

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 37-562D
Date Received: 10/2/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LINDA A LACHEWITZ Phone:
2410 BELL BRANCH RD
GAMBRILLS MD 21054

WALTER J LACHEWITZ JR Phone:
2410 BELL BRANCH RD
GAMBRILLS MD 21054

2. Date of Priority: 05/10/1887

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

4. Point of Diversion:

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

5. Description of diverting works:

COVE CANAL, HEADGATE 33, GRAVITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.14	

7. Total Quantity Appropriated is:
1.14 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	22	NE	NW	IRRIGATION	3
			NW	NW	IRRIGATION	26.3
					Section Acres	29.3
					Total Acres	29.3

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CHANGE IN POD AND/OR POU IS CLAIMED PURSUANT TO IDAHO CODE §42- 1416A TO THE EXTENT IT DIFFERS FROM FROST DECREE

***** OWNERSHIP CHANGE RESULTED IN A SPLIT. A37-00562D (1.14 CFS) BELONGS TO MAINE/BALTZELL WITH 32 ACRES. A37-00562E (.89 CFS) BELONGS TO LAWSON WITH 25 ACRES. WARRANTY DEED AND LETTER FROM LAWYER TO CONFIRM. THIS IS BASED ON APPROVED TRANSFER 3955

8/18/95 BY TLB

***** CHANGE ON SPLIT FROM OWNER'S LETTER. 8/30/95 TLB

15. Basis of Claim: Decreed

BLAINE COUNTY TITLE

DARYL J. FAUTH
PRESIDENT

208 SPRUCE AVENUE NORTH
P.O. BOX 3176
KETCHUM, IDAHO 83340

MELODY MATTSON
VICE PRESIDENT
RECEIVED
SEP 12 2001
Department of Water Resources
Southern Region

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

September 10, 2001

RE: Escrow No. 01010198 Maine-Baltzell/Lachewitz

Dear IDWR,

With regards to the above described real estate transaction, please find enclosed the following:

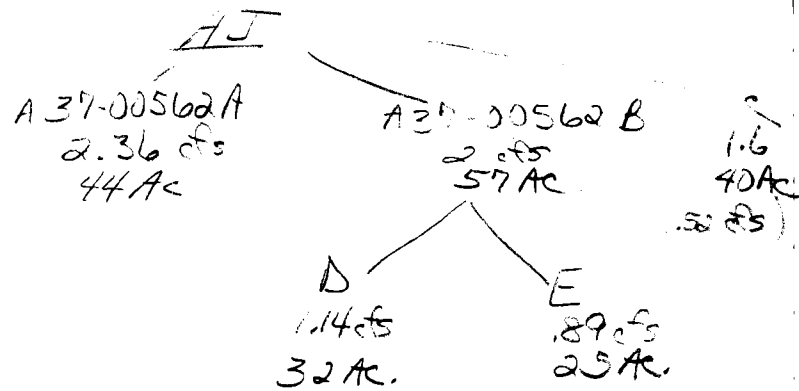
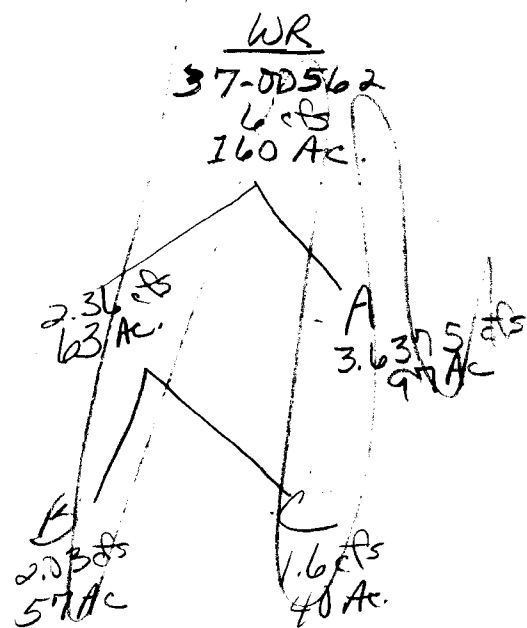
____ Title Commitment
____ Closing Statement
____ Deed of Trust - Instrument No. _____
____ Note
____ **XX** Warranty Deed - Instrument No. **454868**
____ **XX** Quitclaim Deed - Instrument No. **454869**
____ Escrow Instructions
____ Tax Notice
____ Insurance Binder
____ Lender's Documents
____ Cover Letter(s) - Copy
____ Owner's Policy No. _____
____ Mortgagee's Policy No. _____
____ Endorsements _____
____ Lot Book Report
____ Lien Affidavit
____ **XX** Other: **Plat map; for transfer of water rights.**
____ Other: _____
____ Check # _____ in the amount of \$ _____
____ Representing: _____

If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely,

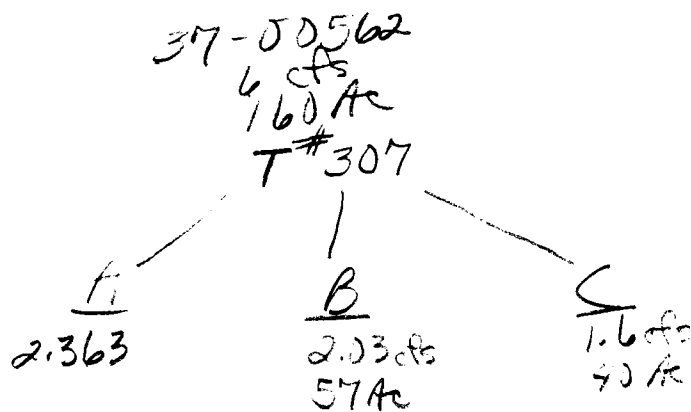
BLAINE COUNTY TITLE


Melody Mattson
Vice President



1/8/98

- When Tara did the original split, she showed Lawson's 25 Ac. in Section 15 and left Maine/Baltzell in Section 22. Lawson ~~then~~ wrote back and said his 25 Ac. included 22.3 Ac. in Section 15 and the remaining 2.7 Ac. in Section 22. Tara made the correction and sent copies to both parties. That left "D" with 2.7 in Section 15 and 29.3 in Section 22. Now this new D/C describes property as all located in Section 22? Asked for a map...



SD-0611-2 Basin: 37 Starting Water Right: 00562

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	37-00562			00/00/0000	/			WR
	37-00562A	RAVENS CRAFT, J. W.	C	05/10/1887	D/	BIG WOOD RIVER	IRR	WR
	37-00562B	MAINE, JOHN D	C	05/10/1887	D/	BIG WOOD RIVER	IRR	WR
		BALTZELL, KIMBERLY A	C					
	37-00562C	RAVENS CRAFT, WALTZ A	C	05/10/1887	D/	BIG WOOD RIVER	IRR	WR
							DOMEST	
	A37-00562A	JOHN BROWN INC	C	05/10/1887	D/	BIG WOOD RIVER	IRR	AJ
	A37-00562B	SPLIT CLAIM	C	05/10/1887	/Z	BIG WOOD RIVER	IRR	AJ
	A37-00562C	SCHUTTE, HENRY	C	05/10/1887	D/	BIG WOOD RIVER	IRR	AJ
	A37-00562D	MAINE, JOHN D	C	05/10/1887	D/	BIG WOOD RIVER	IRR	AJ
		BALTZELL, KIMBERLY A	C					
	A37-00562E	LAWSON, EDWARD A	C	05/10/1887	D/	BIG WOOD RIVER	IRR	AJ
		LAWSON, JULIE C	C					
	A37-00562B	SPLIT CLAIM	C	05/10/1887	/Z	BIG WOOD RIVER	IRR	AJ
	R37-00562B	SPLIT CLAIM	C	05/10/1887	/Z	BIG WOOD RIVER	IRR	AJ

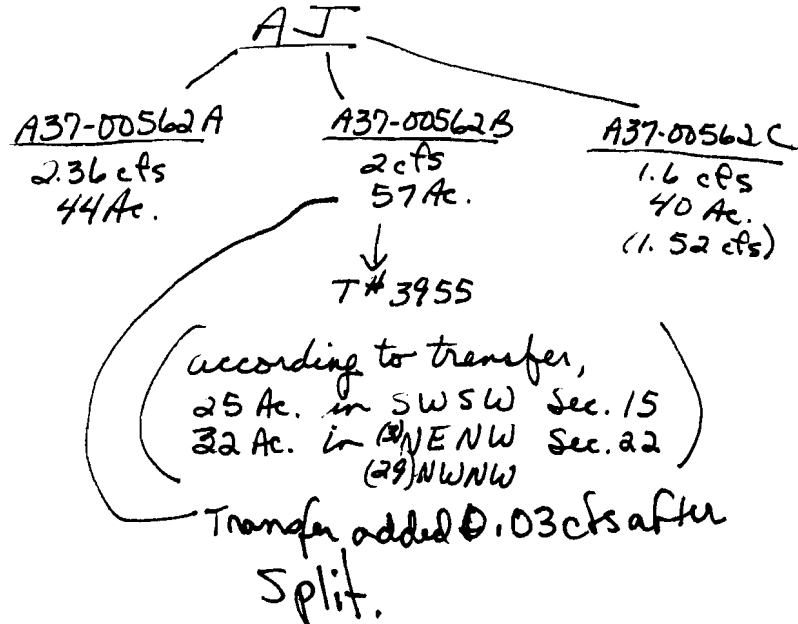
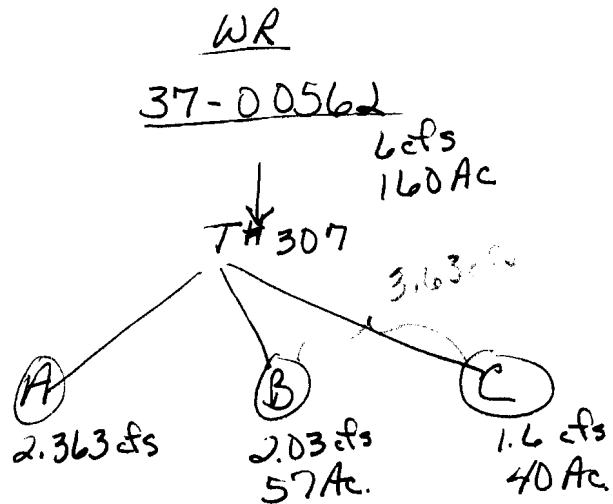
(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)

(Enter=Continue)

(GOLD7=This Query)

(GOLD8=Cancel)

(Menu _____)



SD-0611-2 Basin: 37 Starting Water Right: 00562

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
—	A37-00562D	MAINE, JOHN D	C	05/10/1887	D/	BIG WOOD RIVER	IRR	AJ
—		BALTZELL, KIMBERLY A	C					
—	A37-00562E	LAWSON, EDWARD A	C	05/10/1887	D/	BIG WOOD RIVER	IRR	AJ
—		LAWSON, JULIE C	C					
—	R37-00562D	MAINE, JOHN D.	C	05/10/1887	/I	BIG WOOD RIVER	IRR	AJ
—		BALTZELL, KIMBERLY A	C					
—	R37-00562E	LAWSON, EDWARD A	C	05/10/1887	/I	BIG WOOD RIVER	IRR	AJ
—		LAWSON, JULIE C	C					
—	R37-00562B	SPLIT CLAIM	C	05/10/1887	/Z	BIG WOOD RIVER	IRR	AJ
—	R37-00562D	MAINE, JOHN D.	C	05/10/1887	/I	BIG WOOD RIVER	IRR	AJ
—		BALTZELL, KIMBERLY A	C					
—	R37-00562E	LAWSON, EDWARD A	C	05/10/1887	/I	BIG WOOD RIVER	IRR	AJ
—		LAWSON, JULIE C	C					

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
 (Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 8, 1998

BRAD AND DONATA ROOS
PO BOX 389
SUN VALLEY ID 83353

RE: OWNERSHIP CHANGE FROM MAINE/BALTZELL TO ROOS

Dear Mr. and Mrs. Roos,

We have received your ownership change request for the above transaction involving Adjudication Claim numbers ~~207-00562D~~, A37-07215F, and A37-10619. In order to complete the change, I will need a copy of the plat or survey map to determine exactly where the acres are located. Our records show some discrepancy as to which acres are located in Section 15 and which are in Section 22. These maps can be obtained from the county at the courthouse. As soon as I receive the map, I should be able to complete the ownership change on the water rights for this property.

You may use the enclosed return envelope to my attention. If you have any questions on this matter, feel free to contact me at the office.

Sincerely,

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

Jeanie Robertson
Sr. Water Resource Agent



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

July 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN WANDA L KINGHORN
FIRST AMERICAN TITLE CO
PO BOX 427
HAILEY ID 83333

Re: Your Order No. 20176 - 22-2N-18E
Maine, Baltzell/Roos

Dear Ms. Kinghorn:

Thank you for submitting the Notice of Change of Water Right Ownership on the above transaction. No fees are required, however, for changing ownership on water right licenses, decrees or beneficial use claims, so I am returning your check no. 2131 in the amount of \$25.00.

Thanks again, and should you have any questions regarding fees, please feel free to contact this office. Please also note our new address.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf
Enclosures



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

September 24, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WALTER J LACHEWITZ
LINDA A LACHEWITZ
2410 BELL BRANCH RD
GAMBRILLS MD 21054

Re: SRBA Claim(s) 37-562D, 37-7215F
Decreed Water Right 37-10619

Dear Mr. and Mrs. Lachewitz:

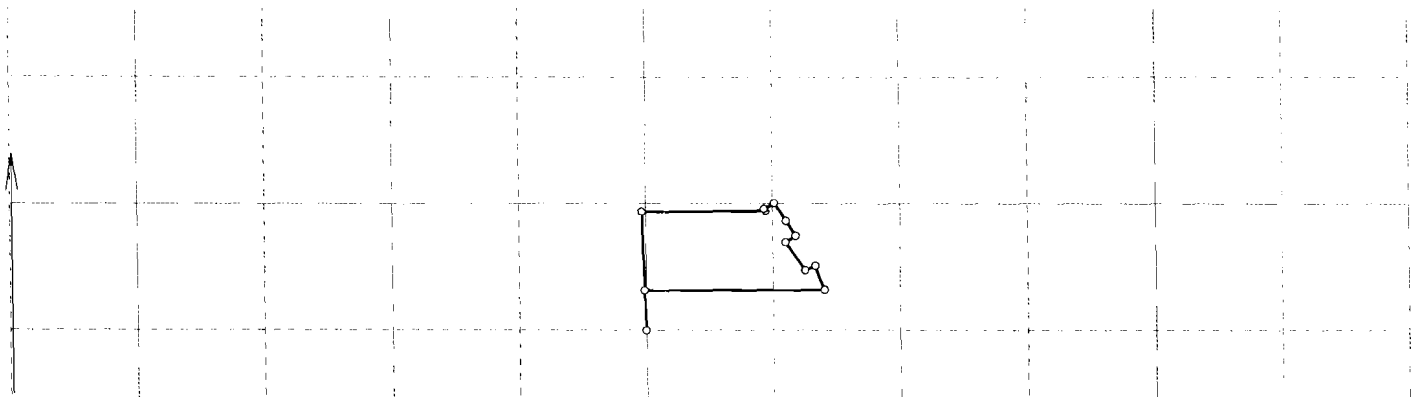
Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have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

Sincerely,

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

Trish Fawcett
Technical Records Specialist

Enc.



Title:		Date: 09-18-2001
Scale: 1 inch = 2000 feet	File:	
Tract 1: 38.752 Acres: 1688051 Sq Feet: Closure = s01.4904e 420.00 Feet: Precision = 1/14: Perimeter = 5822 Feet		
001=nw,sw,nw,22,2n,18e	006=n60.1955e 123.48	011=n67.4140e 119.66
002=n01.5244w 419.71	007: Lt, R=5240.50, Delta=02.2158 Bng=s32.1350e, Chd=216.40	012: Lt, R=1095.92, Arc=267.58, Delta=13.5922 Bng=s21.3639e, Chd=266.92
003=n01.5244w 820.78	008=s33.3304e 183.00	013=s89.4602w 1875.41
004=n89.3827e 1290.36	009=s56.3656w 121.91	
005=n35.2424w 26.50	010=s33.2631e 356.93	

Memo to file 37-562D

September 19, 2001

From: Trish Fawcett

An ownership change was received September 12, 2001 requesting we change owners on 37-562D, 37-7215F and 37-10619 from Maine/Baltzell to Lachewitz. I ran proof reports to do the initial comparison of the legal description on the deed against the claims. The legal description attached to the warranty deed seemed to describe property in section 22, T2N, R18E only, while the claim listed 2.7 acres in section 15. I then used the deed plotter to key in the metes and bounds of the legal description. It showed the conveyed property entirely within section 22 and none in section 15. I then pulled the files to try and ascertain why there was a discrepancy.

Transfer 3955 on 37-562B was filed 7/22/91 to change the POD. It was approved 5/31/95. The POU was listed all in T2N, R18E, as 25 acres in the swsw of section 15, 29 acres in the nwnw of section 22 and 3 acres in the nenw of section 22.

An owner change conveyed lot 2 of the Silver Bell subdivision from Maine/Baltzell to Lawson. When the owner change was data entered Mr. Lawson (claim 37-562E) was given all the property in section 15 and Maine/Baltzell (claim 37-562D) all the property in section 22. Mr. Lawson wrote a letter disagreeing with the split and his claim was then amended to show he owned 22.3 acres in section 15 and 2.7 acres in section 22. This left 2.7 acres in section 15 remaining in Maine/Baltzell's name.

