbine Partners

Date

10/24/88

State of IDAHO)
County of BLAINE) ss.

Subscribed and sworn before me this 24th day of October, 1988.

Notary Public

Residing at

Commission Expires

James P. Speck
East Fork, ID
1/22/91

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature:

James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date:

10/24/88

Last Name: Columbine
a:\clmbinel.clm

Ident No.: _____

MICROFILMED
FEB 22 1993

APPLICATION FOR TRANSFER OF WATER RIGHT.

STATE OF IDAHO,)
County of Ada) ss.

Petitioner, the Union Central Life Insurance Company of Cincinnati, Ohio, says:

That it is a corporation, duly organized and doing business under the laws of Ohio, with its principal place of business at Cincinnati, in said State, and that it has duly complied with all of the requirements of the Constitution and Laws of Idaho relating to foreign corporations doing business and holding real estate in this State. That the post-office address of said petitioner is Cincinnati, Ohio.

That petitioner is the owner and using a certain water right, bearing date of priority of June 12, 1886, for twelve cubic feet per second of the waters of Big Wood River in Blaine County, Idaho, the same being a part of the allotment of fifteen cubic feet per second of the waters of said stream with a priority date of June 12, 1886, decreed to R. F. Buller and Rosa B. Buller by the District Court of the Fourth Judicial District of the State of Idaho for the County of Lincoln in said State, in the case of S. C. Frost, et al, plaintiffs, vs. Alturas Water Company, et al, defendants, said decree bearing date of December 13, 1909, and filed on December 17, 1909, and recorded in Book 1 of Judgments at Page 159 of the records of said court, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. TAB in the County of Blaine, State of Idaho, to-wit:

The South Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of Section Eight (8) Township One (1) South, Range Nineteen (19) East of the Boise Meridian and containing Two Hundred Forty (240) acres of land.

Also the Northwest Quarter (NW $\frac{1}{4}$) of Section Seventeen (17) and the Southwest Quarter (SW $\frac{1}{4}$) of Section

MICROFILMED

Seventeen (17) and the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eighteen (18) all in Township One (1) South, Range Nineteen (19) East of the Boise Meridian and containing Four Hundred Forty (440) acres of land.

Also that part of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Nineteen (19), and all that part of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty (20) Township One (1) South, Range Nineteen (19) East of the Boise Meridian, lying and being North of that certain public road or highway running through said subdivisions containing Forty (40) acres of land, more or less.

That said R. F. Buller and Rosa B. Buller were the persons to whom such right was so decreed and were the owners of said described tract of land and said water right was appurtenant thereto and has at all times since to this date been used for the irrigation thereof. That as Petitioner is informed and believes, said water right was at the time of said decree diverted through what was known as the Kingsberry Ditch, ^{designated} as Ditch #48 of said water district, which was appurtenant to said land. That through intermediate conveyances from the said R. F. Buller and Rosa B. Buller, Petitioner has become the owner of twelve cubic feet per second of said water right as an appurtenance to said land, as per Abstract of Title of said land and water right attached to and made a part of this statement. That on account of changes in the channel of the said Big Wood River, resulting from high waters, and after said decree was entered and as of a date unknown to this Petitioner, it became very difficult to maintain the heading of said Kingsberry Ditch and to divert said water right by means thereof. That at such time, one Martin Albrethsen was the owner of said land and water right and changed the point of diversion from the head of said Kingsberry Ditch to the head of what is known as the District Ditch of Wood River Valley Irrigation District, designated as Canal #45 of said district and said water right was diverted and used on the said land through said ditch until the end of the year 1927 and since said date has been diverted and used on said land through what is

RECORDED

known as the Base Line Canal, designated as Ditch #55C of said district, as per map herewith and of this application made a part;

That Petitioner desires to abandon the use of 3.2 cubic feet per second of said water upon the above described land and to convey and use the same on the following tract situated, lying and being in Blaine County, Idaho, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-three (33) in Township One (1) North of Range Nineteen (19) East of the Boise Meridian and containing one hundred sixty (160) acres of land,

Together with a full primary water right of one hundred sixty (160) inches, water coming from the Big Wood River and appurtenant to the above described land, and all ditch and canal rights used in connection therewith.

Reserving from the above described land, six (6) acres more or less, taken up by railroad right-of-way. A net acreage is contained herein of one hundred fifty-four (154) acres of land more or less.

That the reason Petitioner desires to make such transfer is as follows:

That Petitioner is the owner of said last mentioned land; that said last described land is of a gravel nature and dries out very readily and the water right appurtenant thereto is for flood water which does not last throughout the irrigation season and by reason thereof said land will not mature crops during a normal season. That the water right sought to be transferred lasts later in the season and will sufficiently supplement the water right appurtenant to said land so as to make said land valuable and that by reason thereof it is more profitable to Petitioner to use said water on said land than on the land to which it is now appurtenant.

That Petitioner intends to ^{divert}~~convert~~ and convey said 3.2 second feet of water to said last mentioned land by means of said District Ditch of Wood River Valley Irrigation District designated as Canal #45 of said ^{water} district, being the canal through which the present water right appurtenant to said land is carried, as set forth upon the map herewith; and that no one will be

injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provisions of Section 5582 of the Idaho Compiled Statutes.

The Union Central Life Insurance Company

Applicant.

By Hugh E. McElroy Attorney.
Residing at Boise, Idaho.

