

Jones, Doug

From: Bill Ratliffe [bratliffe@fullhartinsurance.com]
Sent: Monday, October 04, 2010 11:19 AM
To: Jones, Doug
Subject: Water rights hearing / Case Number 39576 / subcase 37-00577BY

Doug, we met earlier this year when I was over for a hearing on my water rights and we have a telephone hearing scheduled to Wednesday October 13 at 2:00. When we met previously, the conversation was that the department was going to consider transferring the date on my surface water rights to my ground water rights since the canal that brought water to my property in the past, no longer reaches my property. In the meeting we had I was told that if this was going to be allowed, I would have to file for the transfer. Can you let me know if anything has been discussed, decided at this point or if I just need to wait for the phone hearing? Can you also let me know if you think it would be advantageous for me to furnish proof that I have used my irrigation daily this season to provide for my cattle and sheep.

Bill Ratliffe
Fullhart Insurance of Tigard
13535 SW 72nd Avenue Suite 140
Tigard, OR 97224
Phone: 503-598-9400
Fax: 503-598-9410

Jones, Doug

From: Courtney, Andrea
Sent: Monday, October 04, 2010 11:45 AM
To: 'Bill Ratliffe'
Cc: Jones, Doug; Kelly, Vicki
Subject: RE: Water Rights hearing for Bill Ratliffe / Case # 39576 subcase # 37-00577BY

Bill~

We're continuing to work on the Basin 37 subcases from the April initial hearings. Your subcase is in that stack. I'll be out of the office beginning Wednesday this week, returning Tuesday of next week. If we're able to review your subcase before next Wednesday, we'll send you an email. Otherwise, we'll provide an update by phone at the status conference on Wednesday. I appreciate the prompting email. Do you plan to call in for the hearing?
Andrea

-----Original Message-----

From: Bill Ratliffe [mailto:bratliffe@fullhartinsurance.com]
Sent: Thursday, September 30, 2010 5:52 PM
To: Courtney, Andrea; doug.jones@idwr.idaho.gov
Subject: Water Rights hearing for Bill Ratliffe / Case # 39576 subcase # 37-00577BY

Can either of you bring me up to date on the status of the hearing that is set for 10-13-2010 at 2:00. When we had the first meeting we discussed transferring the date of my surface water rights to my ground water rights, and it was my understanding that I would need to file a request with the state for this to happen.

I look forward to hearing from you,

Bill Ratliffe

-----Original Message-----

From: Bill Ratliffe [mailto:bratliffe@fullhartinsurance.com]
Sent: Monday, May 03, 2010 10:19 AM
To: 'andrea.courtney@idwr.idaho.gov'
Cc: 'doug.jones@idwr.idaho.gov'
Subject: Bill Ratliffe

Thank you both for meeting with me last Wednesday prior to the hearing to discuss my water rights. I'm sure the six cows in the field feel better about their long term food source knowing we're trying to come up with a viable solution. The attached is the report I received prior to buying the property located at 206 Bayhorse Road in Bellevue. Please forgive the notes I've made as I've spoken to people over the last few months.

Can either of you tell me if I should be filing for the water rights transfer at this time or if I should be waiting for you (Doug) to research this two water rights first. My Water Rights numbers are 37-577BY and 37-20450.

Thank you again for the help and in-sight,

Bill Ratliffe

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUL 11 2012

By _____ Clerk

Deputy Clerk

In Re SRBA	)	Water Right: 37-577BY and
	)	37-20450
Case No. 39576	)	
	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
	)	PROCEEDING

- ☐ Address change
- ☐ Substitution of Party
 - ☐ Split of water right
 - ☐ Change in ownership
- ☐ IC § 42-222
 - ☐ Point of diversion
 - ☐ Place of use
 - ☐ Period of use
 - ☐ Nature of use
 - ☐ Split of water right
 - ☐ Change in ownership

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

DATED: 27/11/12

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7-11, 2012, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

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

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

Fritz Haemmerle
Haemmerle & Haemmerle PLLC
PO Box 1800
Hailey ID 83333

Craig Hobdey
Hobdey & Hobdey
PO Box 176
Gooding ID 83330

Albert Barker
Barker Rosholt & Simpson LLP
PO Box 2139
Boise ID 83701



Signature of person mailing this document

07/11/2012

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

RIGHT NUMBER: 37-577BY

NAME AND ADDRESS: WILLIAM F RATLIFF
21165 SW KILLARNEY CT
TUALATIN OR 97062

KATHLEEN L RATLIFF
21165 SW KILLARNEY CT
TUALATIN OR 97062

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T02N R18E S16 NESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MITIGATION

04/15 10/31

0.100 CFS

PLACE OF USE: MITIGATION in BLAINE County

T02N R19E S31 Lot 4 SWSW 5.00

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

If the mitigation portion of this right is used for any purpose other than mitigation and conveyance loss, then water shall not be diverted under Right 37-22672. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the use of Right 37-22672 that is being mitigated shall be reduced by the same proportion as the reduction to this 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.

The watermaster shall deliver 0.08 cfs of this right to the Bypass Canal where it shall remain undiverted but provide for losses in the river reach between the Cove Canal and the Bypass canal which result because of use of water under Right 37-22672.

This right mitigates for the injury to other water users caused by the diversion and use of water under Right 37-22672. To prevent injury to other water right holders, the watermaster shall deliver 0.02 cfs of this right into the Cove Canal where it shall remain undiverted but provide for conveyance loss in the canal.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water was formerly delivered through Cove Canal.

Right No. 37-577BY and a portion of 37-20450 mitigates for water use under 37-22672.

Property is also known as Lot 21A, Muldoon Ranch Subdivision No. 2.

07/11/2012

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

RIGHT NUMBER: 37-20450

NAME AND ADDRESS: WILLIAM R RATLIFF
21165 SW KILLARNEY CT
TUALATIN OR 97062

KATHLEEN L RATLIFF
21165 SW KILLARNEY CT
TUALATIN OR 97062

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
16.20 AFY

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

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation.

