

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 37-21807
Date Received: 10/25/1988
Receipt No:
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
28 PERO RD
PO BOX 296
BELLEVUE ID 83313

2. Date of Priority: 04/21/1970

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	18E	25	NE NW NE	BLAINE	

5. Description of diverting works:

WELL & PUMP (75 HP)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	3.1	542.5

7. Total Quantity Appropriated is:
3.1 C.F.S. and/or 542.5 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
01N	18E	25	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	35
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
						Section Acres	155
						Total Acres	155

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:

TRANS. 3406.

***** THIS CLAIM HAS
BEEN AMENDED PURSUANT TO APPROVED TRANSFER NOS.
3765, 3766, AND 3777, WHICH SPLIT THE ORIGINAL LICENSE.

This right is a split from former right 37-7064F.

15. Basis of Claim: License



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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

July 14, 2006

GRACE EAKIN
PO BOX 296
BELLEVUE RD 83313

RE: SRBA Claim(s) 37-476 and 37-7064F

Dear Claimants:

Pursuant to the notification that you sold a portion of the property to which the above referenced adjudication claims are appurtenant, the department has split the original claims. Your portions have been numbered 37-21805 and 37-21807.

Enclosed please find your copies of the computer-generated claims. Review these documents and should you have any questions or corrections, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trish Fawcett', is written over the printed name.

Trish Fawcett

Enclosures

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

RECEIVED
MAY 19 2006
 DEPT. 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
_____	37-476	X	_____	_____	_____
_____	37-7064F	X	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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) Grace I. Eakin & Grace I. Eakin, Personal Representative of the Estate of James I. Eakin, deceased
P. O. Box 296, Bellevue, Idaho 83313
4. New Owner/Claimant(s) James K. Figge and Sandra D. Figge, husband and wife
 Name Connector (Check one): [X] and, [] or [] and/or
- New Mailing Address P.O. Box 4995
- City, State and Zip Code Ketchum, Idaho 83340
- New Telephone Number (208) 726-2112
5. Date you acquired the property April 7, 2006

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 <u>37-476</u>		
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	<u>0.74 cfs</u>	<u>37 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.74 cfs</u>	

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 <u>37-7064F</u>		
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	<u>0.72 cfs</u>	<u>36 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.72 cfs</u>	

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

JAMES K. FIGGE

SANDRA D. FIGGE

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> </u>	Date <u> </u>	Fee <u> </u>
Receipted by <u> </u>	Date <u> </u>	Receipt No. <u> </u>
Processed by <u> </u>	AJ Date <u> </u>	WR <u> </u> Date <u> </u>

Order No. 0622299

QUITCLAIM DEED

For Value Received

**GRACE I. EAKIN, Personal representative of the Estate of JAMES I. EAKIN, deceased
AND GRACE EAKIN, an unmarried woman**

Do hereby convey, release, remise and forever quitclaim unto

JAMES K. FIGGE AND SANDRA D. FIGGE, husband and wife

Whose current address is

P O Box 4995, Ketchum, ID 83340

The following described premises, to-wit:

The following Water Rights:

37 Miner's inches (.74 cfs) of 6/20/1884 SRBA Indentification number 37-476 Surface Water
Right

and

36 Miners inches (.72cfs) of 4/21/1970 SRBA Indentification number 37-7064F Ground Water
Right

located at

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

Together with their appurtenances.

Dated this April 7 day of _____, 2006.

Grace I. Eakin

Grace I. Eakin, Personal Representative of the
Estate of James I. Eakin, deceased

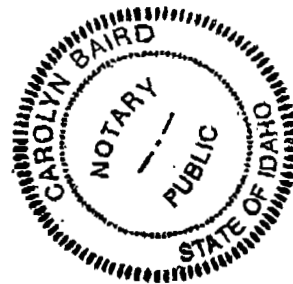
Grace I. Eakin

Grace I. Eakin

State of: IdahoCounty of: Blaine

On this 7th day of April, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared GRACE EAKIN, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Carolyn Baird
Notary Public
Residing at: Hailey
Commission Expires: 1/23/2009

State of: IdahoCounty of: Blaine

On this 7th day of April, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Grace I. Eakin, Personal Representative of the Estate of James I. Eakin, deceased, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity as personal representative.

Carolyn Baird
Notary Public
Residing at: Hailey
Commission Expires: 1/23/2009

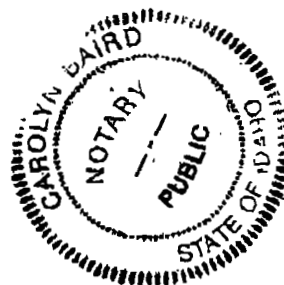


EXHIBIT "A"

**TOWNSHIP 1 NORTH, RANGE 18 EAST OF BOISE MERIDIAN, BLAINE COUNTY,
IDAHO**

SECTION 24: A parcel of land located within the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 24,
more particularly described as follows:

**Commencing at the Southeast corner of said Section 24, said point being the
TRUE POINT OF BEGINNING; thence**

**North 89°51'38" West 1320.32 feet along the Southerly boundary of the
Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 24; thence**

**North 00°08'17" East 1320.24 feet along the Westerly boundary of the
Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 24; thence**

**South 89°47'43" East 1325.77 feet along the Northerly boundary of the
Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 24; thence**

**South 00°22'30" West 1318.74 feet along the Easterly boundary of the
Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 24 to the TRUE POINT OF
BEGINNING.**

Also known as Tax Lot 7901

Order No. 0622299

WARRANTY DEED

FOR VALUE RECEIVED

**GRACE I. EAKIN, Personal Representative of the Estate of JAMES I. EAKIN, deceased
AND GRACE EAKIN, an unmarried woman**

the Grantor does hereby grant, bargain, sell, convey and warrant unto

JAMES K. FIGGE AND SANDRA D. FIGGE, husband and wife

the Grantees whose current address is: **P O Box 4995
Ketchum, ID 83340**

the following described premises, in **BLAINE COUNTY, IDAHO**, to-wit:

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

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

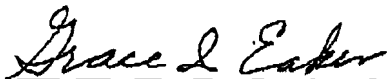
AND

SUBJECT TO THE FOLLOWING RESTRICTION: No development will occur on the portion of subject property in the southwest corner that lies south and west of Pero Road only while the grantor owns the real property contiguous with the southwest corner.

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 she is the owner in fee simple of said premises; that said premises are free from all encumbrances and that she will warrant and defend the same from all lawful claims whatsoever.



**Grace I. Eakin, Personal Representative of the
Estate of James I. Eakin, deceased**

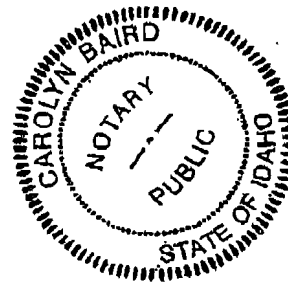


Grace I. Eakin

State of: Idaho
County of: Blaine

On this 7th day of April, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared GRACE I. EAKIN, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Carolyn Baird
Notary Public
Residing at: Hailey
Commission Expires: 11/23/2009



State of: Idaho
County of: Blaine

On this 7th day of April, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Grace I. Eakin, Personal Representative of the Estate of James I. Eakin, deceased, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity as personal representative.

Carolyn Baird
Notary Public
Residing at: Hailey
Commission Expires: 11/23/2009

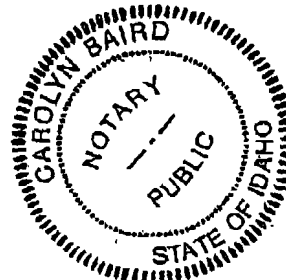


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IDAHO**

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more particularly described as follows:

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TRUE POINT OF BEGINNING; thence**

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Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 24 to the TRUE POINT OF
BEGINNING.**

Also known as Tax Lot 7901

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

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

May 17, 2006

RECEIVED
MAY 19 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

**Re: James K. Figge and Sandra D. Figge
Notice of Change in Water Right Ownership
Our File No.: 1430/060008**

Dear Trish:

Enclosed you will find the original and one copy of the above-referenced Notice of Change in Water Right Ownership for Water Right Nos. 37-476 and 37-7064F. Please receipt date-stamp the copy and return it to me in the postage prepaid, self-addressed envelope enclosed for that purpose. Kindly call me right away if you have any questions about this Notice.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS/jal
Enclosures
cc: Clients w/encl.

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 37-7064F
Date Received: 10/25/1988
Receipt No: X999999
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: 04/21/1970

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	18E	25	NE NW NE	BLAINE	

5. Description of diverting works:

WELL & PUMP (75 HP)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/31	3.82	668.5

7. Total Quantity Appropriated is:

3.82 C.F.S. and/or 668.5 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
01N	18E	24	SE	SE		IRRIGATION	36
						Section Acres	36
01N	18E	25	NW	NE		IRRIGATION	35
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NE	NE		IRRIGATION	40
						Section Acres	155
						Total Acres	191

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:

TRANS. 3406.

***** THIS CLAIM HAS
BEEN AMENDED PURSUANT TO APPROVED TRANSFER NOS.
3765, 3766, AND 3777, WHICH SPLIT THE ORIGINAL LICENSE.

15. Basis of Claim: License

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			37-577V		
37-418E			37-886V		
25.00 37-1116 (Domestic)			37-7064F		

RECEIVED

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 Eaker

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 Eaker
Box 296 - 28 Pers Road

City, State and ZIP Code

New Telephone Number

(208) 788-4061

5. Date you acquired the property

personal representative
Grace Eaker
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>02/13/06</u>	Fee <u>25⁰⁰</u>
Receipted 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 , do es 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 $\frac{1}{4}$

RECEIVED

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 do es 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

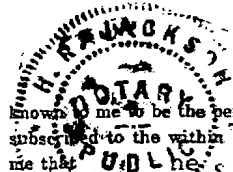
and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 28, 1980.

John Fell Stevenson
John Fell Stevenson

STATE OF IDAHO, COUNTY OF Blaine

On this 28th day of March, 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.

H. R. Jackson
Notary Public
Residing at Hailey, Idaho
Comm. Expires Next Term

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 28 day of May, 1980, in my office, and duly recorded in Book of Deeds at Page

MARIE VIE LILYA
Ex-Officio Recorder

By Kathy Stump Deputy.

Fees \$ 2.00
Mail to:

INSTRUMENT No. 203180

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

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

SECTION 30: SE $\frac{1}{4}$ 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.

RECEIVED

MAR 05 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.

