

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 37-21115
Date Received: 6/9/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GREGG STURTEVANT Phone: (208) 726-3250
PO BOX 2924
KETCHUM ID 83340-2924

2. Date of Priority: 03/24/1883

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
03N	18E	20	SE SW NW	BLAINE	

5. Description of diverting works:

VIA HEADGATE #22 & HIAWATHA CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.079	

7. Total Quantity Appropriated is:
0.079 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
02N	18E	10	SE	NW	IRRIGATION	3
Section Acres						3
Total Acres						3

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:

RIGHT 37-21115 IS A PORTION OF 37-12818A WHICH IS CLAIMED TO BE A PORTION OF 37-577.

6/9/2003: WATER RIGHT 37-21115 REPRESENTS SURFACE WATER IN BIG WOOD RIVER USED TO MITIGATE GROUND WATER LICENSE 37-8587. THE AMOUNT OF WATER DESCRIBED IN THIS RIGHT IS TO REMAIN NON-DIVERTED FROM THE BIG WOOD RIVER AND THE PLACE OF USE DESCRIBED IN THIS RIGHT DRIED UP. THE USE REMAINS LISTED AS IRRIGATION, AS A TRANSFER OF NATURE OF USE HAS NOT BEEN FILED AS OF THIS DATE. - VH

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

August 20, 2003

GREGG STURTEVANT
PO BOX 2924
KETCHUM ID 83340

Re: SRBA Claim(s) 37-21115

Dear Mr. Sturtevant:

Pursuant to the Corrected Quitclaim Deed that has been submitted to the Department, we have amended the place of use on your claim to match the corrected deed. Please find the enclosed copy of the computer record of your claim noting the change in the place of use. Review the record and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

June 30, 2003

Ms. Trish Fawcett
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

RECEIVED
JUL 01 2003
Department of Water Resources
Southern Region

**Re: Marathon Partners - Gregg Sturtevant - John Miley
Portions of Water Right No. 37-12818A**

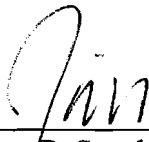
Dear Trish:

I understand you will be handling the final details of straightening out the ownership and place of use for this water right. Therefore, I have enclosed copies of Correction Quitclaim Deeds for Marathon Partners to Gregg K. Sturtevant and to John Miley. These represent the water rights which have now been renumbered as 37-21115 and 37-21116, respectively. With these documents I understand you will now be able to correct the place of use for those two claims as well as the claim for the remaining portion owned by Marathon Partners.

Call me if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
Enclosures
cc: Client
John Miley

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James P. Speck, Esq.
SPECK & ANNESTAD
P. O. Box 987
Ketchum, Idaho 83340

RECEIVED
JUL 01 2003
Department of Water Resources
Southern Region

(space above line for Recorder's use)

CORRECTION QUITCLAIM DEED

FOR VALUE RECEIVED, MARATHON PARTNERS, an Idaho general partnership, whose address is c/o Edmund E. Dumke, P. O. Box 3118, Ketchum, Idaho 83340 ("Grantor"), does hereby convey, release, remise and forever quitclaim to GREGG K. STURTEVANT, whose address is P. O. Box 2924, Ketchum, Idaho 83340 ("Grantee"), any and all interest Grantor may have in the following described water rights, appurtenant to premises, situated in Blaine County, Idaho, to wit:

0.079 cfs of the Big Wood River with a March 24, 1883 priority date pursuant to Idaho Water Right No. 37-00577 and Claim NO. A37-12818 in In Re the General Adjudication of the Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39576, used for the irrigation of three (3) acres within lands commonly referred to as the Deerfield Subdivision parcel in the SE 1/4 NW 1/4, S.10, T.2N., R.18E., B.M., Blaine County, Idaho.

THIS CORRECTION GIFT DEED IS RECORDED TO CORRECT THE LEGAL DESCRIPTION OF THE PLACE OF THE USE OF THE WATER RIGHT DESCRIBED ABOVE IN THAT CERTAIN QUITCLAIM DEED RECORDED JUNE 5, 1995 AS INSTRUMENT NO. 378965, RECORDS OF BLAINE COUNTY, IDAHO.

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

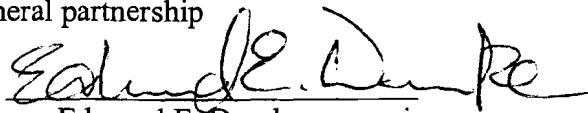
TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Grantee, and to Grantee's heirs and assigns forever.

DATED this 25th day of June, 2003.