PRIORITY DATE: 06/22/1978

POINT OF
DIVERSION:

T02N R19E S31 SWSW Lot 4 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
MITIGATION	04/15 10/31	0.060 CFS 15.00 AFY

Domestic use is for 1 home with lawn.

PLACE OF USE: DOMESTIC in BLAINE County

T02N R19E S31 Lot 4 SWSW

MITIGATION in BLAINE County

T02N R19E S31 Lot 4 SWSW 5.00

Right Nos. 37-20450 and 37-22672 are limited to the irrigation of a combined total of 4.4 acres in a single irrigation season.

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

A portion of this right mitigates for the injury to other users caused by the diversion and use of water under Right 37-22672. If right 37-22672 is delivered all irrigation use under this right shall cease.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Property is also known as Lot 21A, Muldoon Ranch Subdivision No. 2.

This right is a split from former right 37-7720.

Right No. 37-577BY and a portion of 37-20450 mitigates for water use under 37-22672.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

July 11, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

FRITZ HAEMMERLE
HAEMMERLE & HAEMMERLE PLLC
PO BOX 1800
HAILEY ID 83333

RE: SRBA Claim(s) 37-577BY and 37-20450

Dear Counselor:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: Craig Hobdey, Hobdey & Hobdey
Albert Barker, Barker Rosholt & Simpson LLP



State of Idaho

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FRITZ HAEMMERLE
HAEMMERLE & HAEMMERLE PLLC
PO BOX 1800
HAILEY ID 83333

RE: SRBA Claim(s) 37-577BY and 37-20450

Dear Counselor:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: Craig Hobdey, Hobdey & Hobdey
Albert Barker, Barker Rosholt & Simpson LLP

COPY

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

FEB 18 2010

By _____ Clerk
Deputy Clerk

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

In Re SRBA

Subcase No. 37-577BY, 37-20450

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

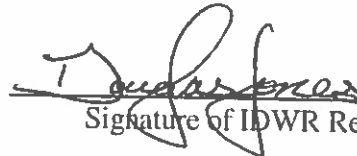
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

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

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

Dated: 2/12/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2-18, 200¹⁰~~9~~, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

2. Copies to:

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

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

William Ratliffe
Kathleen Ratliffe
21165 SW Killarney Ct
Tualatin OR 97062

Mitchell Gutches
Carolyn Gutches
206 Bayhorse Rd
Bellevue ID 83313

Albert Barker
Barker Rosholt & Simpson
PO Box 2139
Boise ID 83701

Craig Hobdey
Hobdey & Hobdey
PO Box 176
Gooding ID 83330



Signature of person or attorney mailing the form

11/19/2009

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

RIGHT NUMBER: 37-577BY

NAME AND ADDRESS: WILLIAM R RATLIFF
21165 SW KILLARNEY CT
TUALATIN OR 97062

KATHLEEN L RATLIFF
21165 SW KILLARNEY CT
TUALATIN OR 97062

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T02N R18E S16 NESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.100 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R19E S31 Lot 4 SWSW 5.00

5 ACRES TOTAL

Right Nos. 37-577BY and 37-20450 are limited to the irrigation of a combined total of 5 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as Lot 21A, Muldoon Ranch Subdivision No. 2.

Water is delivered through Cove Canal.

11/19/2009

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

RIGHT NUMBER: 37-20450

NAME AND ADDRESS: WILLIAM R RATLIFF
21165 SW KILLARNEY CT
TUALATIN OR 97062

KATHLEEN L RATLIFF
21165 SW KILLARNEY CT
TUALATIN OR 97062

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
16.20 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation.

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

PRIORITY DATE: 06/22/1978

POINT OF
DIVERSION:

T02N R19E S31 SWSW Lot 4 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.060 CFS 15.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION in BLAINE County

T02N R19E S31 Lot 4 SWSW 5.00

DOMESTIC in BLAINE County

T02N R19E S31 Lot 4 SWSW

5 ACRES TOTAL

Right Nos. 37-20450 and 37-577BY are limited to the irrigation of a combined total of 5 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Property is also known as Lot 21A, Muldoon Ranch Subdivision No. 2.

This right is a split from former right 37-7720.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

February 18, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

WILLIAM RATLIFFE
KATHLEEN RATLIFFE
21165 SW KILLARNEY CT
TUALATIN OR 97062

RE: SRBA Claim(s) 37-577BY, 37-20450

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Mitchell and Carolyn Gutches
Albert Barker, Barker Rosholt & Simpson
Craig Hobdey, Hobdey & Hobdey

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 37-577BY
Date Received: 12/21/1988
Receipt No: C004280
Received By:

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

1. Name of Claimant(s)

MITCHELL T GUTCHES Phone: (208) 578-0211

206 BAYHORSE RD
BELLEVUE ID USA 83313

CAROLYN L GUTCHES Phone: (208) 578-0211

206 BAYHORSE RD
BELLEVUE ID USA 83313

2. Date of Priority: 03/24/1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	19E	31	4	BLAINE	

5. Description of diverting works:

IN-STREAM DROPLINE TO PUMP, SPRINKLERS, PUMP CURRENTLY DISCONNECT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.1	

7. Total Quantity Appropriated is:
0.1 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	19E	31	SW	NW	IRRIGATION	5
					Section Acres	5
					Total Acres	5

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:

ONLY ONE IRRIGATION SOURCE IS USED AT ANY GIVEN TIME.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 1, 2002

Mitchell T. or Carolyn L. Gutches
206 Bayhorse Rd
Bellevue, Idaho 83313

RE: Snake River Basin Adjudication (SRBA)
Claim Numbers: 37-20450 and 37-577BY
Change of Ownership Notification

Dear Claimant:

With the receipt of proper documentation showing that you are current owner of lands associated with the above referenced Snake River Basin Adjudication claim(s), our records have been updated. The enclosed copies are for your records, please review these documents for accuracy in all respects

The SRBA is an ongoing process; in the future, you may be notified with more information concerning your water right claim. You also may be asked to provide more information to assist us in correctly recommending your water right to the SRBA Court. It is important that IDWR in kept informed of changes in ownership and address, and we thank you for your continued cooperation in the Adjudication.

