

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

RECEIVED

OCT 25 1990

Ident. Number: A37-12130
Date Received: 11/04/1988
Receipt No: W001288 90-
Received By: 9/14/90 CO18330 /OC -
10/12/90 CO18633 20 -

Department of Water Resources
AMENDED
Southern Region Office

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

AMENDED

1. Name: NEWFOUNDLAND PARTNERS 206-628-7791
Address: C/O JOSEPH D. WEINSTEIN AND
DAVIS WRIGHT TREMAINE
2600 CENTURY SQ., 1501-4TH AVE
SEATTLE, WA 98101-1688

2. Date of Priority: APR 29, 1970

3. Source: TRAIL CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	5	NW	SW			BLAINE

5. Description of diverting works:
POND IS CIRCULAR, 200' DIA., 6' DEEP. DIVERSION BOX FROM TRAIL CK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
AESTHETIC STORAGE	01/01	12/31			4.00
WILDLIFE STORAGE	01/01	12/31			4.00
DIVERSION TO STORAGE	01/01	12/31	1.600		

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) 4.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
AESTHETIC & WILDLIFE HABITAT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	5	NW	SW		AES S	
			NW	SW		WILD S	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

WATER IS DIVERTED FROM TRAIL CK. INTO POND AND THEN RETURNED TO TRAIL CK. APPROXIMATELY 300 FEET DOWNSTREAM FROM POINT OF DIVERSION. THE RETURN FLOW TO TRAIL CK. IS APPROXIMATELY 1.71 CFS. THIS CLAIM IS AMENDING CLAIM A37-12130. NEWFOUNDLAND PARTNERS PURCHASED THE WATER RIGHT FROM VERNA HARRAH ON 03/08/1990. WARRANTY DEED ATTACHED.

15. Basis of Claim: BENEFICIAL USE

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 Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

MICROFILMED
FEB 26 1993

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 _____



BCT #19892687

This form furnished by
Blaine County Title, Inc.

WARRANTY DEED

For Value Received VERNA R. HARRAH, TRUSTEE OF THE VERNA R. HARRAH
TRUST, DATED SEPTEMBER 5, 1986,

the Grantor hereby grants, bargains, sells, conveys and warrants unto NEWFOUNDLAND PARTNERS,
A WASHINGTON GENERAL PARTNERSHIP,

the Grantee whose current address is: c/o Davis Wright Tremaine 2600 Century Square, 1501 Fourth
Avenue, Seattle, WA 98101-1688
the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE
INCORPORATED HEREIN.

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

Dated:

March 08, 1990

Verna R. Harrah, Trustee
VERNA R. HARRAH, TRUSTEE

STATE OF IDAHO, COUNTY OF

On this _____ day of _____, 19____,
before me, a Notary Public in and for said State, personally appeared _____

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

Residing at _____
Comm. Expires _____

Notary Public,
Idaho.

STATE OF IDAHO, COUNTY OF

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

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

Ex-Officio Recorder.

By _____ Deputy

Fees \$ _____
Mail to: _____

MICROFILMED

FEB 26 1993

EXHIBIT "A"

PARCEL A:

A parcel of land within Section 5, Township 4 North, Range 18 East, Boise Meridian, Sun Valley, Blaine County, Idaho, and more particularly described as follows:

COMMENCING at the NE corner of said Section 5; thence S. 46 degrees 34' 09" W., 5,854.78 feet to the TRUE POINT OF BEGINNING; thence S. 28 degrees 07' 51" W., 411.89 feet; thence S. 15 degrees 31' 26" W., 74.73 feet; thence S. 11 degrees 42' 44" E., 83.74 feet; thence S. 76 degrees 11' 05" W., 62.82 feet; thence N. 48 degrees 30' 12" W., 34.71 feet; thence N. 11 degrees 05' 11" W., 150.81 feet; thence N. 2 degrees 10' 53" E., 105.08 feet; thence N. 39 degrees 55' 40" E., 119.97 feet; thence N. 9 degrees 49' 49" E., 169.62 feet; thence S. 89 degrees 01' 57" E., 203.26 feet to the TRUE POINT OF BEGINNING.

EXCLUDING therefrom a parcel of land within Section 5, Township 4 North, Range 18 East, Boise Meridian, Sun Valley, Blaine County, Idaho, and more particularly described as follows:

COMMENCING at the NE corner of said Section 5; thence S. 46 degrees 34' 08" W., 5,854.75 feet to the true point of beginning; thence S. 28 degrees 07' 51" W., 141.53 feet; thence N. 11 degrees 11' 44" E., 107.49 feet; thence N. 67 degrees 06' 20" E., 49.78 feet to the true point of beginning, and said excluded parcel containing 0.05 acres

PARCEL B:

A parcel of land within Section 5, Township 4 North, Range 18 East, Boise Meridian, Sun Valley, Blaine County, Idaho, and more particularly described as follows:

COMMENCING at the NE corner of said Section 5; thence S. 51 degrees 07' 53" W., 4,956.32 feet to the TRUE POINT OF BEGINNING; thence S. 18 degrees 41' 14" E., 143.57 feet; thence S. 6 degrees 30' 20" W., 229.48 feet; thence S. 35 degrees 43' 51" W., 170.64 feet; thence N. 59 degrees 32' 00" W., 233.00 feet; thence N. 14 degrees 14' 05" E., 107.69 feet; thence N. 37 degrees 04' 39" E., 220.60 feet; thence N. 61 degrees 05' 26" E., 76.54 feet; thence N. 4 degrees 51' 52" W., 47.17 feet; thence N. 70 degrees 58' 27" E., 61.35 feet to the TRUE POINT OF BEGINNING

Including any and all interest created by that certain unrecorded "Lease of Real Property" dated June 1, 1974, between William C. Janss and Sun Valley Company, Inc.

Together with non-exclusive right, privilege and easement to use as a means of ingress and egress to and from the real property

EXHIBIT "A (Continued)

above described, the present private road and golf cart path located on the following described property:

A road easement 25 feet in width in Section 5, Township 4 North, Range 18 East, Sun Valley, Blaine County, Idaho, and the centerline being more particularly described as follows:

COMMENCING at the NE corner of said Section 5, thence S. 60 degrees 37' 45" W. 4,972.85 feet to the TRUE POINT OF BEGINNING; thence S. 48 degrees 54' 00" E., 305.00 feet; thence 100.04 feet along a curve to the right with a central angle of 59 degrees 12' 00", a radius of 96.82 feet and a long chord of 95.65 feet that bears S. 19 degrees 18' 00" E., thence S. 10 degrees 18' 00" W., 72.00 feet; thence 165.54 feet along a curve to the right with a central angle of 10 degrees 24' 00", a radius of 911.99 feet with a long chord of 165.31 feet that bears S. 15 degrees 30' 00" W.; thence S. 20 degrees 42' 00" W., 239.00 feet; thence 164.09 feet along a curve to the right with a central angle of 21 degrees 15' 19", a radius of 442.31 feet and a long chord of 163.15 feet that bears S. 31 degrees 19' 39" W., thence 64.23 feet along a curve to the left with a central angle of 90 degrees 05' 19", a radius of 40.85 feet and a long chord of 57.82 feet that bears S. 3 degrees 05' 20" E.; thence 79.24 feet along a curve to the left with a central angle of 102 degrees 16' 51", a radius of 44.39 feet and a long chord of 69.13 feet that bears N. 80 degrees 43' 32" E.; thence N. 29 degrees 35' 09" E., 120.91 feet; thence 117.21 feet along a curve to the left with central angle of 16 degrees 13' 09", a radius of 414.06 feet and a long chord of 116.82 feet that bears N. 21 degrees 28' 34" E.; thence 32.36 feet along a curve to the right with a central angle of 92 degrees 54' 00", a radius of 19.96 feet and a long chord of 28.93 feet that bears N. 59 degrees 49' 00" E.; thence 38.93 feet along a curve to the right with a central angle of 84 degrees 41' 01", a radius of 26.34 feet and a long chord of 35.48 feet that bears S. 31 degrees 23' 29" E.; thence S. 10 degrees 57' 01" W., 253.00 feet; thence 84.26 feet along a curve to the right with a central angle of 28 degrees 11' 50", a radius of 171.21 feet and a long chord of 83.41 feet that bears S. 25 degrees 02' 56" W.; thence S. 39 degrees 08' 51" W., 230.39 feet; thence 99.92 feet along a curve to the left with a central angle of 39 degrees 08' 51", a radius of 171.21 feet and a long chord of 97.99 feet that bears S. 19 degrees 34' 25" W.; thence South, 20.04 feet.

