

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 37-577CK
Date Received: 11/1/1995
Receipt No: S018624
Received By:

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

1. Name of Claimant(s)

MICHAEL E WILLARD
1339 HAMPSHIRE CIR
NEWPORT BEACH CA USA 92660

Phone: (949) 574-9996

2. Date of Priority: 03/24/1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	20	SE SW NW	BLAINE	

5. Description of diverting works:

CHECK DAM, CONCRETE HEADGATE, WEIR HIAWATHA CANAL (#22), LATERAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.09	
IRRIGATION STORAGE			01/01	12/31
1.4				
IRRIGATION FROM STORAGE			04/15	10/15
1.4				
RECREATION STORAGE			01/01	12/31
1.4				
AESTHETIC STORAGE		01/01	12/31	
1.4				
DIVERSION TO STORAGE			04/15	10/15 0.1

7. Total Quantity Appropriated is:
0.1 C.F.S. and/or 5.3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	29	SE	NE	IRRIGATION	1
			NE	SE	IRRIGATION	7.9
			NE	SE	IRRIGATION FROM STORAGE	
			SE	NE	IRRIGATION FROM STORAGE	
			NE	SE	DIVERSION TO STORAGE	
			SE	NE	DIVERSION TO STORAGE	
					Section Acres	8.9
					Total Acres	8.9

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:

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

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.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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

A portion of Right No. 37-30000B, 0.05 cfs, is limited to use for conveyance losses in delivery of this right.

Right 37-30000B is limited to the irrigation of 1.1 acres in the place of use described above in a single irrigation season.

Rights 37-07958 and 37-30000B when combined shall not exceed the irrigation of 2.6 total acres within the 8.9 acre place of use described above in a single irrigation season.

The first year that water is diverted to recreational, aesthetic and irrigation storage uses, the irrigation use under this right shall be limited to 0.9 acres, 0.08 cfs and 3.2 afa.

The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 1.4 af associated with the 0.4 acre no longer irrigated. The period of use for the irrigation and diversion to storage described in this approval may be extended to an ending date of 10-31

provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Approval of Transfer 5330 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

12/18/06 (M. Anders) - claim 37-577CK represents the water in water right 37-30000B.

15. Basis of Claim: Decreed

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-577CK
Date Received: 11/1/1995
Receipt No: S018624
Received By:

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

1. Name of Claimant(s)

MICHAEL WILLARD Phone: (208)788-4929
1339 HAMPSHIRE CIRCLE
NEWPORT BEACH CA 92660

2. Date of Priority: 03/24/1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	20	SE SW NW	BLAINE	

5. Description of diverting works:

CHECK DAM, CONCRETE HEADGATE, WEIR HIAWATHA CANAL (#22), LATERAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.09	
IRRIGATION STORAGE	01/01	12/31		1.4
IRRIGATION FROM STORAGE	04/15	10/15		1.4
RECREATION STORAGE	01/01	12/31		1.4
AESTHETIC STORAGE	01/01	12/31		1.4
DIVERSION TO STORAGE	04/15	10/15	0.1	

7. Total Quantity Appropriated is:
0.1 C.F.S. and/or 5.3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
03N	18E	29	SE	NE		IRRIGATION	1
			NE	SE		IRRIGATION	7.9
			NE	SE		IRRIGATION FROM STORAGE	
			SE	NE		IRRIGATION FROM STORAGE	
			NE	SE		DIVERSION TO STORAGE	
			SE	NE		DIVERSION TO STORAGE	
						Section Acres	8.9
						Total Acres	8.9

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:

A portion of Right No. 37-30000B, 0.05 cfs, is limited to use for conveyance losses in delivery of this right.

Right 37-30000B is limited to the irrigation of 1.1 acres in the place of use described above in a single irrigation season.

Rights 37-07958 and 37-30000B when combined shall not exceed the irrigation of 2.6 total acres within the 8.9 acre place of use described above in a single irrigation season.

The first year that water is diverted to recreational, aesthetic and irrigation storage uses, the irrigation use under this right shall be limited to 0.9 acres, 0.08 cfs and 3.2 afa.

The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 1.4 af associated with the 0.4 acre no longer irrigated. The period of use for the irrigation and diversion to storage described in this approval may be extended to an ending date of 10-31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water

rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Approval of Transfer 5330 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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

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

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.