For your information I have enclosed a copy of a letter from our files to Mr. Jim Speck that speaks to a possible future modification to your water right 37-20450 as claimed in the Adjudication.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Regional Office, Twin Falls

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- 7720			(renumbered 20450)	☒
	37- 57737				

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)

Kirk Torres

4. New Owner/Claimant(s)

Carolyn L. Gutches or Mitchell T. Gutches

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

New Mailing Address

206 Bayhorse Rd.

City, State and ZIP Code

Bellevue, ID 83313

New Telephone Number

208) 578-0211

5. Date you acquired the property

09/2001

RECEIVED

JUN 25 2002

**Department of Water Resources
 Southern Region**

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) Carolyn J. Mutchers
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received **Kirk Torres and Heidi Torres, husband and wife**

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

Mitchell T. Gutches and Carolyn L. Gutches, HUSBAND AND WIFE

whose address is: **P.O. Box 311, Bellevue, ID 83313**

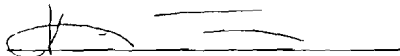
Hereinafter called the Grantee, the following described premises situated in **Blaine** County, Idaho, to-wit:

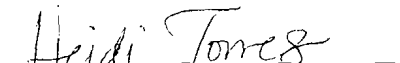
Lot 21A of MULDOON RANCH SUBDIVISION NO. 2, Lot 21A and Lot 21B AMENDED MAY 1980, according to the official plat thereof, recorded as Instrument No. 205759, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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.

Dated: September 6, 2001


Kirk Torres

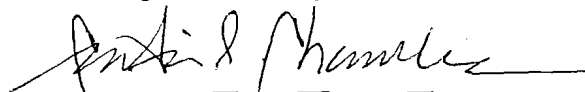

Heidi Torres

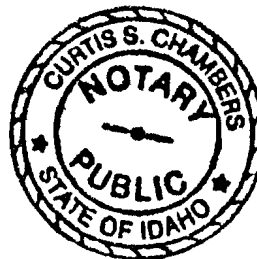
STATE OF Idaho

ss.

COUNTY OF BLAINE

On this 6th day of September, 2001, before me, the undersigned, personally appeared Kirk Torres and Heidi Torres, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public of Idaho
Residing at: ~~Bellevue, Idaho~~ **HAILEY, ID.**
Commission Expires: **5-15-04**



Instrument # 455274

HAILEY, BLAINE, IDAHO

2001-09-07

03:57:00 No. of Pages: 1

Recorded for: FIRST AMERICAN TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTYQC/CORP DEED

QUITCLAIM DEED

For Value Received **Kirk Torres and Heidi Torres, husband and wife**

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

Mitchell T. Gutches and Carolyn L. Gutches, husband and wife

whose address is: **P.O. Box 311, Bellevue, ID 83313**

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

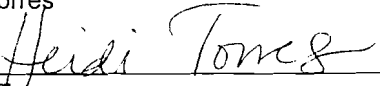
~~Any Water Rights~~ pertaining to the following described property:

**Lot 21A of MULDOON RANCH SUBDIVISION NO. 2, Lot 21A and Lot 21B
AMENDED MAY 1980, according to the official plat thereof, recorded as
Instrument No. 205759, records of Blaine County, Idaho.**

together with their appurtenances.

Dated: September 6, 2001



Kirk Torres


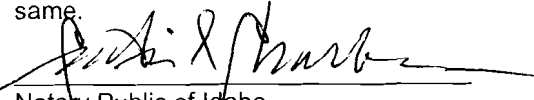
Heidi Torres

STATE OF Idaho)

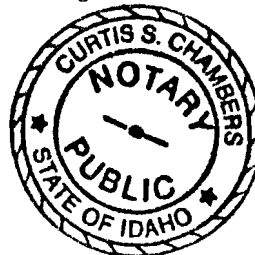
)ss.

COUNTY OF Blaine)

On this 6th day of September, in the year of 2001 before me, the undersigned, personally appeared Kirk Torres and Heidi Torres, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public of Idaho
Residing at: Blaine County, Idaho
Commission Expires: 5-15-04



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 37-577BY
Date Received: 12/21/1988
Receipt No: C004280
Received By:

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

1. Name of Claimant(s)

KIRK TORRES Phone: (208)788-7744

PO BOX 834
BELLEVUE ID USA 83313

HEIDI TORRES Phone: (208)788-7744

PO BOX 834
BELLEVUE ID USA 83313

2. Date of Priority: 03/24/1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	19E	31	4	BLAINE	

5. Description of diverting works:

IN-STREAM DROPLINE TO PUMP, SPRINKLERS, PUMP CURRENTLY DISCONNECT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.1	

7. Total Quantity Appropriated is:
0.1 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	19E	31	SW	NW	IRRIGATION	5
					Section Acres	5
					Total Acres	5

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:

ONLY ONE IRRIGATION SOURCE IS USED AT ANY GIVEN TIME
CORRECTING NAME TLB 8/1/95

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

August 9, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Kirk and Heidi Torres
PO Box 834
Bellevue, Idaho 83313

RE: Snake River Basin Adjudication (SRBA)
Claim Numbers: 37-577BY and 37-7720 renumbered 37-20450
Change of Ownership Notification

Dear Claimants:

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. Also enclosed is a copy of a letter sent to Jim Speck regarding water right 37-20450. If you have any questions, please contact me at this office.