GRANTOR:

MARATHON PARTNERS, an Idaho
general partnership

By


Edmund E. Dumke, managing
general partner

STATE OF IDAHO)
) ss.
County of Blaine)

On this 25TH day of June, 2003, before me, the undersigned notary public in and for said state, personally appeared Edmund E. Dumke, known or identified to me to be the managing general partner of Marathon Partners, an Idaho general partnership, and the person who executed the foregoing instrument on behalf of said general partnership and acknowledged to me that said general partnership executed the same.

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



Jeanne Farnea
Notary Public for Idaho
Residing at: Shoshone Idaho
Comm. Expires: 05-05-09

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 37-21115
Date Received: 6/9/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GREGG STURTEVANT Phone: (208) 726-3250

PO BOX 2924
KETCHUM ID USA 83340-2924

2. Date of Priority: 03/24/1883

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
03N	18E	20	SE	SW	NW	BLAINE	

5. Description of diverting works:

VIA HEADGATE #22 & HIAWATHA CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.079	

7. Total Quantity Appropriated is:
0.079 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
02N	18E	10	NW	NW	IRRIGATION	3
Section Acres						3
Total Acres						3

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:

6/9/2003: WATER RIGHT 37-21115 REPRESENTS SURFACE WATER IN BIG WOOD RIVER USED TO MITIGATE GROUND WATER LICENSE 37-8587. THE AMOUNT OF WATER DESCRIBED IN THIS RIGHT IS TO REMAIN NON-DIVERTED FROM THE BIG WOOD RIVER AND THE PLACE OF USE DESCRIBED IN THIS RIGHT DRIED UP. THE USE REMAINS LISTED AS IRRIGATION, AS A TRANSFER OF NATURE OF USE HAS NOT BEEN FILED AS OF THIS DATE. - VH

15. Basis of Claim: Decreed

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 37-12818A
Date Received: 2/3/1989
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

MARATHON PARTNERS Phone: (208)726-2600
C/O EDMUND E DUMKE
PO BOX 3118
KETCHUM ID USA 83340

GREGG STURTEVANT Phone: (208)726-3250
PO BOX 2924
KETCHUM ID USA 83340-2924

ROD THORNTON Phone: (208)788-2113
PO BOX 246
KETCHUM ID USA 83340

BLAINE COUNTY SCHOOL DIST NO 61 Phone: (208)788-2296
118 W BULLION ST
HAILEY ID USA 83333

JOHN MILEY AND CYNTHIA MILEY Phone: (208)578-7882
PO BOX 3010
HAILEY ID USA 83333

2. Date of Priority: 03/24/1883

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
03N	18E	20	SE SW NW	BLAINE	

5. Description of diverting works:

VIA HEADGATE #22 & HIAWATHA CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.61	

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

8. Total consumptive use:

9. Non-irrigation uses:

SEE REMARKS

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	9	NE	NE	IRRIGATION	2
					Section Acres	2
02N	18E	10	SW	NW	IRRIGATION	17
			SE	NW	IRRIGATION	27
			NE	SW	IRRIGATION	16
			NW	NW	IRRIGATION	37
					Section Acres	97
					Total Acres	99

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:

THE CURRENT JOINT OWNERS OF CLAIM 37-12818A AND THEIR RESPECTIVE PORTIONS ARE: MARATHON PARTNERS, 54 ACRES AND 1.419 CFS FOR IRRIGATION. GREGG STURTEVANT, 3 AC. AND 0.079 CFS FOR USE AS MITIGATION FOR GROUND WATER RIGHT 37-8587. JOHN AND CYNTHIA MILEY 1 AC AND 0.026 CFS FOR USE AS MITIGATION FOR GW RIGHT 37-8819. ROD THORNTON, 1 AC AND 0.026 CFS FOR USE AS MITIGATION FOR GW RIGHT 37-8820. BLAINE COUNTY SCHOOL DIST, 40 AC AND 1.06 CFS FOR USE AS MITIGATION FOR GW RIGHT 37-8821. SEE DEEDS IN FILE. - VH 8-23-2002.

THIS CLAIM IS FOR A PORTION OF 37-0577 ORIGINALLY DECREED TO W. T. RILEY. CONFORMED ATTORNEY MAILING ADDRESS DMS
***** THIS RIGHT WAS SPLIT FROM A37-12818 PURSUANT TO APPROVED TRANSFER 4205.
***** OWNERSHIP CHANGE MADE 2-22-92 BY TLB.
| CORRECTED DATA ENTRY BY DELETING SPECK AS ORIG ATTORNEY FOR FORMER OWNER.