PARCEL C:

A parcel of land within Section 5, Township 4 North, Range 18 East, Boise Meridian, Sun Valley, Blaine County, Idaho, and more particularly described as follows:

COMMENCING at the NE corner of said Section 5; thence S. 47

EXHIBIT "A (Continued)

degrees 28' 15" W., 5,344.61 feet to the TRUE POINT OF BEGINNING; thence S. 9 degrees 33' 51" W., 189.05 feet; thence S. 48 degrees 30' 27" W., 90.61 feet; thence S. 27 degrees 47' 06" W., 82.09 feet; thence S. 68 degrees 12' 38" W., 153.53 feet; thence S. 42 degrees 24' 00" W., 49.00 feet; thence N. 89 degrees 10' 57" W., 203.26 feet; thence N. 0 degrees 22' 00" E., 100.00 feet; thence N. 18 degrees 37' 25" E., 150.00 feet; thence S. 84 degrees 19' 29" E., 72.10 feet; thence N. 9 degrees 30' 00" E. 68.00 feet; thence N. 21 degrees 52' 45" E., 83.82 feet; thence N. 45 degrees 59' 26" E., 212.48 feet; thence S. 59 degrees 32' 00" E., 233.00 feet to the TRUE POINT OF BEGINNING.

TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, SECTION 5

PARCEL D:

BEGINNING at the Southeast corner of Section 5

THENCE, North 73 degrees 52' 16" West, 4,436.99 feet, to the TRUE POINT OF BEGINNING.

Said point also lies South 46 degrees 30' 40" West, 5,857.42 feet, from the Northeast corner of said Section 5

THENCE, North 42 degrees 40' 52" East, 49.27 feet
THENCE, North 68 degrees 14' 03" East, 153.53 feet
THENCE, North 27 degrees 48' 08" East, 82.28 feet
THENCE, North 48 degrees 25' 35" East, 90.32 feet
THENCE, North 09 degrees 40' 19" East, 188.64 feet
THENCE, South 59 degrees 29' 18" East, 7.31 feet
THENCE, South 16 degrees 26' 17" West, 40.67 feet
THENCE, South 04 degrees 47' 34" West, 65.16 feet
THENCE, SOUTH 06 degrees 57' 46" West, 41.01 feet
THENCE, South 13 degrees 21' 51" West, 49.19 feet
THENCE, South 21 degrees 14' 33" West, 32.99 feet
THENCE, South 29 degrees 23' 51" West, 65.38 feet
THENCE, South 47 degrees 44' 04" West, 32.61 feet
THENCE, South 38 degrees 22' 05" West, 49.41 feet
THENCE, South 45 degrees 48' 55" West, 25.00 feet
THENCE, South 61 degrees 37' 40" West, 41.21 feet
THENCE, South 76 degrees 25' 35" West, 24.70 feet
THENCE, North 87 degrees 55' 18" West, 24.65 feet
THENCE, North 82 degrees 06' 22" West, 16.48 feet
THENCE, South 80 degrees 37' 43" West, 19.26 feet
THENCE, South 59 degrees 08' 41" West, 33.03 feet
THENCE, South 70 degrees 34' 17" West, 22.55 feet, to the TRUE POINT OF BEGINNING.

TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, SECTION 5

PARCEL E:

BEGINNING at the Southeast corner of Section 5

EXHIBIT "A (Continued)

THENCE, North 73 degrees 52' 16" West, 4,436.99 feet, to the point which lies South 46 degrees 30' 40" West, 5,857.42 feet, from the Northeast corner of said Section 5

THENCE, South 28 degrees 05' 13" West, 141.53 feet, to the TRUE POINT OF BEGINNING

THENCE, South 28 degrees 05' 13" West, 26.15 feet

THENCE, South 78 degrees 53' 37" East, 7.62 feet

THENCE, North 11 degrees 09' 07" East, 25.01 feet, to the TRUE POINT OF BEGINNING

TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, SECTION 5

PARCEL F:

BEGINNING at the Southeast corner of Section 5,

THENCE, North 73 degrees 52' 16" West, 4,436.99 feet to the TRUE POINT OF BEGINNING

Said point also lies South 46 degrees 30' 40" West, 5,857.42 feet, from the Northeast corner of said Section 5

THENCE, South 28 degrees 05' 13" West, 141.53 feet

THENCE, North 11 degrees 09' 07" East, 107.49 feet

THENCE, North 67 degrees 03' 42" East, 49.78 feet, to the TRUE POINT OF BEGINNING

Together with any and all water rights, if any, appurtenant to, based on, or benefiting the said real property, including those water rights, if any, evidenced by Claim No. 37-12130 filed in Case No. 39576 in the District Court of the Fifth Judicial District of the State of Idaho in and for the County of Twin Falls, caption In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System.

MICROFILMED

FEB 26 1993

X STATE OF CaliforniaCOUNTY OF LOS ANGELES

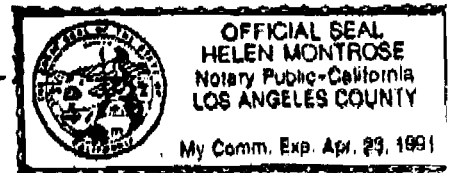
On this 12th day of March, 19 90, before
me, the undersigned, a Notary Public, in and for said State, personally
appeared VERNA R. HARRAH

known to me, or identified to me on the basis of satisfactory evidence, to
be the Trustee's of THE VERA R. HARRAH TRUST, DATED SEPTEMBER 5, 1986

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

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Helen Montrose

NOTARY PUBLIC

Residing at: 1005 N. Stanley Ave., #03, Los Angeles, CA. 90046
Commission Expires: April 23, 1991

TRUST NOTARY ACKNOWLEDGEMENT

MICROFILMED

FEB 26 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A37-12130

Date Received

Receipt Number

9-14-90
W00288 11/04/80
C01833 09/12/90
C018633 02-28-90

R

OCT 25 1990

Department of Water Resources
AMENDED CLAIMShould questions arise during
the processing of this
application please contact:SCOTT L. CAMPBELL
Elam, Burke and Boyd
P. O. Box 1539
Boise, ID 83701-1539
343-5454NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Newfoundland Partners Phone (206) 628-7791
c/o Joseph D. Weinstein; Davis Wright Tremaine;
Mailing Address 2600 Century Square; 1501 Fourth Ave. ~~ZIP~~
Seattle, WA 98101-1688
2. Date of Priority (Only one (1) per claim) April 29, 1970
3. Source of water supply (a) Trail Creek
which is tributary to (b) Big Wood River
4. a. Location of existing point of diversion is: Township 4 N. Range 18 E. Section 5,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Blaine
Additional points of diversion if any: None
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Diversion channel and metal headgate to
culvert to pond. Pond is circular in shape, approximately 200 feet in
diameter, with an average depth of six feet.

COPY

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FEB 26 1993

(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

8. Total consumptive use claimed is 0 acre feet per annum.

10. Description of place of use:

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

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

Total number of acres irrigated

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above. or None (☒)

14. **Remarks:** Water is diverted from Trail Creek into pond and then returned to Trail Creek approximately 300 feet downstream from point of diversion. The return flow to Trail Creek is approximately 1.71 cfs. This claim is amending Claim A37-12130.
Newfoundland Partners purchased the water right from Verna Harrah on March 8, 1990.