Sincerely,

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

Vikie Hancock
Water Resource Agent

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

RECEIVED
AUG 06 2001
 Department of Water Resources
 Southern Region

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	A37-07720				
	A37-00577BY				

← RENUMBERED 37-20450 UH
ALSO SEE DOCS WITH

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See Instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)	<u>Bruce Buchanan</u> <u>PO Box 498, Bellevue, ID 83313</u>
4. New Owner/Claimant(s)	<u>Heidi and/or Kirk Torres</u>
	Name Connector (Check one): [] and, [] or [X] and/or
New Mailing Address	<u>PO Box 834</u>
City, State and Zip Code	<u>Bellevue, ID 83313</u>
New Telephone Number	<u>(208) 788-7744</u>
5. Date you acquired the property	<u>10/11/95</u>

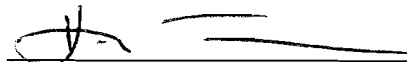
6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.**

If the change of ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

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



For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
P. O. Box 987
Ketchum, Idaho 83340**

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, I, BRUCE BUCHANAN ("Grantor"), do hereby convey, release, remise and forever quitclaim to KIRK TORRES and HEIDI TORRES, husband and wife (collectively "Grantees"), Post Office Box 834, Bellevue, Idaho 83313, all of my right, title and interest in and to all water rights appurtenant to the following described premises, situated in Blaine County, Idaho, to wit:

Lot 21-A of MULDOON RANCH SUBDIVISION NO. 2, LOT 21-A
and LOT 21-B, AMENDED MAY 1980, BLAINE COUNTY,
IDAHO, according to the official plat thereof, records Instrument No.
205759, records of Blaine County, Idaho.

Including, but not limited to, those water rights claimed in the Snake River Basin
Adjudication as A37-07720 and A37-00577BY.

DATED this 23 day of July, 2001.

GRANTOR:


BRUCE BUCHANAN

STATE OF IDAHO)
) ss.
County of Blaine)

On this 25th day of July, 2001, before me, the undersigned, a notary public in and for said state, personally appeared BRUCE BUCHANAN, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Heather Abrams
Notary Public for Idaho
Residing at: Blaine Co.
Comm. Expires: 2/15/2006

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

August 3, 2001

RECEIVED

AUG 06 2001

**Department of Water Resources
Southern Region**

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

**Re: Notice of Change in Water Right Ownership - A37-07720 and A37-00577BY
Heidi and/or Kirk Torres
Our File No.: 010008**

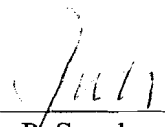
Dear Allen:

Enclosed you will find the Notice of Change in Water Right Ownership for the above-referenced claims filed in the SRBA. This follows up my letter to you of March 28, 2001 which enclosed the Notice of Change in Water Right Ownership for water right No. 37-07720, a copy of which I have enclosed for your easy reference.

Please receipt date stamp the enclosed copy of the Notice and return it to me in the postage prepaid and self-addressed envelope I have included for that purpose. Please call me right away if you have any questions. Thank you for your continuing cooperation and assistance on these matters.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:adc

Enclosures

cc: Client (w/encls.)

Cynthia Wooley (w/encl.)

Brad DuFur (w/encl.)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 20, 2000

Brad Dufur
Sun Valley Real Estate
PO Box 2277
Ketchum, Idaho 83340

RE: Snake River Basin Adjudication (SRBA)
Claim Nos: 37-577BY and 37-7720
Research for Torres/Buchanan

Dear Brad,

Enclosed find copies of the claims listed above as originally submitted in the SRBA. The above numbers represent the only claims I found in the name of Buchanan in the Bellevue area.

I believe that by studying the enclosed documents, your client can determine if these two claims for water rights are appurtenant to the property that Torres now owns. I have noted some information that seems to indicate that the two rights describe the same property.

SRBA claim 37-7720 is based upon a license for irrigation and domestic use from groundwater. Claims based upon licenses have the best basis for validity in the SRBA, as they were investigated at the time of licensing, however many events can effect a right's validity, such as a period of non-use or a transfer of water to another place of use.

Claim 37-577BY is a portion of an old decreed water right that may or may not be appurtenant to the property described. An in-depth investigation into this water right will be required to determine the validity of your client's portion, if any.

As I discussed with you on Friday, there are many water rights in the Wood River Valley that are, at this time, just claims. Unfortunately, the Department can give no assurance of eventual decree to any purchaser until we do our investigating. If your clients decide that these two water right claims describe the property in question, please submit the enclosed change of address form, along with the chain of ownership documents I am returning to you, to our office when the transaction closes.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent



EXCLUSIVE AFFILIATE SOTHEBY'S INTERNATIONAL REALTY

RECEIVED

NOV 17 2000

Department of Water Resources
Northern Region

FAX COVER SHEET

300 N. Main Street, P.O. Box 2277, Ketchum, ID 83340

Phone: (208) 726-6000 FAX (208) 726-1717

To: Vicki	From: Brad DuFur
Fax Number: 208 736 3037	Date: 11.17.00
Phone Number:	Total Pages, including cover: 2
Subject:	

Comments:

Thanks for your help!

I kept
these copies
IN CASE WE
never heard
from these
guys AGAIN,
destroy if
redundant
Jik

**Sun Valley Animal Center**

P.O. Box 177 Ketchum, ID 83340 208 726-7777 Fax 208 726-7770

28 Years of Care for Pets and their People

Date: 11.17.00**Fax Transmittal**

TO:

Company Name _____

Attn: Vicky

Phone: _____

Fax: _____

Fax Sent By: BRAD DUFEE

Enclosed please find _____ pages (including transmittal page).