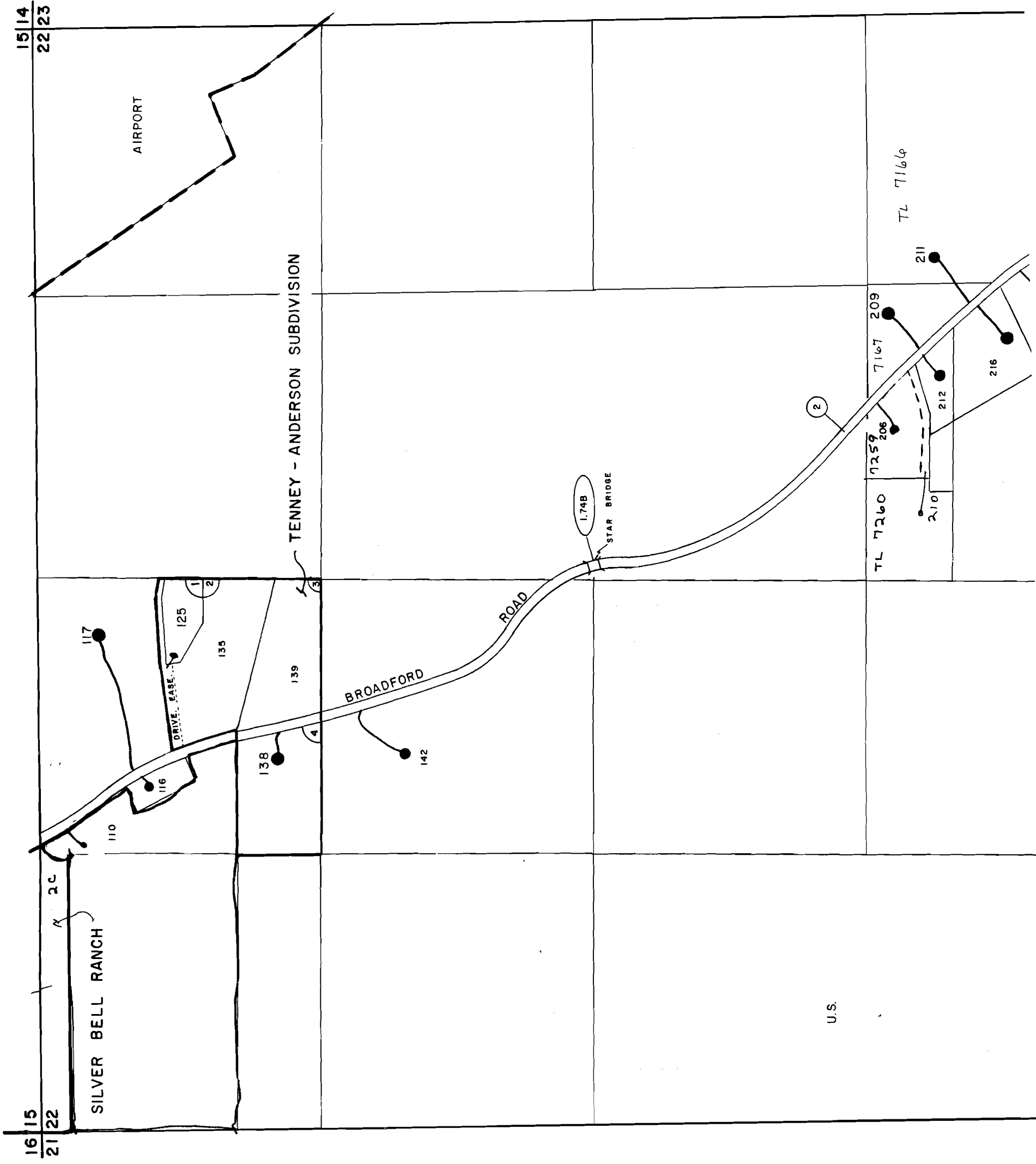
Maine/Baltzell apparently then sold the property to Roos. The owner change form did not indicate a split. The legal description on their deed did not agree with the claim (it's that 2.7 acres in section 15 again). The owner change was given to Jeanie to complete who wrote the Roos's asking for a map to help resolve the question of what happened to the 2.7 acres in section 15. No map was ever submitted and the owner change was never data entered.

Now along comes the owner change received 9/12/01 (Maine/Baltzell to Lachewitz) which has the same legal description as the Roos owner change. This time we received a map as well as a quitclaim that conveys the three entire rights (37-562D, 37-7215F and 37-10619). Once again no split is indicated nor is any mention made of any property in section 15.

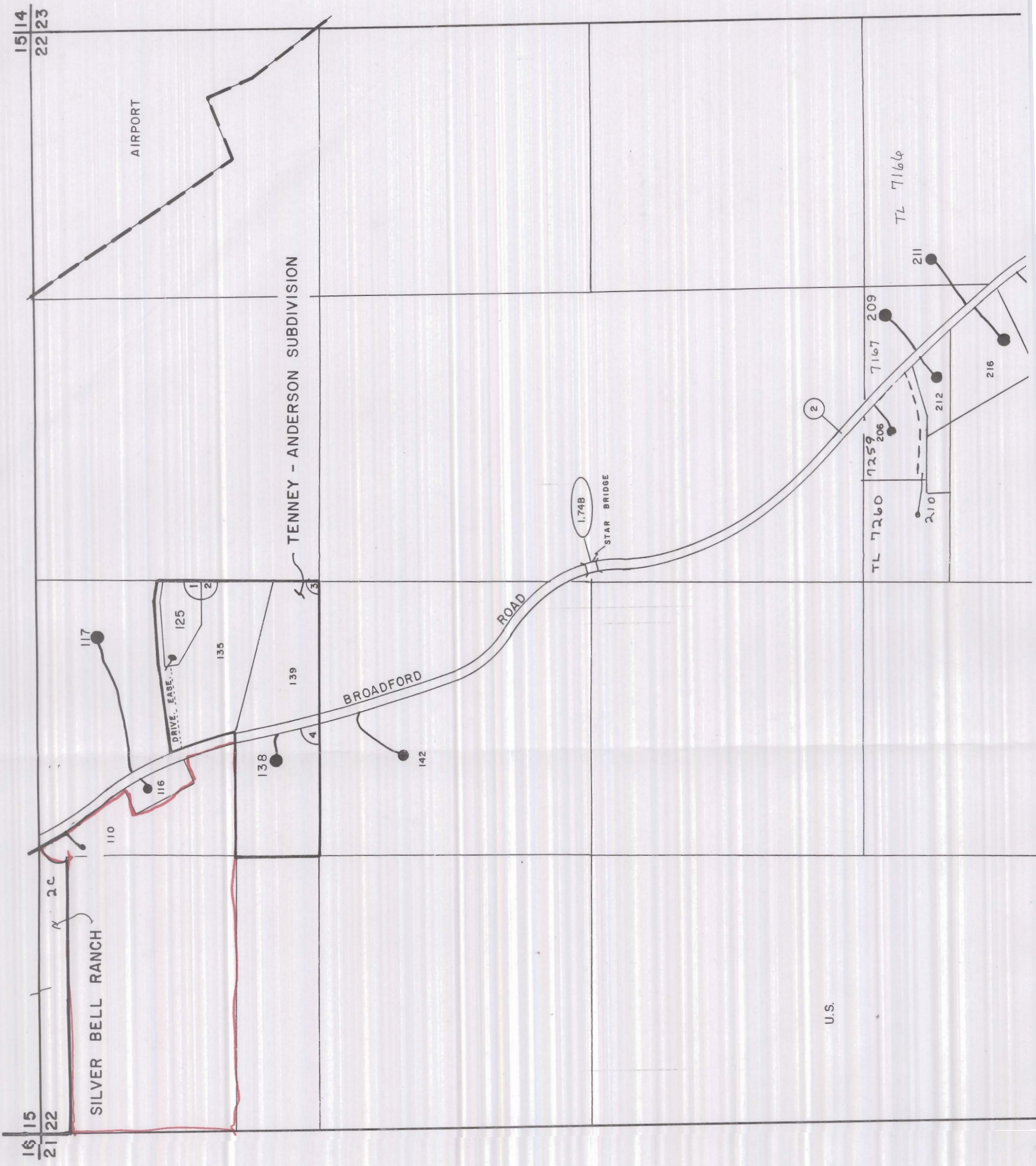
I discussed the discrepancy with Doug Jones and asked how I should proceed. We concluded the acreage in the transfer had been overstated and that the 2.7 acres in section 15 should be removed from claim 37-562D but not decrease the diversion rate.

I also noticed that the 2.7 acres conveyed to Mr. Lawson was listed in the wrong quarter-quarter. The Silver Bell Subdivision is in the nwnw of section 12, not the nenw. I corrected this also and will notify Mr. Lawson of the correction.

T2N R 18E



T2N R18E



Form 42-248/42-1409(s) July, 2000

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

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
37.10619					
37.7215F					
37.562B					
37.562D					

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) JOHN D. MAINE KIMBERLY A. BAUTZELL
209 PIONEER DR. HAILEY, ID 83333
4. New Owner/Claimant(s) WALTER J. LACHWITZ JR. (LINDA A.)
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 2410 BELL RANCH RD.
- City, State and ZIP Code GAMBRILLS, MD 21054
- New Telephone Number (410) 721-6246 OR 301 464 4324
5. Date you acquired the property 8.30.01

Form #2-248/42-1409(6) July, 2000

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)

☒ Walter J. Lachar
☒ Randa D. Lachar

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 5/8/02 Fee 25.00
 Received by [Signature] Date 5/8/02 Receipt No. 5024912
 Processed by [Signature] AJ Date 6/13/01 WR _____ Date _____

Instrument # 454868

HAILEY, BLAINE, IDAHO

2001-08-30

10:05:00 No. of Pages: 3

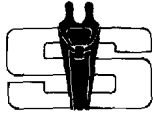
Recorded for : BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WTY/OC/COMP DEED



THIS AGREEMENT MAY BE EXECUTED IN COUNTERPART,
AND AS EXECUTED SHALL CONSTITUTE ONE AGREEMENT,
BONDING ON ALL PARTIES, EVEN THOUGH ALL THE
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME
COUNTERPART.

WARRANTY DEED

For Value Received JOHN D. MAINE and KIMBERLY A. BALTZELL, also shown of
record as JOHN C. MAIN and KIMBERLY BALTZELL

the Grantor hereby grants, bargains, sells, conveys and warrants unto WALTER J. LACHEWITZ JR.
and LINDA A. LACHEWITZ, husband and wife

the Grantee whose current address is: 2410 BELL BRANCH RD, GAMBRILLS MD 21054

the following described premises, to-wit: SEE ATTACHED LEGAL DESCRIPTION

~~A parcel of land within Section 22, Township 2 North, Range 18 East of
Boise Meridian, with reference to Survey by Jim W. Koonce, L.S. 792
recorded April 6, 1995 as Instrument No. 377171, more particularly
described as follows:~~

~~Commencing at N1/16 corner of said Section 22; thence North 01°52'44"
West 419.71 feet to the Point of Beginning; thence North 01°52'44" West
Parcel Number: 02N18022358BA~~

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable.
Easements, restrictions, reservations, provisions of record, and assessments, if any.

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

Dated: August 28, 2001

JOHN D. MAINE

KIMBERLY A. BALTZELL

State of IDAHO

ss.

County of BLAINE

On this 28th day of August, 2001, before me, the
undersigned, a Notary Public, in and for said State, personally appeared JOHN D. MAINE and
KIMBERLY A. BALTZELL

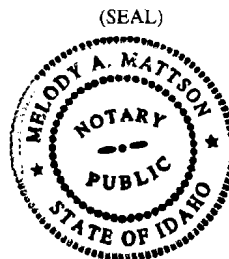
_____, known to me, and/or identified to me
on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument
and acknowledged to me that they executed the same.

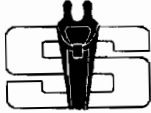
WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public MELODY A. MATTSON

Residing at: KETCHUM, IDAHO

Commission Expires: September 24, 2002





THIS AGREEMENT MAY BE EXECUTED IN COUNTERPART,
AND AS EXECUTED SHALL CONSTITUTE ONE AGREEMENT,
BONDING ON ALL PARTIES, EVEN THOUGH ALL THE
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME
COUNTERPART.

WARRANTY DEED

For Value Received **THE MAINE-BALTZELL 1995 REVOCABLE TRUST, JOHN D. MAINE AND
KIMBERLY BALTZELL as CO-TRUSTEES**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **WALTER J. LACHEWITZ JR.
and LINDA A. LACHEWITZ, husband and wife**

the Grantee whose current address is: **2410 BELL BRANCH RD , GAMBRILLS MD 21054**

the following described premises, to-wit:

~~A parcel of land within Section 22, Township 2 North, Range 18 East of
Boise Meridian, with reference to Survey by Jim W. Koonce, L.S. 792
recorded April 6, 1995 as Instrument No. 377171, more particularly
described as follows:~~

~~Commencing at N1/16 corner of said Section 22; thence North 01°52'44"
Parcel Number: 02N18022358BA~~

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable.
Easements, restrictions, reservations, provisions of record, and assessments, if any.

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

Dated: August 28, 2001

THE MAINE-BALTZELL 1995 REVOCABLE TRUST


JOHN D. MAINE, TRUSTEE


KIMBERLY BALTZELL, TRUSTEE

State of **IDAHO**

ss.

County of **BLAINE**

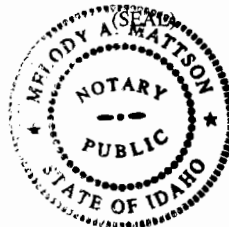
On this 28th day of August, 2001, before me, the
undersigned, a Notary Public, in and for said State, personally appeared JOHN D. MAINE and
KIMBERLY BALTZELL

_____, known to me, and/or identified to me
on the basis of satisfactory evidence, to be the Trustee's of THE MAINE-BALTZELL 1995
REVOCABLE TRUST

the Trust that executed the within instrument and acknowledged to me that they executed the same
on behalf of said Trust.

WITNESS MY HAND AND OFFICIAL SEAL.


Notary Public **MELODY A. MATTSO**
Residing at: **KETCHUM, IDAHO**
Commission Expires: **September 24, 2002**



LEGAL DESCRIPTION

A parcel of land within Section 22, Township 2 North, Range 18 East of Boise Meridian, with reference to Survey by Jim W. Koonce, L.S. 792 recorded April 6, 1995 as Instrument No. 377171, more particularly described as follows:

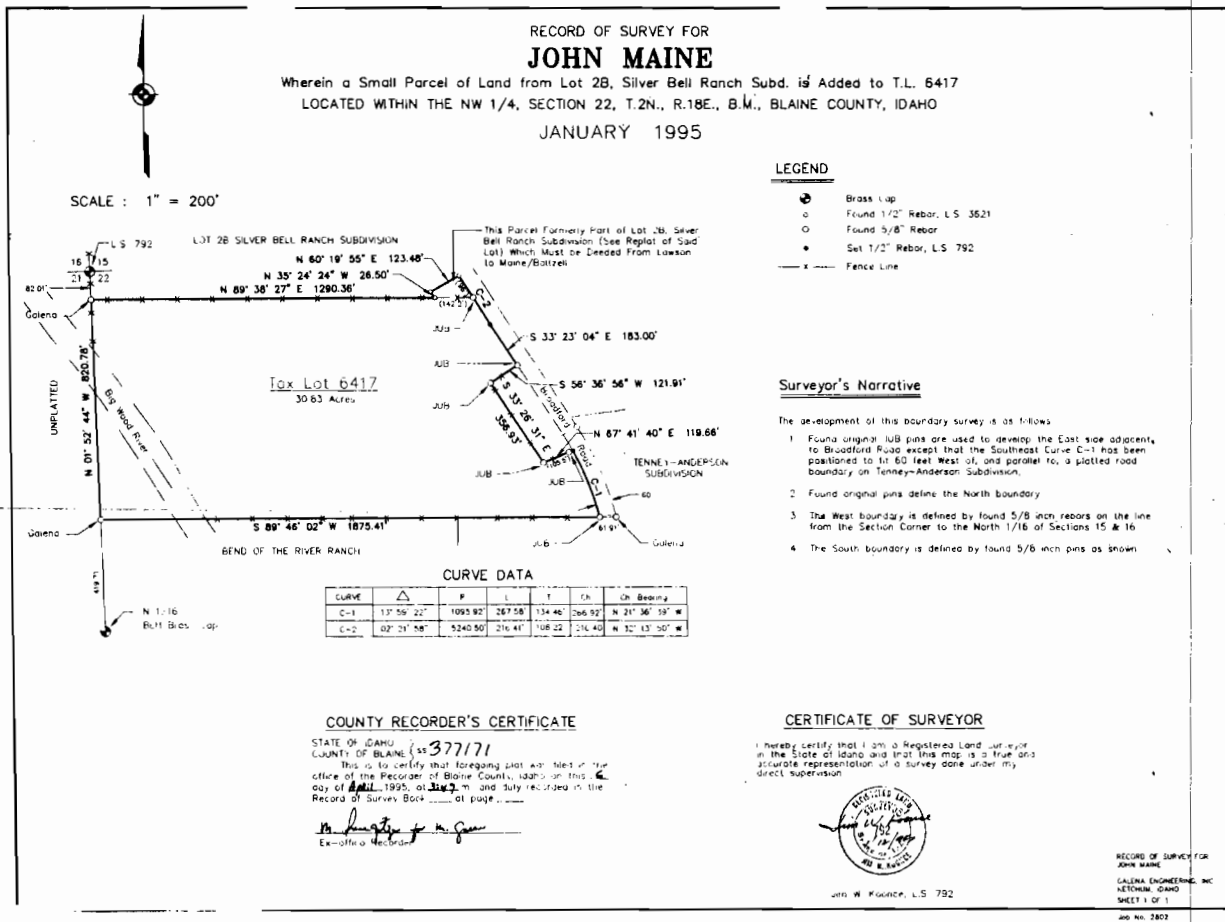
Commencing at N1/16 corner of said Section 22; thence North 01°52'44" West 419.71 feet to the Point of Beginning; thence North 01°52'44" West 820.78 feet; thence North 89°38'27" East 1,290.36 feet; thence North 35°24'24" West 26.50 feet; thence North 60°19'55" East 123.48 feet; thence around a curve to the left a distance of 216.41 feet, with a radius of 5,240.50 feet, a central angle of 02°21'58" and a chord of 216.40 feet that bears South 32°13'50" East; thence South 33°33'04" East 183.00 feet; thence South 56°36'56" West 121.91 feet; thence South 33°26'31" East 356.93 feet; thence North 67°41'40" East 119.66 feet to Broadford Road; thence around a curve to the left a distance of 267.58 with a radius of 1,095.92 feet, a central angle of 13°59'22" and a cord of 266.92 feet that bears South 21°36'39" East; thence South 89°46'02" West 1,875.41 feet to the Point of Beginning.