15. Basis of Claim: Decreed

(For 37-00577 6112)

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

RECEIVED
MAR 02 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, if the change in ownership is limited to a portion of 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
<u>37-00577</u>		<u>X</u>			
	<u>A37-12818A</u>	<u>X</u>			

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) are for ten or more acres of irrigation, you must submit 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) Marathon Partners
c/o Edmund E. Dumke, P Box 3118, Ketchum, ID 83340
4. New Owner/Claimant(s) Gregg Sturtevant
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address PO Box 2924
- City, State and Zip Code Ketchum, ID 83340
- New Telephone Number (208) 726-3250
5. Date you acquired the property June 5, 1995

If the change of 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)

7. Signature of New owner(s) or Claimant(s)
(include title if applicable)


Gregg Sturtevant

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 AJ Date _____ WR _____ Date _____

RECEIVED

378965

JUN - 7 1995

Deed

Hogue, Speck & AANESTAD

BLAINE CO. REQUEST

OF: Hogue & Speck

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James P. Speck, Esq.
HOGUE, SPECK & AANESTAD
P. O. Box 987
Ketchum, Idaho 83340

'95 JUN 5 PM 4:02

MARY GREEN, CLERK
FEES \$6⁰⁰ mpp

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, MARATHON PARTNERS, an Idaho general partnership, whose address is c/o Edmund E. Dumke, P. O. Box 3118, Ketchum, ID 83340 (hereinafter referred to as the "Grantor"), does hereby convey, release, remise and forever quitclaim unto GREGG K. STURTEVANT, whose address is P. O. Box 2924, Ketchum, ID 83340 (hereinafter referred to as the "Grantee"), any and all interest Grantor may have in the following described water right, appurtenant to premises, situated in Blaine County, Idaho, to wit:

0.079 cfs of the Big Wood River
with a March 24, 1883 priority date
pursuant to Idaho Water Right No.
37-00577 and Claim No. A37-12818 in
In Re the General Adjudication of
Rights to the Use of Water From the
Snake River Basin Water System,
Twin Falls District Court Case No.
39576, used for the irrigation of
three (3) acres within lands
commonly referred to as the Hidden
Meadows Subdivision parcel in the
NW1/4NW1/4, S.10, T.2N., R.18E.,
B.M., Blaine County, Idaho.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anyway appertaining, the reversion and reversions, remainder and remainders, rents, issues

and profits thereof.

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

DATED this 15 day of March, 1993.

GRANTOR:

MARATHON PARTNERS, an Idaho
general partnership

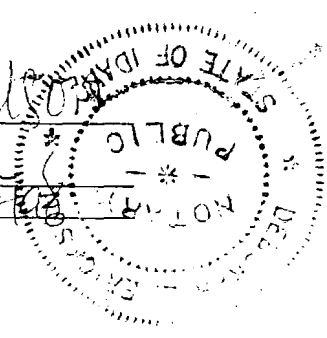
By: Edmund E. Dumke
Edmund E. Dumke, managing
general partner

STATE OF IDAHO)
) ss.
County of Blaine)

On this 15th day of March, 1993, before me, the undersigned notary public in and for said state, personally appeared EDMUND E. DUMKE, known or identified to me to be the managing general partner of MARATHON PARTNERS, an Idaho general partnership, and the person who executed the foregoing instrument on behalf of said partnership and acknowledged to me that said partnership executed the same.

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

Deborah H. Erickson
Notary Public for Idaho
Residing at: Shawnee 1st
Commission expires: 9/24/98



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

February 28, 2001

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

RECEIVED
MAR 02 2001
Department of Water Resource
Southern Region

RE: Gregg Sturtevant/Water Right No. 37-00577 and Claim No. A37-12818A
Our File No.: 970006

Dear Allen:

Enclosed you will find the original and one copy of the Notice of Change of Water Right Ownership for Gregg Sturtevant. Please receipt date stamp the copy and return it to me in the postage prepaid envelope I have enclosed for that purpose.

Kindly call me if you have any questions. Thank you.

Sincerely yours,

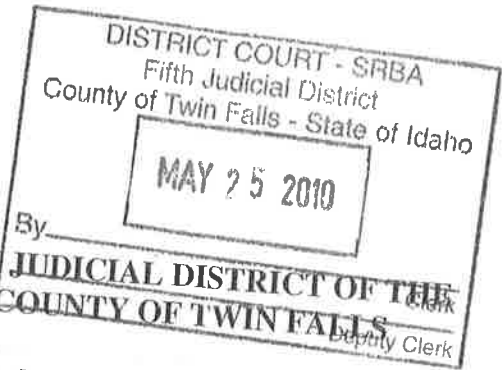
SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS:rsd
enclosure