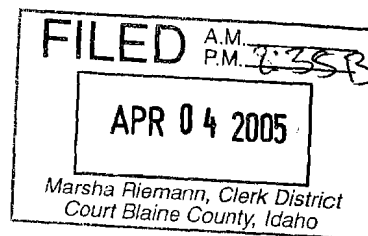
Melville W. Fisher II (ISB 2136)
BATT & FISHER, LLP
101 S. Capitol Blvd., Suite 500
P.O. Box 1308
Boise, ID 83701
Phone: (208) 331-1000
Fax: (208) 331-2400

Attorney for Applicant

RECEIVED

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

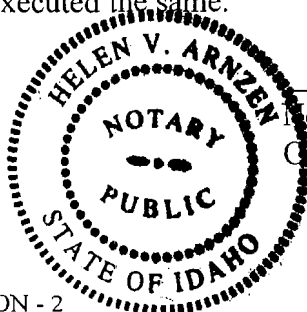
MAR 26 2006

Department of Resources
Southern Region

Grace I. Eakin
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.



Helen V. Arnzen
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 518-22-2672	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
DUE TO (or as a consequence of) b IMMUNOSUPPRESSION			
DUE TO (or as a consequence of) c KIDNEY TRANSPLANT			
DUE TO (or as a consequence of) d			
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

SCANNED

06/10/2005

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: **A37-07064F**
Date Received: 10/25/1988
Receipt No: M001721
Received By: _____

AMENDED

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

AMENDED

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

2. Date of Priority: APR 21, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	25	NE	NW	NE		BLAINE

5. Description of diverting works:
WELL & PUMP (75 HP)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	3.820		668.50

7. Total Quantity Appropriated is:
3.820 C.F.S. (and/or) 668.50 A.F.A.

8. Total consumptive use is 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	24	SE	SE		IRR	36.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	36.0
		25	NE	NE	IRR	40.0
			NW	NE	IRR	35.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
					Section Acres	155.0
					Total Acres	191.0

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:

37-0577Y, 0111, 0475, 0234B, 0112, 0476, 0477, 0116, 0886J, 0418D

14. Remarks:

TRANS. 3406.

THIS CLAIM HAS BEEN AMENDED PURSUANT TO APPROVED TRANSFER NOS.
3765, 3766, AND 3777, WHICH SPLIT THE ORIGINAL LICENSE.

15. Basis of Claim: LICENSE

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: _____

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: **A37-07064**
Date Received: 10/25/1988
Receipt No: M001721
Received By: _____

**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: APR 21, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	25	NE	NW	NE		BLAINE

5. Description of diverting works:
WELL & PUMP (75 HP)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	6.060		1060.50

7. Total Quantity Appropriated is:
6.060 C.F.S. (and/or) 1060.50 A.F.A.

8. Total consumptive use is 477.5 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	24	SE	SE		IRR	36.0

MICROFILMED

OCT 24 1988

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	36.0
		25	NE	NE	IRR	40.0
			NW	NE	IRR	35.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
					Section Acres	155.0
					Total Acres	191.0

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:

37-0577Y,0111,0475,0234B,0112,0476,0477,0116,0886J,0418D

14. Remarks:

TRANS. 3406.

15. Basis of Claim: LICENSE

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: _____

MICROFILMED

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A37-07064
Date Received: 8/25/1988
Receipt No: MOO 1721
Received By: J.P. JENSEN

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: APR 21, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	25	NE	NW	NE		BLAINE

5. Description of diverting works:
WELL & PUMP (75 HP)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/31	6.060		1060.50

7. Total Quantity Appropriated is:
6.060 C.F.S. (and/or) 1060.50 A.F.A.

8. Total consumptive use is 477.5 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	24	SE	SE		IRR	36.0
Section Acres							36.0

A37-07064

Page 1

Date: 08/25/88

FEB 24 1989

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	18E	25	NE		NE		IRR	40.0
			NW		NE		IRR	35.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0

Section Acres 155.0

Total Acres 191.0

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:

37-0577Y,0111,0475,0234B,0112,0476,0477,0116,0886J,0418D

14. Remarks:

TRANS. 3406.

15. Basis of Claim: LICENSE

RECEIVED
FEB 24 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 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 H. Eaton* Date: 25 Oct 1988

Date: _____

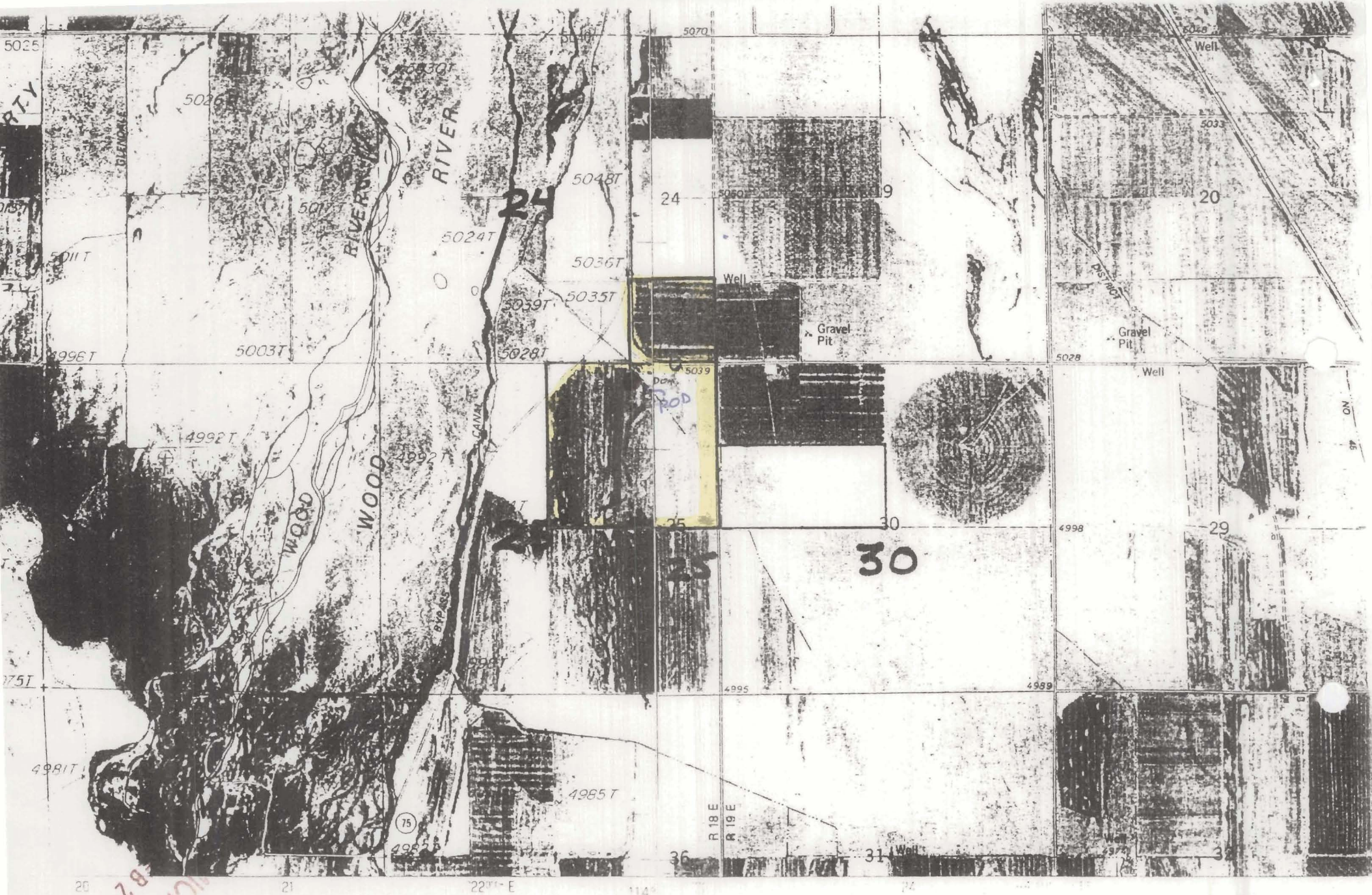
State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of Oct 19 88 *Wicki L. Dick*
Notary Public

Seal

Residing at Bellvue
My Commission Expires 2/27/92

RECEIVED
FEB 24 1993



Produced by the Geological Survey
in cooperation with the Soil Conservation Service

T1N R18+19E

6661 + 28
B 24 1993
MICROFILMED

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

This right is supplemental to surface water rights.



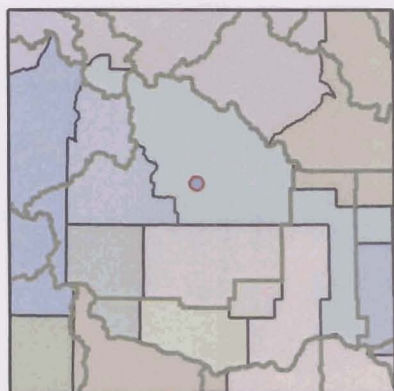
Idaho Department of Water Resources

SRBA Recommendation:

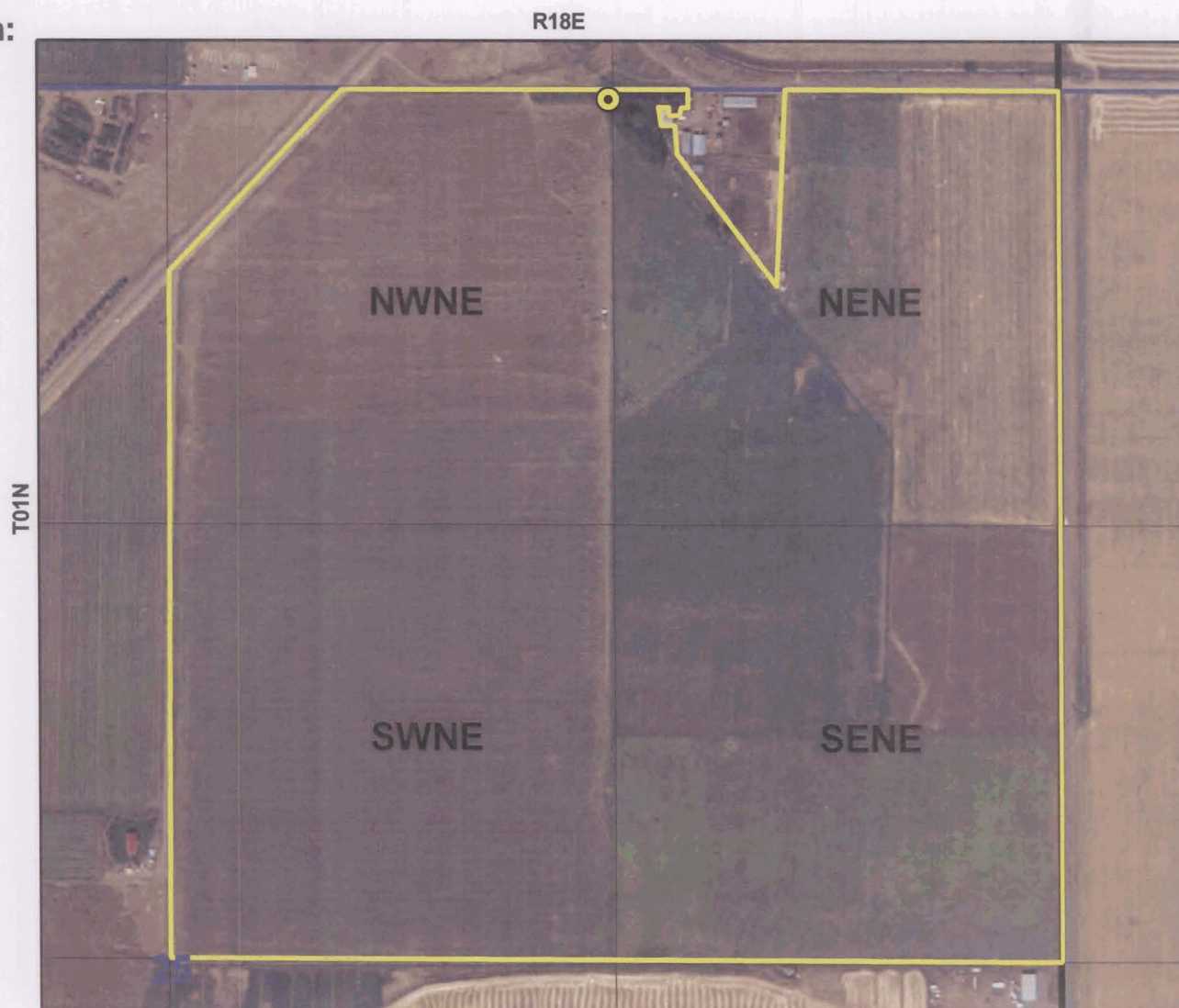
37-21807

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
1007188 Aerial Photography

2004

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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 29, 1991

John B. Brown Prop. Partnership
c/o John W. Sweet
1605 5th Avenue North
Seattle, Washington 98109

RECEIVED

SEP 03 1991

RE: WATER RIGHT NOS. 37-07064 B/C

Department of Water Resources
Southern Region Office

Dear Mr. Sweet:

This letter is in response to your May 17, 1991, letter of inquiry and our phone conversation on August 29, 1991.

Returned is the Assignment of an application for permit which you submitted with your May 17, 1991 letter. An assignment does not apply to ownership changes of a perfected water right such as license no. 37-7064. An assignment applies only to a "permit" which is a non-perfected water right. Perfected water rights are conveyed with the real property in sales transactions unless specifically withheld from the land in the sales agreement.

Transfer 3766 involving part B and part C of water right no. 37-7064 was approved by the department on April 15, 1991, with certain conditions. The transfer essentially authorizes the construction of two new wells for the irrigation of two parcels of land which are part of the original place of use of license no. 37-7064.

Condition no. 2. of the transfer approval requires construction of the new wells within a year of the transfer approval i.e. on or before April 15, 1992. Condition no. 3. provides that if the conditions including condition no 2. are not complied with, the department may initiate steps to rescind approval of the transfer. If approval of the transfer were rescinded, the water right itself would not be voided, but would be returned to the conditions of diversion and use which existed prior to the transfer approval.

Based on your explanation of the sale of the property which fell through and your requested assurance for new buyers that there would be time to construct the wells as shown on approved transfer 3766, the department will change condition no 2. to allow two (2) years from the date of approval (to April 15, 1993) for the construction to be completed. The department will consider requests to extend this time in the future upon a

NOV 27 1991

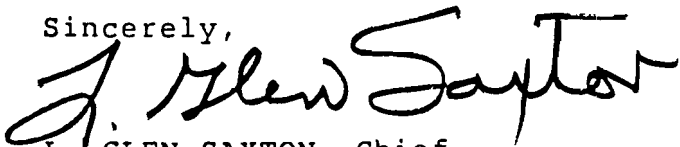
37-7064 B/C

showing of good cause, provided, however, that such extensions can not be construed to prevent forfeiture of the water right as described below.

Idaho water law provides that any water right can be lost through five (5) years continuous non-use. For this reason, you may want to assure that water under this water right is beneficially applied to the place of use before a five year period of non-use occurs.

I apologize for the delay in response to your letter. Please feel free to contact me if you have additional questions or if we can provide additional information.

Sincerely,

A handwritten signature in black ink, reading "L. Glen Saxton". The signature is written in a cursive, flowing style. The first name "L." is small and followed by a period. "Glen" and "Saxton" are written in larger, more prominent cursive letters.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - S. Region

NOV 27 1958

7/11/91

Dear Doug,

Per our telephone conversation of today, I have enclosed a copy of my letter to Mr. Saxton of 5/17/91.

I have also included a couple of fairly recent letters I have received on the subject, 37-07064 A, 37-07064 B/C and 37-07064 C has been used in reference to the 91 acre parcel. Thanks for your interest in my problem.

yours truly

John W (Jack) Sweet,
1605 5th N #30
Seattle, WA 98105

RECEIVED

JUL 15 1991

Department of Water Resources
Southern Region Office

37-07064 B1-C T# 3766

NOV 27 1991

May 17, 1991

L. Glen Saxton
Chief, Water Allocation Bureau
State of Idaho, Department of Water Resources
1301 N. Orchard St., Statehouse Mail
Boise, ID 83720

RECEIVED

JUL 15 1991

RE: Water Right Nos. 37-07064 B/C
The John W. Brown Properties, Partnership

Department of Water Resources
Southern Region Office

Dear Mr. Saxton:

I have recently received information regarding the ground water right noted above.

Enclosure (1), a copy (of a copy) of Assignment of Application for Permit. The original prepared by Edward A. Lawson and W. Clinton Stement was sent to the Boise Department of Water Resources office. The Assignment was dated April 6, 1991. I received it on or about April 12, 1991.

Enclosure (2), regarding Water Right nos. 37-07064 B/C, was dated April 23, 1991. I received it on or about April 26, 1991. I interpret it to mean, because we own the land we own the water rights. I note they have placed the correspondence in the file for future reference. They refer to it as my correspondence, but it was originated by Lawson and Stement; also, I note they changed their computer records to show our partnership is the present owner of the property. So far so good.

Enclosure (3), Application for Transfer of Water Rights, Part 1 and Part 2, was filed by W. Clinton Stement and/or Edward Lawson Sept. 11, 1990, and approved April 15, 1991, by L. Glen Saxton with Conditions of Approval. Condition 2 appears satisfactory for the original applicants who were in a position to proceed had the approval not been delayed so long. In our case, we no longer have a buyer. It appears the change authorized by transfer should be accomplished at a reasonable period after the closing date for a particular parcel.

Your letter to me of November 2, 1988, fourth paragraph, suggests "a development period of up to five years if granted by the department," enclosure (4), paragraph 4.

Condition of Approval No. 4 seems rather rough but I suppose it applies to all rights.

Will you please expedite the preparation of Conditions of Approval for our assignment, Enclosure 1, and revise Condition 2 so that the change authorized by the assignment will be accomplished within a reasonable time (two years) after the closing date of the sale of each of the two parcels. A cross reference between Enclosure (1) (Assignment) and sheet for Conditions of Approval appear necessary. We want to get the property back on the market as soon as possible!

Yours sincerely,

John W. Sweet

NOV 27 1991

RECEIVED

NOV - 4 1988

Department of Water Resources
Southern Region Office

November 2, 1988

John W. Sweet
1605 5th N
Seattle, WA 98109

RE: WATER RIGHT LICENSE NO. 37-7064

Dear Mr. Sweet:

Your letter dated October 21, 1988 in connection with the above referenced license has been referred to me for response. Your interpretation of the department's September 16, 1970 letter is basically correct with the exceptions and additional explanation noted below.

The land to which water right license 37-7064 is appurtenant includes one miner's inch (0.02 cfs) for each acre in the following legal descriptions:

Section 25, T1N, R18E, BM

NE1/4NW1/4	7 acres
SE1/4NW1/4	30
NE1/4SW1/4	35
SE1/4SW1/4	40

TOTAL 112 acres

This means a portion of the above referenced water right is appurtenant to the 112 acres in the amount of 112 miners's inches (2.24 cfs) from a ground water source with a priority of April 21, 1970.

As far as I can determine from the land descriptions you have provided, you are correct that the first three parcels are irrigated with water from this licensed water right and that the fourth parcel is not included.

There are two options available to obtain a water right for the fourth parcel. You or a successor in interest can submit an application for permit to initiate a new appropriation for irrigation of the fourth parcel or include the land in a transfer as described below. An application, if approved would have a priority date as of the date of submittal of the application and would have a development period of up

NOV 27 1988

to five years if granted by the department.

Another option which you might want to consider to provide some water to each of the four parcels is to file a transfer changing both the points of diversion and place of use of the existing portion of the water right such that some of the 112 irrigated acres is within each of the four parcels. Such a transferred water right, however, can not include the irrigation of more than a total of 112 acres. Another way of describing this procedure is that for each non irrigated acre in the fourth parcel to which water is transferred will result in the drying up of an irrigated acre in one of the first three parcels.

A transfer as described in the previous paragraph may be in your best interest, since the department has not been able to approve new appropriations of water in the Bellevue area for a number of years. The reason is due to the ongoing resolution to a very complex water right issue described as the "Swan Falls" water right controversy. There will be a substantial delay in processing of new applications due to the already existing backlog.

To obtain approval to drill separate wells on any of the parcels, you or a successor in interest will have to file a transfer of water right with the department to change the point of diversion (add a well or wells) on some or all of the parcels. In addition to filing a transfer to drill additional wells, a "drilling permit" must also be obtained from the department for the construction of each new well, or for deepening or modification of an existing well. These permits are relatively easy to obtain from the department when issued in connection with a domestic use or well under an approved transfer.

Your letter referred to domestic use. Water right 37-7064 does not include domestic use and is not a part of the right. The right to obtain water from a well for domestic use, however, is relatively simple. Domestic use from a well for single family use can be obtained simply by obtaining a "drilling permit" and having the well constructed by a licensed well driller.