Message:

5-12-87 80
22-8377

WARRANTY DEED

For Value Received

GERALD W. DAUBY and LINDA DAUBY, husband and wife

The grantor s do hereby grant, bargain, sell and convey unto
STEVEN ALAN BUCHANAN and LORITA P. BUCHANAN, husband and wife and
BURTON J. STANLEY, a single man,
the grantees, whose current address is 411 34th Street, Sacramento, CA 95816

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

Lot 21-A, of MULDOON RANCH SUBDIVISION NO. 2, LOT 21-A and
LOT 21-B, AMENDED MAY 1980, BLAINE COUNTY, IDAHO, according
to the official plat thereof, recorded as Instrument No.
205759, records of Blaine County, Idaho.

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

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

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

Dated: May 5, 1987

X Gerald W. Dauby

X Linda Dauby

STATE OF IDAHO, COUNTY OF Blaine

On this 11th day of May 1987
before me, a notary public in and for the said State, personally
appeared
Gerald W. Dauby and Linda Dauby



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

Notary Public
Idaho

3-14-91

MARY GREEN, CLERK

87 MAY 13 PM 4 30

BLAINE CO.
REQUEST OF

Sun Valley Title Co.

284345

INSTRUMENT NO.

5-12-87 80
22-8377

WARRANTY DEED

For Value Received

GERALD W. DAUBY and LINDA DAUBY, husband and wife

The grantor s do hereby grant, bargain, sell and convey unto
STEVEN ALAN BUCHANAN and LORITA P. BUCHANAN, husband and wife and
BURTON J. STANLEY, a single man,
the grantees, whose current address is 411 34th Street, Sacramento, CA 95816

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Lot 21-A, of MULDOON RANCH SUBDIVISION NO. 2, LOT 21-A and
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to the official plat thereof, recorded as Instrument No.
205759, records of Blaine County, Idaho

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

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

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

Dated: May 5, 1987

Gerald W. Dauby
X Gerald W. Dauby

Linda Dauby
X Linda Dauby

STATE OF IDAHO, COUNTY OF Blaine

On this 11th day of May 1987
before me, a notary public in and for the said State, personally
appeared
Gerald W. Dauby and Linda Dauby



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

Carolyn Baird
Notary Public
Idaho

3-14-91

Sun Valley Title Co.
BLAINE CO.
REQUEST OF
Duda
MAY 13 PM 4 30
MARY GREEN, CLERK
BLAINE COUNTY DEPT.

INSTRUMENT NO.

284345

431554

Deed

BLAINE CO. REQUEST

FIRST-AMERICAN-TITLE

Order No. 22676

QUITCLAIM DEED

'99 SEP 15 PM 3 51

MARION DELMANN, CLERK

FEES \$32

For Value Received

Edward Kauder and Marylu Kauder, husband and wife

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

Kirk Torres and Heidi Torres, husband and wife

whose address is: Box 834, Bellevue, ID 83313

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

Lot 21A of MULDOON RANCH SUBDIVISION NO. 2, Lot 21A and Lot 21B AMENDED
MAY 1980, according to the official plat thereof, recorded as
Instrument No. 205759, records of Blaine County, Idaho.

together with their appurtenances.

Dated:

Edward Kauder
Edward Kauder

Marylou Kauder
Marylou Kauder

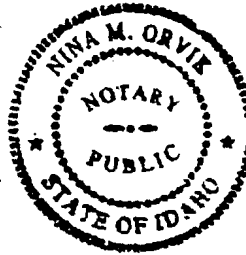
State of Idaho

County of Blaine

On September 15, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Edward Kauder personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

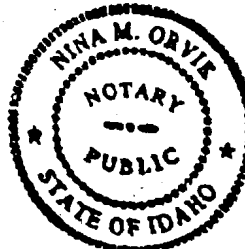
Signature *Nina M. Orvik*
Residing *Boise, Id.*
Commission Expires *2-21-2003*

State of IdahoCounty of Blaine

On September 15, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Marylu Kauder personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature *Nina M. Orvik*
Residing *Boise, Id.*
Commission Expires *2-21-2003*



BLAINE CO. REQUEST

OF Hague, Speck

1992 AUG -3 A 11: 11

3432961

ORIGINAL

CLERK mp Deed QUITCLAIM DEED
15⁰⁰

FOR VALUE RECEIVED, STEVEN ALAN BUCHANAN, LORITA P. BUCHANAN, and BURTON J. STANLEY ("GRANTORS") do hereby convey, release, remise and forever quitclaim unto FREDERICK H. BLECHMANN, UWARDA D. DAY, EMMY BLECHMANN, and FREDERICK H. BLECHMANN as Trustee of the Frederick H. Blechmann Trust dated April 13, 1986, and their heirs, devisees, personal representatives, successors and assigns ("GRANTEES") whose current mailing address is: P.O. Box 184, Sun Valley, Idaho 83353, the following described real property located in Blaine County, State of Idaho, more particularly described as follows:

The ditch and water rights relating to the existing ditch on the westerly part of the Grantors' land (described in EXHIBIT A attached hereto and incorporated herein by this reference) which have historically benefited the Grantees' land (described in EXHIBIT B attached hereto and incorporated herein by this reference), excepting and reserving however unto Grantors all ditch and water rights relating to said existing ditch which have historically benefited the Grantors' land described in said EXHIBIT A.

THIS IS
MEMORANDUM
WITHOUT THE
EXHIBITS A & B

Dated: 7-24-92

Steven A. Buchanan
Steven Alan Buchanan

Lorita P. Buchanan
Lorita P. Buchanan

Burton J. Stanley
Burton J. Stanley



BC# 19924202

This form furnished by
Blaine County Title, Inc.