COPY



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase No. 37-21115

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

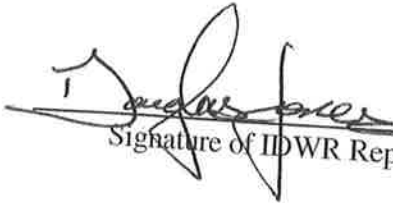
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 5/24/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5-25, 2010, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

John D. Blackburn
PO Box 3582
Hailey ID 83333

Peter Sturtevant
PO Box 2924
Ketchum ID 83340



Signature of person or attorney mailing the form

05/20/2010

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

RIGHT NUMBER: 37-21115

NAME AND ADDRESS: JOHN D BLACKBURN
PO BOX 3582
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.079 CFS

This right mitigates for the depletion of water resulting from the diversion and use of water under Right 37-8587. To prevent injury to other water right holders, the right holder shall cease diverting and using 0.079 cfs of this right, which shall remain undiverted in the Big Wood River.

If the mitigation portion of this right is used for any purpose other than conveyance loss, then water shall not be diverted under Right 37-8587. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Right 37-8587 that are being mitigated shall be reduced by the same proportion as the reduction to this right.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MITIGATION

04/15 10/31

0.079 CFS

PLACE OF USE:

MITIGATION in BLAINE County

T02N R18E S10

NWNW

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

May 25, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

JOHN D BLACKBURN
PO BOX 3582
HAILEY ID 83333

RE: SRBA Claim(s) 37-21115

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,



Trish Fawcett
Technical Records Specialist

Enclosure

cc: Peter Sturtevant

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

RECEIVED**SEP 04 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
<u>37-08587</u>	_____	_____	_____	_____	_____
<u>37-08359</u>	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

RECEIVED**SEP - 7 2001**

Department of Water Resources

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) **GREGG K. STURTEVANT AND JAYNE W. STURTEVANT**
P.O. BOX 2924, KETCHUM, ID 83340
4. New Owner/Claimant(s) **JOHN D. BLACKBURN**
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address **P.O. BOX 3582**
- City, State and ZIP Code **HAILEY, ID 83333**
- New Telephone Number **(208) 788-0888**
5. Date you acquired the property **AUGUST 2001**

MICROFILMED**OCT 20 2003**

6.

If the change in ownership affects the entire 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)

John D. Blaker

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 [Signature]

Date

9/5/01Fee 50.00Received by [Signature]

Date

9/5/01Receipt No. 5024285Processed by [Signature]

AJ

Date

WR

Date

MICROFILMED

OCT 20 2003

Order No. 50071

QUITCLAIM DEED

Instrument # 454905

HAILEY, BLAINE, IDAHO

2001-08-30

04:01:00 No. of Pages: 5

Recorded for : AMERITITLE

MARSHA RIEMANN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

FOR VALUE RECEIVED

GREGG K. STURTEVANT AND JAYNE W. STURTEVANT

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

JOHN D. BLACKBURN, a married man, as his sole and separate property

whose address is: P.O. Box 3582, Hailey, ID 83333

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

Water Rights described as Water Right No. 37-08587 and Water Right No. 37-08359 attached hereto and made a part hereof appurtenant to the following described property:

Lot 2 in Block 1 of PLAZA DEL SOL SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 296497, records of Blaine County, Idaho.

together with their appurtenances.

Dated: August 28, 2001


GREGG K. STURTEVANT


JAYNE W. STURTEVANT

State of Idaho

County of Blaine

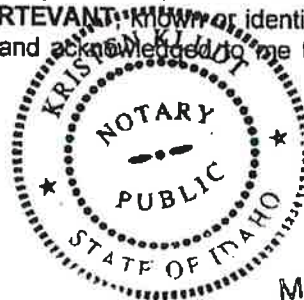
} ss.

On this 29th day of August, in the year 2001, before me, the undersigned, personally appeared GREGG K. STURTEVANT AND JAYNE W. STURTEVANT, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Notary Public