An application for permit or transfer application and instructions can be obtained from our Southern Regional office located at 2148 4th Avenue East, Twin Falls, ID 83301. The completed application for permit or transfer application should also be filed with our Twin Falls office.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

c: S. Region

NOV 27 1996

Department of Water Resources
WATERBRIGHT Office

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

AUG 28 1990

APPROVED

Department of Human Resources

Jay + or Nancy Gove

Phone 788-3520

Southern Region Office
Post-Office address

P.O. 2819 Ketchum Id. 83340

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split
2. Describe the reason for the proposed changes Develop well on my property

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-------------------|-----------|-----------------------|------------------|---------------|
| (part)
37-7064 | 4/21/1970 | 0.36 | Irrigation | 5/1 to 10/31 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 0.36 cubic feet per second and/or _____ acre-feet per annum
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres

18

PART 1

6. General Information:

- a. Description of diversion system Well, pump to handlines, ~~and~~ drip system to trees
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Farm was split up for sale and a portion of right was attached to each parcel to equitably distribute water, portions of parcels will not be irrigated any more.
- d. Remarks:
Supplemental to 37-0102. #SRBA A37-7064A shows right distributed to parcels.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-07064

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

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

15th

day of

April

19 91

J. Glen Saylor

CHIEF, WATER ALLOCATION BUREAU

NOV 27 1998

CONDITIONS OF APPROVAL

Transfer of Water Right No. 37-07064
Transfer No. 3765

1. This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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.

Dated this 15th day of April, 1991.


Chief, Water Allocation Bureau

NOV 27 1995

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-7064 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2406 which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4/21/1970

5. Water is used for the following purpose:

amount 6.06 for Irrigation purposes from 5/01 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 6.06 cubic feet per second and/or 1060.5 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	1N	18E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	18E	24																36	36
		25	40	35	40	40	7			30	35		40						267

Total acres 30.3

9. Describe any other water rights used for the same purpose as described above 37-001017, 2, 7, 18E, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.36 for Irrigation purposes from 5/1 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	1N	18E	Blaine	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	18E	25					7			7				4					18

Total acres 18

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 5.70 for Irrigation purposes from 5/1 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	1N	18E	Blaine	

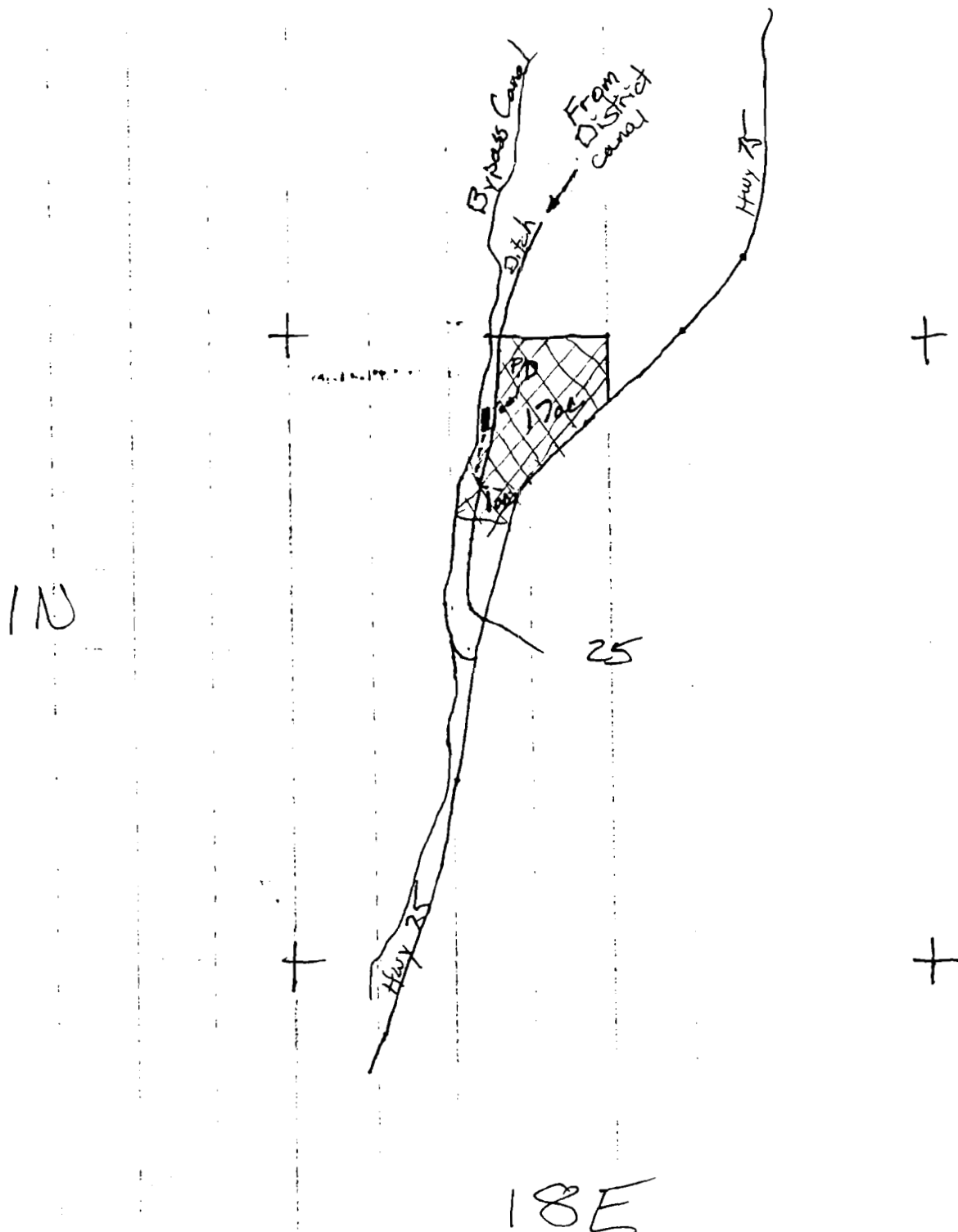
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	18E	24																36	
		25	40	35	40	40			23	35			36						

Total acres 285

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



NOT 27 1934

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

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

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

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

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

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

Subscribed and sworn to before me this 28th day of August, 1990.

Twin Falls, Idaho

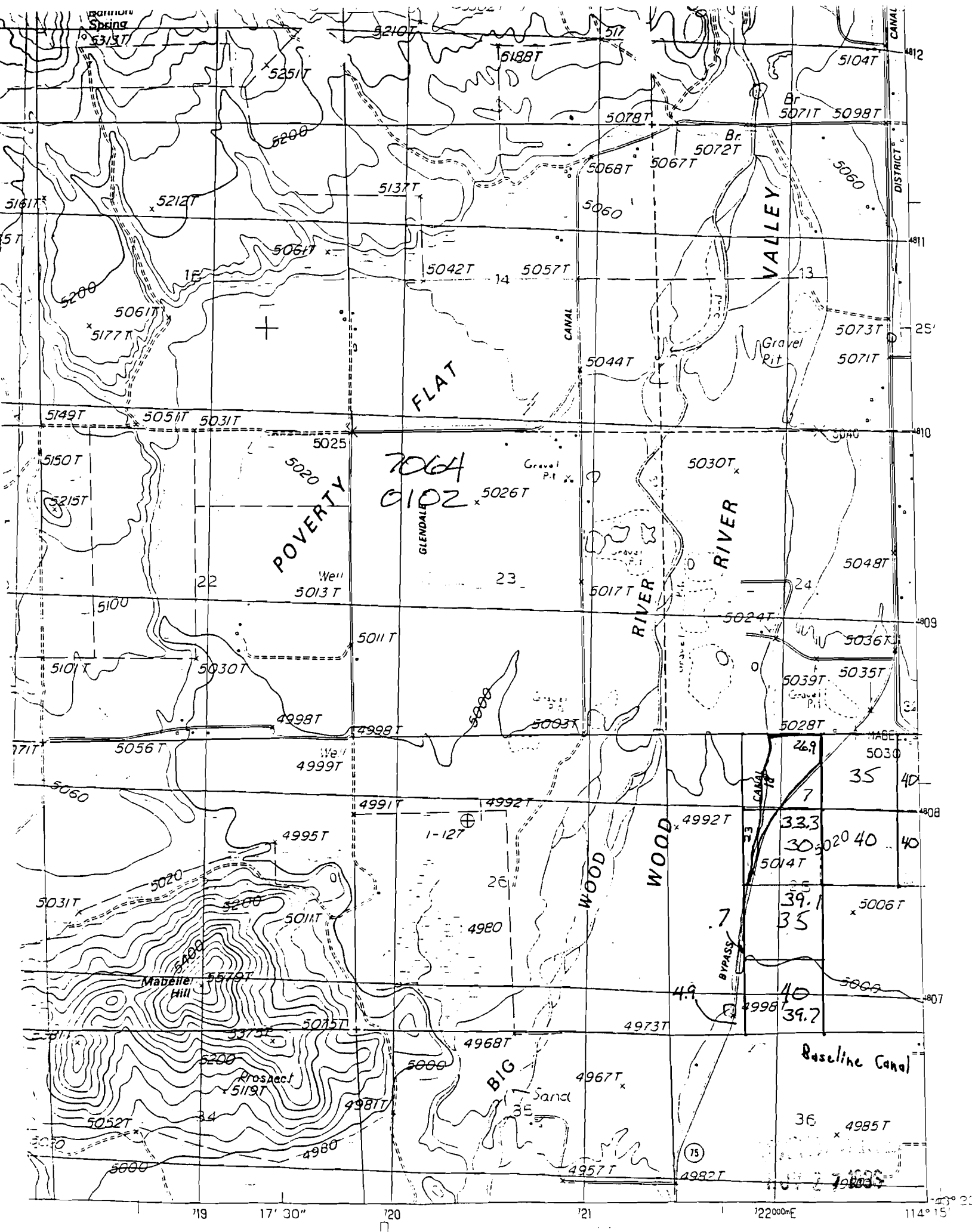
(Notary Public)

My commission expires July 18, 1995.**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 1 attachmentsReceived by JR Date 4/28/90 Protest filed by _____Prelim. check by JR Fee \$50 5012604 _____Received by JR Date 8/28/90 _____Published in Wood River Journal Copies of protest forwarded by _____Pub. dates 10/17 + 10/24/90 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

NOT 27 1996



WARRANTY DEED

For Value Received

An undivided one-third interest:

DOROTHEA S. DOWD, MARIE S. HILL, and JOHN W. SWEET

An undivided two-thirds interest:

DOROTHEA S. DOWD, as to an undivided 1/18 interest
 ROY B. DOWD, as to an undivided 1/18 interest
 NANCY D. SHORTRIDGE, as to an undivided 1/18 interest
 MYRON B. DOWD, JR., as to an undivided 1/18 interest
 WILLIAM F. DOWD, as to an undivided 1/18 interest
 SALLY D. COUTERNO, as to an undivided 1/18 interest

JOHN W. SWEET, as to an undivided 1/9 interest
 JOHN R. SWEET, as to an undivided 1/9 interest
 ELIZABETH S. LUTHY, as to an undivided 1/9 interest

MARIE S. HILL, as to an undivided 1/6 interest
 GARY G. HILL, as to an undivided 1/6 interest

BLAINE CO. REQUEST
 OF: Sawtooth Title Co., Inc.
 '89 JUL 26 PM 4 33
 MARY GREEN, CLERK
 FEES \$ 150

307955

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

JAY LEE GOVE AND NANCY GOVE, husband and wife
 whose address is: P.O. Box 2819 Ketchum, ID 83340

Hereinafter called the grantee, the following described premises, in Blaine..... County, Idaho, to-wit:

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

Section 25: All that portion of the E1/4NW1/4 lying West of State Highway 75, EXCEPT BEGINNING at the Northwest corner of the NE1/4NW1/4, the POINT OF BEGINNING
 THENCE South 0°39'32" East for 2632.12 feet;
 THENCE North 89°24'24" East 24.07 feet;
 THENCE North 17°50'00" East 7.13 feet;
 THENCE North 08°26'00" East 184.00 feet;
 THENCE North 12°36'00" West 134.30 feet;
 THENCE North 27°49'00" East 155.60 feet;
 THENCE North 14°12'00" East 536.00 feet;
 THENCE North 04°14'00" West 288.80 feet;
 THENCE North 20°06'00" East 243.50 feet;
 THENCE North 01°50'00" East 458.00 feet;
 THENCE North 10°43'00" East 163.00 feet;
 THENCE North 21°44'00" East 232.40 feet;
 THENCE North 14°40'00" West 171.10 feet;
 THENCE North 05°18'00" West 142.97 feet;
 THENCE North 89°27'07" East 388.62 feet back to POINT OF BEGINNING.

