

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 37-577V
Date Received: 10/25/1988
Receipt No: M001721
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GRACE EAKIN Phone: (208)788-4061
28 PERO RD
PO BOX 296
BELLEVUE ID 83313

ESTATE OF JAMES IVAN EAKIN Phone: (208)788-4061
PO BOX 296
28 PERO RD
BELLEVUE ID 83313

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
02N	18E	36	NE SW NW	BLAINE	

5. Description of diverting works:

HEADGATE #45 AND DISTRICT CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.8	

7. Total Quantity Appropriated is:

2.8 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
01N	18E	25	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
					Section Acres	160
					Total Acres	160

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:

DWR NOTE THIS CLAIM ORIGINALLY FILED UNDER A37-00577Y; DUE TO DUPLICATION OF NUMBERS IT IS RE-NUMBERED A37-00577V. PLEASE NOTE THAT THIS CLAIM IS PROBABLY NOT A TRUE MATCH TO THE WR 37-00577V. THIS CLAIM IS A PORTION OF THE WR 37-00577; THE EXACT SPLIT IS UNKNOWN AT THIS TIME. (SCC 9-12-1989)

15. Basis of Claim: Decreed

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, 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
37-111			37-475		
37-112			37-476		
37-116			37-477		
37-234B			37-377V		
37-418E			37-886V		
25.50 37-1116 (Domestic)			37-7064F		

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FEB 13 2006

Department of Water Resources
Southern Region

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 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)

James I Eakin

PO Box 296

4. New Owner/Claimant(s)

Bellevue, ID 83313

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

New Mailing Address

Estate of James Ivan Eakin

City, State and ZIP Code

Box 296 - 28 Pers Road

New Telephone Number

(208) 788-4061

5. Date you acquired the property

personal representative
Grace Eakin
Box 296 - 28 Pers Road
Bellevue, ID 83313

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) Grace Eakin
(include title if applicable) Personal Representative

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

For Office Use Only

Received by <u>NT</u>	Date <u>02/13/02</u>	Fee <u>25.00</u>
Received by <u>NT</u>	Date <u>02/13/06</u>	Receipt No. <u>5028392</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

[Click here and type return address and phone and fax numbers]

Company Name Here

Fax

To Nick

Treasure

From

Grace

Eakin

1(208)736-

3037

Pages: [Click here and type # of pages]

(208)736-

3033

Date: 3/6/2006

Re: Warranty Deeds

CC: Department of Water Resources

☐ Urgent

☐ For Review

☐ Please Comment

☐ Please Reply

☐ Please Recycle

• **Comments:** Here are the documents you are needing. Grace

RECEIVED

MAR 06 2006

Department of Water Resources
Southern Region

8883

WARRANTY DEED

For Value Received John Fell Stevenson, a married man dealing with his sole and separate property,

the grantor, does hereby grant, bargain, sell and convey unto James I. Eakin and

Grace Eakin, husband and wife,

the grantees, whose current address is Route #1, Bellevue, Idaho, 83313,

the following described premises, in Blaine

County Idaho, to-wit:

Township 1 North, Range 18 East, Boise
Meridian, Blaine County, Idaho

Section 24: SE $\frac{1}{4}$ SE $\frac{1}{4}$

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MAR 06 2006

Department of Water Resources
Southern Region

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

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

Dated: April 28, 1980.

John Fell Stevenson
John Fell Stevenson

STATE OF IDAHO, COUNTY OF Blaine

On this 28th day of April, 1980, before me, a notary public in and for the said State, personally appeared John Fell Stevenson,

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

Residing at Hailey, Idaho
Comm. Expires Indefinite

STATE OF IDAHO, COUNTY OF Blaine

I hereby certify that this instrument was filed for record at the request of Sawtooth Title Co.

at 50 minutes past 3:00 o'clock P M, this 23 day of May, 1980, in my office, and duly recorded in Book of Deeds at Page

MARIE WIE LHYA
Ex-Officio Recorder

By Kathy Stump Deputy.