STATE OF IDAHO }
COUNTY OF ADA } ss.

Hugh E. McElroy, being first duly sworn, upon oath deposes and says:

That he is the duly authorized attorney for the Petitioner, the Union Central Life Insurance Company, for the district of Idaho, which includes Blaine County, and has been directed on behalf of said Company to make and file the foregoing petition. That he is familiar with the facts alleged in said petition and has investigated the same for the said Petitioner and found that said facts as alleged are true and correct and he therefore states that the statements in said petition are true.

Hugh E. McElroy

Subscribed and sworn to
before me this 18th day of
March, 1929.

[Signature]
Notary Public for Idaho,
Residence: Boise, Idaho.

(SEAL)

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R. 19 E., containing 132.8 acres.

Brown, Rodney R. Lot 1, Sec. 2, T. 1 S., R. 17 E., SW 1/4 of SE 1/4 and E 1/2 of SW 1/4 of Sec. 35, T. 1 N., R. 17 E., containing 149.10 acres.

Bryant, John P. NE 1/4 of SE 1/4 of Sec. 20, and SE 1/4 of NE 1/4 of Sec. 20, T. 5 S., R. 15 E., -- 80 acres.

Buller, R. F. and Rosa B., his wife SE 1/4 of SE 1/4 of Sec. 19, SW 1/4 of SW 1/4 of Sec. 20, W 1/2 of NW 1/4 of Sec. 29, SE 1/4 of NW 1/4 of Sec. 29, NE 1/4 of SW 1/4 of Sec. 29, NE 1/4 of SE 1/4 of Sec. 28, SW 1/4 of NW 1/4 and NW 1/4 of SW 1/4 of Sec. 27, T. 1 S., R. 19 E., containing 360 acres. Also about 185 acres situated in Sections 17 and 18, T. 1 S., R. 19 E. Land in SE 1/4 and Lots 5 and 6, Sec. 36, T. 2 N., R. 18 E., containing about 138 acres, known as the Whitton Ranch. Also, Lots 4 and 5 and SE 1/4 of NW 1/4 of Sec. 6, T. 1 N., R. 19 E., containing 118.17 acres. S 1/2 of Sec. 30 and N 1/2 of Sec. 31, T. 1 N., R. 19 E. S 1/2 of NE 1/4, NE 1/4 of SE 1/4 and SE 1/4 of SE 1/4 of Sec. 8, T. 1 S., R. 19 E. Also, S 1/2 of NE 1/4 of Sec. 8, T. 1 S., R. 19 E.

Burkill, Frank A. SE 1/4 of Sec. 18, T. 5 S., R. 15 E., 160 acres.

Butch, James W. S 1/2 of SW 1/4 and W 1/2 of SE 1/4 of Sec. 29, T. 4 N., R. 19 E.

Butler, Alvin L. E 1/2 of SE 1/4 of Sec. 7, and SW 1/4 of SW 1/4 of Sec. 8, T. 5 S., R. 17 E., -- 120 acres.

Byrne, John and Patrick S 1/2 of NE 1/4, NW 1/4 of SW 1/4, S 1/2 of NW 1/4 and N 1/2 of SE 1/4 of Sec. 15, T. 3 S., R. 18 E., containing 280 acres.

Water Right Number - 37-00115B

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

UNION CENTRAL LIFE INSURANCE CO.

1 -

2 -

3 -

City-

State-

Zip-

Phone -

*** O - ORIGINAL OWNER ***

BULLER

R. F.

1 -

2 -

3 -

City-

State-

Zip-

Phone -

BULLER

ROSA B.

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - +

06/12/1886

+ - - - Region - - - +

17

+ - - - Stage - - - +

D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +

BIG WOOD RIVER

+ - - - - Tributary - - - - - +

MALAD RIVER

+ - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 18E 36 SW NW (13) BLAINE

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

3.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

3.200

+ - - - - Place of Use - - - - - +

Twn Rng Sec Tract Lot Acres Code Description County

01N 19E 33 NE SE 01 IRRIGATION (13) BLAINE

01N 19E 33 NW SE 01 IRRIGATION (13) BLAINE

01N 19E 33 SW SE 01 IRRIGATION (13) BLAINE

01N 19E 33 SE SE 01 IRRIGATION (13) BLAINE

Total Acres:

- Diversion Means - VIA DISTRICT 45 DVERSION.

- Non-Irrigation Use -

FEB 22 1993
UNRECORDED

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 12/13/1909				

UNCLASSIFIED
FEB 22 1993

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

October 26, 1988

CERTIFIED MAIL

Idaho Dept. of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301
Attn: Jim Stanton

RE: Snake River Basin Adjudication
Notices of Claims to Water Rights
Columbine Partners

Dear Jim:

Enclosed you will find the original Notices of Claims to Water Rights which we have prepared on behalf of Columbine Partners for the following-described water rights:

1. 37-0115B;
2. 37-0667C;
- ✓ 3. 37-0881;
4. 37-4433;
5. Domestic Well
6. Stockwater Claim;

Also enclosed is a check in the sum of \$393.00 to cover the filing fees for these claim.

Kindly call if you have any questions.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

James P. Speck
James P. Speck

JPS/rlk
encl.
cc: Michael Engl

RECEIVED

OCT 27 1988

CLERK

RECEIVED
FEB 22 1993