Commission Expires: 2-01-2007



RECEIVED

SEP 04 2001

Department of Water Resources
Southern Region

RECEIVED

SEP - 7 2001

Department of Water Resources

RECEIVED

SEP 04 2001

Department of Water Resources
Southern Region

MICROFILMED

OCT 20 2001

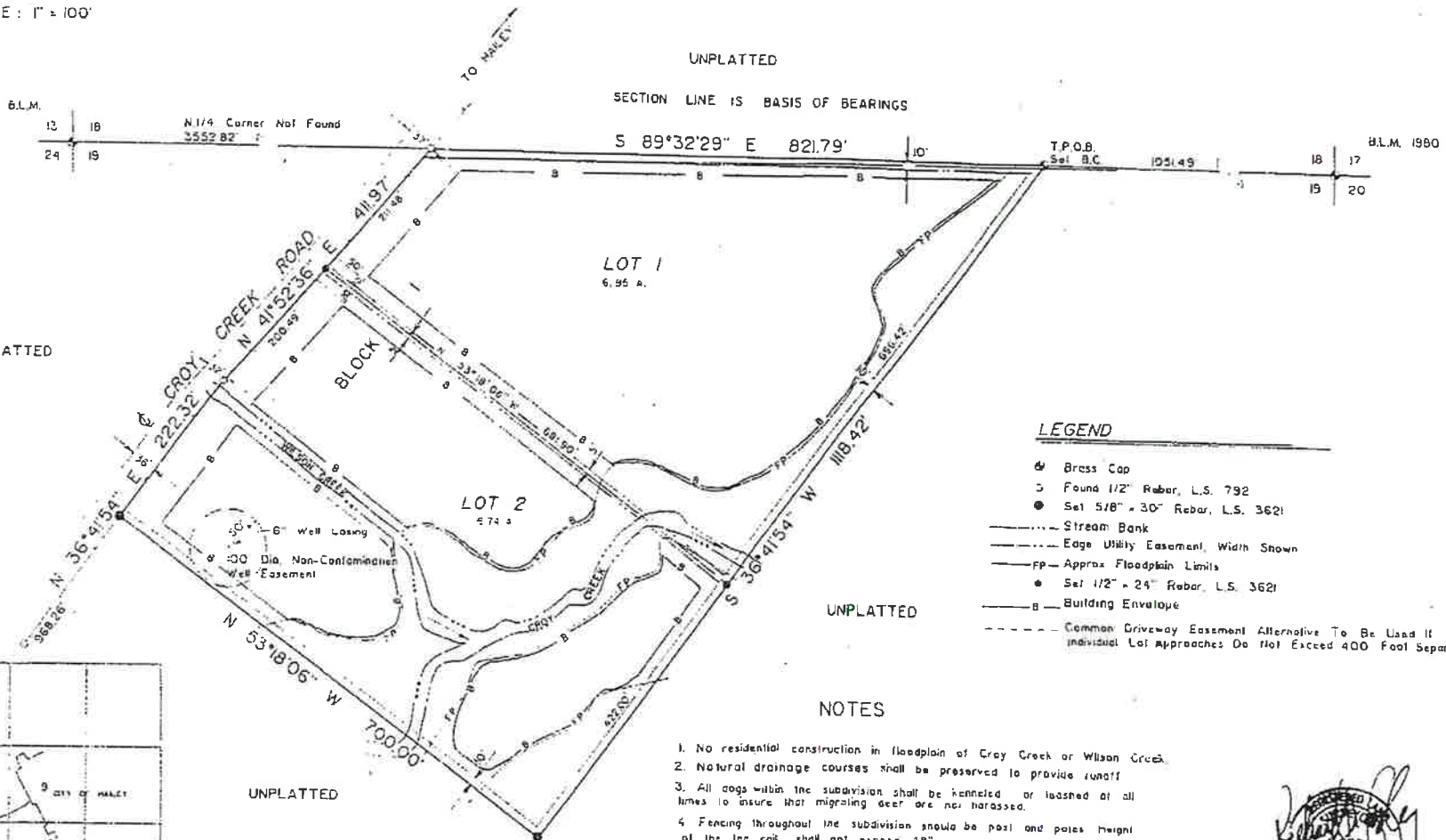
PLAZA DEL SOL SUBDIVISION

LOCATED WITHIN THE NE1/4, S19, T.2N, R.10E, B.M.
BLAINE COUNTY, IDAHO

JULY 1988



SCALE: 1" = 100'



LEGEND

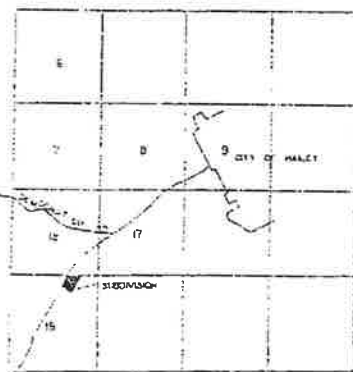
- Brass Cap
- Found 1/2" Rebar, L.S. 792
- Set 5/8" x 30" Rebar, L.S. 3621
- Stream Bank
- Edge Utility Easement, Width Shown
- FP - Approx Floodplain Limits
- Set 1/2" x 24" Rebar, L.S. 3621
- Building Envelope
- Common Driveway Easement Alternative To Be Used If Individual Lot Approaches Do Not Exceed 400 Foot Separation.