Together with the following water rights

Portion of 37-00102 Being 1.36 CFS (67.8) Miner inches
 Portion of 37-07064 Being .36 CFS (18 Miner inches)

gms

NOV 27 1988

Attachment A

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

RECEIVED

MAR 21 1993

Department of Water Resources
Southern Region Office

IN THE MATTER OF TRANSFER NO. 3766 OF)
WATER RIGHT NO. 37-07064C IN THE NAME OF)
THE JOHN B BROWN PROPERTY PARTNERSHIP)

ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER

On April 15, 1991, the Department approved the above referenced Application for Transfer with a condition that:

The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

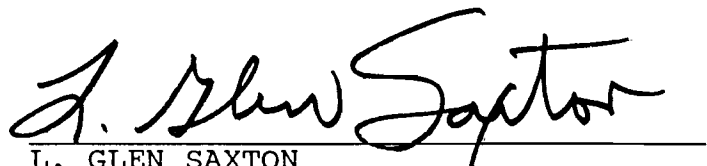
The Department has requested notification that the transfer has been completed.

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 3766 is granted an extension to April 15, 1994 in which to accomplish the transfer.

Dated this 23rd day of March, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MAR 27 1993

T# 3766 37-07064C

RECEIVED

APR 24 1991

3766

Transfer No. ~~3766~~Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources
Southern Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant W. Clinton Stennett and/or Edward A. Lawson Phone (208) 726-1700
 Post Office address c/o P.O. Box 297, Ketchum, ID. 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other split

2. Describe the reason for the proposed changes Develop wells on my property and rearrange acreage with tracts

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>ys A 37-7064 (Part)</u>	<u>4/21/1970</u>	<u>.72</u>	<u>Irrigation</u>	<u>5/01 to 10/31</u>
<u>ys B 37-7064 (Part)</u>	<u>4/21/1970</u>	<u>.70</u>	<u>"</u>	<u>" to "</u>
				to
				to

2. Total amount of water being transferred 1.42 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	SW	25	IN	18E	Blaine	System A
	NW	SE	SW	25	IN	18E	Blaine	System B

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	18E	25					System A 36												36
IN	18E	25									System B 35								35

Total acres

71

PART 1

6. General Information:

- a. Description of diversion system Wells will not be interconnected.
System A will have two (2) wheelines; System B
will have two (2) wheelines; each well will have a
separate pump.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NO change other than single acre swap in
tracts. Farm was split up but this
parcel remains unchanged.
- d. Remarks:
Supplemental groundwater to 37-0102
SRBA claim shows right as distributed
to parcels

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-07064

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

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 15th day of April, 19 91

A. Glen Saylor
CHIEF, WATER ALLOCATION BUREAU

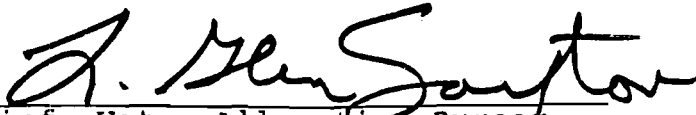
100 2-7 1306

CONDITIONS OF APPROVAL

Transfer of Water Right No. 37-07064
Transfer No. 3766

1. This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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.

Dated this 15th day of April, 1991.


Chief, Water Allocation Bureau

61-2-1
NOV 27 1995

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-7064 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☒ Other purchase docs

3. Source of water Groundwater tributary to _____

4. Date or priority 4/21/1970

5. Water is used for the following purpose:

amount 6.06 for Irrigation purposes from 5/01 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 6.06 cubic feet per second and/or 1060.5 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	IN	18E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	18E	24																36	36
IN	18E	25	40	35	40	40	7			30	35			40					267

Total acres

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

37-0102 303
2735

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.42 for Irrigation purposes from 5/01 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
~~---~~	~~NW~~	~~NE~~	~~SW~~	~~25~~	~~IN~~	~~18E~~	~~Blaine~~	~~System A~~
~~---~~	~~NW~~	~~SE~~	~~SW~~	~~25~~	~~IN~~	~~18E~~	~~Blaine~~	~~System B~~

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	18E	25									26			35					71
											35			36					

Total acres 71

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 4.64 for Irrigation purposes from 5/01 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			NW NE	25	IN	18E	Blaine	

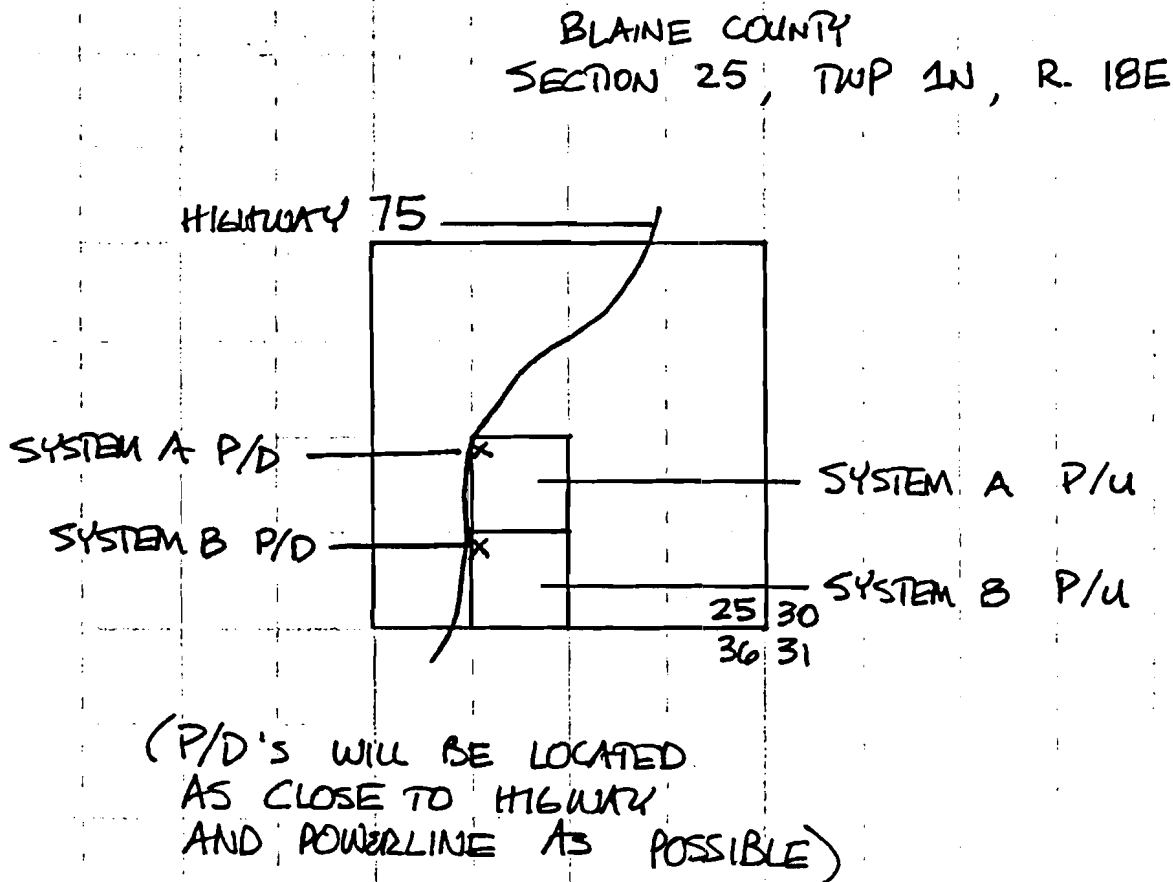
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	18E	24																36	36
		25	40	35	40	40	7			30				4					196

Total acres 232

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



NOV 27 1998

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

Edward A. Lawson

(Signature of Applicant)

Subscribed and sworn to before me this 11th day of September, 1990.

J. I. Bull

(Notary Public)

My commission expires 12/12/93

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachments

Received by M. Baldwin Date 9/12/90

Protest filed by _____

Prelim. check by DES Fee \$50.00

Receipted by J. E. Stanton Date 9-12-90 50/2655

Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 10/24 & 10/31/90

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by J. I. Bull

Copy of transfer sent to lien holder _____

NOV 27 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

Enclosure (2)

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

April 23, 1991

JUL 18 1991

Department of Water Resources
Southern Region Office

RE: Water Right Nos. 37-07064B/C

The John B. Brown Property Partnership
1605 5th Ave. N.
Seattle, WA 98109

Dear Water Right Holder(s):

We are in receipt of the correspondence concerning ownership of the above referenced water rights.

In Idaho, licensed water rights are considered real property; therefore, proof of owning the land is proof of owning the water rights unless specifically excluded in the sale. We have placed your correspondence in the file for future reference and have changed our computer records to show you are the present owners of the property.

If you have any questions, please let us know.

Sincerely,

Sharla Curtis

SHARLA CURTIS
Technical Records Specialist

SC:blm

107 2 7 1991

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Enclosure (1)

JUL 14 1991

ASSIGNMENT OF APPLICATION FOR PERMIT

Department of Water Resources

Southern Region Office

We X, Edward A. Lawson and
W. Clinton Stennett

, hereby assign to The John B. Brown Property Partnership

of, 1605 5th Avenue North, Seattle, Washington 98109
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 37-07064 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Tax Lots 1377, 1378, 1501, 1174, 1375, TWP in

RGE 18E, SEC 25

1.42 CFS

Made this 5 day of April, 1991.