Last Name Newfoundland Ident No. A37-12/30

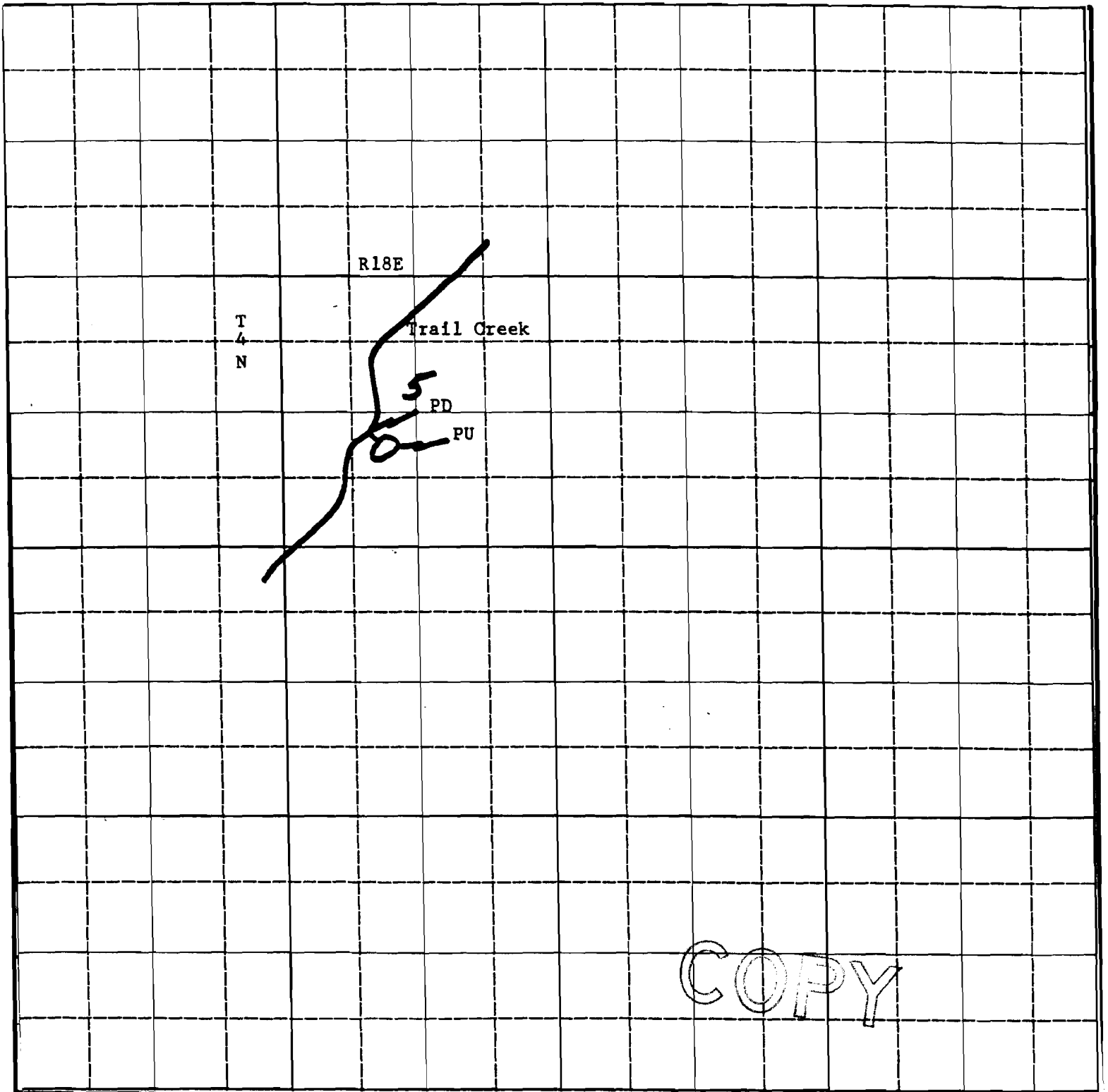
Copies: White -State, Yellow-Claimant

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FEB 26 1993

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

Scale: 2 inches equals 1 mile



COPY

FEB 26 1993

Last Name Newfoundland

Ident No. A37-12/30

Copies: White-State, Yellow-Claimant

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

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1

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

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

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

Signature of Authorized Agent [Signature]
Title and Organization _____ Keith McCaw, General Partner
Newfoundland Partners Date _____

State of Idaho/or Wash.)
County of King) SS.

Subscribed and sworn to (or affirmed) before me this 12th day of September 19 90



Notary Public L.A. McGinness

Residing at Kirkland

My Commission Expires 9/19/93

Please Print Name

17. Notice of Appearance
Notice is hereby given that I, Scott L. Campbell will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Scott L. Campbell

Address Elam, Burke and Boyd, P. O. Box 1539, Boise, ID 83701-1539

Date September 13, 1990

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FEB 26 1993

Last Name Newfoundland Ident. Number A37-12/30

Copies White-State, Yellow-Claimant

CHANGE IN OWNERSHIP

Page 1

Analysis

~~This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.~~

[] Water Right Number(s): A37-12130

[] Name and Address of Former Claimant(s): Verna R. Harrah
c/o Randy Bowling, agent
PO Box 12968
Reno, NV 89510

[] New Claimant(s): Newfoundland Partners
c/o Joseph D. Weinstein, Davis Wright Tremaine

[] New Mailing Address: 2600 Century Sq.
1501 Fourth Ave
Seattle, WA 98101-1688

New Telephone Number: (206) 628-7791

* *Notice of Appearance - Atty*

- [] Does the change in ownership result in a splitting of the water right claimed? yes no
If yes, then describe the portion of the water right that is now claimed by the new owner:

- [] Attach proof of ownership
Describe proof attached: Warranty Deed
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): _____

Date: _____

RECORDED
FEB 26 1993

CHANGE IN OWNERSHIP

Page 2

Analysis

[] Signature of Former Claimant(s): _____

Date: _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review ~~and Data Entry~~

Date: *9-14-90*

By: *[Signature]*

Further Action Needed: *letter to Atty, POW not good.*

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: *10-18-90*

By: *[Signature]*

Claim Numbers of Split, if any:

RECEIVED
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

Ident. Number: A37-12130
Date Received: 11/04/1988
Receipt No: W001288
Received By: _____

OCT 27 1990

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

1. Name: Verna R. Harrah 702-852-6500
Address: C/O Randy Bowling, Agent
P.O. Box 12968
Reno, NV 89510

2. Date of Priority: MAR 01, 1965

3. Source: TRAIL CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	5	NE	SW			BLAINE

5. Description of diverting works:
POND IS CIRCULAR, 100' DIA., 5' DEEP. DIVERSION BOX FROM TRAIL CK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
AESTHETIC STORAGE	01/01	12/31			0.60
WILDLIFE STORAGE	01/01	12/31			0.60
DIVERSION TO STORAGE	01/01	12/31	0.400		

7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) 0.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
AESTHETIC & WILDLIFE HABITAT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	5	NE	SW		AES S	

A37-12130

Page 1

Date: 09/14/90

RECORDED

FEB 26 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	5	NE	SW		WILD S	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
NONE

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

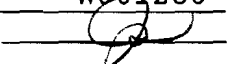
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NOV - 8 1988

Ident. Number: A37-12130
Date Received: 10/25/1988
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Received By: 

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VERNA R. HARRAH 702-852-6500
Address: C/O RANDY BOWLING, AGENT
P.O. BOX 12968
RENO, NV 89510

2. Date of Priority: MAR 01, 1965

3. Source: TRAIL CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	5	NE	SW			BLAINE

5. Description of diverting works:
POND IS CIRCULAR, 100' DIA., 5' DEEP. DIVERSION BOX FROM TRAIL CK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
AESTHETIC STORAGE	01/01	12/31			0.60
WILDLIFE STORAGE	01/01	12/31			0.60
DIVERSION TO STORAGE	01/01	12/31	0.400		

7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) 0.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
AESTHETIC & WILDLIFE HABITAT.

RECORDED

FEB 26 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	5	NE	SW		AES S	
			NE	SW		WILD S	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
NONE

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

A37-12130

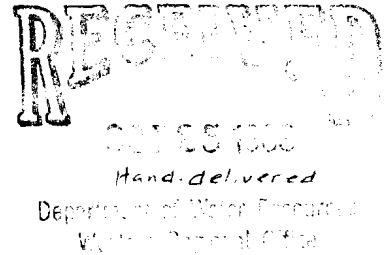
Date Received

10-25-88

Receipt Number

W001288

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



Please type or print clearly

1. Name of Claimant (s) Verna R. Harrah; c/o Randy Bowling, Agent Phone (702) 852-6500Mailing Address P. O. Box 12968, Reno, Nevada Zip 895102. Date of Priority (Only one (1) per claim) March 1, 19653. Source of water supply (a) Trail Creek
which is tributary to (b) Big Wood River4. a. Location of existing point of diversion is: Township 4N Range 18E Section 5,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of BlaineAdditional points of diversion if any: Noneb. If instream flow, beginning point of claimed instream flow is: N/A