Fees \$ 2.00
Mail to:

INSTRUMENT NO. 203780

EXHIBIT A

WARRANTY DEED

For Value Received

HAROLD DRUSSEL and DOROTHY DRUSSEL, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

JAMES I. EAKIN and GRACE I. EAKIN, husband and wife,
the grantees, whose current address is Box 296, Bellevue, Idaho 83313

the following described premises, in

Blaine

County Idaho, to-wit:

TOWNSHIP 1 NORTH of RANGE 18 EAST of the BOISE
MERIDIAN, BLAINE COUNTY, STATE OF IDAHO.

SECTION 25: E $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPT road right of way
over the East 25 feet and North
25 feet thereof;
W $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPT right of way for
Highway over the Northwesterly
portion thereof.

TOWNSHIP 1 NORTH of RANCE 19 EAST of the BOISE
MERIDIAN, BLAINE COUNTY, STATE OF IDAHO.

SECTION 30: SE $\frac{1}{2}$ NW $\frac{1}{4}$;
All of Lot 2, EXCEPT road right
of way and ditch right of way
over the West 75 feet of said
Lot 2.

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MAR 06 2006

Department of Water Resources
Southern Region

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners 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:

Harold Drussel
Harold Drussel

Dorothy Drussel
Dorothy Drussel

STATE OF IDAHO, COUNTY OF Blaine

On this 28th day of March, 1977,
before me, a notary public in and for the said State, per-
sonally appeared HAROLD DRUSSEL and
DOROTHY DRUSSEL, husband and wife,

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

Judith A. Fry
Notary Public
Residing at Hailey, Idaho
Comm. Expires 2/10/81

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 _____
1977, in my office, and duly recorded in Book
of Deeds at Page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

INSTRUMENT No. 272500

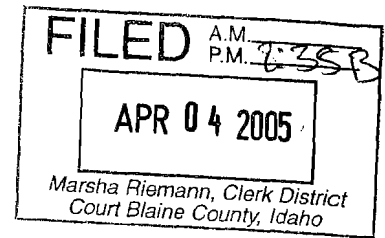
Melville W. Fisher II (ISB 2136)
BATT & FISHER, LLP
101 S. Capitol Blvd., Suite 500
P.O. Box 1308
Boise, ID 83701
Phone: (208) 331-1000
Fax: (208) 331-2400

Attorney for Applicant

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MAR 16 2006

Department of Water Resources
Southern Region



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF)	CASE NO. CV 2004-1138
)	
JAMES IVAN EAKIN,)	DISCLAIMER AND RENUNCIATION
)	
Deceased.)	(I.C. 15-2-801)
)	

COMES NOW, Grace I. Eakin, being over the age of majority, the surviving spouse of James Ivan Eakin, deceased, and, pursuant to Idaho Code section 15-2-801 and sections 2046 and 2518 of the Internal Revenue Code of 1986, hereby states as follows:

1. James Ivan Eakin died intestate on November 15, 2004, in Blaine County, Idaho, leaving an estate consisting of his one-half interest in community property situated in Idaho.
2. I am the surviving spouse and the heir at law of James Ivan Eakin, deceased.
3. With respect to the property or interest in property being renounced hereby, I have made no assignment, conveyance, encumbrance, pledge, or transfer of the property or interest in the property; I have executed no written waiver of the right to renounce; I have not accepted the property

or any interest in the property or benefit thereunder; and no sale of the property or interest in the property under judicial sale has been made.

4. I desire to renounce and disclaim irrevocably and without qualification or limitation an amount of property from the estate of James Ivan Eakin, deceased, equal to Seven Hundred Thousand and No/100 Dollars (\$700,000.00).