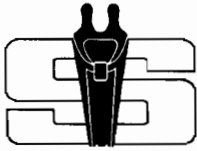
377/71

DRAWING NUMBER

2N 18E S24 22

DRAWING NUMBER





BLAINE COUNTY TITLE
360 Sun Valley Road, P.O. Box 3176
Ketchum, ID 83340
Phone (208) 726-0700 / (800) 346-6879
Fax (208) 726-8406

May 01, 2002

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

RE: Escrow No. 01010198

Dear To Whom It May Concern,

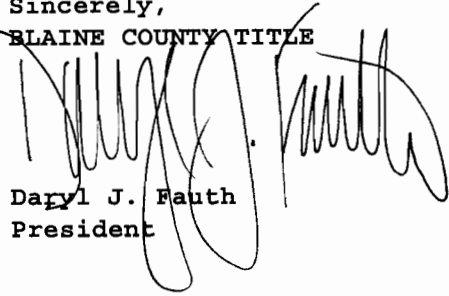
With regards to the above described real estate transaction, please find enclosed the following:

Warranty Deed (copy)
Survey
Other: Notice of Change in Water Right Ownership
Check in the amount of \$25.00
Representing: Filing fee

If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely,

~~BLAINE COUNTY TITLE~~


Daryl J. Fauth
President

RECEIVED

MAY 03 2002

Office of the Recorder
Twin Falls, ID

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
SEP 12 2001
Department of Water Resources
Southern Region

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

1. Water Right No(s): 37-10619; 37-7215F; 37-562B; 37-562D
 Adjudication Claim No(s): _____

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 attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant John D. Maine and Kimberly A. Baltzell
209 Pioneer Drive, Hailey, ID 83333
 New Owner/Claimant(s) Walter J. Lachewitz, Jr. and Linda A. Lachewitz
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 2410 Bell Branch Road
 City, State and ZIP Code Gambrills, MD 21054
 New Telephone Number () _____

5. Date you acquired the property August 30, 2001

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ 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 Owner or Claimant(s) Walter J. Lachewitz Jr 8/28/01
Linda A. Lachewitz 8/28/01
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Instrument # 454868

HAILEY, BLAINE, IDAHO

2001-08-30

10:05:00 No. of Pages: 3

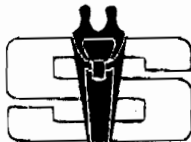
Recorded for: BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED



THIS AGREEMENT MAY BE EXECUTED IN COUNTERPART,
AND AS EXECUTED SHALL CONSTITUTE ONE AGREEMENT,
BONDING ON ALL PARTIES, EVEN THOUGH ALL THE
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME
COUNTERPART.

WARRANTY DEED

For Value Received JOHN D. MAINE and KIMBERLY A. BALTZELL, also shown of
record as JOHN C. MAIN and KIMBERLY BALTZELL

the Grantor hereby grants, bargains, sells, conveys and warrants unto WALTER J. LACHEWITZ JR.
and LINDA A. LACHEWITZ, husband and wife

the Grantee whose current address is: 2410 BELL BRANCH RD, GAMBRILLS MD 21054

the following described premises, to-wit: SEE ATTACHED LEGAL DESCRIPTION

~~A parcel of land within Section 22, Township 2 North, Range 18 East of
Boise Meridian, with reference to Survey by Jim W. Koonce, L.S. 792
recorded April 6, 1995 as Instrument No. 377171, more particularly
described as follows:~~

~~Commencing at N1/16 corner of said Section 22; thence North 01°52'44"
West 419.71 feet to the Point of Beginning; thence North 01°52'44" West
Parcel Number: 02N18022358BA~~

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable.
Easements, restrictions, reservations, provisions of record, and assessments, if any.

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

Dated: August 28, 2001

JOHN D. MAINE

KIMBERLY A. BALTZELL

State of IDAHO

ss.

County of BLAINE

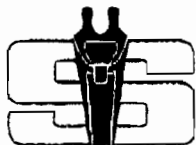
On this 28th day of August, 2001, before me, the
undersigned, a Notary Public, in and for said State, personally appeared JOHN D. MAINE and
KIMBERLY A. BALTZELL

known to me, and/or identified to me

LEGAL DESCRIPTION

A parcel of land within Section 22, Township 2 North, Range 18 East of Boise Meridian, with reference to Survey by Jim W. Koonce, L.S. 792 recorded April 6, 1995 as Instrument No. 377171, more particularly described as follows:

Commencing at N1/16 corner of said Section 22; thence North 01°52'44" West 419.71 feet to the Point of Beginning; thence North 01°52'44" West 820.78 feet; thence North 89°38'27" East 1,290.36 feet; thence North 35°24'24" West 26.50 feet; thence North 60°19'55" East 123.48 feet; thence around a curve to the left a distance of 216.41 feet, with a radius of 5,240.50 feet, a central angle of 02°21'58" and a chord of 216.40 feet that bears South 32°13'50" East; thence South 33°33'04" East 183.00 feet; thence South 56°36'56" West 121.91 feet; thence South 33°26'31" East 356.93 feet; thence North 67°41'40" East 119.66 feet to Broadford Road; thence around a curve to the left a distance of 267.58 with a radius of 1,095.92 feet, a central angle of 13°59'22" and a cord of 266.92 feet that bears South 21°36'39" East; thence South 89°46'02" West 1,875.41 feet to the Point of Beginning.



Instrument # 454869

HAILEY, BLAINE, IDAHO

2001-08-30

10:06:00 No. of Pages: 1

Recorded for : BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

QUITCLAIM DEED

THIS INDENTURE, Made this 28th day of August, 2001 between

JOHN D. MAINE and KIMBERLY BALTZELL, husband and wife

as Grantor and

WALTER J. LACHEWITZ, JR. and LINDA A. LACHEWITZ, husband and wife

as Grantee

whose current address is 2410 BELL BRANCH ROAD, GAMBRILLS, MD 21054

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

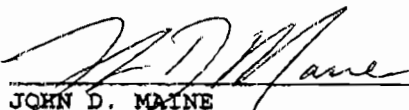
TRANSFER OF WATER RIGHTS #37-10619; #37-7215F; #37-562B; and #37-562D

Parcel Number: 02N18022358BA

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

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

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


JOHN D. MAINE


KIMBERLY A. BALTZELL

State of IDAHO

ss.

County of BLAINE

On this 28th day of August, 2001, before me, the undersigned, a Notary Public, in and for said State, personally appeared JOHN D. MAINE and KIMBERLY BALTZELL

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

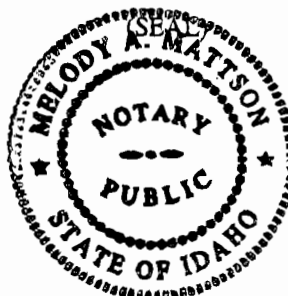
WITNESS MY HAND AND OFFICIAL SEAL.



Notary Public MELODY A. MATTSON

Residing at: KETCHUM, IDAHO

Commission Expires: September 24, 2002



Instrument # 454868

HAILEY, BLAINE, IDAHO

2001-08-30

10:05:00 No. of Pages: 3

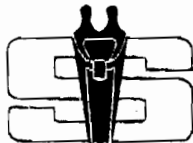
Recorded for: BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED



THIS AGREEMENT MAY BE EXECUTED IN COUNTERPART,
AND AS EXECUTED SHALL CONSTITUTE ONE AGREEMENT,
BONDING ON ALL PARTIES, EVEN THOUGH ALL THE
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME
COUNTERPART.

WARRANTY DEED

For Value Received JOHN D. MAINE and KIMBERLY A. BALTZELL, also shown of
record as JOHN C. MAIN and KIMBERLY BALTZELL

the Grantor hereby grants, bargains, sells, conveys and warrants unto WALTER J. LACHEWITZ JR.
and LINDA A. LACHEWITZ, husband and wife

the Grantee whose current address is: 2410 BELL BRANCH RD, GAMBRILLS MD 21054

the following described premises, to-wit: SEE ATTACHED LEGAL DESCRIPTION

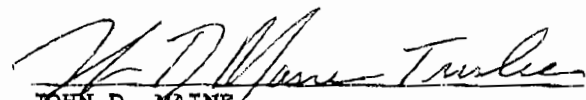
A parcel of land within Section 22, Township 2 North, Range 18 East of
Boise Meridian, with reference to Survey by Jim W. Koonce, L.S. 792
recorded April 6, 1995 as Instrument No. 377171, more particularly
described as follows:

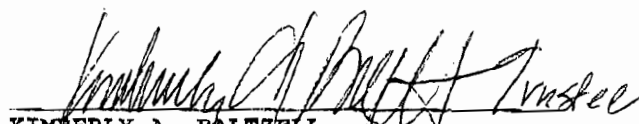
Commencing at N1/16 corner of said Section 22; thence North 01°52'44"
West 419.71 feet to the Point of Beginning; thence North 01°52'44" West
Parcel Number: 02N18022358BA

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable.
Easements, restrictions, reservations, provisions of record, and assessments, if any.

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

Dated: August 28, 2001


JOHN D. MAINE


KIMBERLY A. BALTZELL

State of IDAHO

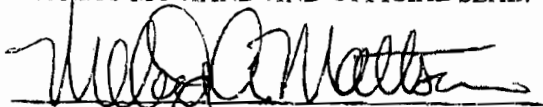
ss.

County of BLAINE

On this 28th day of August, 2001, before me, the
undersigned, a Notary Public, in and for said State, personally appeared JOHN D. MAINE and
KIMBERLY A. BALTZELL

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

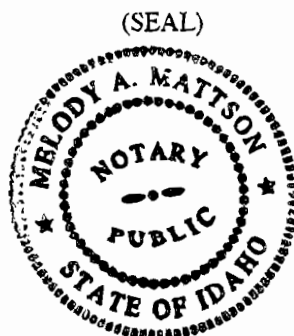
WITNESS MY HAND AND OFFICIAL SEAL.



Notary Public MELODY A. MATTSON

Residing at: KETCHUM, IDAHO

Commission Expires: September 24, 2002



MAP #16

 $\lambda = 200'$

SFC 22

R18F

T2N

PROF. DR. HELMUT BRUNNEN, 10000
FRIEDRICH-SCHILLER-STRASSE 100
D-1000 BERLIN 33, GERMANY



0	1	2	3	4	5	6	7
8	9	10	11	12	13	14	15
16	17	18	19	20	21	22	23
24	25	26	27	28	29	30	31

BLAINE
COUNTY[illegible]

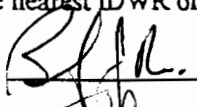
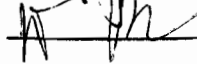
50

9/25
cc-5 381 NY

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

JUL 28 1997

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) 37-00562D, 37-07215F,
Adjudication Claim Number(s) A37-00562D, A37-07215F, A37-10619
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 Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) JOHN D. MAINE & KIMBERLY A. BALTZELL
OR
4. New Owner/Claimant(s) BRAD ROOS & DONATA ROOS
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address P. O. BOX 389
City, State and ZIP Code SUN VALLEY, ID 83353
New Telephone Number (208) 726 - 3130
5. Date you acquired the property 7/22/97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s)  Date 7/21/97
 Date 7-21-97
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.

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION OF
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

120 EAST AVENUE
P. O. BOX 987
KETCHUM, IDAHO 83340
(208)726-4421
FAX (208)726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3967
FAX (208) 788-4230

July 22, 1997

VIA FACSIMILE - 726-3567
ORIGINAL WILL NOT FOLLOW

Mr. Robert Benjamin
President
Exchange Services, Inc.
P.O. Box 756
Ketchum, ID 83340

Re: Roos - Maine - 1031 Exchange

Dear Bob:

I understand you are handing a tax-deferred exchange for Brad and Donata Roos involving the acquisition of certain real property from John Maine and Kimberly Baltzell as the replacement property. Brad has asked me to review the water rights on this property and I have done so. Please include the following language in the Warranty Deed for conveying the replacement property to the Roos's:

TOGETHER WITH any and all water rights appurtenant thereto, including, but not limited to, the following:

1. 1.14 cfs of the Big Wood River with a May 10, 1887 priority date pursuant to Idaho Water Right No. 37-00562D and Claim No. A37-00562D 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 (the "SRBA").
2. 0.153 cfs of an unnamed spring with a March 29, 1973 priority date pursuant to Idaho Water Right No. 37-07215F and Claim No. A37-07215F in the SRBA.
3. 0.08 cfs of ground water with a January 1, 1978 priority date pursuant to Claim No. A37-10619 in the SRBA.

JUL-22-97 TUE 12:15 PM
JUL-22-97 TUE 09:28

1ST AM-B. BENJAMIN
HOGUE, SPECK & AANESTAD

FAX NO. 2087263567
FAX NO. 2087263567

P. 03/03
r. 03

Mr. Robert Benjamin
July 22, 1997
Page 2

Please call me if there are any questions concerning this request. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS/j

cc: Brad Roos (via fax)

WARRANTY DEED

For Value Received

John D. Maine and Kimberly A. Baltzell, husband and wife and John D. Maine and Kimberly A. Baltzell, Trustees of the Maine Baltzell 1995 Living Trust

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

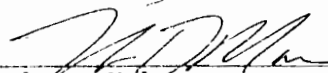
Exchange Services, Inc., an Idaho corporation

whose address is: P. O. Box 756, Ketchum, ID 83340

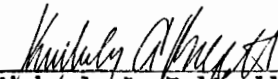
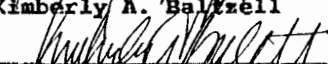
Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

See Attached Exhibit "A" attached hereto and made a part hereof.

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 said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.


John D. Maine

John D. Maine, Trustee

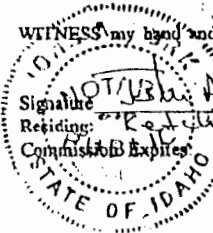

Kimberly A. Baltzell

Kimberly A. Baltzell, Trustee

State of Idaho

County of Blaine

On July 21st 1997 before me, the undersigned, a Notary Public in and for said State, personally appeared John D. Maine and Kimberly A. Baltzell personally known to me (or proved to me on the basis of satisfactory evidence) 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.


Signature: Burke A. Burke
Residing: Ketchum, Idaho
Commission Expires: October 10th 1997

State of Idaho

County of Blaine

On this 21st day of July in the year of 1997, before me, the undersigned Notary Public in and for said state, personally appeared John D. Maine and Kimberly A. Baltzell, identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustees of the Maine Baltzell 1995 Living Trust, and acknowledged to me they executed the same as such Trustees.

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


Signature: Burke A. Burke
Residing: Ketchum, Idaho
My Commission Expires: October 10th 1997

Legal Description
Order No. 20176

Exhibit "A"

A parcel of land within Section 22, T2N, R18E, more particularly described as follows:

Commencing at N1/16 corner of Section 22; thence
N 01°52'44" W 419.71 to the Point of Beginning; thence
N 01°52'44" W 820.78 feet; thence
N 89°38'27" E 1,290.96 feet; thence
N 35°24'24" W 26.50 feet; thence
N 60°19'55" E 123.48 feet; thence
around a curve to the left, with a radius of 5,240.50 feet, a central angle of
02°21'58" and a chord of 216.41 feet that bears S 32°13'50" E; thence
S 33°23'04" E 183.00 feet; thence
S 56°36'56" W 121.91 feet; thence
S 33°26'31" E 356.93 feet; thence
N 67°41'40" E 119.66 feet to Broadford Road; thence
around a curve to the left with a radius of 1,095.92 feet, a central angle of
13°59'22" and a chord of 267.58 feet that bears S 21°36'39" E; thence
S 89°46'02" W 1,875.41 feet to the Point of Beginning.

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: **A37-00562D**

Date Received: 10/ 2/1990

Receipt No: X777777

Received By: W.B. Smith

AMENDED

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

AMENDED

1. Name: JOHN D MAINE
Address: 63 W SHORE RD
BELVEDERE CA 94920

AND/OR

Name: KIMBERLY A BALTZELL
Address: 63 W SHORE RD
BELVEDERE CA 94920

2. Date of Priority: MAY 10, 1887

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

4. Point of Diversion:

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

5. Description of diverting works:
COVE CANAL, HEADGATE 33, GRAVITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.140		

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

8. Total consumptive use is 111.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use
02N	18E	15	SW	SW		IRR

Acres

9661 62 AON
NOV 29 1996
MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.7
		22	NE	NW	IRR	0.3
			NW	NW	IRR	29.0
					Section Acres	29.3
					Total Acres	32.0

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:
A37-07215A, -07215B, -07215C

14. Remarks:
CHANGE IN POD AND/OR POU IS CLAIMED PURSUANT TO IDAHO CODE §42-1416A TO THE EXTENT IT DIFFERS FROM FROST DECREE.

OWNERSHIP CHANGE RESULTED IN A SPLIT. A37-00562D (1.14 CFS) BELONGS TO MAINE/BALTZELL WITH 32 ACRES. A37-00562E (.89 CFS) BELONGS TO LAWSON WITH 25 ACRES. WARRANTY DEED AND LETTER FROM LAWYER TO CONFIRM. THIS IS BASED ON APPROVED TRANSFER 3955. 8/18/95 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST, ET AL
Decree Plaintiff

ALTURAS WATER COMPANY, ET AL
vs Decree Defendant

MICROFILMED
NOV 29 1996

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

319 WALNUT AVENUE

POST OFFICE BOX 297

KETCHUM, IDAHO 83340-0297

TELEPHONE

(208) 726-1700

FAX

(208) 726-9743

BOISE OFFICE

877 MAIN STREET, SUITE 1000

POST OFFICE BOX 1617

BOISE, IDAHO 83701-1617

POCATELLO OFFICE

125 NORTH GARFIELD

POST OFFICE BOX 4167

POCATELLO, IDAHO 83201-4167

EDWARD A. LAWSON

August 28, 1995

RECEIVED

AUG 29 1995

Department of Water Resources
Southern Region

Ms. Tara L. Backlund
Snake River Basin Adjudication
Claims Clerk
IDWR
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

Re: SRBA Claim A37-00562
Split Maine/Baltzell
A37-00562D and A37-00562E

Dear Ms. Backlund:

I received your August 18, 1995 letter regarding the above referenced claims. It appears to me your records are inaccurate in the following respects:

1. Brian Ballard is shown as an original owner of Right # A37-00562B when in fact he was the attorney for Maine/Baltzell.
2. My records indicate that the place of use is inaccurate. I believe 22.3 of my 25 acres to be in Section 15 and the remaining 2.7 acres to be in Section 22. All of the Maine/Baltzell 32 acres in Section 22.

Please review your records and see if you agree a correction is in order.

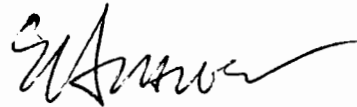
MICROFILMED
NOV 29 1996

Tara L. Backlund
Snake River Basin Adjudication
August 28, 1995
Page 2

Thanks for your help.

Very Truly Yours,

HAWLEY TROXELL ENNIS & HAWLEY

A handwritten signature in dark ink, appearing to read 'E. Lawson', with a long horizontal flourish extending to the right.