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

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

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

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

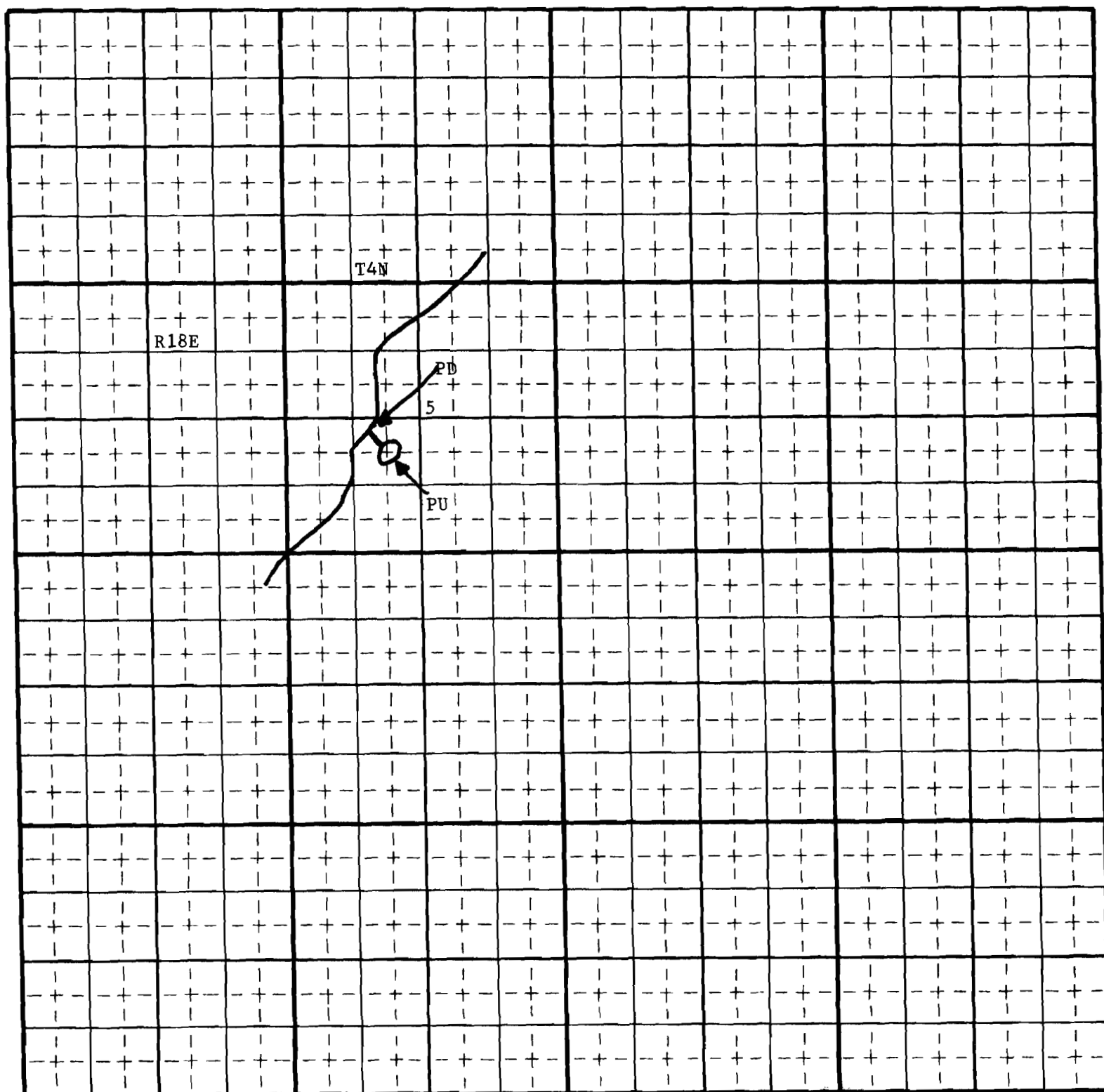
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Pond is circular, 100 feet in diameter
with an average depth of 5 feet. Diversion box from Trail Creek.

MICROFILMED

FEB 26 1993

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

Scale: 2 inches equals 1 mile



MICROFILMED

FEB 26 1993

Last Name Harrah

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 0

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

Signature of Claimant (s) Gandy Bowling, Agent Date OCTOBER 24, 1988
Date _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

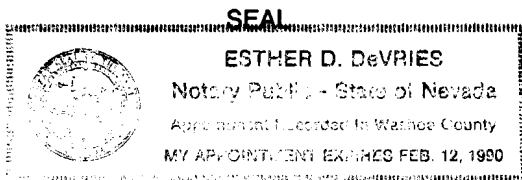
State of Idaho/or Nevada)
County of Washoe) SS.

Subscribed and sworn (or affirmed) before me this 24th day of October 19 88

Notary Public Esther D. DeVries

Residing at Reno, Nevada

My Commission Expires Feb. 12, 1990



Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
FEB 26 1993

Last Name Harrah Ident. Number _____

Copies White-State, Yellow-Claimant

01/04/2007

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

RIGHT NUMBER: 37-12130

NAME AND ADDRESS: NEWFOUNDLAND PARTNERS
C/O JOSEPH D WEINSTEIN AND
ELAM & BURKE
2600 CENTURY SQ 1901 4TH AVE
SEATTLE WA 98101-1688

SOURCE: TRAIL CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.600 CFS
4.000 AFY

PRIORITY DATE: 04/29/1970

POINT OF DIVERSION:

T04N R18E S5 NWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC STORAGE	1/01 12/31	4.00 AFY
WILDLIFE STORAGE	1/01 12/31	4.00 AFY
DIVERSION TO STORAGE	1/01 12/31	1.600 CFS

PLACE OF USE: WILDLIFE STORAGE in BLAINE County

T04N R18E S05 NWSW

AESTHETIC STORAGE in BLAINE County

T04N R18E S05 NWSW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

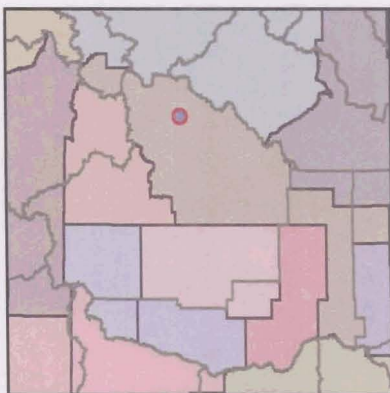
SRBA Recommendation:

37-12130

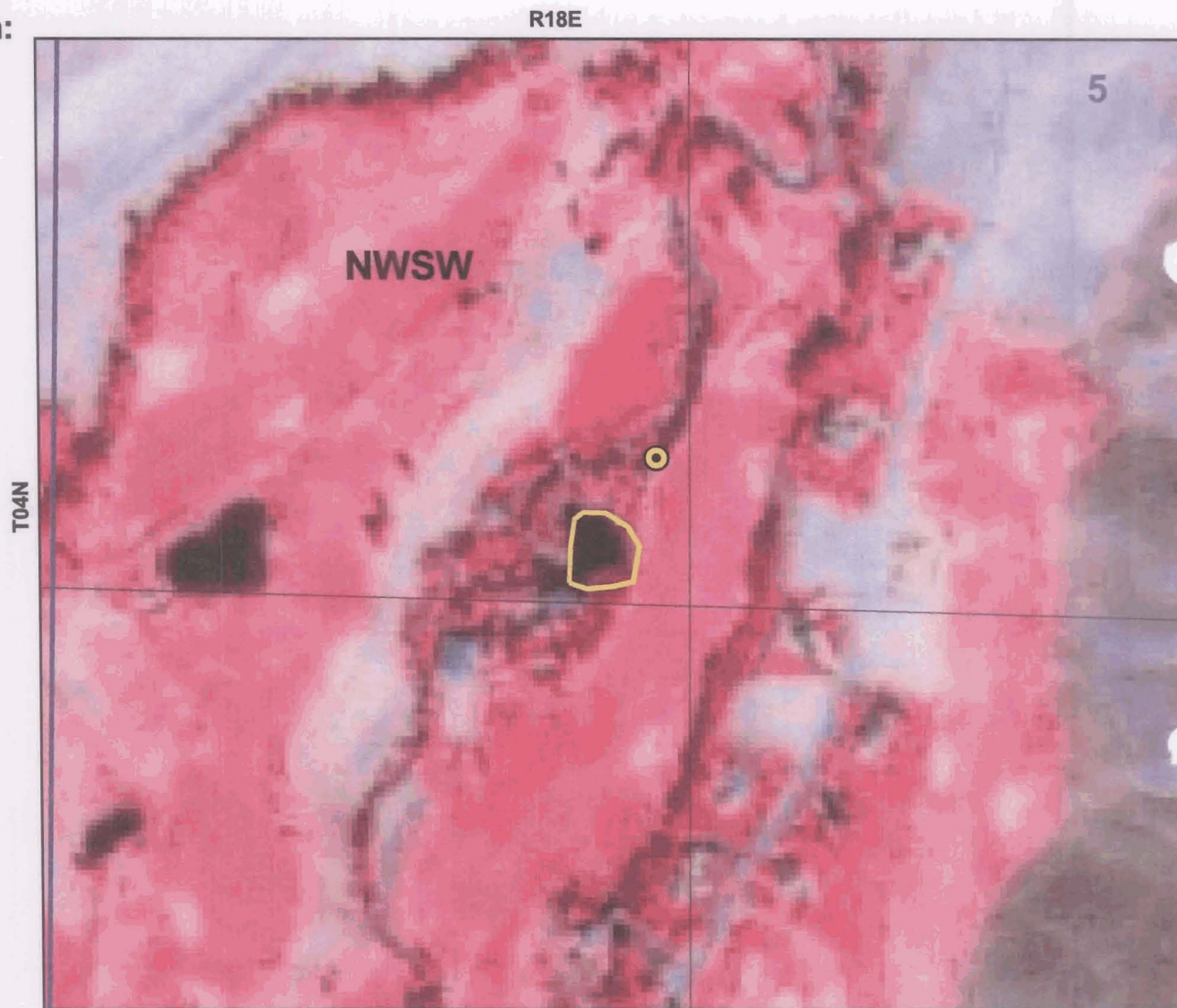
(Wildlife Storage)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by C. Clark
On Thursday, January 4, 2007
1987/88 Aerial Photography