[Signature]
Applicant

State of Idaho)

ss

County of Blaine)

W. Clinton Stennett
Applicant

On this 31st day of April, 1991, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.



Barbara Lyn Julian
Notary Public

NOV 27 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 15 1991

ASSIGNMENT OF APPLICATION FOR PERMIT

Department of Water Resources
Southern Region Office

We ☒ Edward A. Lawson and
☒ W. Clinton Stennett, hereby assign to The John B. Brown Property Partnership

of, 1605 5th Avenue North, Seattle, Washington 98109
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 37-07064A to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Tax Lots 1377, 1378, 1501, 1174, 1375, TWP in

RECEIVED

RGE 18E, SEC 25

1.42 CFS

APR 10 1991

Department of Water Resources
Southern Region Office

Made this 5 day of April, 1991.

[Signature]

Applicant

State of Idaho

W. Clinton Stennett

Applicant

County of Blaine

On this 8th day of April, 1991, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

[Signature]

Notary Public



My commission expires: 2/23/93

NOT 27 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 15 1991

ASSIGNMENT OF APPLICATION FOR PERMIT

Department of Water Resources
Southern Region Office

We ☒ Edward A. Lawson and
W. Clinton Stennett, hereby assign to The John B. Brown Property Partnership
of, 1605 5th Avenue North, Seattle, Washington 98109
(Full Address)

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No. 37-07064A to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Tax Lots 1377, 1378, 1501, 1174, 1375, TWP in

RECEIVED

TRGE 18E, SEC 25

1.42 CFS

APR 10 1991

Department of Water Resources
Southern Region Office

Made this 5 day of April, 1991.

[Signature]
Applicant

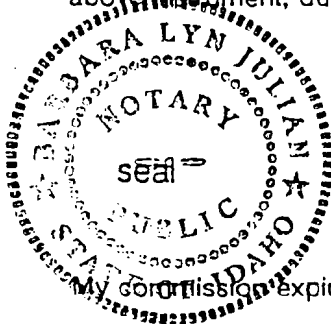
W. Clinton Stennett
Applicant

State of Idaho)

County of Blaine)
SS

On this 5th day of April, 1991, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public



My commission expires: 2/23/93

NOV 27 1991

RECEIVED

3777

APR 24 1991

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

Transfer No. 3045

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

PART 1

Name of applicant W. CLINTON STENNETT and/or BILL GRANT and/or BETTY GRANT Phone (208) 726-8106
Post Office address P.O. BOX 1568 SUN VALLEY, IDAHO 83353

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other SPLIT
2. Describe the reason for the proposed changes DEVELOP WELL ON APPLICANTS' PROPERTY AND REARRANGE ACREAGE WITH TRACTS

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>(PART) Sys C 37-7064</u>	<u>4/21/1970</u>	<u>0.46 gfs</u>	<u>IRRIGATION</u>	<u>5/01 to 10/31</u>
				to
				to
				to

2. Total amount of water being transferred 0.46 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NW	25	IN	18E	BLAINE	SYSTEM C

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	18E	25					2			21									23

Total acres 23

37-7064 ET #3777

PART 1

6. General Information:

- a. Description of diversion system one well ; new pump ;
two wheel lines ; System C is a
separate system
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NO change other than single acre
swap in tracts. Farm was split up
but this parcel remains unchanged.

d. Remarks:

Supplemental groundwater to 37-00102
SRBA claim shows right as distributed
to this parcel. Refer to APPLICATION
FOR TRANSFER RE SYSTEM A and B

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-07064

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

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 15th day of April, 19 91

J. Glen Saylor
CHIEF, WATER ALLOCATION BUREAU

REC 27 1991

CONDITIONS OF APPROVAL

Transfer of Water Right No. 37-07064
Transfer No. 3777

1. This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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.

Dated this 15th day of April, 1991.

A. Shaw Saylor
Chief, Water Allocation Bureau

RECEIVED
NOV 27 1996

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-7064 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☒ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 4/21/1970

5. Water is used for the following purpose:

amount 6.06 for IRRIGATION purposes from 5/01 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 6.06 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	IN	18E	BLAINE	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
IN	18E	24																36	36
IN	18E	25	40	35	40	40	7			30	35			40					267

Total Acres 303

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

37-00102

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.46 for IRRIGATION purposes from 5/01 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	~~SE~~	~~NE~~	~~NW~~	~~25~~	~~1N~~	~~18E~~	~~BLAINE~~	~~SYSTEM C~~
		<u>NW</u>	<u>NE</u>	<u>25</u>	<u>1N</u>	<u>18E</u>	<u>Blaine</u>	<u>WCS</u>
								<u>By BLS</u>

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>18E</u>	<u>25</u>					<u>2</u>			<u>21</u>									<u>23</u>

Total acres 23**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 5.6 for IRRIGATION purposes from 5/01 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		<u>NW</u>	<u>NE</u>	<u>25</u>	<u>1N</u>	<u>18E</u>	<u>BLAINE</u>	

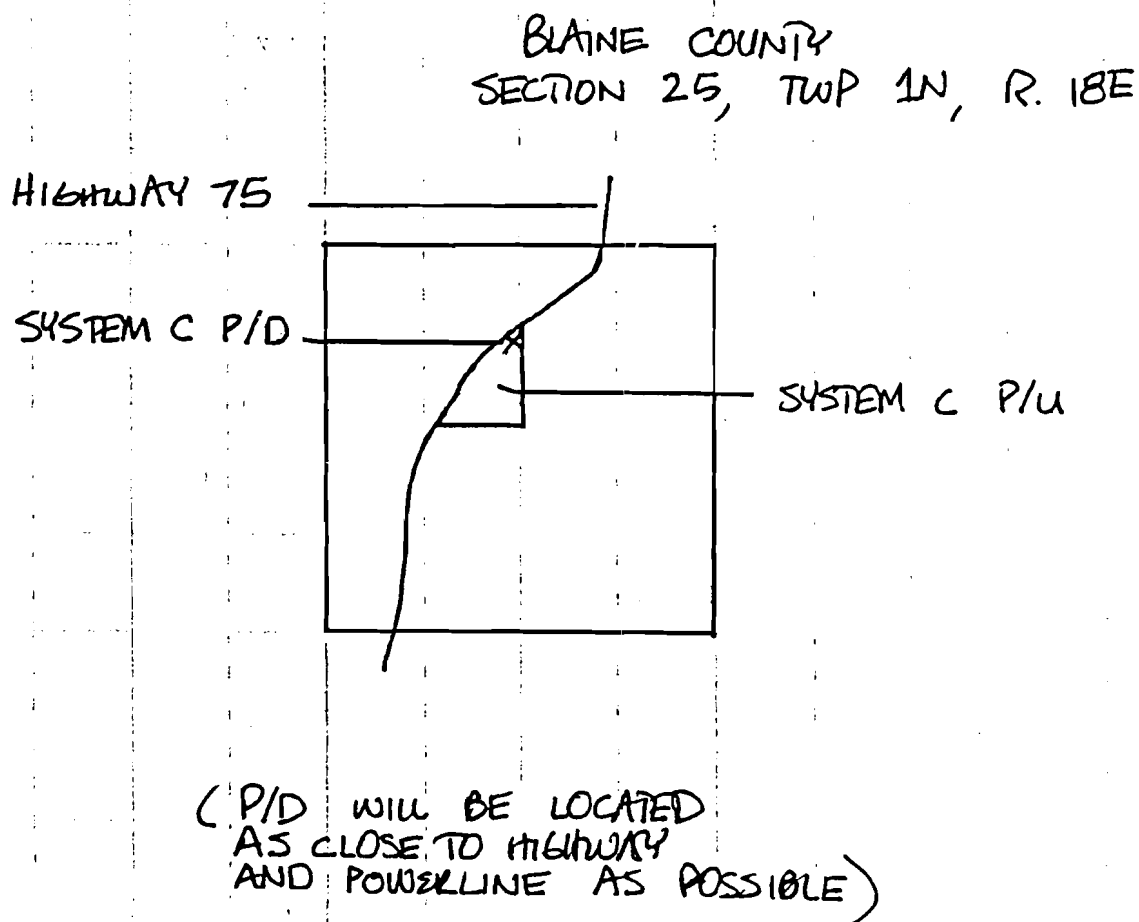
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>18E</u>	<u>24</u>																<u>36</u>	<u>36</u>
<u>1N</u>	<u>18E</u>	<u>25</u>	<u>40</u>	<u>35</u>	<u>40</u>	<u>40</u>	<u>5</u>			<u>9</u>	<u>35</u>		<u>40</u>						<u>244</u>

Total acres 280

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



NOV 27 1996

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

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

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

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

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

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

Subscribed and sworn to before me this 13th day of September, 1990.

W. Clifton Shiff
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 12/12/93

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 7 attachments

Received by M. Baldwin Date 10-4-90 Protest filed by Babin

Prelim. check by DRS Fee \$50.00 50/2727

Receipted by J.F. Stanton Date 10-4-90

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 11/7 + 11/14/90 Hearing held by _____ Date _____

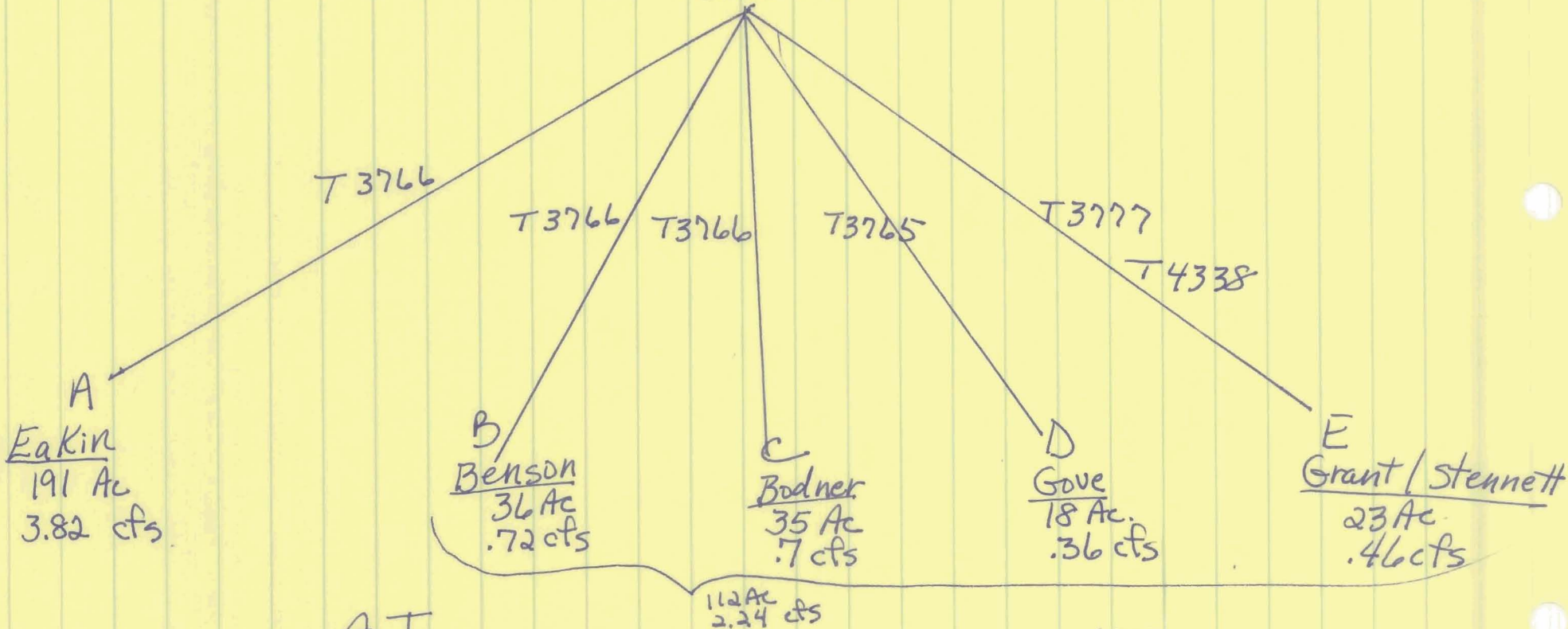
Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