NOTES

1. No residential construction in floodplain of Cray Creek or Wilson Creek.
2. Natural drainage courses shall be preserved to provide runoff.
3. All dogs within the subdivision shall be leashed or housed at all times to insure that migrating deer are not harassed.
4. Fencing throughout the subdivision should be post and rails height of the top rail shall not exceed 48".
5. Wildlife damage shall be the owner's responsibility as per guidelines provided by the Department of Fish and Game.

SAWTOOTH TITLE COMPANY, INC.

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.



VICINITY SKETCH 1" = 1 MILE



RECEIVED

APR - 1 2002

RECEIVED

MAR 26 2002

STATE OF IDAHO Department of Water Resources
 DEPARTMENT OF WATER RESOURCES
 NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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
37-08587					
37-08359					

2. The following **REQUIRED** information must be submitted with this form:
- The appropriate **FILING FEE**. See instructions for fee amounts.
 - 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**.
 - 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) Greg Sturtevant
P.O. Box 2924 Ketchum, ID 83340
4. New Owner/Claimant(s) John^v and/or Sandi^K Blackburn
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
P.O. Box 3582
Hailey, ID 83333
208 788-0888
 5. Date you acquired the property August 29, 2001

MICROFILMED
 OCT 28 2003

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)

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 <u>[Signature]</u>	Date <u>3/28/02</u>	Fee <u>50.00</u>
Received by <u>[Signature]</u>	Date <u>3/28/02</u>	Receipt No. <u>5024676</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

MICROFILMED
OCT 20 2003

Instrument # 454907

HAILEY, BLAINE, IDAHO

2001-08-30

04:03:00 No. of Pages: 1

Order No.

Recorded for: AMERITITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/GC/CORP-DEED

QUITCLAIM DEED

This instrument filed for record by Amerititle, Inc., as an accommodation only. It has not been examined as to its execution or as to its effect upon the title.

FOR VALUE RECEIVED

JOHN D. BLACKBURN, a married man, as his sole and separate property

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

JOHN D. BLACKBURN and SANDI K. BLACKBURN, husband and wife, as joint tenants with rights of survivorship

whose address is: P.O. Box 3582, Hailey, ID 83333

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

Lots 1 and 2 of Summer Ranch Subdivision, a replat of Lot 1, Hailey West Subdivision, Blaine County, Idaho, as per the plat recorded December 2, 1999 as Instrument No. 434089, records of Blaine County, Idaho.

together with their appurtenances.

Dated: August 29, 2001


JOHN D. BLACKBURN

State of Idaho

}

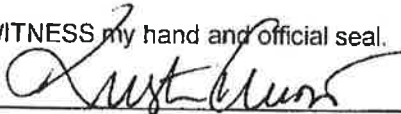
}ss.

County of Blaine

}

On this 29th day of August, in the year 2001, before me, the undersigned, personally appeared JOHN D. BLACKBURN, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.



Notary Public

Commission Expires: 2-06-2007



MICROFILMED

OCT 20 2003

HAEMMERLE & HAEMMERLE, P.L.L.C.

Attorneys & Counselors at Law

Fritz X. Haemmerle
Jennifer L. K. Haemmerle

P. O. Box 1800
Hailey, ID 83333

400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

March 25, 2002

RECEIVED

MAR 26 2002

Department of Water Resources
Southern Region

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Name Change; Water Rights 37-08587 and 37-08359 - Blackburn

To Whom It May Concern:

Please find enclosed a Notice of Name Change and check in the amount of \$50.00 for the aforementioned water rights. If anything else is required, please advise.

Thank you.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.



Fritz X. Haemmerle

FXH: fxh
encl.
cc: client

MICROFILMED

OCT 20 2003

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535



EXPIRED

GREGG K STURTEVANT
PO BOX 2924
KETCHUM ID 83340-2924

01/06/2007

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

RIGHT NUMBER: 37-21115

NAME AND ADDRESS: GREGG K STURTEVANT
PO BOX 2924
KETCHUM ID 83340-2924

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.079 CFS

This right mitigates for the depletion of water resulting from the diversion and use of water under Right 37-8587. To prevent injury to other water right holders, the right holder shall cease diverting and using 0.079 cfs of this right, which shall remain undiverted in the Big Wood River.

If the mitigation portion of this right is used for any purpose other than conveyance loss, then water shall not be diverted under Right 37-8587. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Right 37-8587 that are being mitigated shall be reduced by the same proportion as the reduction to this right.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.079 CFS

PLACE OF USE: MITIGATION in BLAINE County

T02N R18E S10 NWNW

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

RIGHT 37-21115 IS A PORTION OF 37-12818A WHICH IS CLAIMED TO BE A PORTION OF 37-577.