QUITCLAIM DEED

THIS INDENTURE, Made this 27th day of July

in the year of our Lord one thousand nine hundred and ninety two between

EDWARD KAUDER, A MARRIED MAN

as Grantor and

MARYLU KAUDER, A MARRIED WOMAN AS HER SOLE AND SEPARATE ^{as Grantee}
PROPERTY
whose current address is P.O. BOX 1356, SUN VALLEY, ID 83353

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, situate, lying and being in, County of Blaine, State of Idaho, bounded and particularly described as follows, to-wit:

Lot 21-A of MULDOON RANCH SUBDIVISION NO. 2, Lot 21-A and 21-B,
AMENDED MAY 1980, Blaine County, Idaho, according to the
official plat thereof, recorded as Instrument No. 205759,
records of Blaine County, Idaho.

BLAINE CO. REQUEST

BLAINE COUNTY TITLE

1992 AUG -3 P 3:51

343316

JAMES GREEN, CLERK

3:00 mp

Deed

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.

EDWARD KAUDER

STATE OF IDAHO, COUNTY OF

On this 30th day of July, 1992,
before me, a Notary Public in and for said State, personally appeared

EDWARD KAUDER

identified to me on the basis of satisfactory evidence or known to me
to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he executed the same.

Notary Public,
Idaho.

Residing at Ketchum

Commission Expires 12-3-97

STATE OF IDAHO, COUNTY OF

I HEREBY CERTIFY That this instrument was filed for record at the
request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____,
19____, in my office and duly recorded in Book
of Mortgages at page _____

Ex-Officio Recorder.

By _____
Deputy

Fees \$
Mail to:



Order No. J924202
This form furnished by
Blaine County Title Associates

QUITCLAIM DEED

THIS INDENTURE, Made this 10th day of October

in the year of our Lord one thousand nine hundred and ninety five
MARYLU KAUDER, A MARRIED WOMAN AS HER SOLE AND SEPARATE
PROPERTY,

between

as Grantor and

KIRK TORRES, A MARRIED MAN,

as Grantee

whose current address is P.O. BOX 1356, SUN VALLEY, IDAHO 83353

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, situate, lying and being in, County of Blaine, State of Idaho, bounded and particularly described as follows, to-wit:

Lot 21-A of MULDOON RANCH SUBDIVISION NO. 2, Lot 21-A and 21-B,
ADDED MAY 1960, Blaine County, Idaho, according to the
official plat thereof, recorded as Instrument No. 205759,
records of Blaine County, Idaho.

383180
BLAINE CO. REQUEST
OF: BLAINE COUNTY TITLE
'95 OCT 12 PM 3 09
MARY GREEN, CLERK
FEES \$ 30

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.

Marylu Kauder
MARYLU KAUDER

State of IDAHO

ss.

County of BLAINE

On this 11th day of October, 1995, before me, the undersigned, a Notary Public, in and for said State, personally appeared MARYLU KAUDER

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 foregoing instrument and acknowledged to me that she executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Mary O. Myer
Notary Public
Residing at: KETCHUM, ID
Commission Expires: 12/03/97



Order No. 18568

QUITCLAIM DEED

For Value Received Kirk Torres, a married man

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

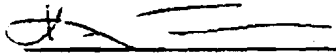
Kirk Torres and Heidi Torres, husband and wife; AND Edward Kauder and Marylu Kauder, husband and wife.
 whose address is: 206 Bayhorse Road, Bellevue, ID 83313

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

Lot 21A of MULDOON RANCH SUBDIVISION NO. 2, Lot 21A and Lot 21B AMENDED MAY 1980, according to the official plat thereof, recorded as Instrument No. 205759, records of Blaine County, Idaho.

together with their appurtenances.

Dated: January 12, 1996



 Kirk Torres

State of IDAHO

County of BLAINE

On January 16, 1996 before me, the undersigned, a Notary Public in and for said State, personally appeared Kirk Torres 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

Commission Expires: 2-21-99



386362
 BLAINE CO. REQUEST
 OF FIRST AMERICAN TITLE CO.
 '96 JUN 22 PM 3 52
 MAAT GREEN, CLERK
 FEES \$ 3.00

MULDOON RANCH (DIVISION NO. 2

SEC. 31, T2N, R19E, B.M.

BLAINE COUNTY

IDAHO

LOT 21A AND 21B AMENDED MAY, 1980

SCALE: 1"=200'