15. Basis of Claim: Decreed

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00577CK
Date Received: 11/ 1/1995
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PATRICIA WEAVER 208-788-4929
Address: PO BOX 1413
HAILEY ID 83333

2. Date of Priority: MAR 24, 1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	20	SE	SW	NW		BLAINE

5. Description of diverting works:

CHECK DAM, CONCRETE HEADGATE, WEIR HIAWATHA CANAL (#22), LATERAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/24	10/31	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	18E	4	SW	SW		IRR	5.0

Section Acres 5.0

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10. Place of Use: Continued

Total Acres 5.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

FROST

Decree Plaintiff

ALTURAS WATER CO

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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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 A37-00577CKDate Received 10-31-95Receipt Number 5018624

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
OCT 31 1995
Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Patricia Weaver Phone 208 288-4929Mailing Address PO Box 1413 Hailey, Id. Zip 833332. Date of Priority (Only one (1) per claim) March 24, 19833. Source of water supply (a) Big Wood River
which is tributary to (b) Mald River4. a. Location of existing point of diversion is: Township 3 N Range 18 E Section 20,
S.E. 1/4 of S.W. 1/4 of N.W. 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. check dam, concrete headgate,
weir, Hiawatha Canal (#22), unnamed lateral to place
of use

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from Mar 24 to Oct 31 amount (.1) or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) (.1) (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is () 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	18E	4											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 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. _____ or None (X)

14. Remarks:

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Last Name _____ 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 19-E17 3700577

Court District Case Number _____ Decree Date 12/3/09

Plaintiff vs Defendant Frost vs Alturas Water Co.

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) Patricia Weaver Date 10-30-95

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 Idaho)

SS.

County of Blaine)

Subscribed and sworn (or affirmed) before me this 30th day of October 19 95

SEAL

Notary Public

Residing at

My Commission Expires

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

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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

10-31-95

Mr Christensen,

Sorry I forgot to encl this
with papers sent 10-30-95.

Pat Weaver

Thanking you for helping me
out on this matter.
☺

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QUITCLAIM DEED

For Value Received Wood River Valley Associates, a partnership,

do hereby convey, release, remise and forever quit claim unto Thomas N. Weaver and Patricia Ann Weaver, husband and wife, whose address is:

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

Five (5) miners inches of the waters of Big Wood River, with date of priority of March 24, 1883, Priority number 19-E17, to be appurtenant to lot 8 in Block 1 of River Grove Ranch Subdivision, Blaine County, Idaho, as found on the official plat thereof on file in the office of the County Recorder of Blaine County, Idaho.

together with their appurtenances.

Dated: September 11, 1979

Jess C. Groves
Ernest W. Woodall

Jan K. Woodall

STATE OF IDAHO, COUNTY OF BLAINE

On this eleventh day of September 19 79, before me, a notary public in and for said State, personally appeared Wood River Valley Associates a partnership by general partner, Jess C. Groves

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

David L. Cropper

Notary Public

Residing at Hailey, , Idaho

STATE OF IDAHO, COUNTY OF BLAINE

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 Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
 Mail to:

Instrument No.

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 NOV 22 1996



State 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

November 1, 1995

PATRICIA WEAVER
PO BOX 1413
HAILEY ID 83333

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A37-00577CK

Dear Ms Weaver

Enclosed is the computer generated copy of your adjudication claim as data entered and your receipt. Please review the claim to insure that all data entered information is correct.

If there are any problems with this claim please contact this office.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

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NOV 22 1996

12/18/2006

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

RIGHT NUMBER: 37-577CK

NAME AND ADDRESS: MICHAEL E WILLARD
1339 HAMPSHIRE CIR
NEWPORT BEACH CA 92660

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.100 CFS
5.300 AFY

A portion of Right No. 37-557CK, 0.05 cfs, is limited to use for conveyance losses in delivery of this right.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T03N R18E S20 SESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.090 CFS 3.90 AFY
IRRIGATION STORAGE	01/01 12/31	1.40 AFY
IRRIGATION FROM STORAGE	04/15 10/15	1.40 AFY
RECREATION STORAGE	01/01 12/31	1.40 AFY
AESTHETIC STORAGE	01/01 12/31	1.40 AFY
DIVERSION TO STORAGE	04/15 10/15	0.100 CFS

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S29	SENE	1.00	T03N R18E S29	NESE	7.90
---------------	------	------	---------------	------	------

IRRIGATION FROM STORAGE in BLAINE County

T03N R18E S29	SENE	T03N R18E S29	NESE
---------------	------	---------------	------

DIVERSION TO STORAGE in BLAINE County

T03N R18E S29	SENE	T03N R18E S29	NESE
---------------	------	---------------	------

8.9 ACRES TOTAL

Rights 37-4K, 37-7958, and 37-577CK when combined shall not exceed the irrigation of 4.6 total acres within the 8.9 acre place of use described above in a single irrigation season.