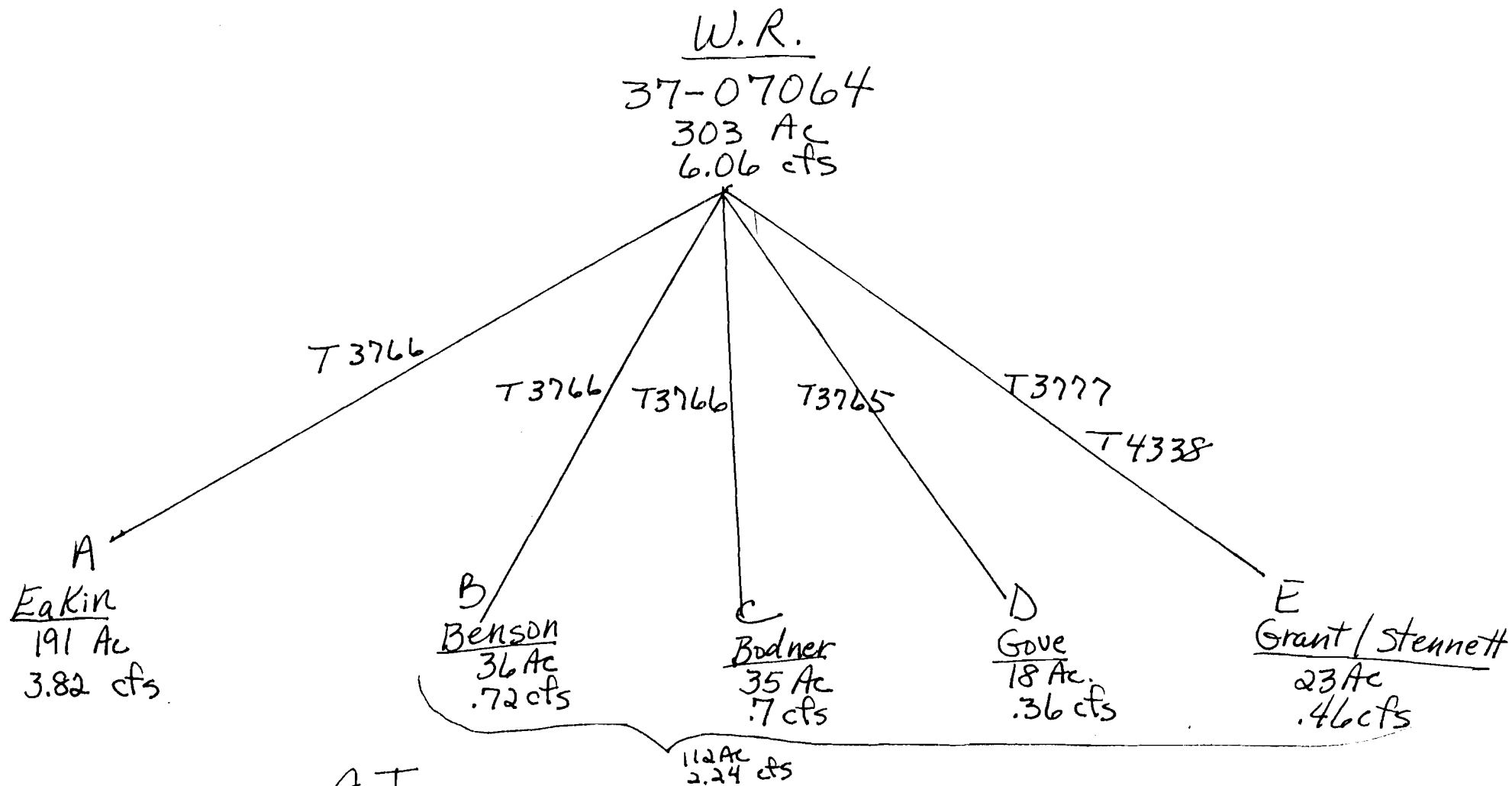
NOV 27 1990

W.R.
37-07064
303 Ac
6.06 cfs

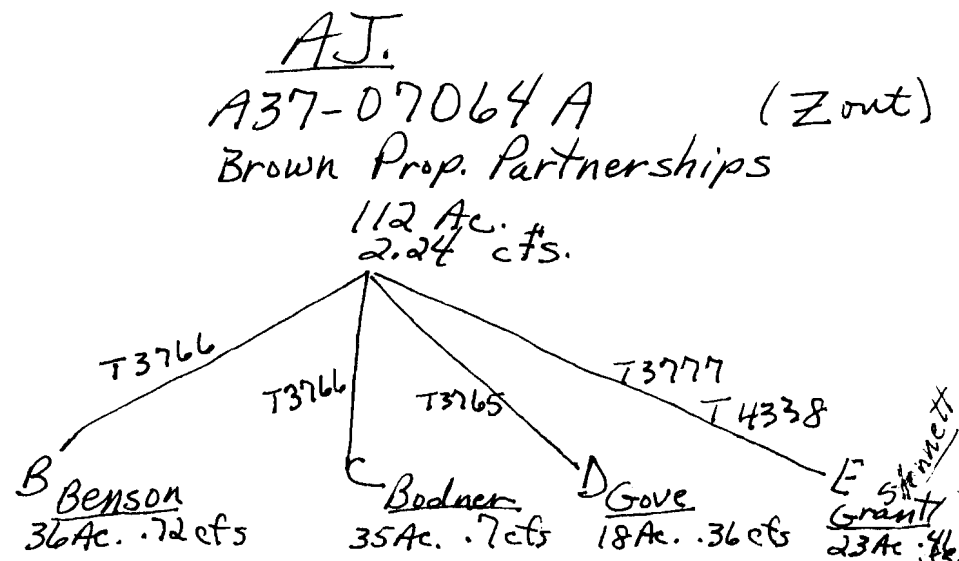


A.J.
A37-07064 (Z out)
Eakin
191 Ac
6.06 cfs
↓ T 3765, 3766, 3777
A37-07064 F
Eakin
191 Ac
3.82 cfs

A.J.
A37-07064 A (Z out)
Brown Prop. Partnerships
112 Ac.
2.24 cfs.
↓ T 3766, T 3766, T 3765, T 3777, T 4338
B Benson 36 Ac. .72 cfs
C Bodner 35 Ac. .7 cfs
D Gove 18 Ac. .36 cfs
E Grant / Stennett 23 Ac. .46 cfs



A.J.
A37-07064 (Z out)
EaKin
191 Ac
6.06 cfs
↓ T3765, 3766, 3777
A37-07064 F
EaKin
191 Ac
3.82 cfs



100 27 1005

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

Water Right Number - R37-07064F Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***
EAKIN JAMES I 1 - PO BOX 296
2 -
3 -
City- BELLEVUE State- ID Zip- 83313
Phone - 208-788-4061

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/21/1970 17 SOUTHERN L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

01N 18E 25 NE NW NE (13) BLAINE

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

01 - IRRIGATION 05/01 10/31 3.820 668.50

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.820 668.50 0.0

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

01N 18E 24 SE SE 36.0 01 IRRIGATION (13) BLAINE
01N 18E 25 NE NE 40.0 01 IRRIGATION (13) BLAINE
01N 18E 25 NW NE 35.0 01 IRRIGATION (13) BLAINE
01N 18E 25 SW NE 40.0 01 IRRIGATION (13) BLAINE
01N 18E 25 SE NE 40.0 01 IRRIGATION (13) BLAINE

Total Acres: 191.0

+ - - Diversion Means - WELL & PUMP (75 HP)

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - 37-0577Y,0111,0475,0234B,0112,0476,0477,0116,0886J,0418D

+ - - - - Remarks - - - - - +
TRANS. 3406.

THIS CLAIM HAS BEEN AMENDED PURSUANT TO APPROVED TRANSFER NOS.
3765, 3766, AND 3777, WHICH SPLIT THE ORIGINAL LICENSE. IT WAS
FILED AS A37-07064 BUT RENUMBERED TO A37-07064F.

2002 7 10 10:00

Water right number - R37-07064F Prefix Translation: RESEARCH

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

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

No Old Water Right Numbers Found

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

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

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

Date: 12/06/1994 User Id: JROBERTS Subject: AMENDED/SPLIT/RENUMBERED/TRANSFER

This claim has been amended pursuant to approved Transfer Nos. 3765, 3766, and 3777 which split the original License. It was originally filed as A37-07064. jr

+ - - Audit Fields - - +

12/06/94 JROBERTS

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/25/1988	Last Amended Date	- 12/06/1994	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

12/27/95
10:00 AM
JROBERTS



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 6, 1994

JAMES I EAKIN
PO BOX 296
BELLEVUE ID 83313

RE: Amendment of SRBA Claim #A37-07064

Dear Claimant:

Pursuant to the approval of Transfer Nos. 3765, 3766, and 3777 which split the original License, the above referenced Notice of Claim in the Snake River Basin Adjudication has been amended to conform with the transfers. The claim has also been renumbered from A37-07064 to A37-07064F, to better reflect the fact that it is for a portion of the original right. Please find enclosed a printout of the way your claim records have been modified. Please look them over carefully to be sure they correctly identify your right and refer to the new number on future correspondence. If you have questions please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie".