Edward A. Lawson

pc: Maine/Baltzell
client\cal\maine

MICROFILMED

NOV 29 1995

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: **A37-00562D**

Date Received: 10/ 2/1990

Receipt No: X777777

Received By: RLB

AMENDED

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

AMENDED

1. Name: JOHN D MAINE 415-332-6612
Address: 95 CENTRAL
SAUSALITO CA 94965
AND/OR
Name: KIMBERLY A BALTZELL 415-332-6612
Address: 95 CENTRAL
SAUSALITO CA 94965

2. Date of Priority: MAY 10, 1887

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

4. Point of Diversion:

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

5. Description of diverting works:
COVE CANAL, HEADGATE 33, GRAVITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.140		

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

8. Total consumptive use is 111.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use
02N	18E	22	NE	NW		IRR

MICROFILMED
3-0
NOV 29 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	22	NW	NW		IRR	29.0
Section Acres							32.0
Total Acres							32.0

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:

A37-07215A, -07215B, -07215C

14. Remarks:

CHANGE IN POD AND/OR POU IS CLAIMED PURSUANT TO IDAHO CODE §42-1416A TO THE EXTENT IT DIFFERS FROM FROST DECREE.

OWNERSHIP CHANGE RESULTED IN A SPLIT. A37-00562D (1.14 CFS) BELONGS TO MAINE/BALTZELL WITH 32 ACRES. A37-00562E (.89 CFS) BELONGS TO LAWSON WITH 25 ACRES. WARRANTY DEED AND LETTER FROM LAWYER TO CONFIRM. THIS IS BASED ON APPROVED TRANSFER 3955. 8/18/95 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST, ET AL
Decree Plaintiff

ALTURAS WATER COMPANY, ET AL
vs Decree Defendant

MICROFILMED

NOV 29 1996

RECEIVED
FEB 14 1992

COUNTY OF MARIN
CLERK OF SUPERIOR COURT

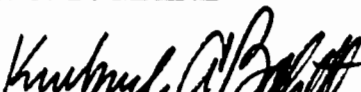
**PARTIAL ASSIGNMENT OF APPLICATION
FOR TRANSFER OF WATER RIGHT**

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, JOHN D. MAINE and KIMBERLY A. BALTZELL hereby assign to EDWARD A. LAWSON and/or JULIE C. LAWSON a part of that certain Application for Transfer of Water Right, a copy of which is attached hereto for reference purposes, as the same pertains to Lot 2 of Silver Bell Ranch Subdivision, and in particular with respect to 44.69 inches of water right No. 37-00562B. Maine and Baltzell shall retain 57.21 inches of said water right.

Dated this 10th day of February, 1992.



JOHN D. MAINE

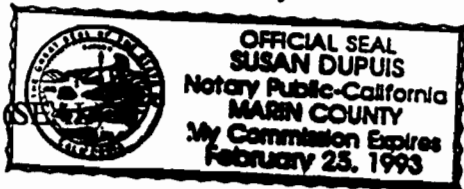


KIMBERLY A. BALTZELL

STATE OF CALIFORNIA)
County of MARIN) ss.

On this 10th day of FEBRUARY, 1992, before me, the undersigned, a Notary Public in and for said county and state, personally appeared John D. Maine, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.





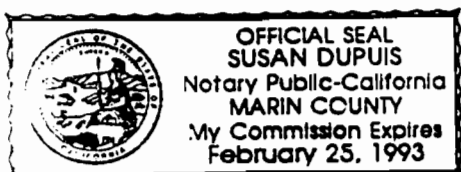
Notary Public for CALIFORNIA
Residing at SAUSALITO CA
My Commission expires 2-25-93

STATE OF CALIFORNIA)
County of MARIN) ss.

On this 10th day of FEBRUARY, 1992, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Kimberly A. Baltzell, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

WITNESS my hand and official seal.

(SEAL)





Notary Public for CALIFORNIA
Residing at SAUSALITO CA
My Commission expires 2-25-93

MICROFILMED
NOV 29 1996

37-00562B, 14-3755

RECEIVED

FEB 11 1992

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

Department of Water Resources
Southern Region Office

[] Water Right Number(s): A37-00562B

[] Name and Address of
Former Claimant: John D. Maine and/or Kimberly A. Baltzell

95 Central

Sausalito, CA 94965

[] New Claimant(s): Edward A. Lawson and/or

Julie C. Lawson

[] New Mailing Address: P.O. Box 2312

Ketchum, Idaho 83340

New Telephone Number: (208) 726 - 1700

[] Does the change in ownership result in a splitting of the
water right claimed? X yes no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

Original Water Right was for 2.038 cfs; the portion now claimed

by new owner is .89 cfs.

[] Attach proof of ownership
Describe proof attached: Warranty Deed

[] Signature of New Claimant(s): *Julie C. Lawson*

✓ Date: 2/5/92

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7/24/95

By: HLB

Further Action Needed: need more information

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 8/18/95

By: HLB

Claim Numbers of Split, if any:

A37-00562D & A37-00562E

MICROFILMED

NOV 29 1995

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS
FIRST INTERSTATE CENTER
877 MAIN STREET, SUITE 1000
POST OFFICE BOX 1617
BOISE, IDAHO 83701-1617

TELEPHONE
(208) 344-6000
FAX
(208) 342-3829

KETCHUM OFFICE
319 WALNUT AVENUE
POST OFFICE BOX 297
KETCHUM, IDAHO 83340-0297

POCATELLO OFFICE
333 SOUTH MAIN STREET
POST OFFICE BOX 100
POCATELLO, IDAHO 83204-0100

RICHARD B. BURLEIGH

EMail: RBB@hteh.mhs.compuserve.com

August 16, 1995

RECEIVED
AUG 17 1995
Department of Water Resources
Southern Region

Tara L. Backlund
Records Clerk
Snake River Basin Adjudication
Idaho Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301-6105

Re: *Maine/Baltzel-Lawson Ownership Change*
2/11/1992; A37-00562B

Dear Tara:

This correspondence is in response to your July 24, 1995 letter inquiring into the ownership change regarding A37-00562B. Specifically, you requested information regarding how many and which acres were involved in the split. The requested information is as follows:

On March 15, 1990, John Campagna sold to John Maine and Kimberly Baltzel approximately fifty-seven acres located in Blaine County. Approximately twenty-five acres are located in Lot 2 of Silverbell Ranch Subdivision (most of this acreage lies within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Range 18 East, Township 2 North; a fraction lies within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Range 18 East, Township 2 North). The remainder of the acreage, approximately thirty-two acres, lies within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Range 18 East, Township 2 North. Mr. and Mrs. Lawson purchased Lot 2 of Silverbell Subdivision as indicated by the Warranty Deed attached to the Change of Ownership of Notice of Claim which you have. The change of ownership is to reflect Mr. and Mrs. Lawson's purchase of the approximate twenty-five acres which constitute Lot 2 of the Silverbell Ranch subdivision.

MICROFILMED
NOV 29 1996

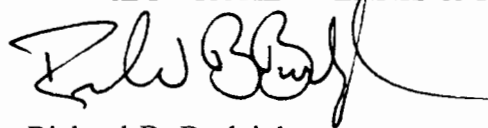
HAWLEY TROXELL ENNIS & HAWLEY

Tara L. Backlund
August 16, 1995
Page 2

If you require additional information regarding this Change in Ownership Notice,
please contact the undersigned.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY

A handwritten signature in black ink, appearing to read 'R. B. Burleigh', with a long horizontal flourish extending to the right.

Richard B. Burleigh

RBB/jkc
cc: John Maine
Ed Lawson

MICROFILMED
NOV 29 1996

Order No. 17522

WARRANTY DEED

FOR VALUE RECEIVED

John D. Maine and Kimberly A. Baltzell, husband and wife

GRANTOR (s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Edward A. Lawson and Julie C. Lawson, husband and wife

GRANTEE (s) whose address is: P. O. Box 2312, Ketchum, ID 83340

the following described real property in Blaine County, Idaho, to wit:

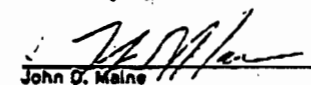
Lot 2 of Silver Bell Ranch Subdivision, according to the official plat thereof, recorded as instrument No. 305978, records of Blaine County, Idaho.

Together with all water rights, ditch rights, licenses, permits, claims and applications for water rights appurtenant to said property, including but not limited to drill permit No. 37-81-S-081 and all of Idaho Department of Water Resources Water Right License No. 37-7216C and 24/37 of License Nos. 37-7215A and 37-7215B and 24/52 of decreed right No. 37-00562.

Subject To: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said 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 encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever....

Dated: July 25, 1991


 John D. Maine


 Kimberly A. Baltzell

State of ID.

County of Teton

On this 25th day of July 1991, before me, a notary public in and for said State, personally appeared John D. Maine and Kimberly A. Baltzell personally 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
Residing at
Commission Expires:

J. Thompson

 MICHAEL MED
 NOV 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 24, 1995

BRIAN L BALLARD
LAWSON & PEBBLES
PO BOX 297
KETCHUM, ID 83340

RE: MAINE/BALTZELL-LAWSON OWNERSHIP CHANGE 2/11/1992
A37-00562B

DEAR SIR:

I HAVE TO FIRST APOLOGIZE FOR THE LENGTH OF TIME THIS OWNERSHIP CHANGE HAS TAKEN. I HAVE FINISHED THE O/C FOR A37-07215C AND FOR A37-07215D.

IN LOOKING AT THE OWNERSHIP CHANGE REGARDING A37-00562B THAT IS BEING SPLIT, I CAN'T FIND ANY INFORMATION REGARDING HOW MANY AND WHICH ACRES TO SPLIT. IF YOU COULD SEND ME INFORMATION REGARDING THIS, IT WOULD BE APPRECIATED.

I AM ENCLOSING COPIES OF THE INFORMATION I HAVE, TO HELP IN THIS SEARCH. IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE. THANK YOU FOR YOUR PATIENCE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

MICROFILMED
NOV 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

AUGUST 18, 1995

EDWARD & JULIES LAWSON
PO BOX 2312
KETCHUM, ID 83340

RE: SRBA CLAIM A37-00562B SPLIT
MAINE/BALTZELL
A37-00562D (MAINE/BALTZELL) A37-00562E (LAWSON)

DEAR CLAIMANTS:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

CC: MAINE/BALTZELL, 95 CENTRAL, SAULSALITO, CA 94950

MICROFILMED
NOV 29 1996

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

FIRST INTERSTATE CENTER
877 MAIN STREET, SUITE 1000
POST OFFICE BOX 1617
BOISE, IDAHO 83701-6117

TELEPHONE
(208) 344-6000

FAX
(208) 342-3829

KETCHUM OFFICE
319 WALNUT AVENUE
POST OFFICE BOX 297
KETCHUM, IDAHO 83340-0297

POCATELLO OFFICE
333 SOUTH MAIN STREET
POST OFFICE BOX 100
POCATELLO, IDAHO 83204-0100

RICHARD B. BURLEIGH

EMail: RBB@hteh.mhs.compuserve.com

August 16, 1995

RECEIVED
AUG 1 1995
Department of Water Resources
Southern Region

Tara L. Backlund
Records Clerk
Snake River Basin Adjudication
Idaho Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301-6105

Re: *Maine/Baltzel-Lawson Ownership Change*
2/11/1992; A37-00562B

Dear Tara:

This correspondence is in response to your July 24, 1995 letter inquiring into the ownership change regarding A37-00562B. Specifically, you requested information regarding how many and which acres were involved in the split. The requested information is as follows:

On March 15, 1990, John Campagna sold to John Maine and Kimberly Baltzel approximately fifty-seven acres located in Blaine County. Approximately twenty-five acres are located in Lot 2 of Silverbell Ranch Subdivision (most of this acreage lies within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Range 18 East, Township 2 North; a fraction lies within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Range 18 East, Township 2 North). The remainder of the acreage, approximately thirty-two acres, lies within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Range 18 East, Township 2 North. Mr. and Mrs. Lawson purchased Lot 2 of Silverbell Subdivision as indicated by the Warranty Deed attached to the Change of Ownership of Notice of Claim which you have. The change of ownership is to reflect Mr. and Mrs. Lawson's purchase of the approximate twenty-five acres which constitute Lot 2 of the Silverbell Ranch subdivision.

MICROFILMED
NOV 29 1996

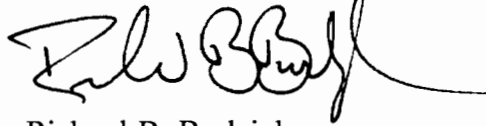
HAWLEY TROXELL ENNIS & HAWLEY

Tara L. Backlund
August 16, 1995
Page 2

If you require additional information regarding this Change in Ownership Notice,
please contact the undersigned.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY

A handwritten signature in black ink, appearing to read 'Richard B. Burleigh', with a long horizontal flourish extending to the right.

Richard B. Burleigh

RBB/jkc
cc: John Maine
Ed Lawson

MICROFILMED
NOV 29 1996

Order No. 17522

WARRANTY DEED

FOR VALUE RECEIVED

John D. Maine and Kimberly A. Baltzell, husband and wife

GRANTOR (s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Edward A. Lawson and Julie C. Lawson, husband and wife

GRANTEE (s) whose address is: P. O. Box 2312, Ketchum, ID 83340

the following described real property in Blaine County, Idaho, to wit:

Lot 2 of Silver Bell Ranch Subdivision, according to the official plat thereof, recorded as instrument No. 305978, records of Blaine County, Idaho.

Together with all water rights, ditch rights, licenses, permits, claims and applications for water rights appurtenant to said property, including but not limited to drill permit No. 37-81-S-081 and all of Idaho Department of Water Resources Water Right License No. 37-7215C and 24/37 of License Nos. 37-7215A and 37-7215B and 24/52 of decreed right No. 37-00562.

Subject To: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said 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 encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 25, 1991


 John D. Maine


 Kimberly A. Baltzell

State of ID.

County of Blaine

On this 25th day of July, 1991, before me, a notary public in and for said State, personally appeared John D. Maine and Kimberly A. Baltzell personally 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
 Residing at
 Commission Expires:

J:\notary\formal\1

OFILMED

29 1996

RECEIVED

FEB 11 1992

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM
Department of Water Resources
Southern Region Office

[] Water Right Number(s): A37-00562B

[] Name and Address of
Former Claimant: John D. Maine and/or Kimberly A. Baltzell
95 Central
Sausalito, CA 94965

[] New Claimant(s): Edward A. Lawson and/or
Julie C. Lawson

[] New Mailing Address: P.O. Box 2312
Ketchum, Idaho 83340

New Telephone Number: (208) 726 - 1700

[] Does the change in ownership result in a splitting of the
water right claimed? X yes no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

Original Water Right was for 2.038 cfs; the portion now claimed
by new owner is .89 cfs.

[] Attach proof of ownership
Describe proof attached: Warranty Deed

[] Signature of New Claimant(s): *Julie C. Lawson*

✓ Date: 2/5/92

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7/24/95

By: HLB

Further Action Needed: need more information

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 8/18/95

By: HLB

Claim Numbers of Split, if any:

A37-00562D & A37-00562E

MICROFILMED

NOV 29 1996

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00562B
Date Received: 10/02/1990
Receipt No: S012714
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN D. MAINE 415-332-6612
Address: 95 CENTRAL
SAUSALITO, CA 94965

AND/OR

Name: KIMBERLY A. BALTZELL 415-332-6612
Address: 95 CENTRAL
SAUSALITO, CA 94965

2. Date of Priority: MAY 10, 1887

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

4. Point of Diversion:

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

5. Description of diverting works:
COVE CANAL, HEADGATE 33, GRAVITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

8. Total consumptive use is 142.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	15	SW	SW		IRR	32.0

A37-00562B

Page 1

Date: 10/02/90

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	32.0
		22	NE	NW	IRR	3.0
			NW	NW	IRR	22.0
					Section Acres	25.0
					Total Acres	57.0

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:
A37-07215A, -07215B, -07215C

14. Remarks:
CHANGE IN POD AND/OR POU IS CLAIMED PURSUANT TO IDAHO CODE §42-1416A TO THE EXTENT IT DIFFERS FROM FROST DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST, ET AL
Decree Plaintiff

vs

ALTURAS WATER COMPANY, 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 _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name

acting as attorney at law on behalf 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 me at the address listed below.