MEMORANDUM

To: Claim files 37-12130

From: Cynthia Bridge Clark

Date: November 22, 2006

Re: SRBA Claim Review notes

Overview

<u>Water Right No.</u>	<u>Corresponding Claim Nos.</u>	<u>Use</u>
N/A	37-12130	wildlife storage, div. to storage, aesthetic storage

Circular pond described in claim (200 ft diameter, 6 ft average depth). Claim amended in 1990. Description of pond and amount claimed increased.

Field exam performed December 6, 2006 by Sandy Hemenway.

Ownership/Contacts

- Claimant: Newfoundland Partners
- Taxlot information shows Sun Valley Resorts or Mary McCaw depending on location. Attorney Scott Campbell verified ownership in the partnership name.
- Recommend as claimed.

Basis of claim

Beneficial use claim

Priority Date

- Claim received 9/14/1990
- Claimed priority: 4/29/1970
- Evidence of Priority: Affidavit from contractor building house adjacent to pond was provided confirming existence of pond in spring of 1971. Chris Bromley representing IDWR advised acceptance of evidence.
- Recommend as claimed.

POD

- Water Right Records: None
- WM Records: None
- Claimed POD: 04N18E5 NWSW (Diversion channel & metal head gate to culvert to pond—original claim stated diversion box from Trail Creek. Current claim—water diverted from trail creek into pond, then returned to Trail Creek 300 ft downstream from POD. Return flow is approx. 1.71 cfs.)
- Recommend as claimed. POD verified through field exam

Source

- Claimed: Trail Creek.
- Recommend: Trail Creek. Runs by property.

POU

- POU Comparison: No irrigation overlap. City of Ketchum and other domestic rights overlap area.
- Available information/imagery:
 - DOQQ 92, NAIP 1987, SUNV NAIP 2004
 - Not available: 57-77, NAIP 2006.
- Notes: Claimed in 04N18E5 NWSW, 200 ft diameter (0.72 acres). Based on available imagery and field exam, size of pond is only 0.4 acres
- Recommend: Shapefile identifies pond of 0.4 acres.

Water Use & Quantity

- Water right: N/A
- Claim wildlife storage (4 af), div. to storage (1.6 cfs), aesthetic storage (4 af)—amended claim much more than original claim.
- Recommendation:
 - Uses must satisfy Initial fill, flow through, and div to storage (1.6 cfs)
 - Wildlife Storage & Aesthetic Storage = initial fill + seepage (non-consumptive) + evaporation = volume
 - Pond unlined. Volume approx. 3.6 af as per field exam. Diversion to Storage = rate (1.6 cfs)
 - If met 24-hr rule, would not need to claim storage, just aesthetic & wildlife = flow through.
 - Recommend as claimed.

Period of Use

- Standard season: 4/15-10/31 (04N18E)
- Claimed: 37-12130: diversion to storage, wildlife storage, and aesthetic storage = 1/1-12/31
- Recommendation as claimed: 1/1 to 12/31 (should be limited to availability of trail creek water—will be administered by water master).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 37-12130

Owner: Newfoundland Partners ^{for Joseph D. Weinstein + Elam + Burke} Phone No. (206) 628-7791

Current Address: 2600 Century Sq. 1901 4th Ave Seattle, WA

☒ No change NAME IS THE SAME

☐ NEW OWNER

☒ No change Address

☐ NEW ADDRESS

☒ How long owned property? 1990

Accompanied by: Mark Winker/manager - caretaker

PRIORITY DATE (203) 622-5555 / cell (203) 720-0136

☒ No change – Complete evidence submitted or not necessary

☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.

☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 4-29-1970

(If priority date, based on your exam, seems questionable, explain below.)

Source: Trail Creek Tributary to Big Wood River

☒ No Change –SAME SOURCE

☐ Source found is different than claimed:

POINT OF DIVERSION

☒ No change

☐ POD found is different than claimed:

☐ If different, when did POD change?

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

A0016656

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			NW	NW SW	5	4N	18E	Blaine	2472485/1389535

Description of diverting works

head gate, 24" culvert (chain & lock on device)

OVERLAP REVIEW

Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

☒ No change

☐ Different Uses

Use Wild life Storage From 1/1 To 12/31 Amount _____ CFS _____ AFA

Use Diversion to Storage From 1/1 To 12/31 Amount _____ CFS _____ AFA

Use Aesthetic Storage From 1/1 To 12/31 Amount _____ CFS _____ AFA

Wildlife 1/1 12/31
N/A

TOTAL VOLUME – Groundwater only

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☐ No change

☒ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: Wildlife: fish, otters, muskrats, ducks, geese, deer, beavers, birds, chipmunks, squirrels

PLACE OF USE:

☒ No Change

☐ Changes shown below:

* The pond has always been this size & shape since it was first installed.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
No changes																			

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: from POD: 24" buried culvert/pipe to intake at NE corner of pond (gravity flow)

This system is a flow-through system with an outlet in the SW corner of the pond allowing water to return back into Trail Creek.

gravity flow system
N/A

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Supplemental water: None

Physical Address: 5 Golf Ln (no signs on road or on house)

~ 2 1/2
miles
N. on
Sun Valley
Rd. from
Sun Valley
Main St
intersection

Directions: Coming into Sun Valley, turn
north on Sun Valley Road (go past the Sun Valley Inn).
~~Just past mile post #2 turn right + stay right~~
~~at the split in the road at the top of the hill.~~
Go down the hill, cross the bridge to the large
house. POU: pond is north of the house POD is
northeast of the pond about

- AFTER EXAM THE FILE SHOULD CONTAIN:
- ☒ Completed claim checklist
 - ☒ Photographs of POD's and POU
 - ☒ GPS readings
 - ☒ Completed map and or GIS layout showing POD's and POU

300' ±.

DATE EXAM CONDUCTED: 12/6/2006

FIELD EXAMINER: Gandy Hernerway

37-12130 Newfoundland Pa. ners
Date of Inspection: 12/5/2006
Inspector: Sandy Hemerway

① Diversion to Storage:
Pipe Capacity.