Idaho Department of Water Resources

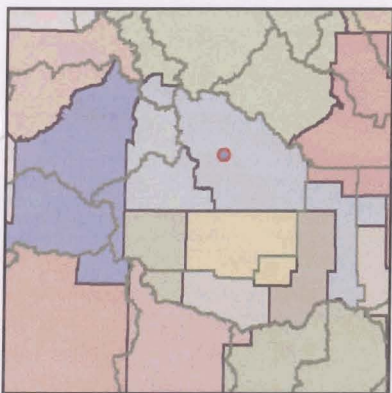
SRBA Recommendation:

37-21115

(Mitigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by S. Keen
On Saturday, January 6, 2007
2004 Aerial Photography



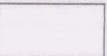
Idaho Department of Water Resources

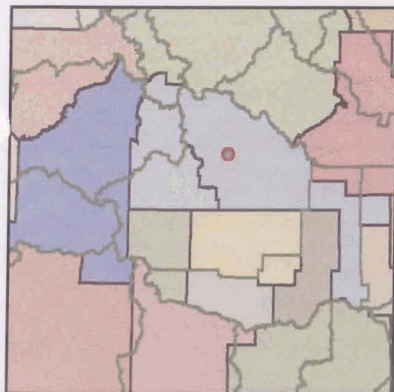
SRBA Recommendation:

37-21115

(Mitigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

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

Prepared by S. Keen
On Saturday, January 6, 2007
2004 Aerial Photography

Claim Review 37-21115

S. Keen
1/6/2007

POD - Claimed the POD location for 37-8587, the GW right it mitigates for.

* There has not been a transfer or other administrative action to change the POD, so I'm recommending the heading for the Hainatha Canal.

POU - I can't determine which 3-acre parcel is to be dried up, so ~~the~~ the "mitigation" POU shape will just be the 40-acre tract for now.

The claim indicates that the 3 acres are to be dried up in the SENW of Sec. 10, but the file for ~~the~~ Right 37-8587 clearly shows that Stutavant acquired a 3-acre portion of this right appurtenant to the NWNW of Section 10.



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

August 20, 2003

GREGG STURTEVANT
PO BOX 2924
KETCHUM ID 83340

Re: SRBA Claim(s) 37-21115

Dear Mr. Sturtevant:

Pursuant to the Corrected Quitclaim Deed that has been submitted to the Department, we have amended the place of use on your claim to match the corrected deed. Please find the enclosed copy of the computer record of your claim noting the change in the place of use. Review the record and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED

AUG 25 2003

Department of Water Resources
Twin Falls, Idaho

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 37-21115
Date Received: 6/9/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GREGG STURTEVANT Phone: (208)726-3250
PO BOX 2924
KETCHUM ID 83340-2924

2. Date of Priority: 03/24/1883

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
03N	18E	20	SE SW NW	BLAINE	

5. Description of diverting works:

VIA HEADGATE #22 & HIAWATHA CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.079	

7. Total Quantity Appropriated is:
0.079 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
02N	18E	10	SE	NW	IRRIGATION	3
Section Acres						3
Total Acres						3

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:

RIGHT 37-21115 IS A PORTION OF 37-12818A WHICH IS CLAIMED TO BE A PORTION OF 37-577.

6/9/2003: WATER RIGHT 37-21115 REPRESENTS SURFACE WATER IN BIG WOOD RIVER USED TO MITIGATE GROUND WATER LICENSE 37-8587. THE AMOUNT OF WATER DESCRIBED IN THIS RIGHT IS TO REMAIN NON-DIVERTED FROM THE BIG WOOD RIVER AND THE PLACE OF USE DESCRIBED IN THIS RIGHT DRIED UP. THE USE REMAINS LISTED AS IRRIGATION, AS A TRANSFER OF NATURE OF USE HAS NOT BEEN FILED AS OF THIS DATE. - VH

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

June 9, 2003

James P. Speck
Speck and Aanestad
PO Box 987
Ketchum, Idaho 83340

RE: Snake River Basin Adjudication (SRBA)
Claim No.: 37-12818A split

Dear Mr. Speck:

Claim 37-12818A has been split into five portions. Please find enclosed copies of SRBA Claim 37-21113 in the name of Thornton and 37-21114 in the name of Blaine County School District, and 37-21112 in the name of Marathon Partners.