This right is limited to the irrigation of 1.1 acres within the place of use described above in a single irrigation season.

Rights 37-7958 and 37-577CK when combined shall not exceed the irrigation of 2.6 total acres within the 8.9 acre place of use described above in a single irrigation season.

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

12/18/2006

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

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

Failure of the right holder to comply with the conditions of Transfer No. 5330 is cause for the Director to rescind approval of the transfer.

The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 1.4 af associated with the 0.4 acre no longer irrigated.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Approval of Transfer No. 5330 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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

The first year that water is diverted to recreational, aesthetic and irrigation storage uses, the irrigation use under this right shall be limited to 0.9 acres, 0.08 cfs and 3.2 afa.

577CK

Sutton

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

RECEIVED

TRANSFER NO. 5330
WATER RIGHT NO. 37-300008

APR 10 2000

Department of Water Resource
Southern Region

This is to certify that: **MICHAEL WILLARD**
1339 HAMPSHIRE CIRCLE
NEWPORT BEACH CA 92660

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	0.09 CFS	3.9 AF
IRRIGATION STORAGE	01/01 to 12/31		1.4 AF
IRRIGATION FROM ST	04/15 to 10/15		1.4 AF
RECREATION STORAGE	01/01 to 12/31		1.4 AF
AESTHETIC STORAGE	01/01 to 12/31		1.4 AF
DIVERSION TO STORA	04/15 to 10/15	0.10 CFS	
	Totals	* 0.10 CFS	5.3 AF

SOURCE

BIG WOOD RIVER

TRIBUTARY OF

MALAD RIVER

Priority: 03/24/1883

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 20, Township 03N, 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>
03N	18E	29	SENE 1.0	NESE 7.9		8.9
Total number of acres irrigated:						** 8.9

PLACE OF USE: IRRIGATION FROM ST, same as IRRIGATION use

PLACE OF USE: DIVERSION TO STORA, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

TRANSFER NO. 5330
WATER RIGHT NO. 37-30000B

CONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.
- * 7. A portion of Right No. 37-30000B, 0.05 cfs, is limited to use for conveyance losses in delivery of this right.
- ** 8. Right 37-30000B is limited to the irrigation of 1.1 acres in the place of use described above in a single irrigation season.
- ** 9. Rights 37-07958 and 37-30000B when combined shall not exceed the irrigation of 2.6 total acres within the 8.9 acre place of use described above in a single irrigation season.
10. The first year that water is diverted to recreational, aesthetic and irrigation storage uses, the irrigation use under this right shall be limited to 0.9 acres, 0.08 cfs and 3.2 afa.
11. The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 1.4 af associated with the 0.4 acre no longer irrigated. The period of use for the irrigation and diversion to storage described in this approval may be extended to an ending date of 10-31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
12. Approval of Transfer 5330 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 3rd day of April, 2000.

J. Glen Saylor
Chief, Water Allocation Bureau

office meeting with Pat Weaver

5-22-96

1. Affidavit describing where the original 5 acres were prior to drying up those acres and transferring to Pat Weaver. indicate on map.
2. Legal description of P/U water is going to. individual's name. indicate on map.
3. Legal of Pat Weaver's prop (as a subdivision plat) indicate on map which 5 acres are being dried up.
4. Attach ownership (Pat) (warranty deed, tax notice etc)
5. Reference Quit claim deed attached to A37-00577CK
add info needed for transfer.

MICROFILMED
NOV 22 1996

Order No. 13921

Legal Description

Exhibit "A"

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLADES COUNTY, IDAHO.