Signature _____

Address _____

Date _____

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 A37-00562B
Date Received SEPT. 28, 1990
Receipt Number SO 12714 sc

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly JOHN D. MAINE omd/or

1. Name of Claimant (s) KIMBERLY A. BALTZELL Phone (415) 332-6612

Mailing Address 95 CENTRAL, SAUSALITO, CA Zip 94965

2. Date of Priority (Only one (1) per claim) 5/10 / 1887

3. Source of water supply (a) BIG WOOD RIVER
which is tributary to (b) MALAD RIVER

4. a. Location of existing point of diversion is: Township 2N Range 18E Section 16,
1/4 of SW 1/4 of NE 1/4, Govt. Lot, B.M., County of BLAINE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. HEADGATE #33 &

COVE CANAL, FLOOD IRRIGATION

COPY RECORDED
FEB 23 1993

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from 4/01 to 11/01 amount 2.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 142.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N	18E	15											32						32
2N	18E	22					3	22											25

Total number of acres irrigated 57

11. In which county (ies) are lands listed above as place of use located? BLAINE

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
37-07215A, 37-07215B, 37-07215C or None ()

14. Remarks: CHANGE IN POINT OF DIVERSION AND/OR
PLACE OF USE IS CLAIMED PURSUANT
TO IDAHO CODE §42-1416A TO THE
EXTENT IT DIFFERS FROM FROST DECREE

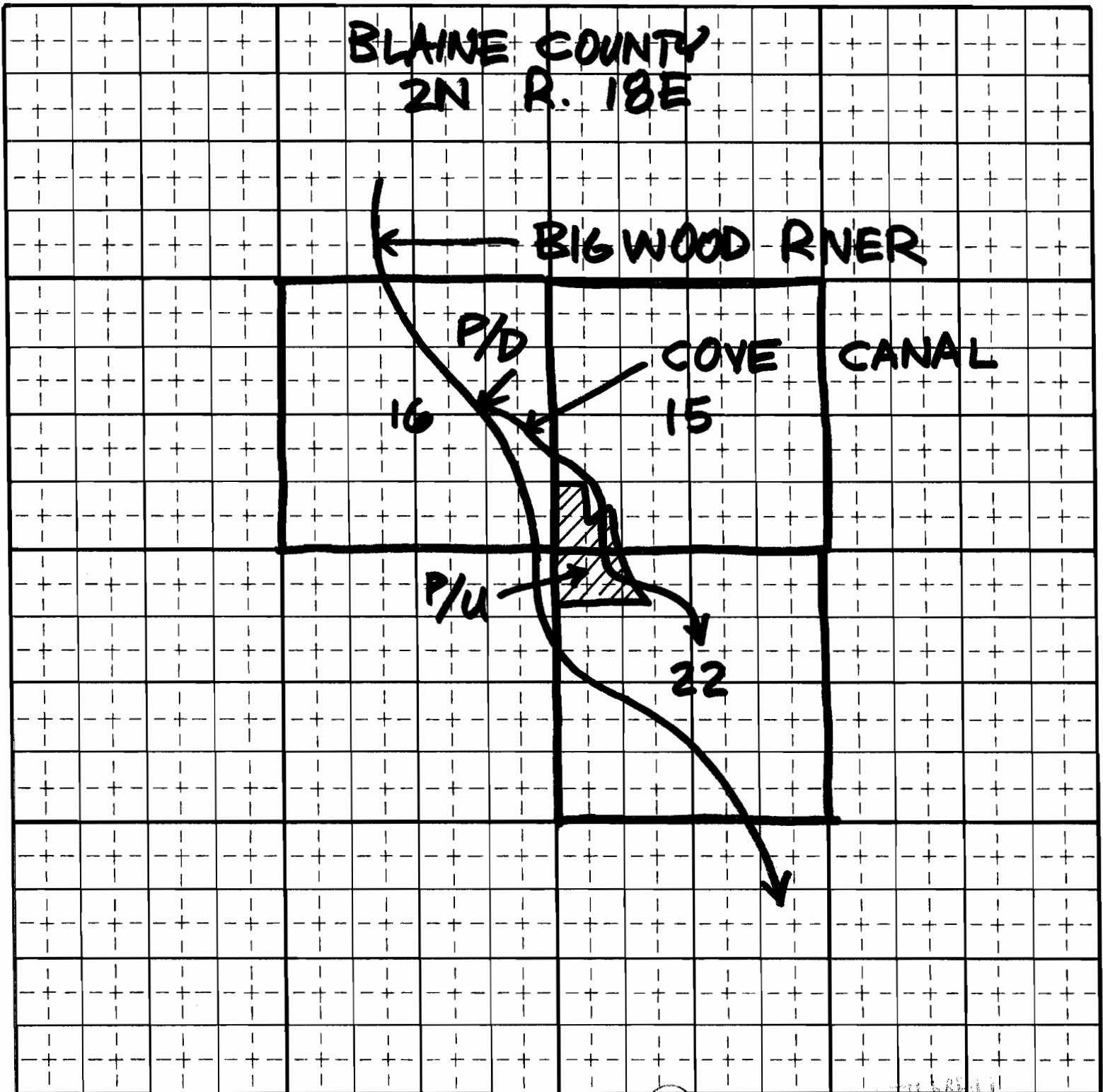
Last Name MAINE Ident No. _____

COPY

Copies: White - State, Yellow - Claimant

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

Scale: 2 inches equals 1 mile



COPY
FEB 23 1993

Last Name MAINE Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date 12/13/1909
Plaintiff vs Defendant FROST V. ALTURAS

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 9/25/90
Date _____

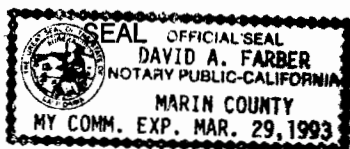
For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Calif)
Idaho/or)
County of Marin) SS.

Subscribed and sworn (or affirmed) before me this 25th day of Sept 19 90



Notary Public [Signature]

Residing at Sausalito, CA

My Commission Expires 3-29-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, BRIAN L. BALLARD will be acting as attorney at law on behalf 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 me at the address listed below.

Signature [Signature]

Address LAWSON & PEEBLES P.O. Box 297 Ketchum, Idaho 83340

Date 9/22/90 (208) 726-1700

COPY

MICROFILMED

FEB 23 1993

Last Name MAINE Ident. Number _____

Copies White-State, Yellow-Claimant

12/20/2006

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

RIGHT NUMBER: 37-562D

NAME AND ADDRESS: LINDA A LACHEWITZ
2410 BELL BRANCH RD
GAMBRILLS MD 21054

WALTER J LACHEWITZ JR
2410 BELL BRANCH RD
GAMBRILLS MD 21054

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.140 CFS
85.400 AFY

Right Nos. 37-562D and 37-7215F are limited to a total combined diversion rate of 1.14 cfs.

This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation of the lands above.

Right Nos. 37-562D and 37-7215F are limited to a total combined annual diversion volume of 85.4 AF.

PRIORITY DATE: 05/10/1887

POINT OF DIVERSION:

T02N R18E S16 SESWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.140 CFS 85.40 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S22	NENW	3.40	T02N R18E S22	NWNW	21.00
---------------	------	------	---------------	------	-------

24.4 ACRES TOTAL

Right Nos. 37-562D and 37-7215F are limited to the irrigation of a combined total of 24.4 acres in a single irrigation season.

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

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

12/20/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



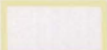
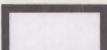
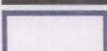
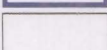
Idaho Department of Water Resources

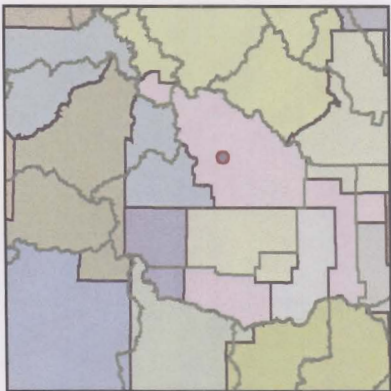
SRBA Recommendation:

37-562D

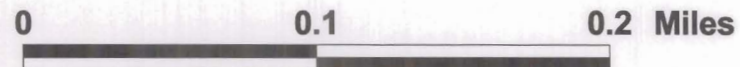
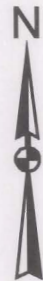
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by S. Keen
On Wednesday, December 20, 2006
2004 Aerial Photography



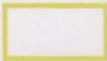
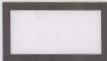
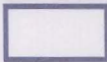
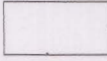
Idaho Department of Water Resources

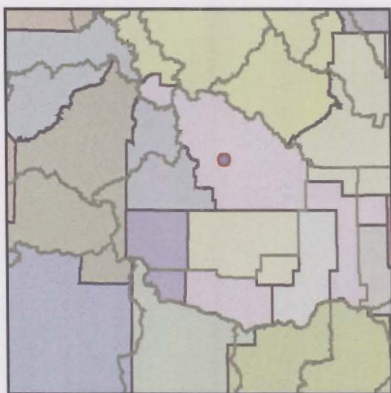
SRBA Recommendation:

37-562D

(Irrigation)

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 Wednesday, December 20, 2006
2004 Aerial Photography

Validity

- ① Watermaster list shows 1.14 cfs of 37-562 for Walter J. Lachwitz. POD = 50
- ② Transfer 3955 approved in 1995 made 37-562 B appurtenant to 57 acres. This claim is a part of 37-562 B.
- ③ In Sept. of 2005 Lee Peterson met with the claimant's property manager and verified the irrigated POU.

POD - Recommended as transferred in 1995 in the SE¹/₄ of S.16, T2N, R18E, although the actual POD may now be in the NE¹/₄ of S.16.

POU - Transfer 3955 based the POU on ownership and parcel size, not on actual irrigated area. It also states that validity of the right can be reviewed in the ~~SRBA~~ SRBA. In 2005 Lee Peterson investigated the actual irrigated area for this claim it comes to ≈ 24.4 acres.

Season - Transfer did not specifically address season, just applied the standard for that time. Adjust to current standard.

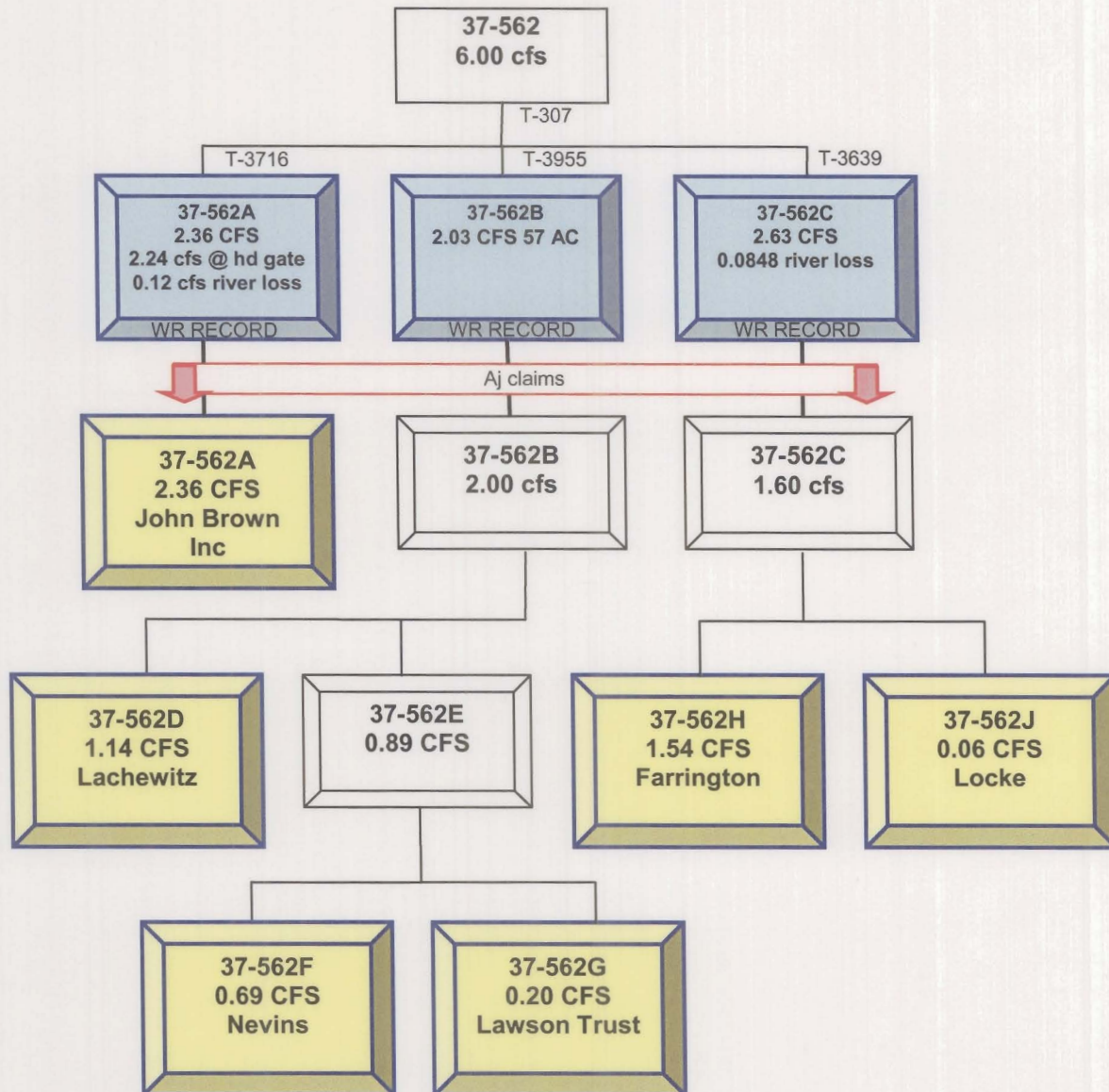
Overlays - This right and 37-7215 F should be limited to 24.4 acres and 1.14 cfs, and 85.4 AF.

Idaho Dept of Water Resources
Claims review notes and narrative

Date: 7-26-2005

File: 37-562 split tree analysis

Prepared by Kelly K Christensen



AJ RECORD

	WR Number	Rate	Acres	Transfer #	Year approved		
	37-562A	2.363 cfs	44 ac	T-3716	2000	Includes 0.12 river loss	
	37-562B	2.038 cfs	57 ac	T-3955	1992		
	37-562C	1.60 cfs	40 ac	T-3639	1998	Includes 0.0848 river loss	
Claim No	Claimant	Claimed rate	Claimed ac	Found ac	Overlap		
37-562A	John Brown Inc	2.36 cfs	44 ac				
37-562D	Lachewitz	1.14 cfs	29.3 ac		37-7215F		
37-562F	Nevins	0.69 cfs	19.8 ac		37-7215H		
37-562G	Lawson Trust	0.20 cfs	5.2 ac		37-7215J		
	Totals	2.03 cfs	54.3 ac				
37-562H	Farrington	1.54 cfs	100 ac				
37-562J	Locke	0.06 cfs	5 ac				
	totals	1.60 cfs					

Allocations right 37-562B per T-3955 approved 1992

2.038 cfs for 57 acres.

Transferred place of use basically matches accumulated claimed place of use

37-562G
Lawson Trust

37-562F
Nevins

37-562D
Lachewitz



File No.
37-562D = 7215F

Walter & Linda Lachewin
2410 Bell Branch Rd.
Gambrills, Md.

9/21/05

After calling around I located Walter's property Manager, and Steve met me at the location and reviewed the file and showed me where the POD for the Cove canal is located which I got a GPS reading on last year which is presently in the IDWR computer system and is listed below, then we went down where they have installed A new pump station out of the pond for the spring and canal water. Steve marked on the photo where the pond is located and drew in the main lines and the approx. location of the hand lines. Along the South yellow line East & West corners are marked dry, the area which looks dry on NE end is where the house, barns, yard is and will be when a house is built. The land to the West has a number of ditches thru this area for flood irrigation when there is and has been ample water. The pump on the pond is a Marathon Motor. Cat. No. Z931 H2-60 Model BVM2151CDW7004ABL HP-10 Frame 2150P PH-1 RPM 3465ABM-40 Volt 230, the pump - Bushby Model 100 SFDPM SR 1215s Impeller Dia. 5.0007/1001251 B7503AM.

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Cove Canal 562D		2075006	1360399	0011745	1010158
Spring 7215F	W.L.	2175567	1360399	00011747	1070700

Lee R. Peterson

A0011 745

Place Of Use Data

2004 aerial photo



Don't know what it is

Flood & Sub River

Approximate parcel boundary

Boundary larger than property

• walk trail



2475599
1366478

BROADFORD HIGHLANDS GAVE



37-562D - 7215F Lashewite
Surface water Pump site
100ft ± fm Red roof shed (NW of shed)

Marathon Elit

10 HP

MDL BUM 215TCDW 7004AB L

230V.

3465 RPM

Berkley Pump

MDL B2 5TPM

impeller dia 5.6875

SN M13166

GPS reading in swale Poi look SSE

2475463 20

1366425 DPE

Contacts Data Entry Form

Claim(s): 37-562D, 37-7215F

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

37-562D point of diversion if from the Cove Canal. That point of diversion has been GPSed. Determine the irrigated place of use.

37-7215F = an irrigation right made up of parts of licensed rights 37-7215A and 37-7215B. Need to confirm the point of diversion and obtain a GPS reading. The diversion rate needs to be determined. Obtain pump information, delivery system, sprinkler system and any other pertinent information. Determine the irrigated place of use.

Photos 1070725 - 729

9/20 I walked the property more as per ● on
Photos and as I see this land it was
in past all flood irrig, with berms
and ditches then all land toward
river

Reviewer: _____

Date: _____

[illegible]

Date: _____

Layout Cove ditch route.



Layout Cove
ditch route

Layout Cove ditch route.