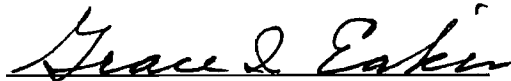
NOW, THEREFORE, I, Grace I. Eakin, pursuant to Idaho Code section 15-2-801 and sections 2046 and 2518 of the Internal Revenue Code, hereby irrevocably and without qualification or limitation renounce and disclaim an amount of property from the estate of James Ivan Eakin, deceased, equal to Seven Hundred Thousand and No/100 Dollars (\$700,000.00). The personal representative of the estate of James Ivan Eakin, deceased, shall satisfy the amount so determined in cash or in kind, or partly in each.

DATED this 23rd day of March, 2005.

RECEIVED

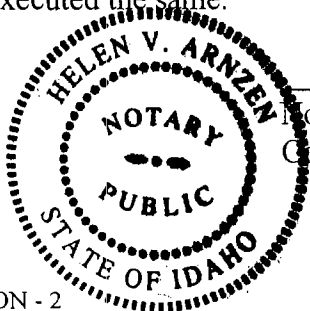
MAR 28 2006

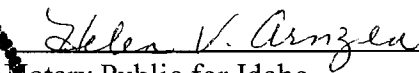
Department of Resources
Southern Region


Grace I. Eakin

STATE OF IDAHO)
) ss.
County of Ada)

On this 23rd day of March, 2005, before me, a notary public in and for the said State, appeared before me Grace I. Eakin, the surviving spouse of James Ivan Eakin, deceased, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.




Notary Public for Idaho
Commission Expires: 1/24/2009

CERTIFICATE OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF HEALTH POLICY AND VITAL STATISTICS

CERTIFICATE OF DEATH

Date Filed DECEMBER 06, 2004

State File No. 2004-08812

DECEDENT - LEGAL NAME JAMES IVAN EAKIN			
SEX MALE	SOCIAL SECURITY NUMBER 518-42-6751	AGE 75 YEARS	DATE OF BIRTH NOVEMBER 08, 1929
BIRTHPLACE JEROME, IDAHO		PLACE OF RESIDENCE BELLEVUE, IDAHO	
MARITAL STATUS AT TIME OF DEATH MARRIED		NAME OF SURVIVING SPOUSE (if wife, maiden name) GRACE HOBSON	WAS DECEDENT EVER IN U.S. ARMED FORCES? NO
FATHER - NAME EDWARD C. EAKIN			BIRTHPLACE PENNSYLVANIA
MOTHER - MAIDEN NAME DORIS L. FOUNTAIN			BIRTHPLACE KANSAS
METHOD OF DISPOSITION BURIAL		FUNERAL SERVICE LICENSEE DWAIN MARK DEMARAY	
NAME AND ADDRESS OF FUNERAL FACILITY DEMARAY FUNERAL SERVICE, GOODING, IDAHO			
DATE OF DEATH NOV. 15, 2004	TIME OF DEATH 6:44 P.M.	CITY, TOWN OR LOCATION OF DEATH BOISE, IDAHO	COUNTY OF DEATH ADA
CAUSE OF DEATH (underlying cause last) a. SEPSIS			Approximate Interval Between Onset and Death 10 DAYS 3 MONTHS 3 MONTHS
b. DUE TO (or as a consequence of): IMMUNOSUPPRESSION			
c. DUE TO (or as a consequence of): KIDNEY TRANSPLANT			
d. DUE TO (or as a consequence of):			
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above ESRD, AORTIC STENOSIS, HYPERPARATHYROIDISM			WAS AN AUTOPSY PERFORMED? NO
MANNER OF DEATH NATURAL		NAME OF CERTIFIER DONALD ROBERT MORRIS JR., M.D.	TITLE PHYSICIAN
CORONER SUBSEQUENT CERTIFICATION IF NECESSARY			
EXTERNAL CAUSES ONLY			
DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?
LOCATION WHERE INJURY OCCURRED			
DESCRIPTION OF HOW INJURY OCCURRED			

RECEIVED

MAR 06 2006

Department of Water Resources
Southern P.