Section 41. A parcel of land more particularly described as follows:

COMMENCING at a brass cap marking the South one-quarter corner of said Section 4, which point is the REAL POINT OF BEGINNING; thence N. 89° 33' 39" W., 742.20 feet along the South Boundary of said Section 4 to a 5/8 inch rebar; thence N. 28° 27' 37" W., 299.64 feet parallel with, and Easterly of State Highway No. 75 to a 5/8 inch rebar; thence N. 69° 33' 39" W., 410.26 feet parallel with, and Northerly of, said South Boundary of Section 4 to a 5/8 inch rebar on Easterly Boundary of said State Highway No. 75; thence N. 28° 27' 37" W., 86.32 feet along said Easterly Boundary of State Highway No. 75 to a 5/8 inch rebar; thence N. 61° 32' 23" East, 154.42 feet perpendicular to said State Highway No. 75 to a 5/8 inch rebar; thence W. 17° 08' 59" W., 124.39 feet to a 5/8 inch rebar; thence N. 00° 13' 31" W., 325.00 feet to a 5/8 inch rebar; thence W. 00° 30' 53" E., 1603.09 feet to a 5/8 inch rebar on the South Boundary of Northridge Subdivision No. 1, and also along the Westerly Boundary of North Halls Subdivision (vacated) as surveyed by JUB Engineers, 1976; thence N. 66° 28' 53" E., 125.30 feet along the Southerly Boundary of Northridge Subdivision No. 1 to a 5/8 inch rebar; thence N. 23° 30' 00" W., 311.50 feet along the Easterly Boundary of said Northridge Subdivision to a 5/8 inch rebar; thence N. 66° 30' 29" E., 206.00 feet to a 1/2 inch rebar on the Southeast corner of Lot 15, Block 4, said Northridge Subdivision No. 1; thence S. 18° 30' 00" E., 147.90 feet; thence N. 71° 58' 22" E., 81.07 feet to a 5/8 inch rebar on the Northwest corner of the Roller Tract; thence S. 11° 58' 57" E., 164.05 feet along the Westerly Boundary of said Roller Tract to a 5/8 inch rebar; thence N. 62° 40' 21" E., 205.90 feet along the Southerly Boundary of said Roller Tract to a 5/8 inch rebar; thence N. 17° 59' 32" W., 129.87 feet along the Easterly Boundary of said Roller Tract to a 5/8 inch rebar; thence N. 18° 40' 05" W., 173.39 feet to a 1/2 inch rebar on the Southeast corner of Lot 15, Block 4, said Northridge Subdivision No. 1; thence N. 66° 30' 29" E., 180.86 feet along the Southerly Boundary of said Northridge Subdivision No. 1; thence

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POOR ORIGINAL

Order No. 13923

Legal Description

Page 2

The following five courses and distances along the Eastern Boundary of said Northridge Subdivision No. 1 to 5/8 inch rebar:

N. 27° 36' 01" W., 238.06 feet;
 N. 16° 59' 22" W., 505.93 feet;
 N. 40° 00' 00" W., 910.00 feet;
 N. 10° 14' 40" E., 88.47 feet;
 N. 34° 19' 01" W., 295.09 feet to a brass cap located on the Southeast corner of the Idaho State Highway Department Maintenance Yard; thence
 N. 00° 41' 19" E., 278.87 feet along the East Boundary of said Highway Department Maintenance Yard to a 5/8 inch rebar on the North Boundary of said Section 4; thence
 N. 69° 58' 39" E., 686.23 feet along said North Boundary of Section 4 to a 5/8 inch rebar on the Southeastern Boundary of the Union Pacific Railroad Right-of-Way; thence
 S. 18° 36' 58" E., 1758.03 feet along the Southeastern Boundary of said Union Pacific Railroad Right-of-Way to a 5/8 inch rebar on the North Boundary of the Savaria Tract as surveyed by JUB Engineers in 1971; thence
 The following five courses and distances along the Western Boundary of said Savaria Tract as surveyed by JUB Engineers in 1971 to 5/8 inch rebar:

S. 17° 36' 01" W., 314.20 feet;
 S. 38° 45' 19" E., 331.92 feet;
 S. 23° 12' 00" E., 283.42 feet;
 S. 21° 34' 58" W., 547.13 feet;
 S. 06° 18' 25" E., 418.73 feet to a 5/8 inch rebar on the South Boundary of said Section 4; thence
 N. 89° 42' 06" W., 112.36 feet along said South Boundary of Section 4 to the POINT OF BEGINNING.

MICHOFF
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POOR ORIGINAL

Order No. 13923

THIS SLIDE FORMERLY BY FIRST AMERICAN TITLE CO.

WARRANTY DEED

For Value Received, I, **Robert M. Brennan**, an unmarried man

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **EMB - Bailey L.P.**, a California Limited Partnership, whose address is: 132 Lasky Drive, Beverly Hills, CA 90212.