Please be aware that although the places of use for 37-21113 and 37-21114 are correct according to the latest deeds submitted by you for those parties, the remaining portion represented by 37-21112 reflects the latest deeds submitted, including the correction deeds to Thornton and Blaine County School District as well as the original deeds to Miley and Sturtevant. The recorded place of use for 37-21112 therefore, may not be correct.

Also find enclosed for your convenience, claims 37-21115 and 37-21116 as they are currently recorded in our files, and which you have informed me are based upon deeds which incorrectly described the place of use to be dried up.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Adjudication Unit, Twin Falls
email: vhancock@idwr.state.id.us

NOTE TO FILE

From: Vikie Hancock

6/9/03

Regarding: Claim numbers 37-21112 for irrigation use
and 37-21113, 37-21114, 37-21115, & 37-21116 for mitigation use
All portions of 37-12818A which was claimed as a portion of 37-577.

Deeds were submitted to show 37-12818A was owned by five different entities in 2001. After some deliberation, the right was not split because the use of four of the portions was *mitigation*, but in September 2002 all five owners were added to the right, instead. See notes and documents in file 37-21112 renumbered from 37-12818.

In May 2003 attorney Jim Speck requested that the right be split into five portions as one of the owners wished to place his portion in the water bank. At this time it was determined that the right could be split by ownership. Although water identified in the rights used for mitigation was to remain in the Big Wood River and therefore have no actual place of use nor point of diversion, the POU and POD for the mitigation rights was to be identified as originally claimed by 37-12818A. The use listed on these rights must be changed from irrigation to mitigation by a transfer, which has not yet been filed.

To complicate this scenario, the original deeds submitted in 2001 which identified the acres to be dried up in order to facilitate the use of water for mitigation purposes were in error. At this writing, two correction deeds have been submitted by Speck – one for Blaine County School District 37-21114 and one for Thornton 37-21113. Those rights are now correctly described.

The POUs of three of the portions are most probably incorrect. Until the corrected deeds are received, 37-21115 and 37-21116 as well as the remaining irrigation portion represented by 37-21112 will reflect the POUs per the only deeds submitted for those parties.

PLEASE SEE CLAIM FILE 37-12818 AND CLAIM FILE 37-21112
(RENUMBERED FROM 37-12818A) FOR CORRESPONDENCE AND
DOCUMENTS REGARDING SOME HISTORY OF THE ABOVE RIGHTS.

RECEIVED

DEC 02 1998

Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 37-08587

Priority: January 9, 1990

Maximum Diversion Rate: 0.07 CFS
Maximum Diversion Volume: 7.7 AF

This is to certify, that GREGG K STURTEVANT
PO BOX 2924

KETCHUM ID 83340-2924 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1990; and has submitted Proof of Beneficial Use on February 28, 1997. An examination indicates that the works have a diversion capacity of 0.280 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.07 CFS	7.7 AF

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 19, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	18E	19	NWNE	2.2		2.2

Total number of acres irrigated: 2.2

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. This right is used in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions in Section 42-105, Idaho Code.
4. Diversion and use of water under this right shall only occur at those times when water is available to fill the portion of Right 37-30000 exchanged for use of water under this right. That portion of Right 37-30000 used as mitigation for diversion under this right has been claimed in the Snake River Basin Adjudication as A37-12818A. In the event that claim A37-12818A is not decreed by the court and is found to be invalid, use of water under this right must cease or another source of mitigation must be authorized through an approved transfer of this water right pursuant to Section 42-222, Idaho Code.

37-08587

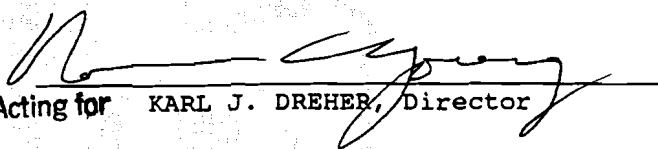
State of Idaho
Department of Water Resources**Water Right License**

WATER RIGHT NO. 37-08587

CONDITIONS OF APPROVAL AND REMARKS

5. For purposes of regulating this right with respect to other groundwater rights, the priority of this right shall be January 9, 1990. For purposes of conjunctive administrative of groundwater and surface water diversions, this right shall have a priority date of March 24, 1883, the same priority date as the surface water exchange right.
6. The Director retains jurisdiction to require the collection and reporting of water diverted.
7. This right when combined with all other rights shall provide no more than .032 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the land described above.
8. Two points of diversion are located within NWNE, S19, T2N, R18E.
9. Right 37-08359 is also diverted through the point(s) of diversion described above.
10. Place of use is located within Lot 2, Blk. 1, Plaza Del Sol Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 26th day of NOVEMBER, 1990.


Acting for KARL J. DREHER, Director