24" culvert = 15.70 cfs max. capacity

* at time of inspection intake was iced over + no flow taking place to the pond

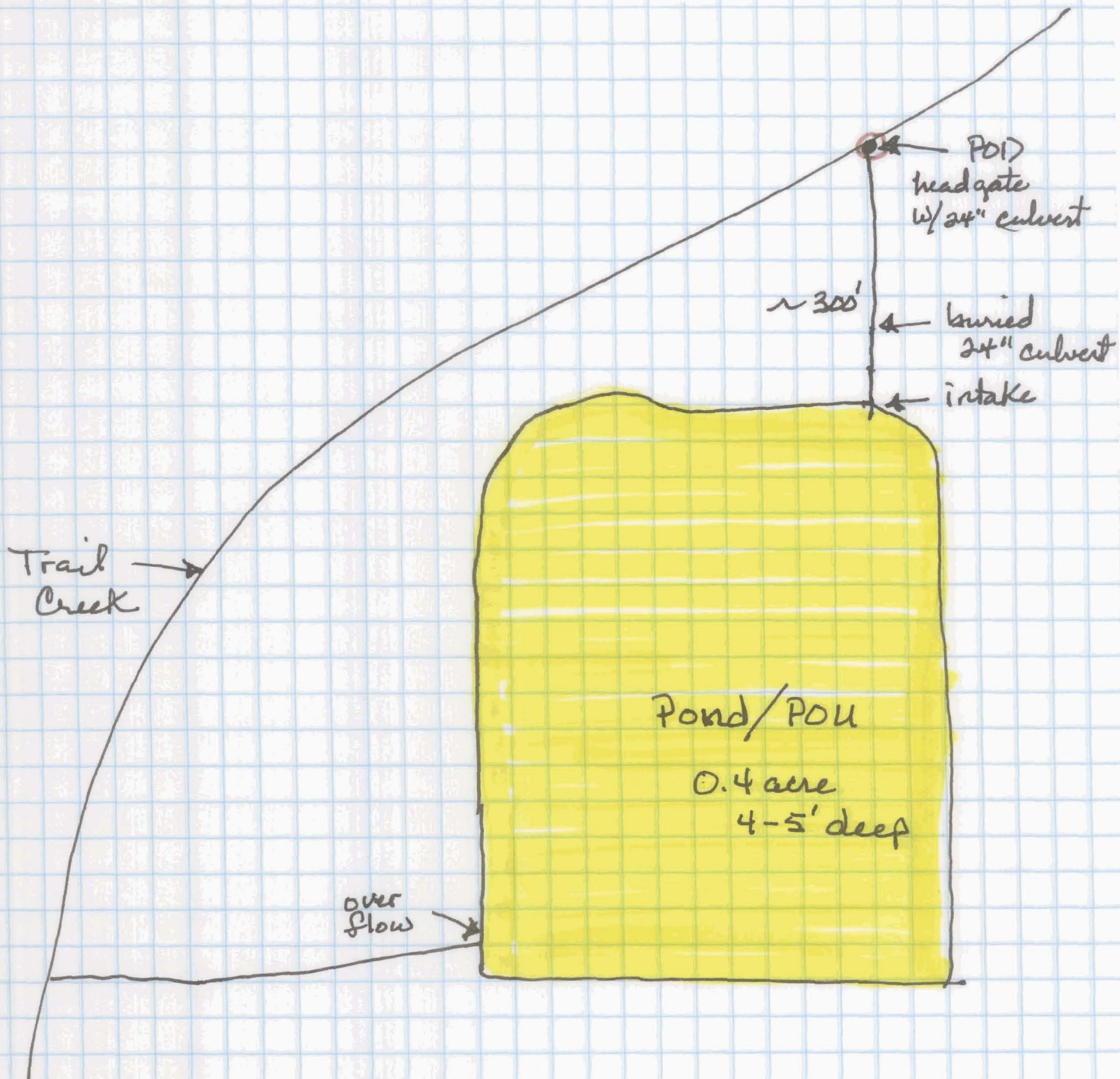
② Wildlife Storage/Aesthetic Storage:
Pond:

Confirmed size = 0.4 acres, 4-5' deep

$$0.4 \text{ acres} \times 4' = 1.6 \text{ af}$$

$$0.4 \text{ acres} \times 5' = 2.0 \text{ af}$$

③ Wildlife
fish, otters, muskrats, ducks, geese, deer,
beavers, birds, chipmunks, squirrels



N↑

37-12130 Newfoundland Partners
12/5/2006 SH

■ = POU

⊙ = POD

Area Map for SRBA Claim 37-12130



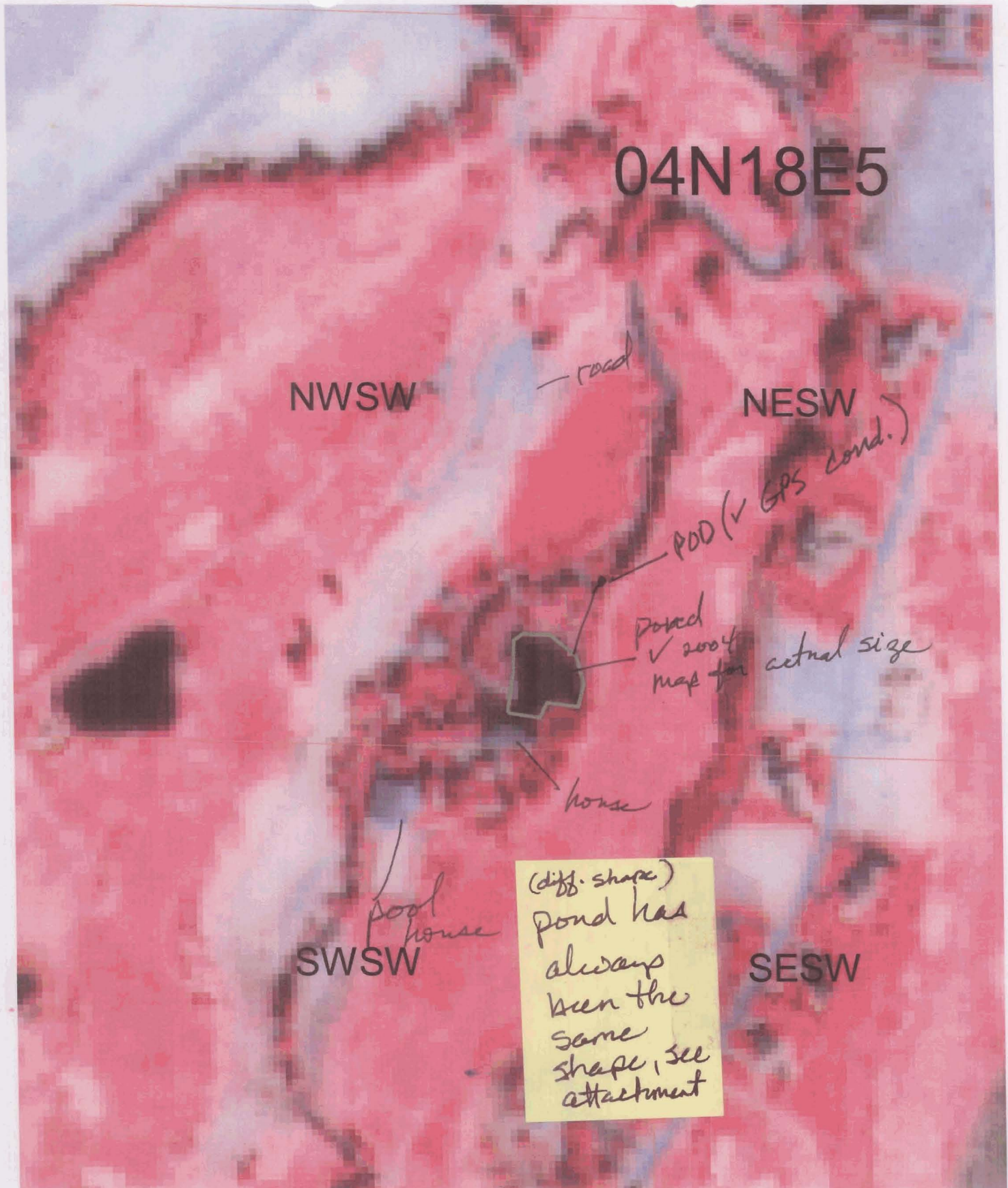
Sections
QQ

12/5/06 SH

2004 Imagery

Map provided to claimant's attorney by IDWR in request for clarification of historical POU, claimed POU and claimed PODs. Information requested in conjunction with review of claims filed in the SRBA.

SRBA Claim 37-12130 Place of Use



- ☐ Sections
- ☐ QQ
- ☐ 37-12130 POU

1987 NAPP Satellite Imagery

Map provided to claimant's attorney by IDWR in request for clarification of historical POU, claimed POU and claimed PODs. Information requested in conjunction with review of claims filed in the SRBA.