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF HEALTH POLICY AND VITAL STATISTICS.

DATE ISSUED: DECEMBER 07, 2004

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

Jane S. Smith
JANE S. SMITH
STATE REGISTRAR



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: A37-00577V
Date Received: 8/28/1988
Receipt No: M001721
Received By: Revised Sec

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES I. EAKIN 208-788-4061
Address: P.O. BOX 296
BELLEVUE, ID 83313

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 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE #45 AND DISTRICT CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.800		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	25	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0

A37-00577V

Page 1

Date: 09/10/89

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	25	SE	NE		IRR	40.0
Section Acres							160.0
Total Acres							160.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

37-0477,0112,0476,0116,0111,0475,7064,0886J,0418D,0234B.

14. Remarks:

DWR NOTE

THIS CLAIM ORIGINALLY FILED UNDER A37-00577Y; DUE TO DUPLICATION OF NUMBERS IT IS RE-NUMBERED A37-00577V. PLEASE NOTE THAT THIS CLAIM IS PROBABLY NOT A TRUE MATCH TO THE WR 37-00577V. THIS CLAIM IS A PORTION OF THE WR 37-00577; THE EXACT SPLIT IS UNKNOWN AT THIS TIME. (SCC 9-12-1989)

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 _____

01/05/2007

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

RIGHT NUMBER: 37-577V

NAME AND ADDRESS: GRACE EAKIN
28 PERO RD
PO BOX 296
BELLEVUE ID 83313

ESTATE OF JAMES IVAN EAKIN
28 PERO RD
PO BOX 296
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.800 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County
Water diverted from Headgate #45 delivered through District Canal.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.800 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S25	NENE	37.00	T01N R18E S25	NWNE	37.00
T01N R18E S25	SWNE	40.00	T01N R18E S25	SENE	40.00

154 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 154 acres in a single irrigation season. Combined Right Nos.: 37-475, 37-234B, 37-116, 37-111, 37-21805, 37-112, 37-886J, 37-477, 37-577V, 37-418E, and 37-21807.

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



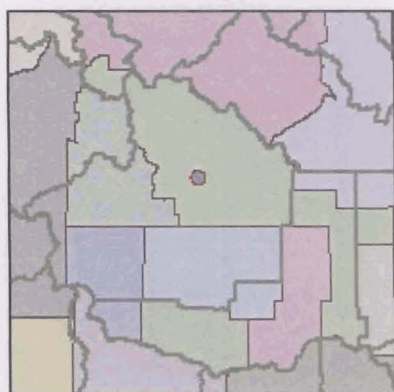
Idaho Department of Water Resources

SRBA Recommendation:

**37-577V, 37-475, 37-234B,
37-116, 37-111, 37-21805,
37-112, 37-886J, 37-477,
and 37-418E**

Legend

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



Blaine County
IDWR Basin 37



Prepared by N. Erickson
On Friday, January 5, 2007
~~1987/88~~ Aerial Photography
2004



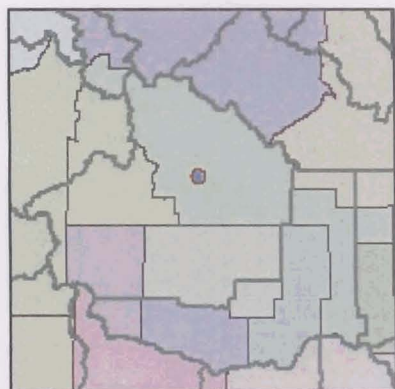
Idaho Department of Water Resources

SRBA Recommendation:

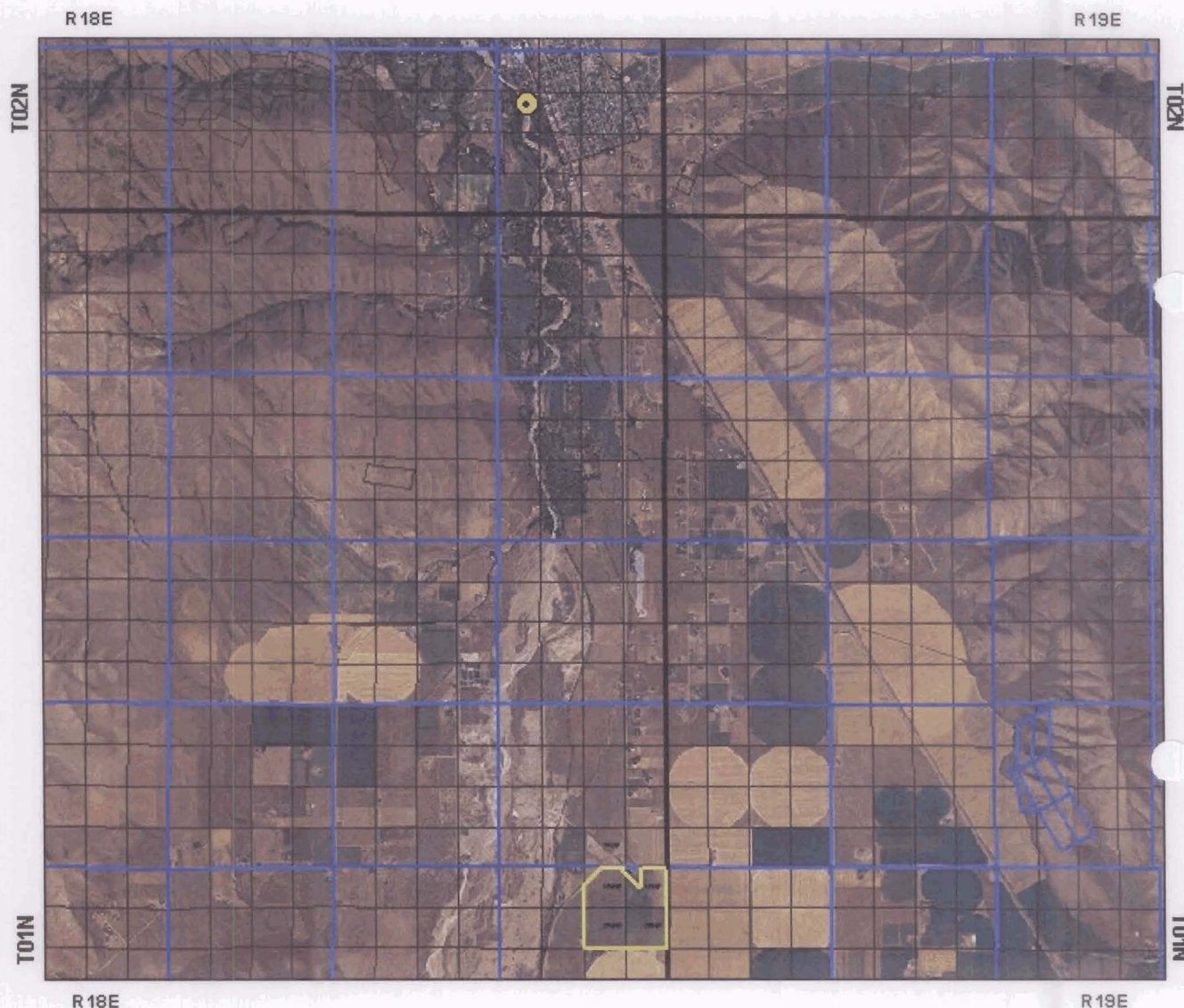
**37-475, 37-234B, 37-116,
37-111, 37-21805, 37-112,
37-886J, 37-477, 37-577V,
and 37-418E**