Jeanie Robertson
Water Rights Agent

Encl:

RECEIVED
NOV 27 1994

RECEIVED

NOV - 4 1988

Department of Water Resources
Southern Region Office

November 2, 1988

John W. Sweet
1605 5th N
Seattle, WA 98109

RE: WATER RIGHT LICENSE NO. 37-7064

Dear Mr. Sweet:

Your letter dated October 21, 1988 in connection with the above referenced license has been referred to me for response. Your interpretation of the department's September 16, 1970 letter is basically correct with the exceptions and additional explanation noted below.

The land to which water right license 37-7064 is appurtenant includes one miner's inch (0.02 cfs) for each acre in the following legal descriptions:

Section 25, T1N, R18E, BM

NE1/4NW1/4	7 acres
SE1/4NW1/4	30
NE1/4SW1/4	35
SE1/4SW1/4	40

TOTAL 112 acres

This means a portion of the above referenced water right is appurtenant to the 112 acres in the amount of 112 miners's inches (2.24 cfs) from a ground water source with a priority of April 21, 1970.

As far as I can determine from the land descriptions you have provided, you are correct that the first three parcels are irrigated with water from this licensed water right and that the fourth parcel is not included.

There are two options available to obtain a water right for the fourth parcel. You or a successor in interest can submit an application for permit to initiate a new appropriation for irrigation of the fourth parcel or include the land in a transfer as described below. An application, if approved would have a priority date as of the date of submittal of the application and would have a development period of up

MICROFILMED

OCT 24 1988

37-7064

to five years if granted by the department.

Another option which you might want to consider to provide some water to each of the four parcels is to file a transfer changing both the points of diversion and place of use of the existing portion of the water right such that some of the 112 irrigated acres is within each of the four parcels. Such a transferred water right, however, can not include the irrigation of more than a total of 112 acres. Another way of describing this procedure is that for each non irrigated acre in the fourth parcel to which water is transferred will result in the drying up of an irrigated acre in one of the first three parcels.

A transfer as described in the previous paragraph may be in your best interest, since the department has not been able to approve new appropriations of water in the Bellevue area for a number of years. The reason is due to the ongoing resolution to a very complex water right issue described as the "Swan Falls" water right controversy. There will be a substantial delay in processing of new applications due to the already existing backlog.

To obtain approval to drill separate wells on any of the parcels, you or a successor in interest will have to file a transfer of water right with the department to change the point of diversion (add a well or wells) on some or all of the parcels. In addition to filing a transfer to drill additional wells, a "drilling permit" must also be obtained from the department for the construction of each new well, or for deepening or modification of an existing well. These permits are relatively easy to obtain from the department when issued in connection with a domestic use or well under an approved transfer.

Your letter referred to domestic use. Water right 37-7064 does not include domestic use and is not a part of the right. The right to obtain water from a well for domestic use, however, is relatively simple. Domestic use from a well for single family use can be obtained simply by obtaining a "drilling permit" and having the well constructed by a licensed well driller.

An application for permit or transfer application and instructions can be obtained from our Southern Regional office located at 2148 4th Avenue East, Twin Falls, ID 83301. The completed application for permit or transfer application should also be filed with our Twin Falls office.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

c: S. Region

MICROFILMED

OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address:

Statehouse
Boise, Idaho 83720
(208) 334-4440

November 12, 1987

RECEIVED

NOV 13 1987

John W. Sweet
1605-5th North #301
Seattle, WA 98109

Re: License No. 37-7064

Department of Water Resources
Southern Region Office

Dear Mr. Sweet:

Your letter of October 25, 1987, asked: (1) whether 112 acres which you own are listed under License No. 37-7064, (2) whether an additional 28 acres could be added to the license, and (3) how much water per acre is allowed for a sprinkling system.

Unless you provide a detailed description of the 112 acres which you own, I cannot tell you whether your land is appurtenant ground under the water right license. I have included for your reference, however, a copy of the water right license from which you should be able to determine whether your land is appurtenant irrigated acreage.

Acreage not covered by the original license cannot be added as a place of use unless 28 acres which are now licensed are taken out of production. In order to irrigate an additional 28 acres, without any reduction in other land, you must file another application to appropriate water.

Finally, the Department allows .02 cfs per acre as the maximum amount of water that can be applied for irrigation without wasting water.

If I can be of further assistance, please contact me.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: ✓ Southern Region

Enclosure

MICROFILME

OCT 24 1994

11-7064

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3406APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant James I. Eakin Phone 788-4061Post Office address P. O. Box 296, Bellevue, ID 83313

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes To reflect the actual irrigation use since I traded
land with John Stevenson a few years ago. I got the SE 1/4 Sec. 24 T. 1N R. 18E but
he kept the groundwater, which he has transferred to other land (T. 2389, 37-2656).
He got the S 1/4 NW 1/4 Sec. 30 T. 1N R. 19E but I kept the water, which I am now transferring.

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

1. Right Number 37-7064 Priority 4-21-1970 Amount (cfs/ac-ft) 6.06 cfs Nature of Use Irrigation Period of Use May 1 to Oct 31

2. Total amount of water being transferred 6.06 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	1N	18E	Blaine	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	18E	24																36	36
		25	40	35	40	40	7			30	35			40					267

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OCT 24 1994

Total acres 303

37-7064 TR 3406

PART 1**6. General Information:**

- a. Description of diversion system Existing well & pump, sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? XX Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Will be irrigated with other rights.
- d. Remarks:
The number of acres irrigated will not change as a result of this transfer & T. 2389
This exchange merely allowed fields to be squared up for more efficient irrigation.
I understand that the allowable pumping rate under this right will be reduced due to
fewer acres being irrigated from my well.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-7064

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

Witness my hand this 26th day of July

A. Glen Saper
Chief, Operations Bureau

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1988
JUL 24 1994

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-7064 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-21-1970

5. Water is used for the following purpose:

amount 6.73 cfs for Irrigation purposes from May 1 to Oct 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 6.73 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	1N	18E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	18E	25	40	35	40	40	7			30	35			40					267
	19E	30							40	35									75

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

decreed surface water

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Total acres 342
OCT 24 1994

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes If yes, describe Water has not been used in Sec. 30 since at least 1982.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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 OCT 24 1994

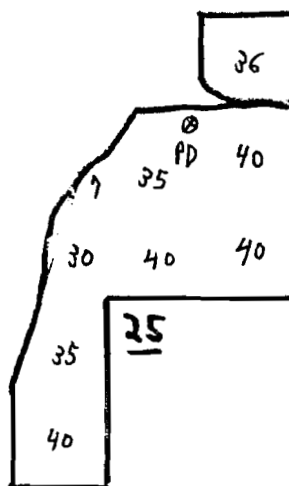
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

R. 18E

24

T. 1N



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OCT 24 1994

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

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

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

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

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

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

James H. ...
(Signature of Applicant)

Subscribed and sworn to before me this 25th day of February, 19 88.

Mary G. Baldwin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by M. Baldwin Date 2/25/88

Protest filed by None

Prelim. check by ADM ^{3/4/88 R# 45503} Fee 50.00

Receipted by M. Baldwin Date 2/25/88

Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 4/6 & 4/13/88

Hearing held by _____ Date _____

Watermaster recommendation requested on 4/4

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by Adam Sam

Copy of transfer sent to lien holder _____

MICROFILMED
OCT 24 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 2406APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant James I. Fakin Phone 788-4061Post Office address P. O. Box 296, Bellevue, ID 83313

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes To reflect the actual irrigation use since I traded
land with John Stevenson a few years ago. I got the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24 T. 1N R. 18E but
he kept the groundwater, which he has transferred to other land (T. 2389, 37-2656).
He got the S $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30 T. 1N R. 19E but I kept the water, which I am now transferring.

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

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
37-7064 4-21-1970 6.06 cfs Irrigation May 1 to Oct 31

2. Total amount of water being transferred 6.06 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	1N	18E	Blaine	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1N	18E	24																36	36
		25	40	35	40	40	7			30	35			40					267

MICHOI
FEB 24 1993Total acres 303

PART 1

6. General Information:

a. Description of diversion system Existing well & pump, sprinklersb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? XX Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Will be irrigated with other rights.

d. Remarks:

The number of acres irrigated will not change as a result of this transfer & T. 2389.This exchange merely allowed fields to be squared up for more efficient irrigation.I understand that the allowable pumping rate under this right will be reduced due tofewer acres being irrigated from my well.**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**This is to certify that I have examined Application for Transfer of Water Rights No. 37-7064And said application is hereby APPROVED, subject to the following limitations and conditions:Witness my hand this 26th day of JulyJ. Glen Saylor
Chief, Operations BureauRECEIVED
FEB 24 1993 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-7064 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-21-1970

5. Water is used for the following purpose:

amount 6.73 cfs for Irrigation purposes from May 1 to Oct 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
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6. Total amount of water under right 6.73 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	1N	18E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	18E	25	40	35	40	40	7			30	35			40					267
	19E	30							40	35									75

Total acres 342

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

decreed surface water

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe Water has not been used in Sec. 30 since at least 1982.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

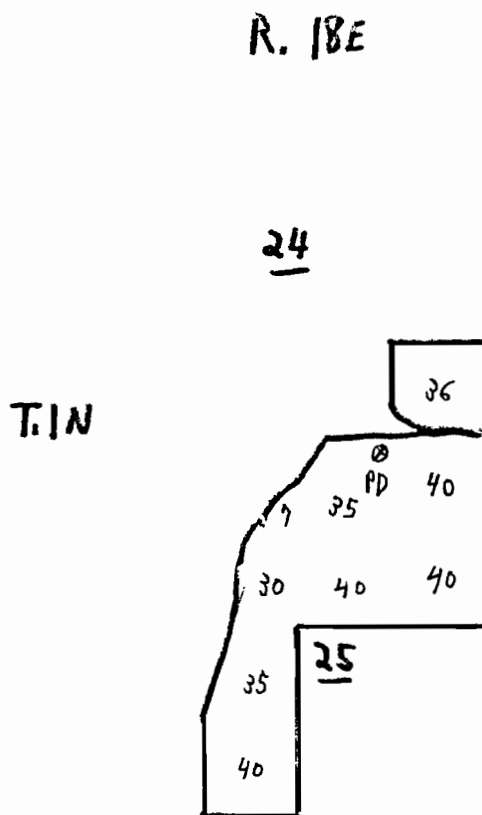
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

FEB 24 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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FEB 24 1993

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

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
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	_____	_____	_____	_____ to _____

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

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James H. Keston
(Signature of Applicant)

Subscribed and sworn to before me this 25th day of February, 19 88.

Mary G. Baldwin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

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Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 4/6 & 4/13/88

Hearing held by _____ Date _____

Watermaster recommendation requested on 4/4

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by ADM Sam

Copy of transfer sent to lien holder _____

RECEIVED
FEB 24 1993