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit: **SEE 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 Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated **March 27, 1996**

Robert M. Brennan

STATE OF CALIF. COUNTY OF San Luis Obispo

On this **9** day of **April**, 1996, before me, a notary public in and for said State, personally appeared

Robert M. Brennan



OFFICIAL SEAL
TEREZA B. SMITH
NOTARY PUBLIC - CALIFORNIA
SAN LUIS OBISPO COUNTY
My Comm. Expires March 15, 1998

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

Tereza B. Smith
Notary Public
Residing at San Luis Obispo
Commission Expires 3-15-98

Post-It™ brand fax transmittal memo 7671 # of pages 3

To Kelly	From DL Cropper
Co.	Co.
Dept.	Phone #
Fax # 736-3037	Fax #

NOV 22 1996

22 1996

April 26, 1996

RECEIVED

MAY 02 1996

Department of Water Resources
Southern Region

Kelly Christenson
Dept. of Water Resources

Dear Kelly,

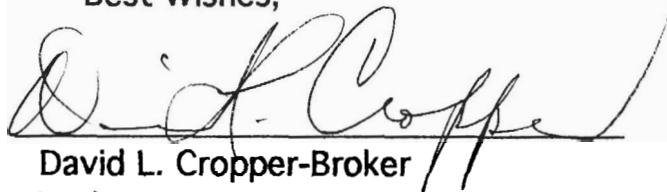
In reference to Pat Weaver and water she owns from the Big Wood River drainage, 5 inches of 1883 W.T. Riley, delivery from the Hiawatha canal.

I was involved with the original transfer back in the early 80's. It appears that when the transfer was made the Quit Claim Deed was recorded but the Weavers failed to notify the Water Master in Shoshone of the transfer and also failed to adjudicate the water with the State of Idaho. Just recently Pat started her adjudication process.

We now have an interested party in purchasing this water right and need what-ever assistance you can give us.

If you have any additional questions please call me, Dave Cropper at Real Estate Center, at 208-788-4903.

Best Wishes,



David L. Cropper-Broker
Real Estate Center

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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

DATE

April 24, 1996 9:50am

CUSTOMER

DAVE CROPPER 788-4903

SUBJECT: STATUS OF PAT WEAVER'S WATER USE FROM A37-00577CK
phone call (X) walk-in (.)

He indicated that he was the individual that helped to draft the quit claim deed that transferred 5" of water to Pat from Wood River Valley associates from their Riley right water. He also indicated that the association filed an adj claim for the original 100 inches. We discussed how the corrections to the records could be made. I requested an affidavit from him giving the 'story' of the historical use and transfer of a portion of the right occurred.

He then wanted to discuss partial forfeiture in general and in specific as it relates to his use from Sherman Springs in Haggerman. I indicated that I could not discuss any specifics concerning Sherman Springs as I did not do the field work and was not familiar with his claim. I did describe instances where I felt partial forfeiture applied, primarily for small mountain stream uses.

Possible related adj claims may be A37-12869 and/or A37-00577BX.

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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

November 8, 1995

PAT WEAVER
PO BOX 1413
HAILEY ID 83333

RE: REQUEST FOR APPLICATION FOR TRANSFER

Dear Pat

Enclosed is the application for transfer and the instruction pamphlet. I realize that it may appear to be rather intimidating but a majority of the required information can be obtained from your adjudication claim A37-00577CK.

If you decide to file the transfer and want help please call this office.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

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IDWR Employee/Agent Kelly K Christensen

DATE CUSTOMER
October 30, 1995 10:03am PAT WEAVER

SUBJECT: CONVERSION OF MINERS INCHES TO CFS FOR A POTENTIAL CLAIM
phone call (X) walk-in (.)

She is filing a late claim and did not know the conversion factor for changing miners inches to cfs. I told her that .02cfs = 1 miners inch and that 5 miners inches = .10 cfs. We discussed briefly the legal status of the claim.

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IDWR Employee/Agent Kelly K Christensen

DATE CUSTOMER
October 10, 1995 11:31am PAT WEAVER
 BOX 1413
 HAILEY ID 83333

SUBJECT: WATER RIGHT FILING.
phone call (X) walk-in (.)

She has a quit claim deed that indicates that 5 inches of 1883 decreed water was transferred to her property back in the early 70's. We discussed the issues surrounding unrecorded transfers and I did a name search for the Wood River Valley Associates and found that they have claimed a portion of the Riley right A37-00577BX. I indicated that that may be the right described in the quit claim deed but that I was not sure. I explained the verification process for unrecorded transfers and she indicated that she will research the original right with the former owners and supply the department with that information. She also requested claim forms.

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