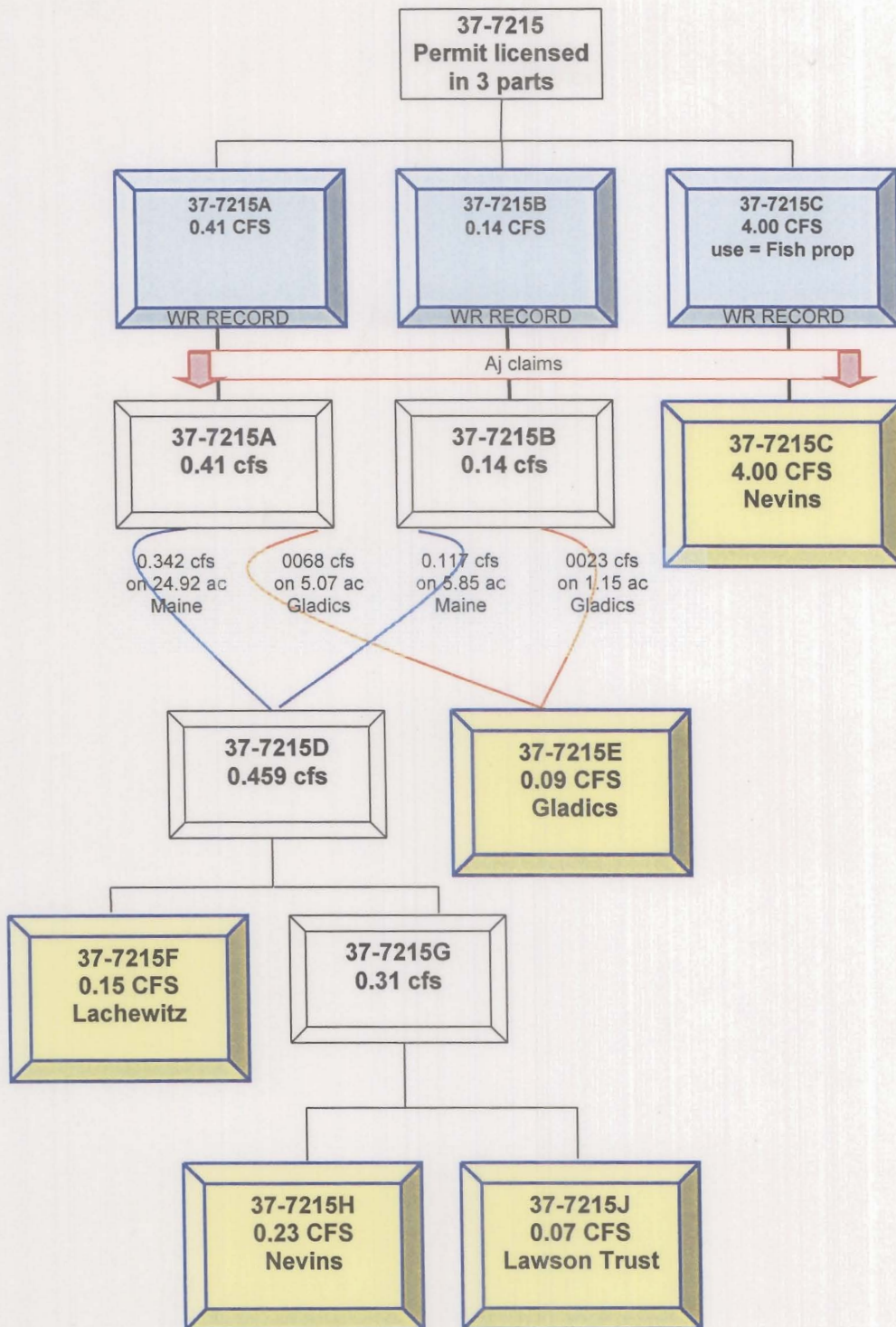
Overpass -
Vermont

Idaho Dept of Water Resources
Claims review notes and narrative

Date: 7-26-2005

File: 37-7215 split tree analysis

Prepared by Kelly K Christensen



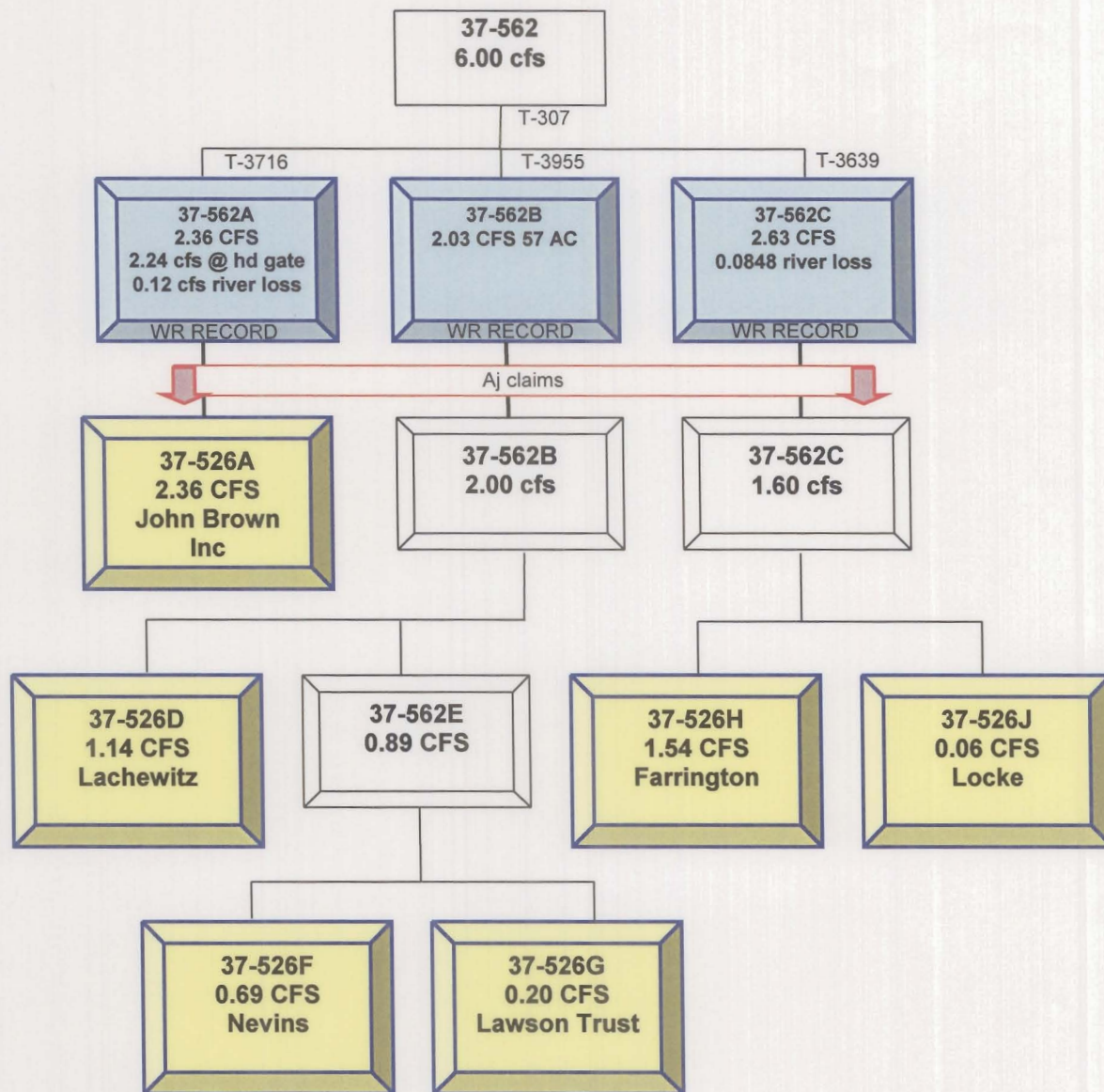
	37-7215A	0.41 cfs	30 ac	37-7215C	4.00 cfs	37-562B	2.038 cfs
	37-7215B	0.14 cfs	7 ac		Fish Prop		32 ac
	Totals	0.55 cfs	37 ac				
Claim No	Claimant	Claimed rate	Claimed ac	Found ac	Overlap		
37-7215E	Gladics	0.09 cfs	6.2 ac				
37-7215F	Lachewitz	0.15 cfs	10.3 ac		37-562D	1.14 cfs	29.3 ac
37-7215H	Nevins	0.23 cfs	15.3 ac		37-562F	0.69 cfs	19.8 ac
37-7215J	Lawson Trust	0.07 cfs	5.2 ac		37-562G	0.20 cfs	5.2 ac
	totals	0.54 cfs	37 ac			2.03 cfs	54.3 ac

Idaho Dept of Water Resources
Claims review notes and narrative

Date: 7-26-2005

File: 37-562 split tree analysis

Prepared by Kelly K Christensen



AJ RECORD

	WR Number	Rate	Acres	Transfer #	Year approved		
	37-562A	2.363 cfs	44 ac	T-3716	2000		
	37-562B	2.038 cfs	57 ac	T-3955	1992		
	37-562C	1.60 cfs	40 ac	T-3639	1998		
Claim No	Claimant	Claimed rate	Claimed ac	Found ac	Overlap		
37-562A	John Brown Inc	2.36 cfs	44 ac				
37-562D	Lachewitz	1.14 cfs	29.3 ac		37-7215F		
37-562F	Nevins	0.69 cfs	19.8 ac		37-7215H		
37-562G	Lawson Trust	0.20 cfs	5.2 ac		37-7215J		
	Totals	2.03 cfs	54.3 ac				
37-562H	Farrington	1.54 cfs	100 ac				
37-562J	Locke	0.06 cfs	5 ac				
	totals	1.60 cfs					

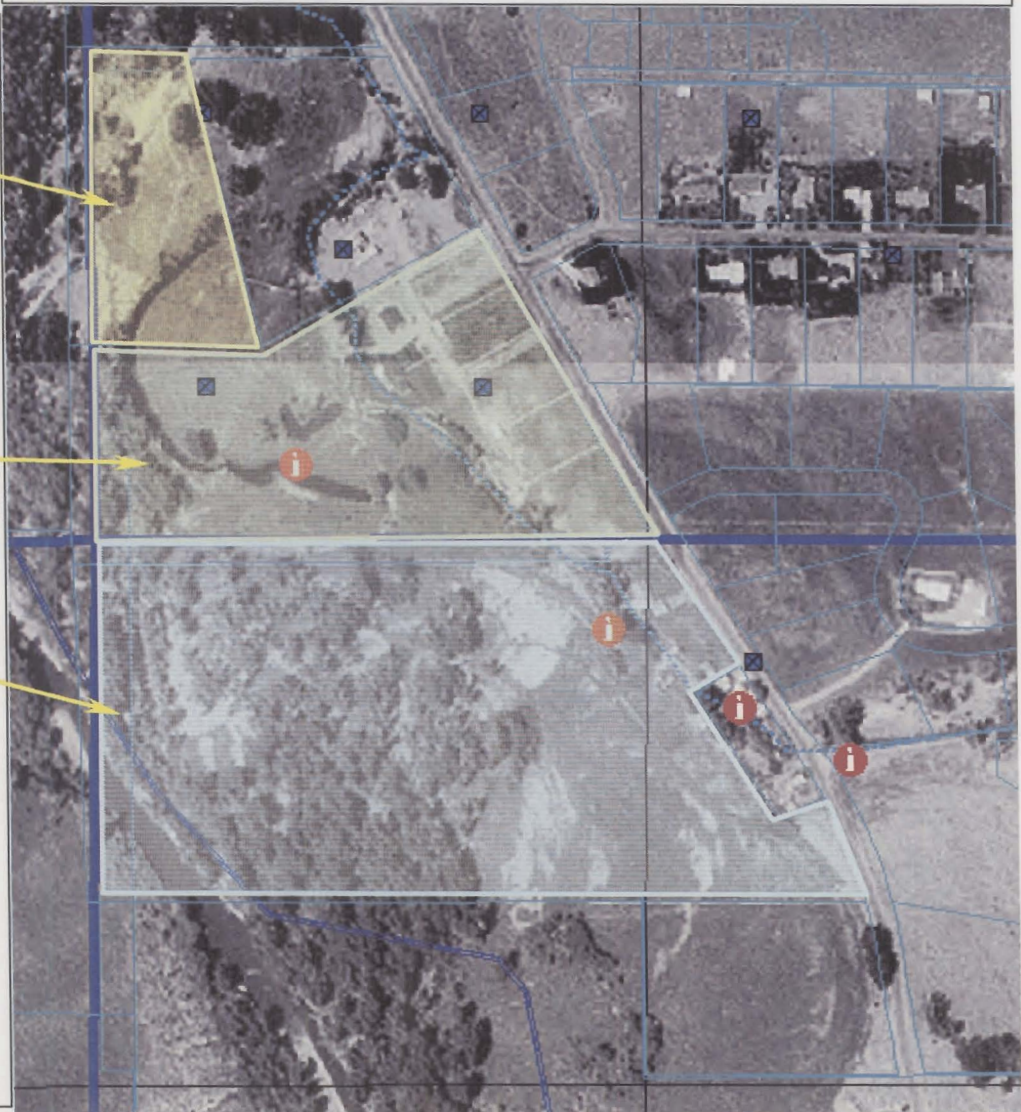
Allocations right **37-562B** per T-3955 approved 1992
2.038 cfs for 57 acres.

Transferred place of use basically matches accumulated claimed place of use

37-562G
Lawson Trust

37-562F
Nevins

37-562D
Lachewitz





First American Title Company

3 EAST BULLION • P.O. BOX 427 • HAILEY, IDAHO 83333
TELEPHONE (208) 788-3010 • FAX (208) 788-3121

July 23, 1997

Idaho Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

Re: Order No. 20176 - 22-2N-18E
Maine, Baltzell/Roos

Dear Ladies:

In connection with the above mentioned order please find our check no. 2131
in the amount of \$ 25.00 representing: Transfer fee.

Also attached please find copies/originals of the following documents:

* Notice of Change of Water Right & Warranty Deed.

Thank you for doing business with First American Title Company and please
call us for any future title or escrow needs.

Sincerely,

FIRST AMERICAN TITLE COMPANY

Wanda L. Kinghorn
Escrow Officer

/wlk

Attachement(s)

JUL 28 1997

JUL 28 1997

AJ0743NP
(0D-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

08/18/95 11:46:10
Page 1

Water Right Number - A37-00562B

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
SPLIT CLAIM

1 -
2 -
3 -
City- XXX State- ID Zip- XXX
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
MAINE

JOHN D

1 - 95 CENTRAL
2 -
3 -
City- SAUSALITO State- CA Zip- 94965
Phone - 415-332-6612

BALTZELL

KIMBERLY A

1 - 95 CENTRAL
2 -
3 -
City- SAUSALITO State- CA Zip- 94965
Phone - 415-332-6612

BALLARD

BRAIN L

1 - LAWSON & PEEBLES
2 - PO BOX 297
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-726-1700

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/10/1887 17 SOUTHERN X - REJECTED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
02N 18E 16 SE SW NE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 2.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.000 142.5

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
02N 18E 15 SW SW 32.0 01 IRRIGATION (13) BLAINE
02N 18E 22 NE NW 3.0 01 IRRIGATION (13) BLAINE
02N 18E 22 NW NW 22.0 01 IRRIGATION (13) BLAINE

Total Acres: 57.0

NOV 29 1996
MICROFILMED

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

08/18/95 11:46:10
Page 2

Water right number - A37-00562B

Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - COVE CANAL, HEADGATE 33, GRAVITY

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-07215A, -07215B, -07215C

+ - - - - - Remarks - - - - - +

CHANGE IN POD AND/OR POU IS CLAIMED PURSUANT TO IDAHO CODE #42-
1416A TO THE EXTENT IT DIFFERS FROM FROST DECREE.

OWNERSHIP CHANGE RESULTED IN A SPLIT. A37-00562D (1.14 CFS)
BELONGS TO MAINE/BALTZELL WITH 32 ACRES. A37-00562E (.89 CFS)
BELONGS TO LAWSON WITH 25 ACRES. 8/18/95 BY TLB.
THIS IS BASED ON APPROVED TRANSFER 3955.

+ - - - - - Old Water Right Numbers - - - - - +

A3700562B

+ - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

S.C. FROST, ET AL

+ - - - Decree Defendant - - - +

ALTURAS WATER COMPANY, ET AL

+ - Decree Date - +

12/13/1909

+ - - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

08/18/95 TBACKLUN

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 10/02/1990

Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 00/00/0000
Last Amended Date - 00/00/0000
Receipt Number - S012714
POU Ownership Flag - Y
Name Connector - AND/OR

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District - 37
Federal/State Indicator - S
Presumption Flag - D
Notice of Error Flag -

NOV 29 1996
MICHOFILMED

Water Right Number - R37-00562D

Prefix Translation: RESEARCH

Old (D) Number -

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

*** A - ATTORNEY ***
BALLARD

BRIAN L.

1 - LAWSON & PEEBLES
2 - P.O. BOX 297
3 -
City- KETCHUM
Phone - 208-726-1700

State- ID Zip- 83340

*** C - CURRENT OWNER ***
MAINE

JOHN D.

1 - 63 W SHORE RD
2 -
3 -
City- BELVEDERE
Phone - 415-000-0000

State- CA Zip- 94920

BALTZELL

KIMBERLY A.

1 - 63 W SHORE RD
2 -
3 -
City- BELVEDERE
Phone - 415-000-0000

State- CA Zip- 94920

+ - - Priority Date - - +
05/10/1887+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +

+ - - Status - - - +
I - DISALLOWED+ - - - - Source - - - - - +
BIG WOOD RIVER+ - - - - Tributary - - - - - +
MALAD RIVER

+ - - - - Point of Diversion - - - - - +						
TwN	Rng	Sec	Tract	Lot	RFlg	County
02N	18E	16	SE SW NE		(13)	BLAINE

+ - - - - Water Use - - - - - +						
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume	
01 - IRRIGATION		04/01	11/01	1.140		

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
1.140		111.7	

+ - - - - Place of Use - - - - - +									
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
02N	18E	15	SW SW		2.7	01	IRRIGATION	(13) BLAINE	
02N	18E	22	NE NW		0.3	01	IRRIGATION	(13) BLAINE	
02N	18E	22	NW NW		29.0	01	IRRIGATION	(13) BLAINE	

Total Acres: 32.0

+ - - Diversion Means - COVE CANAL, HEADGATE 33, GRAVITY

+ - - Non-Irrigation Use -

MICHO FILMED
NOV 29 1996

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - A37-07215A, -07215B, -07215C

+	-----	Remarks	-----	+
		FORFEITED/ABANDONED.		
		OWNERSHIP CHANGE RESULTED IN SPLIT.		

+ - - - - Old Water Right Numbers - - - - +
A3700562B

Conditions of Approval

P04 - FORFEITED/ABANDONED: This is included for a claim based on a decree or license that is PROPOSED to be disallowed on the basis that the water right no longer exists because forfeiture of the right by nonuse was confirmed and a defense to forfeiture was not confirmed, or because abandonment of the right was confirmed.

+ - - - Decree Plaintiff - - - +	+ - - - Decree Defendant - - - +	+ - Decree Date - +
S.C. FROST, ET AL	ALTURAS WATER COMPANY, ET AL	12/13/1909

	Comments
Date: 08/13/1992 User Id: MERRITT Subject: DISALLOWAL REVIEW OF TRANSFER 3955 HAS REVEALED THAT DELIVERY OF WATER THIS CLAIM HAS BEEN PREPARED FOR DISALLOW WITH BASIS OF	THRU JUSTICE DITCH HAS CEASED FOR OVER 5 YEARS SO TENTITIVELY FORFEITURE OF THE WATER RIGHT.
Date: 08/18/1995 User Id: TBACKLUN Subject: OWNERSHIP CHANGE OWNERSHIP CHANGE RESULTED IN SPLIT. A37-00562D BELONGS TO	MAINE/BALTZELL. A37-00562E BELONGS TO LAWSON.
Date: 08/30/1995 User Id: TBACKLUN Subject: CHANGE ON SPLIT LAWSON RESPONDED TO THE SPLIT, NOTIFYING ME OF INACCURATE	PLACE OF USE. I CHANGED IT ACCORDING TO HIS LETTER.

+ - - Audit Fields - - +
08/30/95 TBACKLUN

+ Adjudication Rights Dates and Flags Area +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 37
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- D
				Notice of Error Flag	-

MICROFILMED
NOV 29 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

08/18/95 15:38:48

Page 1

Water Right Number - R37-00562B

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
SPLIT CLAIM1 -
2 -
3 -
City- XXXX State- ID Zip- XXX
Phone - 208-000-0000*** O - ORIGINAL OWNER ***
MAINE

JOHN D.

1 - 95 CENTRAL
2 -
3 -
City- SAUSALITO State- CA Zip- 94965
Phone - 415-332-6612

BALTZELL

KIMBERLY A.

1 - 95 CENTRAL
2 -
3 -
City- SAUSALITO State- CA Zip- 94965
Phone - 415-332-6612

BALLARD

BRAIN L.

1 - LAWSON & PEEBLES
2 - P.O. BOX 297
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-726-1700

LAWSON

EDWARD A

1 - PO BOX 2312
2 -
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-726-1700

LAWSON

JULIE C

1 - PO BOX 2312
2 -
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-726-1700+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/10/1887 17 SOUTHERN Z - SEE REMARKS+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

02N 18E 16 SE SW NE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 11/01 2.000

MICHO FILMED
NOV 29 1996

Prefix Translation: RESEARCH

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
2.000		142.5	

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
02N	18E	15	SW SW		32.0	01	IRRIGATION	(13) BLAINE
02N	18E	22	NE NW		3.0	01	IRRIGATION	(13) BLAINE
02N	18E	22	NW NW		22.0	01	IRRIGATION	(13) BLAINE

Total Acres: 57.0

+ - - Diversion Means - COVE CANAL, HEADGATE 33, GRAVITY

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-07215A, -07215B, -07215C

+	-----	Remarks	-----	+
		FORFEITED/ABANDONED.		
		SPLIT CLAIM, SEE R37-00562D & R37-00562E.		