Legend

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



Blaine County
IDWR Basin 37



0 2 4 Miles

Prepared by N. Erickson
On Thursday, November 16, 2006
2004 Aerial Photography

Memo

From: Nick Treasure

Date: Feb 13, 2006

Subject: Snake River Basin Adjudication (SRBA) review of claim(s):
37-476 Eakin

Change of ownership

Grace Eakin came in to work on ownership of her deceased husband James Eakin. (See attached spreadsheet for a list all WR's associated with Eakin) Mrs. Eakin provided to the department from the district court a disclaimer and renunciation in the matter of the deceased James Ivan Eakin, stating that Grace Eakin is the heir of Mr. Eakin. Therefore Mrs. Eakin was able to file a Change of Ownership for all of James Eakin's adjudication claims to the Estate of James Eakin with herself as the personal representative.

All surface water rights claimed by James Eakin are claimed with the POU on 160 acres of Twp 01N Rng 18E Sec 25 NE. Mrs. Eakin wishes to file an unrecorded transfer that occurred between 1975-1980 on POU of some of these water right claims. She claims that 1 or more of these rights have historically been used in the SESE of 01N Rng 18E Sec 24. She would like to talk with her real estate agent Rob Struthers before she finalizes an unrecorded transfer.

March 6, 2006

Unrecorded transfer

Grace Eakin came in today to amend the place of use of claim 37-476. The original claim's POU included the NE of Twp 01N Rng 18E Sec 25. Mrs. Eakin wished to amend the claim to reflect an unrecorded transfer that occurred between 1975-1980. The amendment adds 37 acres to the SESE of Twp 01N Rng 18E Sec 24 for a total of 197 acres. The remaining decreed surface rights, are to remain in the original 160 acres of Sec 25. After this unrecorded transfer, there are now 2 water rights that pertain to SESE of Sec 24: Decreed surface water right 37-476 and groundwater right 37-7064F.

Mrs. Eakin also had some disagreement on the ownership change that occurred in February. She believed that the ownership change would put all rights into the name of Grace Eakin not the estate of James Eakin. However the department does not have sufficient documentation to change ownership to the name of Grace Eakin. She provided me today with a warranty deed that conveyed the property to her and James Eakin, she also provided a death certificate of James Eakin. However to do this Change of Ownership I am requiring a Personal Representative Deed.

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

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Received By: J.P. / EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES I. EAKIN 208-788-4061
Address: BOX 296
BELLEVUE, ID 83313

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
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE #45 AND DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.800		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	25	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0

A37-00577Y

Page 1

Date: 08/25/88

A37-00577 V

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	25	SE	NE		IRR	40.0

Section Acres 160.0

Total Acres 160.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

37-0477,0112,0476,0116,0111,0475,7064,0886J,0418D,0234B

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

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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 X 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): *James A. Carter* Date: 25 Oct 1988
_____ Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of Oct 19 88

Wicki L. Dick
Notary Public

Seal

Residing at Bellevue
My Commission Expires 2/27/92



Water Right Number - 37-00577V Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

*** C - CURRENT OWNER ***
MIZER SARAH J. 1 -
2 -
3 -
City- HAILEY State- ID Zip- 83333
Phone -

*** O - ORIGINAL OWNER ***
RILEY W. T. 1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/24/1883 17 D - DECREED

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

03N 18E NE NE (13) BLAINE

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

01 - IRRIGATION 1.000
43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.000

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

03N 18E 21 SW SW 01 IRRIGATION (13) BLAINE
03N 18E 28 NW NW 01 IRRIGATION (13) BLAINE
03N 18E 28 SW NW 01 IRRIGATION (13) BLAINE
03N 18E 28 NW SW 01 IRRIGATION (13) BLAINE

Total Acres:

+ - Diversion Means -
- - Irrigation Use -
- - Other Rights for Same Use -

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Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 09/03/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 10/13/1926				

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FEB 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

. Sept. 13, 1989

Re: A37-00577V

. JAMES I EAKIN
. P O BOX 296
. BELLEVUE ID 83313

Dear Claimant(s):

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

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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FEB 23 1993