0.4

POU/pond

POU

24" buried culvert



Trail
Creek

POD
headgate



POD
24"
culvert

37-12130 Newfoundland Partners

SH



outlet
to Trail
Creek

POU
- pond

12/05/2006



inlet
from POD
~300'
north

POU
pond

12/05/2006

37-12130 Newfoundland Partners

SH



Trail
Creek

outlet
from
pond

12/05/2006

37-12130 Newfoundland Partners

SH

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-12130

WATER RIGHT NUMBER: 37-12130

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VERNA R HARRAH C/O RANDY BOWLING AGENT PO BOX 12968 RENO, NV 89510 (702)852-6500
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000
Current Owner	NEWFOUNDLAND PARTNERS C/O JOSEPH D WEINSTEIN AND ELAM & BURKE 2600 CENTURY SQ 1901 4TH AVE SEATTLE, WA 98101-1688 (206)628-7791

Mark Winkler/mgr. caretaker
(208) 622-5555
cell (208) 720-0136

OK

Priority Date: 04/29/1970
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
TRAIL CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
WILDLIFE STORAGE	1/01 to 12/31		4.00 AF
DIVERSION TO STORAGE	1/01 to 12/31	1.600 CFS	
AESTHETIC STORAGE	1/01 to 12/31		4.00 AF
	<u>Total Diversion:</u>	1.600 CFS	4.00 AF

Location of Point(s) of Diversion

TRAIL CREEK	NW1/4SW1/4	Sec. 5, Twp 04N, Rge 18E, B.M.
BLAINE County		

Place of Use

WILDLIFE STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	5										X							

AESTHETIC STORAGE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-12130

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	5										X							

Conditions of Approval:

1. WATER IS DIVERTED FROM TRAIL CK. INTO POND AND THEN RETURNED TO TRAIL CK. APROXIMATELY 300 FEET DOWNSTREAM FROM POINT OF DIVERSION. THE RETURN FLOW TO TRAIL CK. IS APPROXIMATELY 1.71 CFS. THIS CLAIM IS AMENDING CLAIM A37-12130. NEWFOUNDLAND PARTNERS PURCHASED THE WATER RIGHT FROM VERA HARRAH ON 03/08/1990. WARRANTY DEED ATTACHED.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 11/4/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

Clark, Cynthia (Bridge)

From: Scott Campbell [SLC@moffatt.com]
Sent: Wednesday, November 29, 2006 11:26 AM
To: Clark, Cynthia (Bridge)
Cc: joeweinstein@dwt.com; deb@mig-corp.com; Debby Long; Tiffany Hudak; patrickj@seanet.com
Subject: Re: Newfoundland Partners
Importance: High

** High Priority **

Dear Cynthia:

37-12130

I am responding to your telephone message to Tiffany Hudak, requesting contact information for a possible site inspection of the pond on the Sun Valley property owned by Newfoundland Partners. This inspection is connected with your review of the water right claim filed for the pond in the Snake River Basin Adjudication.

I have been in contact with representatives of my client and you should coordinate your site inspection with Mark Winkler in Sun Valley. He can be reached at 208-622-5555 or cell 208-720-0136. If you are not able to reach Mr. Winkler, please contact Mr. Patrick Jennings, his supervisor, at 206-282-1001, ext. 5 or cell 206-954-6633.

Please confirm receipt of this email by a short reply. Thank you for your assistance.

Very truly yours,

Scott

Scott Campbell
MOFFATT THOMAS - Idaho
208.345.2000
800.422.2889
www.moffatt.com

NOTICE: This e-mail, including attachments, constitutes a confidential attorney-client communication. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this communication in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail or by calling (208) 345-2000, so that our address record can be corrected. Thank you.

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ELAM & BURKE

A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
.....
FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

May 7, 1997

RECEIVED

MAY 14 1997

Department of Water Resources
Southern Region

Mr. Doug Jones
Adjudication Unit Supervisor
Southern Regional Office
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

Re: Adjudication Claim No. A37- 12130 - In the Name of Newfoundland Partners

Dear Doug:

Pursuant to the suggestion of David R. Tuthill, Jr. which was communicated to me in a telephone conversation on May 6, 1997, I have enclosed the original *Affidavit of Doug Sluder* in support of the above-referenced water right claim. The purpose of the Sluder affidavit is to help establish the priority date of the water right claimed, pursuant to the constitutional method of diversion of the water from Trail Creek and application to a beneficial use. The residence which Mr. Sluder refers to in the affidavit was originally constructed by Bill Janss, subsequently purchased by Verna Harrah, and then acquired by the current owner, Newfoundland Partners. The water right in question allows the diversion of water from Trail Creek into a pond which is located on the property. The pond has been operational since at least April of 1970.

Please also change the Department's records to reflect that the firm of Elam & Burke represents Newfoundland Partners with respect to all matters involving the Adjudication Claim No. A37-12130. Please contact me if you have any questions.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:kc g:\kcc\wpdata\1002\27\00242

Enclosure

cc: David R. Tuthill, Jr., Adjudication Bureau Chief (with enclosure)
Newfoundland Partners (with enclosure)
Joseph Weinstein, Esq. (with enclosure)

Scott L. Campbell
ELAM & BURKE, P.A.
Key Financial Center
702 West Idaho Street
P.O. Box 1539
Boise, Idaho 83701
(208) 343-5454

Attorneys for Defendant/Claimant
Keith McCaw, Adjudication Claim
No. A37-12130

RECEIVED

MAY 14 1997

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 TWIN FALLS

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System.

Case No. 39576

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as
director of the Idaho Department
of Water Resources,

Petitioner,

v.

United States; State of Idaho;
and all claimants to the use of
water from the Snake River Basin
Water System.

Defendants.

AFFIDAVIT OF DOUG SLUDER
Re: Adjudication Claim No.
A37-12130, Keith McCaw

AFFIDAVIT OF DOUG SLUDER, P. 1

zb\cb\43049002\pleadings-0001

STATE OF IDAHO)
 : ss.
County of _____)

I, DOUG SLUDER, Being first duly sworn upon oath, depose and say:

1. I am President of Glendale Construction Company, an Idaho corporation. Today, the company is primarily engaged in the sand, gravel and concrete business.

2. In the Spring of 1971, I recall a pond that was in existence next to the house that Bill Janss was constructing. I was employed by Bill Janss to do some initial foundation work, which included back filling around the foundation of a house that was in the early stages of construction. I remember I used an old Michigan 125 loader that belonged to both my father and me. I can remember the pond because it was only a stone's throw away from where we were doing our work which would be less than 100 feet. I can remember seeing fish in the pond. I knew that the water in the pond came from Trail Creek. The work was done on land that was owned by Mr. Janss personally. My clear recollection is that the pond on Mr. Janss' land was there when I first started my back fill work in the Spring of 1971.

In addition to the foundation work, we built the road down to his house and the bridge across Trail Creek. We worked on and off on Bill Janss' house and on the acreage he owned as long as he owned it. Later, we even did maintenance work on that facility that diverted the water from Trail Creek into the pond on his land. Water in the pond flowed back into Trail Creek downstream from the house.

3. I first moved to the Wood River Valley in 1968. My dad and I, as contractors, did various work for Sun Valley Company from time to time, as well as for Bill Janss personally.

We hauled dirt, did excavation, moved trees, and a variety of other work for Sun Valley Company when it was owned by Bill Janss and we have also done some work for the present owner of the company, Mr. Holding.

4. Among other jobs I did was work on the Elkhorn Golf Course in 1972 where we moved the dirt that was necessary to create an 18 hole golf course.

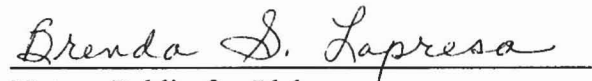
5. The company's present office is located at 166 Glendale, Bellevue, Idaho. My office telephone no. (208) 788-3429.

6. I am giving this statement according to my personal recollection and the statements contained I believe to be true and correct.

DATED this 12th day of July, 1995.


Doug Sluder

SUBSCRIBED AND SWORN to before me this 12th day of July, 1995.


Notary Public for Idaho
Residence: Bellevue, Idaho
Commission Expires: 3-15-99

AJ0749NP
No. A37-12130

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/19/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NEWFOUNDLAND PARTNERS	04/29/1970	WILDLIFE STORAGE	01-01 12-31		4.00 AFA
	C/O JOSEPH D WEINSTEIN AND		AESTHETIC STORAGE	01-01 12-31		4.00 AFA
	ELAM & BURKE		DIVERSION TO STORAGE	01-01 12-31	1.60 CFS	
	2600 CENTURY SQ 1901 4TH AVE					
	SEATTLE WA 981011688			TOTAL DIVERSION:	1.60 CFS	4.00 AFA
	(206) 628-7791					

Water Source: TRAIL CREEK

Tributary to: BIG WOOD RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04N R18E S05

NWSW

BLAINE County

Place of use Legal Description for: WILDLIFE STORAGE

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
04N	18E	5	:																

Place of use Legal Description for: AESTHETIC STORAGE

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
04N	18E	5	:																

POU County: BLAINE

Non-Irrigation Uses: AESTHETIC & WILDLIFE HABITAT.

Other Rights: NONE

Remarks: WATER IS DIVERTED FROM TRAIL CK. INTO POND AND THEN RETURNED TO TRAIL CK. APPROXIMATELY 300 FEET DOWNSTREAM FROM POINT OF DIVERSION. THE RETURN FLOW TO TRAIL CK. IS APPROXIMATELY 1.71 CFS. THIS CLAIM IS AMENDING CLAIM A37-12130. NEWFOUNDLAND PARTNERS PURCHASED THE WATER RIGHT FROM VERNA HARRAH ON 03/08/1990. WARRANTY DEED ATTACHED.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MICROFILMED
OCT 26 1994



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

May 20, 1994

SCOTT L CAMPBELL
ELAM & BURKE
PO BOX 1539
BOISE ID 83701

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A37-12130
Change of Firm Affiliation Notification

Dear Scott:

IDWR has received your notice of the change of firm affiliation of the water right claim referenced above. Our records have been changed accordingly.