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

courtesy of:
First American Title Co.
Box 756
Kelchum, Idaho 83340

CURVE DATA

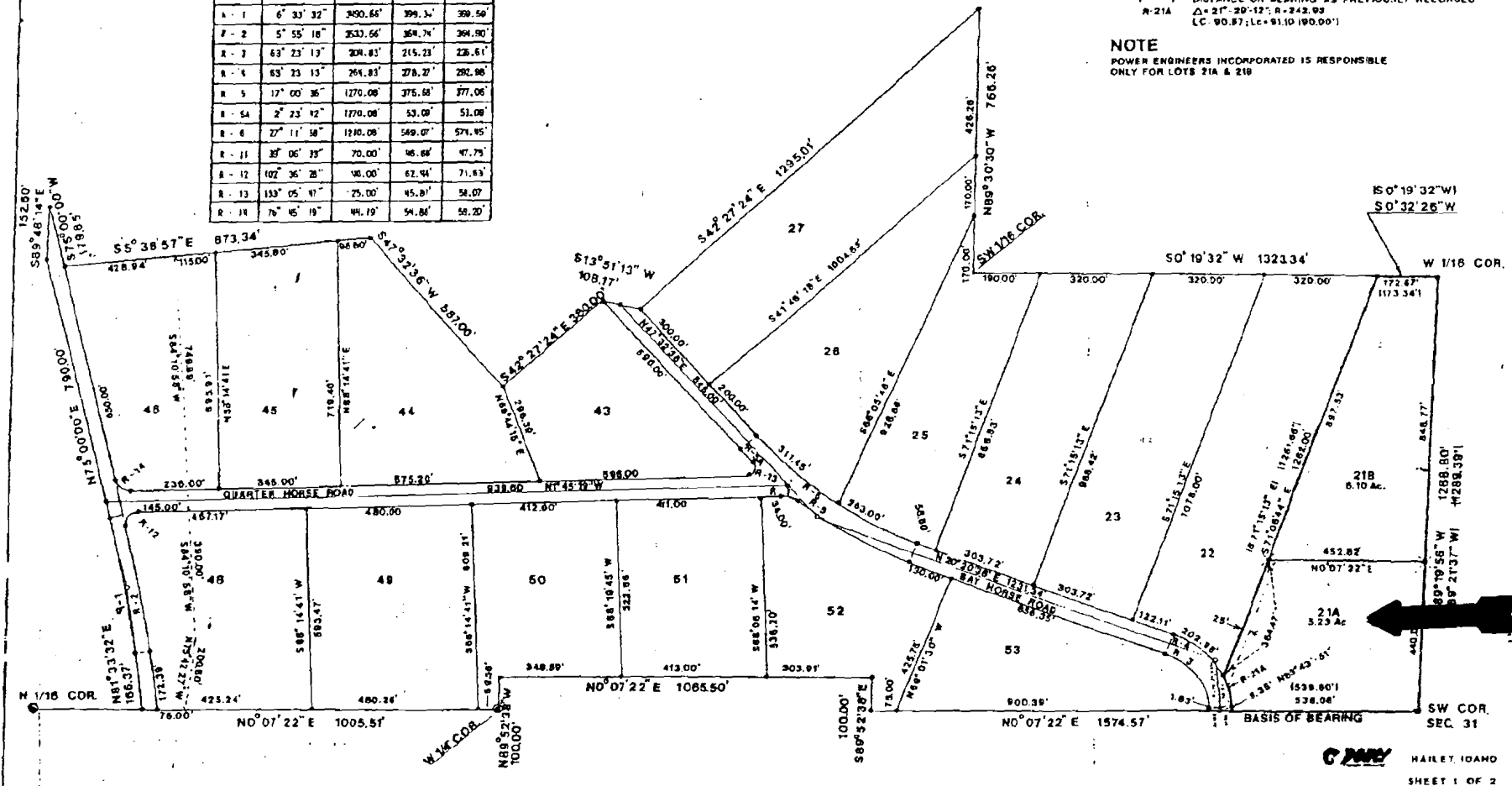
CURVE	Δ	R	LC	Lc
A-1	6° 33' 32"	3490.66'	399.34'	399.50'
A-2	5° 55' 18"	2533.66'	369.74'	369.80'
A-3	63° 23' 13"	204.83'	215.23'	226.61'
A-4	63° 23' 13"	204.83'	278.27'	282.06'
A-5	17° 00' 36"	1270.08'	375.58'	377.06'
A-6	2° 23' 42"	1270.08'	53.08'	51.08'
A-7	27° 11' 58"	1210.08'	549.07'	571.95'
A-8	35° 06' 33"	70.00'	46.66'	47.73'
A-9	102° 36' 28"	40.00'	62.94'	71.63'
A-10	153° 05' 41"	25.00'	45.81'	54.07'
A-11	76° 45' 19"	44.19'	54.86'	58.20'

LEGEND FOR LOTS 21A & 21B ONLY

- 1/2" x 24" REBAR FOUND
- BRASS CAP FOUND
- 1/2" x 24" REBAR SET
- EASEMENT FOR INGRESS AND EGRESS
- DISTANCE OR BEARING AS PREVIOUSLY RECORDED
- A-21A Δ=21°-20'-12"; R=243.93
- LC=90.87; Lc=91.10 (90.00')

NOTE

POWER ENGINEERS INCORPORATED IS RESPONSIBLE ONLY FOR LOTS 21A & 21B



205759 8/13/80

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: [REDACTED]
Date Received: 1/09/1989
Receipt No: C004280
Received By: [REDACTED]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRUCE BUCHANAN 208-788-4960
Address: P.O. BOX 498
BELLEVUE, ID 83313
2. Date of Priority: MAR 24, 1883
3. Source: BIG WOOD RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------|
| 02N | 19E | 31 | | 4 | BLAINE |
5. Description of diverting works:
IN-STREAM DROPLINE TO PUMP, SPRINKLERS, PUMP CURRENTLY DISCONNECT
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.100 | | |
7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 12.5 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	19E	31	SW NW		IRR	5.0
Section Acres						5.0
Total Acres						5.0

A37-00577BY

Page 1

Date: 1/09/89

MICROFILMED
FEB 23 1993

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:
10" WELL, 132', 5 HP PUMP

14. Remarks:
ONLY ONE IRRIGATION SOURCE IS USED AT ANY GIVEN TIME.

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

Decree Plaintiff

vs

Decree Defendant

MICROFILMED
FEB 23 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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 _____

MICROFILMED
FEB 23 1993

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

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

CIVIL CASE NUMBER: 39576
Ident. Number A37-00577 BY
Date Received 10-19-88
Receipt Number C004280

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Bruce Buchanan Phone (208) 788-4960

Mailing Address P.O. Box 498, Bellevue, Id. Zip 83313

2. Date of Priority (Only one (1) per claim) Dece 5" Big Wood 3-24-1883

3. Source of water supply (a) Canal 33 ft Big Wood
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 2N Range 19E Section 31,

Lot 4 1/4 of _____ 1/4 of _____ 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.

In-stream drop line to
pump then to sprinklers. (Pump has been discor-
ated for time being)

COPY

MICROFILMED
FEB 23 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr. 1 to Nov. 1 amount 0.10 or _____

For Dr purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2.5 x 5 = 12.5 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	19E	31						5											5

Total number of acres irrigated 5

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 ☒ 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.
10" well 132' 5 hp pump or None ()

14. Remarks: Only one irrigation source is used at any given time.

Enclosed - Copies of original permit 1930 to Larry Dauby whom I purchased property from

MICROFILMED
FEB 23 1993

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ✓

If applicable provide IDWR Water Right Number 37-0572

Court _____ Case Number _____ Decree Date 3-24-1883

Plaintiff vs 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 7

For **Individuals**: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Bruce Buchanan Date Oct. 15, 1988

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 Idaho/or _____ }
County of Blaine } SS.