+ - - - - - Old Water Right Numbers - - - - - +
A3700562B

+ - - - - - Conditions of Approval - - - - - +
 P04 - FORFEITED/ABANDONED: This is included for a claim based on a
 - decree or license that is PROPOSED to be disallowed on the basis
 - that the water right no longer exists because forfeiture of the
 - right by nonuse was confirmed and a defense to forfeiture was not
 - confirmed, or because abandonment of the right was confirmed.

+ - - - Decree Plaintiff - - - +	+ - - - Decree Defendant - - - +	+ - Decree Date - +
S.C. FROST, ET AL	ALTURAS WATER COMPANY, ET AL	12/13/1909

	Comments
Date: 08/13/1992 User Id: MERRITT Subject: DISALLOW REVIEW OF TRANSFER 3955 HAS REVEALED THAT DELIVERY OF WATER THIS CLAIM HAS BEEN PREPARED FOR DISALLOW WITH BASIS OF	THRU JUSTICE DITCH HAS CEASED FOR OVER 5 YEARS SO TENTITIVELY FORFEITURE OF THE WATER RIGHT.
Date: 08/18/1995 User Id: TBACKLUN Subject: SPLIT CLAIM OWNERSHIP CHANGE RESULTED IN SPLIT CLAIM,SEE R37-00562D &	R37-00562E.

+ - - Audit Fields - - +
08/18/95 TBACKLUN

Adjudication Rights Dates and Flags Area					
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-

NOV 29 1996

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

08/18/95 15:38:49
Page 3

Water right number - R37-00562B

Prefix Translation: RESEARCH

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Claim Received Date	- 10/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 37
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- D
				Notice of Error Flag	-

MICHOFILMED
NOV 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 24, 1995

BRIAN L BALLARD
LAWSON & PEBBLES
PO BOX 297
KETCHUM, ID 83340

RE: MAINE/BALTZELL-LAWSON OWNERSHIP CHANGE 2/11/1992
A37-00562B

DEAR SIR:

I HAVE TO FIRST APOLOGIZE FOR THE LENGTH OF TIME THIS OWNERSHIP CHANGE HAS TAKEN. I HAVE FINISHED THE O/C FOR A37-07215C AND FOR A37-07215D.

IN LOOKING AT THE OWNERSHIP CHANGE REGARDING A37-00562B THAT IS BEING SPLIT, I CAN'T FIND ANY INFORMATION REGARDING HOW MANY AND WHICH ACRES TO SPLIT. IF YOU COULD SEND ME INFORMATION REGARDING THIS, IT WOULD BE APPRECIATED.

I AM ENCLOSING COPIES OF THE INFORMATION I HAVE, TO HELP IN THIS SEARCH. IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE. THANK YOU FOR YOUR PATIENCE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

MICROFILMED

NOV 29 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 3955
WATER RIGHT NO. 37-00562B

RECEIVED

JUN 05 1995

Department of Water Resources
Southern Region

This is to certify that: JOHN D MAINE
KIMBERLY A BALTZELL
95 CENTRAL
SAUSALITO CA 94965

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	2.03 CFS	199.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG WOOD RIVER	MALAD RIVER

Priority: 05/10/1887

LOCATION OF POINT(S) OF DIVERSION: SESWNE , Sec. 16, 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	15	SWSW 25			25
		22	NENW 3	NWNW 29		32
Total number of acres irrigated:						57

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

MICROFILMED
NOV 29 1996

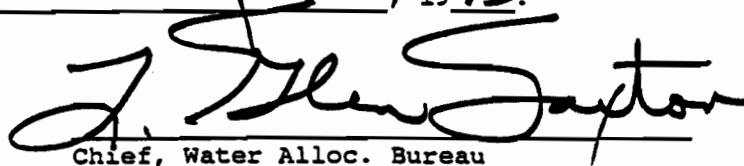
37-00562B # 3955

TRANSFER NO. 3955
WATER RIGHT NO. 37-00562B

CONDITIONS/REMARKS:

5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Dated this 31st day of May, 1995.


Chief, Water Alloc. Bureau

MICROFILMED
NOV 29 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R37-00562D

Prefix Translation: RESEARCH

Old (D) Number -

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

*** A - ATTORNEY ***
BALLARD

BRAIN L.

1 - LAWSON & PEEBLES
2 - P.O. BOX 297
3 -
City- KETCHUM
Phone - 208-726-1700

State- ID Zip- 83340

*** C - CURRENT OWNER ***
MAINE

JOHN D.

1 - 95 CENTRAL
2 -
3 -
City- SAUSALITO
Phone - 415-332-6612

State- CA Zip- 94965

BALTZELL

KIMBERLY A.

1 - 95 CENTRAL
2 -
3 -
City- SAUSALITO
Phone - 415-332-6612

State- CA Zip- 94965

+ - - Priority Date - - +
05/10/1887

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +

+ - - Status - - - +
I - DISALLOWED

+ - - Source - - - - - +
BIG WOOD RIVER

+ - - Tributary - - - - - +
MALAD RIVER

Point of Diversion						
Twn	Rng	Sec	Tract	Lot	RFlg	County
02N	18E	16	SE SW NE		(13)	BLAINE

Water Use		Diversion Rate		Diversion Volume	
Code	Description	Period From	Period To		
01	IRRIGATION	04/01	11/01	1.140	

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
1.140		111.7	

Place of Use							
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description
02N	18E	22	NE NW		3.0	01	IRRIGATION
02N	18E	22	NW NW		29.0	01	IRRIGATION

Total Acres: 32.0

+ - - Diversion Means - COVE CANAL, HEADGATE 33, GRAVITY

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-07215A, -07215B, -07215C

MICROFILMED
NOV 29 1995

Water right number - R37-00562D

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +
FORFEITED/ABANDONED.
OWNERSHIP CHANGE RESULTED IN SPLIT.

+ - - - - Old Water Right Numbers - - - - - +
A3700562B

+ - - - - Conditions of Approval - - - - - +
P04 - FORFEITED/ABANDONED: This is included for a claim based on a
- decree or license that is PROPOSED to be disallowed on the basis
- that the water right no longer exists because forfeiture of the
- right by nonuse was confirmed and a defense to forfeiture was not
- confirmed, or because abandonment of the right was confirmed.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
S.C. FROST, ET AL ALTURAS WATER COMPANY, ET AL 12/13/1909

+ - - - - Comments - - - - - +
Date: 08/13/1992 User Id: MERRITT Subject: DISALLOWAL
REVIEW OF TRANSFER 3955 HAS REVEALED THAT DELIVERY OF WATER
THIS CLAIM HAS BEEN PREPARED FOR DISALLOW WITH BASIS OF
Date: 08/18/1995 User Id: TBACKLUN Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE RESULTED IN SPLIT. A37-00562D BELONGS TO
THRU JUSTICE DITCH HAS CEASED FOR OVER 5 YEARS SO TENTITIVELY
FORFEITURE OF THE WATER RIGHT.
MAINE/BALTZELL. A37-00562E BELONGS TO LAWSON.

+ - - Audit Fields - - +
08/18/95 TBACKLUN

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 37
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- D
				Notice of Error Flag	-

MICHO FILMED
NOV 29 1996

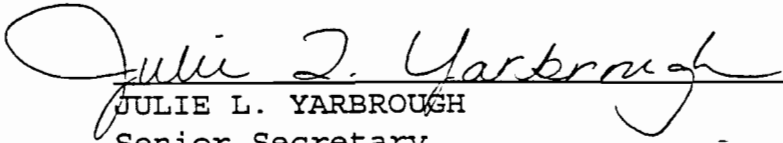
CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 24th day of August, 1995, I mailed a true and correct copy, postage prepaid, of the foregoing EXTENSION OF TIME TO FILE PETITION FOR RECONSIDERATION to the following:

John Maine
Kimberly Baltzell
63 W. Shore Rd.
Belvedere, CA 94920

Lee Peterson, Watermaster
Water District 37
P.O. Box T
Shoshone, ID 83352

Richard Burleigh
HAWLEY TROXELL ENNIS
& HAWLEY
877 Main St. Ste. 1000
Boise, ID 83702


JULIE L. YARBROUGH
Senior Secretary

Tara - I seem to remember a letter sent to these folks was returned because forwarding address had expired. Didn't know if you would find this helpful so I'm giving you a copy just in case.

ORDER - Pg 2

MICROFILMED

NOV 29 1996

Jresh

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE February 26, 1998 9:12am CUSTOMER **BRAD AND DONATA ROOS** **A37-00562D**

SUBJECT: OWNERSHIP CHANGE PROBLEMS
phone call (.) walk-in (.)

When Tara did the ownership change which split "B" into parts "D & E", she split the acres according to approved Transfer #3955, which described 25 acres in the SWSW of section 15 and 32 acres in section 22 (3 in the NENW and 29 in the NWNW). She gave the "D" portion the 32 acres in section 22 and the "E" portion the 25 acres in section 15. Then Mr. Lawson, the owner of "E", wrote and said that his 25 acres were 22.3 acres in section 15 and 2.7 acres in section 22. She split the right that way. Now we have an ownership change of the "D" again, which is describing all of it in section 22...I have written them a letter requesting a map to clear up the questions??

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

CUSTOMER:
STONEY BURKE FAX 208-622-9567

DATE: March 5, 1997 9:21 am

SUBJECT: WANTS PROFILE RPTS FOR MAINE, A37-07215D AND OVERLAPPING CLAIMS
phone (X) walk-in()

He requested all rights for Maine relating to same property as described in above claim. I found that "D" was split with Maine getting the "F" portion. I did an AJQ4 search on the legal shown on the claim and found the following rights. A37-00562D, A37-10619, AND A37-04215F. I generated profile reports and faxed them to Stoney.



Water Right Number - ~~137-00000~~ Prefix Translation: TRANSFER Old (D) Number -

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

*** C - CURRENT OWNER ***

MAINE JOHN D 1 - 95 CENTRAL
2 -
3 -
City- SAUSALITO State- CA Zip- 94965
Phone - 415-332-6612

BALTZELL KIMBERLY A 1 - 95 CENTRAL
2 -
3 -
City- SAUSALITO State- CA Zip- 94965
Phone - 415-332-6612

*** O - ORIGINAL OWNER ***

RAVENS CRAFT J. W. 1 -
2 -
3 -
City- State- ID Zip-
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +

05/10/1887 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

BIG WOOD RIVER MALAD RIVER

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

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
02N	18E	16	SE SW NE			(13) BLAINE			

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

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	2.038	199.5 AF

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

2.038

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

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	18E	15	SW SW		25.0	01	IRRIGATION	(13) BLAINE
02N	18E	22	NE NW		3.0	01	IRRIGATION	(13) BLAINE
02N	18E	22	NW NW		29.0	01	IRRIGATION	(13) BLAINE

Total Acres: 57.0

+ - - Diversion Means - COVE CANAL

+ - - Non-Irrigation Use -

MICHO FILMED
NOV 29 1996

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
Exam to S.O. Date- 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - S013562	Water District - 37
Licensed Date - 00/00/0000	Appl Received - 07/22/1991	Transfer/Amended - T
Decree Date - 12/13/1909		

MICROFILMED
NOV 29 1996

RECEIVED

JUL 11 1956

of which are hereby


JOHN D. MAINE


KIMBERLY A. BALTZELL

On this 10th day of FEBRUARY, 1992, before me, the undersigned, a Notary Public in and for said county and state, personally appeared **John D. Maine**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

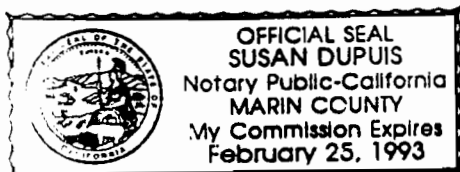
OFFICIAL SEAL
SUSAN DUPUIS
Notary Public-California
MARIN COUNTY
My Commission Expires
February 25, 1993

Luisa D. Dugues
 Notary Public for CALIFORNIA
 Residing at SAUSALITO CA
 My Commission expires 2-25-93

On this 10th day of FEBRUARY, 1992, before me, the undersigned, a Notary Public in and for said county and state, personally appeared **Kimberly A. Baltzell**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

(SEAL)

Juan Aguilar
Notary Public for CALIFORNIA
Residing at SANBALLE, CA
My Commission expires 2-25-93



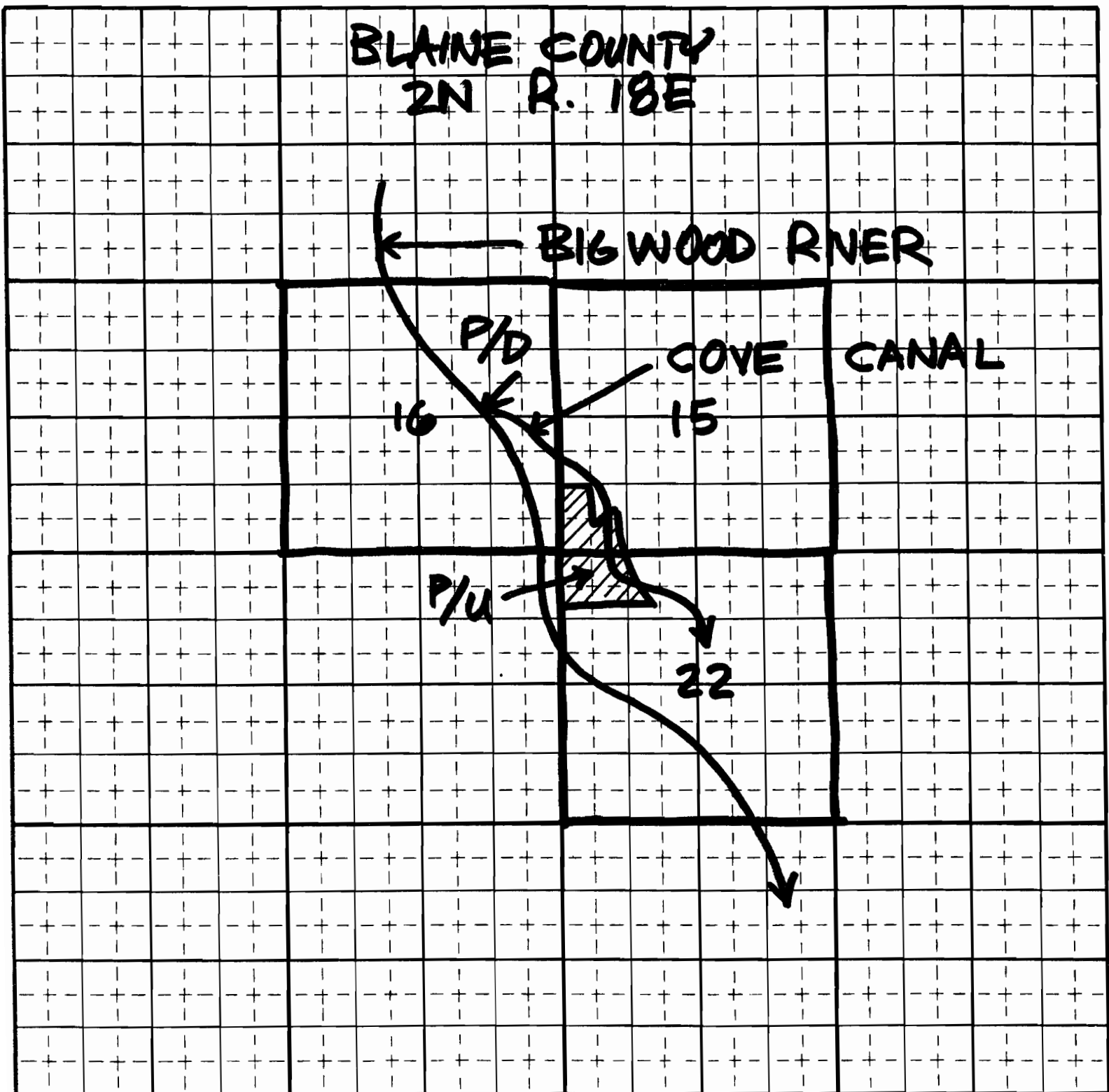
MICROFILMED

NOV 29 1996

37-00562 B, T# 3955

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

Scale: 2 inches equals 1 mile



MICROFILMED

NOV 29 1996

Last Name MAINE

Ident No.

37-00562B

Copies: White-State, Yellow-Claimant

ORIG claim - 2 cfs

BLAINE COUNTY
TWP 2N, R. 18E

OLD P/D
JUSTUS DITCH

(SW 1/4 SE 1/4 NW 1/4)

NEW P/D
COVE CANAL

P/U
(SHADED AREA)

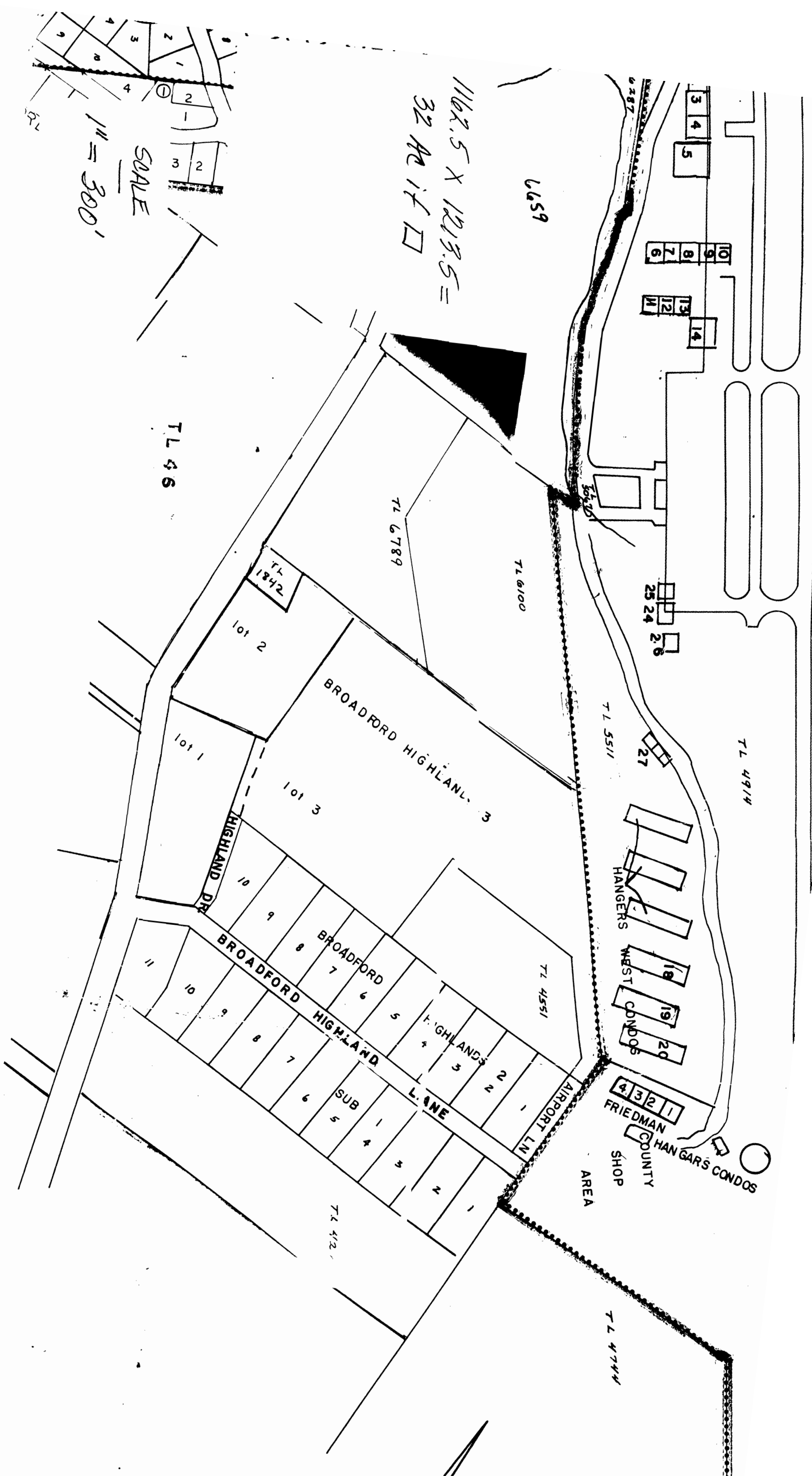
(SE 1/4 SW 1/4 NE 1/4)

FOR SALE BY
AFC

MICROFILMED

NO 96

ITY



1162.5 x 1213.5 =
32 ac if □

SCALE
1" = 300'

From: DWR03::THORNTON 23-NOV-1992 10:12:19.72
To: DWR60::STANTON
CC: THORNTON
Subj: Would you happen to have ?