Subscribed and sworn (or affirmed) before me this 18th day of October 1988

SEAL

Notary Public William W. Baker

Residing at Sailey, Idaho

My Commission Expires 10/4/91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

COPY

Last Name _____ Ident. Number _____

MICROFILMED
FEB 23 1993

Copies White-State, Yellow-Claimant

12/02/2006

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

RIGHT NUMBER: 37-577BY

NAME AND ADDRESS: MITCHELL T GUTCHES
206 BAYHORSE RD
BELLEVUE ID 83313

CAROLYN L GUTCHES
206 BAYHORSE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T02N R18E S16 NESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.100 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R19E S31 Lot 4 SWSW 5.00

5 ACRES TOTAL

Right Nos. 37-577BY and 37-20450 are limited to the irrigation of a combined total of 5 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as Lot 21A, Muldoon Ranch Subdivision No. 2.

Water is delivered through Cove Canal.



Idaho Department of Water Resources

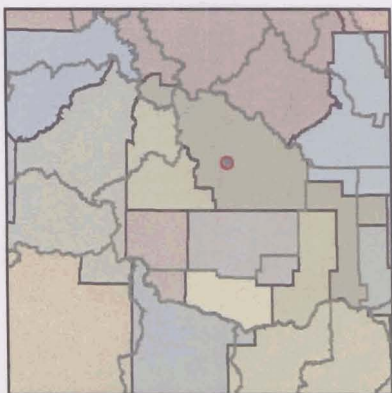
SRBA Recommendation:

37-577BY

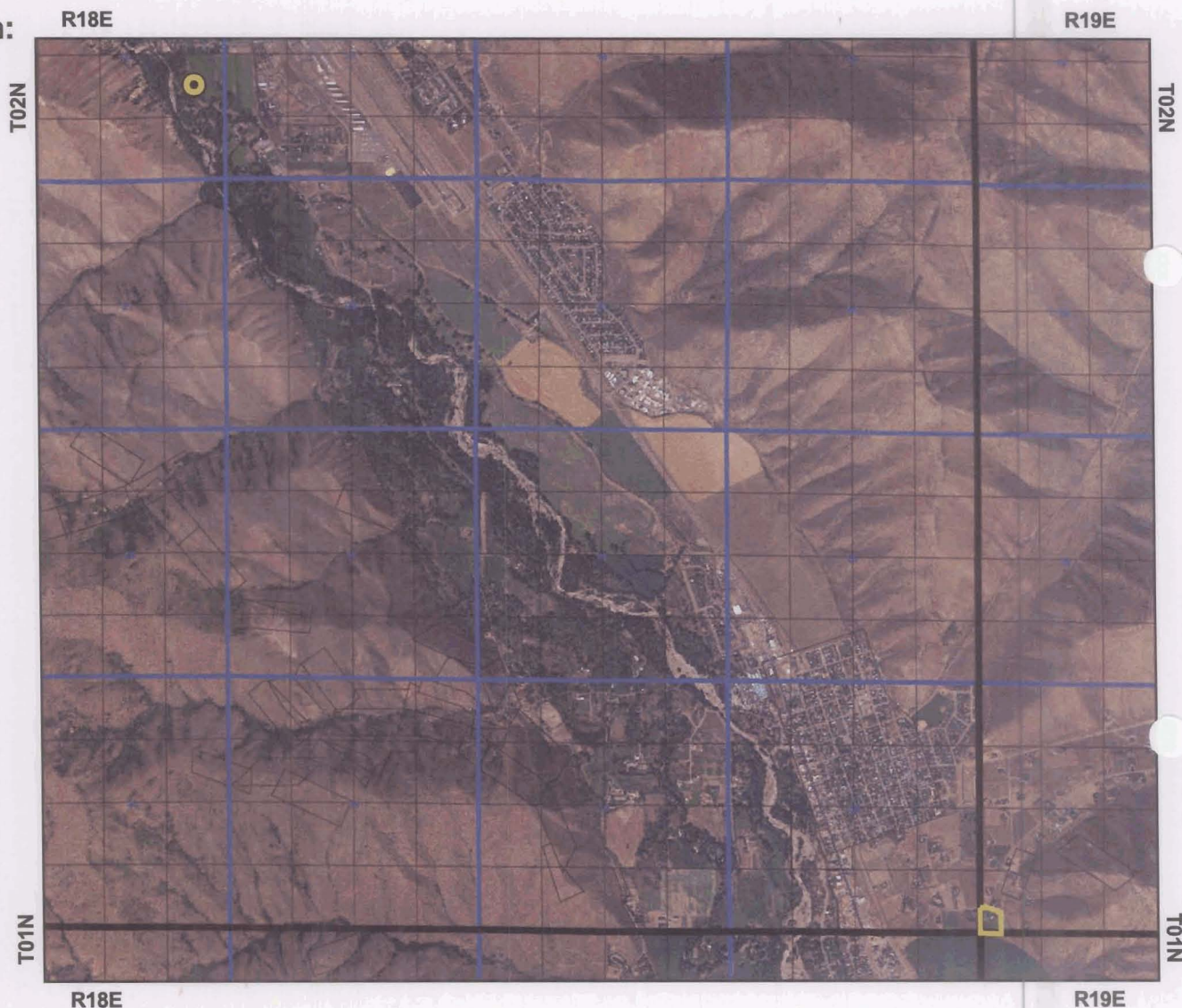
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 1 2 Miles

Prepared by J. Peppers
On Saturday, December 2, 2006
2004 Aerial Photography

37-577BY