Good morning, Jim.

I was wondering if you happen to have the file for an SRBA claim in the name of Maine and Baltzell (A37-00562B). As I'm sure you recall, you worked on a transfer and apparently there seems to be sufficient evidence that this water right has not been used for an extended period. It was supposedly conveyed through the Justice Ditch.

I don't seem to be able to find the original adjudication claim and I am hoping that perhaps you have it in your office???

Thanks for checking, Helen

11/23/92. He'll check his office - we'll let me know if he finds it. If I don't hear from him, he didn't find it

12-1-92 - No response

A37-00562B - 5012714
rcvd 10/2/90

11/28/93

Checked regional files again (just in case) - not there -

~~1/28/94 copy of this sheet w/ name for files for additional searching~~

HH

MICROFILMED

NOV 29 1996

Water Right Number - R37-00562B

Prefix Translation: RESEARCH

Old (D) Number -

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

*** A - ATTORNEY ***
BALLARD

BRAIN L.

1 - LAWSON & PEEBLES
2 - P.O. BOX 297
3 -
City- KETCHUM
Phone - 208-726-1700

State- ID Zip- 83340

*** C - CURRENT OWNER ***
MAINE

JOHN D.

1 - 95 CENTRAL
2 -
3 -
City- SAUSALITO
Phone - 415-332-6612

State- CA Zip- 94965

BALTZELL

KIMBERLY A.

1 - 95 CENTRAL
2 -
3 -
City- SAUSALITO
Phone - 415-332-6612

State- CA Zip- 94965

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/10/1887 17 SOUTHERN I - DISALLOWED

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
02N 18E 16 SE SW NE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 2.000

+ - Total Div. Rate - + + - Total Div. Volume - +
2.000

+ - - - - P
Twn Rng Sec Tract Lot Acres
02N 18E 15 SW SW 32.0
02N 18E 22 NE NW 3.0
02N 18E 22 NW NW 22.0

Total Acres: 57.

+ - - Diversion Means - COVE CANAL, HEADGATE 33, GRAVITY

+ - - Non-Irrigation Use -

File this with
the appropriate claim
in Basin 37

MICROFILMED
FEB 23 1993

Water right number - R37-00562B

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - A37-07215A, -07215B, -07215C

+ - - - - - Remarks - - - - -
FORFEITED/ABANDONED.

+ - - - - - Old Water Right Numbers - - - - -
A3700562B

+ - - - - - Conditions of Approval - - - - -
P04 - FORFEITED/ABANDONED: This is included for a claim based on a
- decree or license that is PROPOSED to be disallowed on the basis
- that the water right no longer exists because forfeiture of the
- right by nonuse was confirmed and a defense to forfeiture was not
- confirmed, or because abandonment of the right was confirmed.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
S.C. FROST, ET AL ALTURAS WATER COMPANY, ET AL 12/13/1909

+ - - - - - Comments - - - - -
Date: 08/13/1992 User Id: MERRITT Subject: DISALLOWAL
REVIEW OF TRANSFER 3955 HAS REVEALED THAT DELIVERY OF WATER THRU JUSTICE DITCH HAS CEASED FOR OVER 5 YEARS SO TENTITIVELY
THIS CLAIM HAS BEEN PREPARED FOR DISALLOW WITH BASIS OF FORFEITURE OF THE WATER RIGHT.

+ - - Audit Fields - - +
08/13/92 MERRITT

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- T
		Receipt Number	- X777777	Water District	- 37
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- D
				Notice of Error Flag	-

MICROFILMED
FEB 23 1993

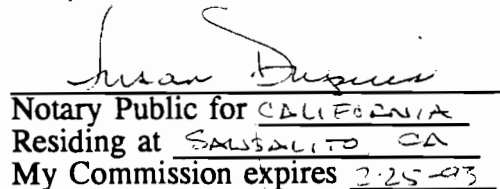
100-443887-100

100


JOHN D. MAINE

STATE OF CALIFORNIA)
) ss.
County of MARIN)

WITNESS my hand and official seal.



STATE OF CALIFORNIA)
County of MARIN) ss.

WITNESS my hand and official seal.

Juan Lopez
 Notary Public for CALIFORNIA
 Residing at SAGBALLE, CA
 My Commission expires 2-25-93



Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3955

APPLICATION FOR TRANSFER OF WATER RIGHT

JUL 28 1991

PART 1

Department of Water Resources
Name of applicant JOHN D. MAINE and/or
KIMBERLY A. BALTZELL Phone (415) 332-6612
Post Office address 95 CENTRAL SAUSALITO, CA 94965

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe the reason for the proposed changes ORIGINAL POINT OF DIVERSION VIA THE JUSTUS CANAL NO LONGER REACHES PLACE OF USE; THE COVE CANAL RUNS DIRECTLY THROUGH PLACE OF USE AND PRESENTS MORE CONVENIENT & EFFICIENT DELIVERY

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-00562B</u>	<u>5/10/1887</u>	<u>2.038 cfs</u>	<u>IRRIGATION</u>	<u>4/01</u> to <u>11/01</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

- Total amount of water being transferred 2.038 cubic feet per second and/or _____ acre-feet per annum.
- Source of water BIG WOOD RIVER tributary to MALAD RIVER
- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	NE	16	2N	18E	BLAINE	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	15											25						25
2N	18E	22					3	29											32

Total acres 57

PART 1

6. General Information:

- a. Description of diversion system PUMP FROM CONE CANAL; THEN
FLOOD IRRIGATION
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NO AFFECT; SAME PLACE OF USE;
CHANGE ONLY IN POINT OF DIVERSION; TO THE
EXTENT PLACE OF USE DIFFERS FROM DEPT. RECORDS,
OLD PLACE OF USE IS OUT OF PRODUCTION OR
RECORDS ARE INCORRECT
- d. Remarks: JUSTUS DITCH NO LONGER DELIVERS WATER; IT IS
APPLICANTS UNDERSTANDING THAT ALL OF WATER RIGHT,
OTHER THAN THE CFS TO BE TRANSFERRED HEREBY,
ITAS ALREADY BEEN TRANSFERRED OUT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00562 B Decreed to J.W. RAVENSCRAFT
in case of S.C. FROST, ET AL. vs. ALTURA'S Water Company, ET AL.
dated 12/13/1909 in Fourth District county of LINCOLN
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 209 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water BIG WOOD tributary to MALAD
4. Date or priority 5/10/1887

5. Water is used for the following purpose:

amount 2.038 for IRRIGATION purposes from 4/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.038 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NW	9	2N	18E	BLAINE	JUSTUS #32

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	15									✓	✓	✓	✓					57

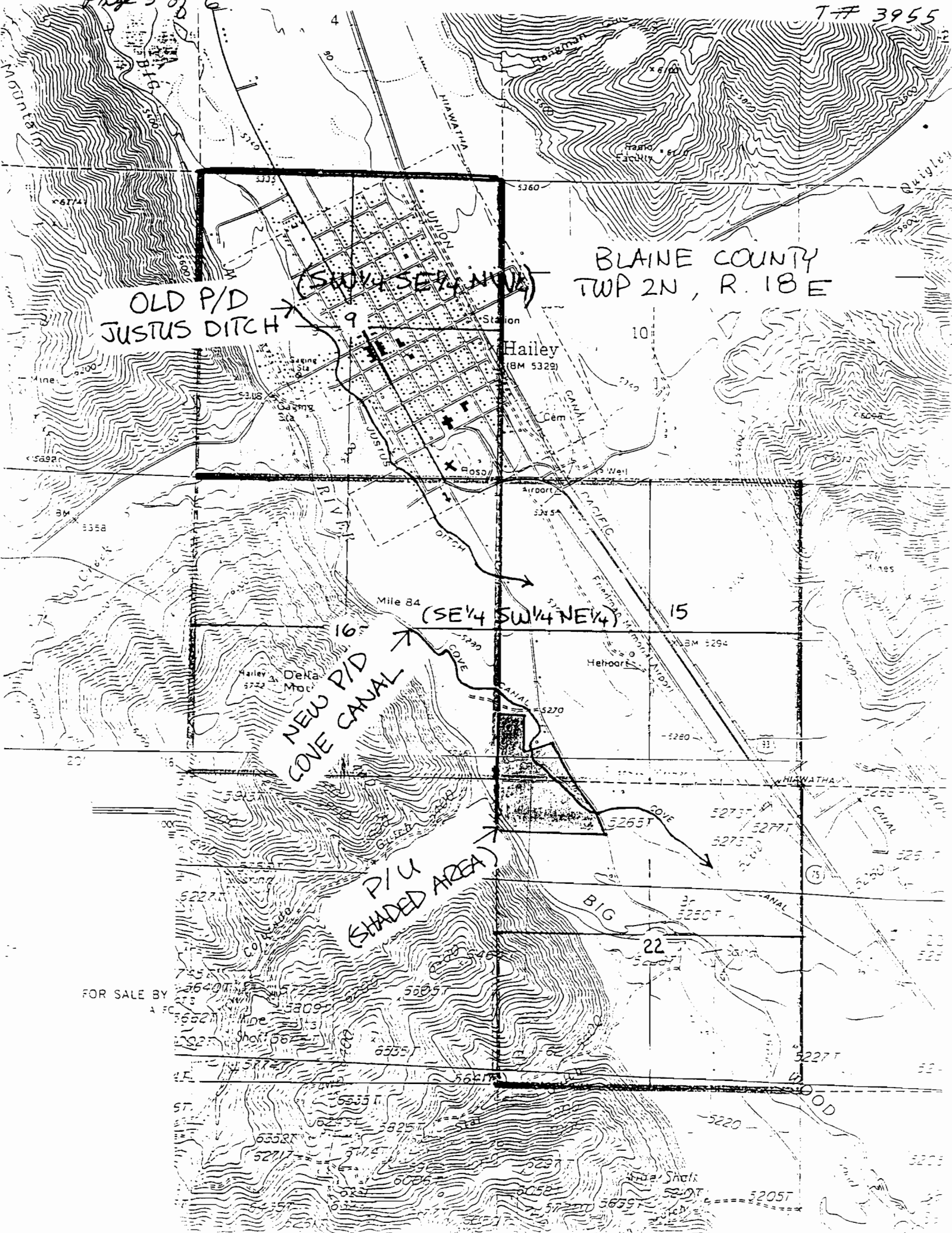
(EXACT ACRES PER 40 IS UNKNOWN)

Total acres 57

9. Describe any other water rights used for the same purpose as described above

37-7215 B

37-7215 A;



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 22nd day of January, 19 91.

[Signature]
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 12/12/93

FOR DEPARTMENT USE ONLYTransfer contains 6 pages and 7 attachmentsReceived by M. Baldwin Date 5-9-91Prelim. check by G. F. Stanton Fee \$50.50/3562Receipted by [Signature] Date 5-7-22-91Published in Wood River JournalPub. dates 7/8 & 7/15/92Watermaster recommendation requested on 6/29/927/14/92 rec'd.

Protest filed by _____

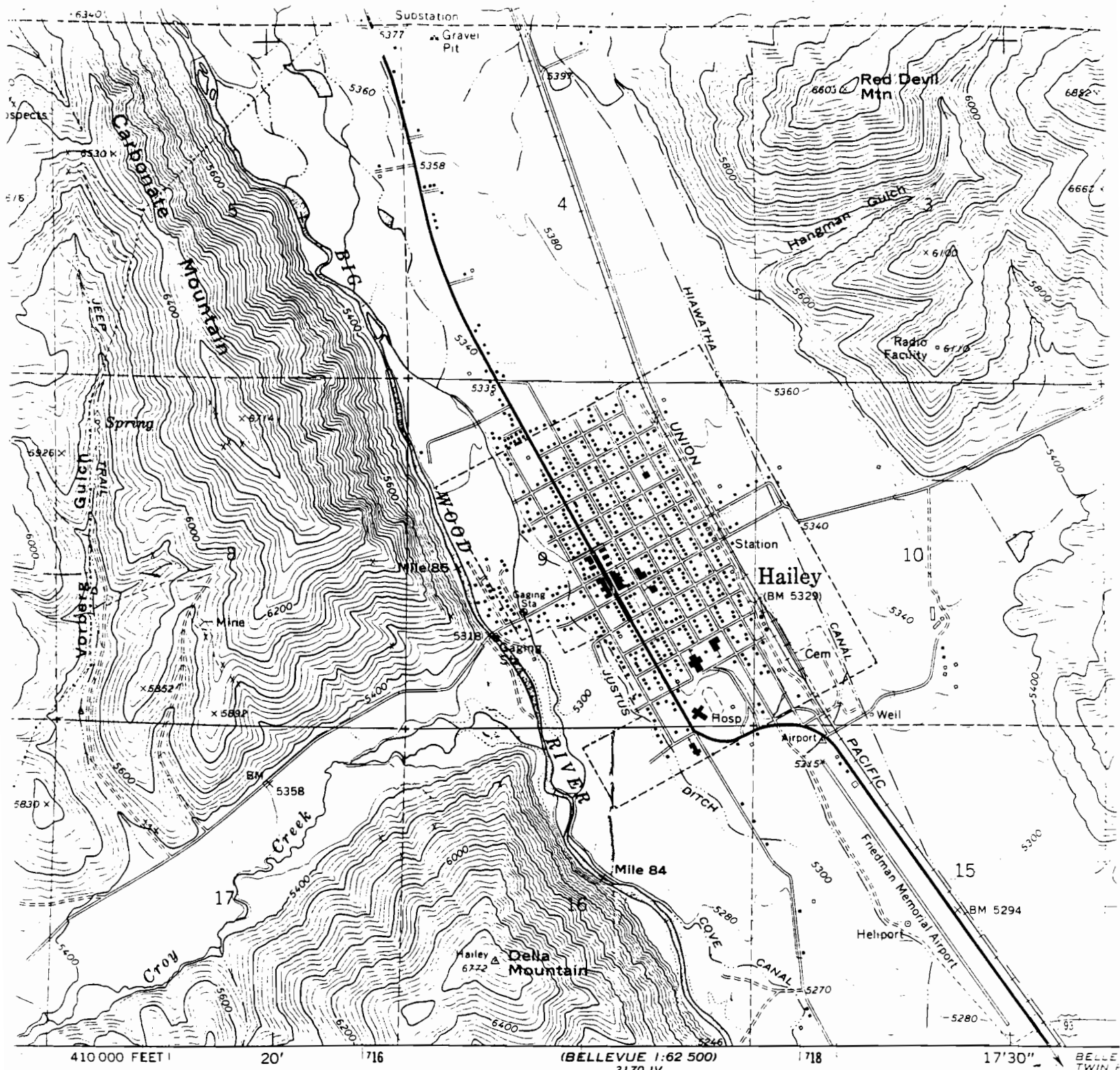
Copies of protest forwarded by _____

Hearing held by _____ Date _____

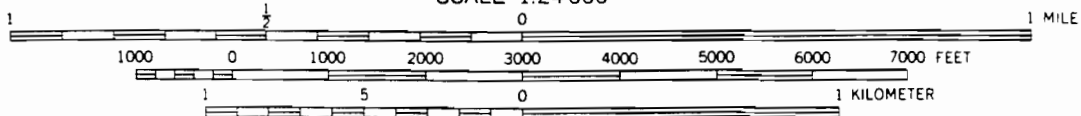
Recommended for ☐ approval ☐ denial

by _____

Copy of transfer sent to lien holder _____



GN
MN
1°51' 33 MILS
18° 320 MILS



CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

319 WALNUT AVENUE
POST OFFICE BOX 297
KETCHUM, IDAHO 83340

LAWSON & PEEBLES
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

TELEPHONE
(208) 726-1700
FACSIMILE
(208) 726-9743

September 27, 1990

RECEIVED

SEP 28 1990

Idaho Department of
Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Re: John Maine

Gentlemen:

Enclosed please find a Notice of Claim plus fee of \$107.00 with respect to John Maine. Please call matters to my attention if revision or clarification of this Notice is required.

Thank you.

Very truly yours,

LAWSON & PEEBLES

Brian L. Ballard
Brian L. Ballard

da
Enclosures
cc: Client
blb\water.lt

9/28/90

Steve

Here is one in the test area.
Neither Maine or Beltzell
shows up on MCB so
consider the claim timely.

AD
Enter Ballard as attorney "A"

RECEIVED
FEB 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. E, Twin Falls, Idaho 83301

(208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Oct. 5, 1990

Re: A37-00562B

JOHN MAINE
95 CENTRAL
SAUSALITO CA 94965

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
FEB 23 1993