As you requested in your May 6, 1994 letter, I have also modified the address of Newfoundland Partners on claim A37-12130.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:region

MICROFILMED
OCT 26 1994

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

SCOTT L. CAMPBELL

RECEIVED

19 1994

Water Resources

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

May 6, 1994

David B. Shaw, Bureau Chief
Adjudication Bureau
State of Idaho
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Newfoundland Partners Water Right Claim No. A37-12130
Snake River Basin Adjudication

Dear Mr. Shaw:

Please be advised that my firm affiliation has changed from Davis Wright
Tremaine, 702 West Idaho, Suite 700, Boise, Idaho to:

Elam & Burke
702 West Idaho Street
P.O. Box 1539
Boise, Idaho 83701.

Please direct all future correspondence and pleadings regarding Water Right
No. A37-12130 to me at Elam & Burke.

Additionally, please change your records to reflect this change in
Newfoundland Partners' address:

Newfoundland Partners
c/o Joseph D. Weinstein
2600 Century Square
1901 Fourth Avenue
Seattle, Washington 98101-1688

*Record Modified
5-17-94*

MICROFILMED

OCT 26 1994

DAVIS WRIGHT TREMAINE

LAW OFFICES

702 WEST IDAHO STREET • SUITE 700 • BOISE, IDAHO 83702
(208) 338-8200

085
RECEIVED
MAR 19 1992

Department of Water Resources

SCOTT L. CAMPBELL
(208) 338-8219

March 18, 1992

Mr. David B. Shaw
Bureau Chief
Adjudications Bureau
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: **Change in Notice of Appearance of Counsel on the Snake River Basin
Adjudication Claims for Keith McCaw -- Claim No. A37-12130
(Newfoundland Partners)**

Dear David:

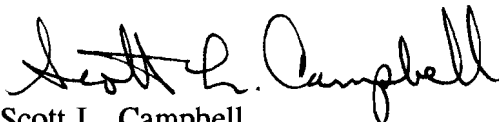
I am hereby notifying the Idaho Department of Water Resources of my change of address and affiliation. I am presently a partner with the law firm of Davis Wright Tremaine at the above-referenced address.

Because of this change, I request that the Idaho Department of Water Resources make the necessary modifications to its records pertaining to the Snake River Basin Adjudication regarding the water rights and notices of claim identified for the above-referenced client. I would appreciate receiving written confirmation that the requested changes in your records have been made, so that I may include copies of your confirmation in the individual claim file for my client and each water right.

Thank you very much for your cooperation.

Very truly yours,

DAVIS WRIGHT TREMAINE


Scott L. Campbell

SLC:md

Fax: (208) 338-8299

085
FEB 26 1993

Mr. David B. Shaw
May 6, 1994
Page Two

Thank you for your cooperation. Please do not hesitate to contact me if you have any questions.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:ma

SEARCHED
SERIALIZED
INDEXED
FILED
MICROFILMED
OCT 26 1994



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

April 6, 1991

Scott L. Campbell
Davis Wright Tremaine
702 W Idaho St #700
Boise ID 83702

RE: Change of Notice of Appearance of Counsel on the Snake River
Basin Adjudication Claim for Keith McCaw -- Claim No.
A37-12130 (Newfoundland Partners)

Dear Mr. Campbell:

This letter is to confirm the requested changes as addressed in
your letter dated March 18, 1992 on the above SRBA claim has been
made. A copy of the listing of A37-12130 is attached for your
reference.

Please call if I can be of further assistance.

Yours truly,

A handwritten signature in cursive script that reads 'Danni M. Smith'.

Danni M. Smith
Adj. Secretary, Records Mgr.

microfilm

FEB 26 1993

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

SCOTT L. CAMPBELL

October 17, 1990

Mr. Don Shaff
Manager
Adjudication Section
DEPARTMENT OF WATER RESOURCES
1301 North Orchard
Boise, Idaho 83720

RECEIVED
OCT 13 1990
Department of Water Resources

RE: Snake River Basin Adjudication Amended
Notice of Claim No. A37-12130
Blaine County, Newfoundland Partners

Dear Don:

Pursuant to our telephone conversation of today, I have enclosed a check in the amount of \$20.00 to cover the additional filing fee which you informed me was required to process the Amended Notice of Claim to a Water Right in this matter.

Please contact me if you have any questions.

Very truly yours,

ELAM, BURKE AND BOYD


Scott L. Campbell

SLC:jm
Enclosure

cc: Keith McCaw
Joseph D. Weinstein, Esquire

FEB 26 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 19, 1990

Scott L. Campbell
Elam, Burke and Boyd
P.O. Box 1539
Boise, ID 83701

RE: Snake River Basin Adjudication (SRBA)
Blaine County, Claim ~~8337-12130~~
Newfoundland Partners - Change in Ownership

RECEIVED
OCT 27 1990
Department of Water Resources
Eastern District Office

Dear Scott:

Thank you for submitting the additional documentation I requested on the above Notice of Claim. The Claim to Water Rights records of the Department have been changed to reflect such change in ownership.

A claim prepared from the Agency's computer is enclosed for your review and records. If you find the address is incorrect, please contact us.

Yours truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state:east
Enclosures:

Claim #A37-12130
Receipts C018330 & C018633
Yellow Carbon #A37-12130

RECEIVED

OCT 20 1990

RECORDED

Department of Water Resources
Eastern District Office

FEB 26 1993

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

SCOTT L. CAMPBELL

October 12, 1990

RECEIVED
OCT 15 1990
DEPARTMENT OF WATER RESOURCES

Mr. Don Shaff
Manager
Adjudication Section
DEPARTMENT OF WATER RESOURCES
1301 North Orchard
Boise, Idaho 83720

RE: Snake River Basin Adjudication Amended
Notice of Claim No. A37-12130
Blaine County, Newfoundland Partners

Dear Don:

Pursuant to our telephone conversation of today, I have enclosed a copy of the Warranty Deed from Verna R. Harrah, Trustee of the Verna R. Harrah Trust, to Newfoundland Partners, together with a complete set of the documents in Exhibit "A" to the Warranty Deed. You will note that these documents contain additional information contrasted with the attachment to the original Amended Notice of Claim which I submitted previously.

Please incorporate this new set of documents into the Amended Notice of Claim. The information contained on page 4 of Exhibit "A" to the Warranty Deed should resolve your concerns with respect to the ownership of the interest in the original Notice of Claim No. A37-12130. I also believe that the additional information contained in Exhibit "A" should describe the real property more clearly.

Moreover, I agree with your observation that the place of use listed on the Amended Claim should be amended to indicate that the pond is located in the northwest quarter of the southwest quarter of Section 5. Please make any necessary changes on the Amended Claim to reflect this fact.

I believe that the additional documentation contained in the Warranty Deed with the complete Exhibit "A" should resolve your concerns as expressed in your correspondence of September 19, 1990. I will assume that that is the case unless I hear from you in writing to the contrary.

ELAM, BURKE AND BOYD

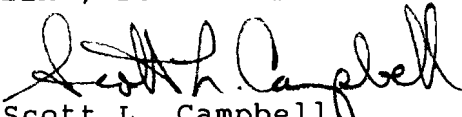
FEB 26 1993

Mr. Don Shaff
October 12, 1990
Page 2

Thank you for your assistance and cooperation.

Very truly yours,

ELAM, BURKE AND BOYD


Scott L. Campbell

SLC:jm
Enclosure

cc: Keith McCaw
Joseph D. Weinstein, Esquire


FEB 26 1993

ELAM, BURKE AND BOYD

ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER

702 WEST IDAHO

POST OFFICE BOX 1539

BOISE, IDAHO 83701

TELEPHONE
208-343-5454

TELECOPIER
208-384-5844

SCOTT L. CAMPBELL

October 4, 1990

REC-11
OCT 5 1990
Department of Water Resources

Mr. Don Shaff
Manager
Adjudication Section
DEPARTMENT OF WATER RESOURCES
1301 North Orchard
Boise, Idaho 83720

RE: Snake River Basin Adjudication Amended
Notice of Claim No. A37-12130
Blaine County Newfoundland Partners

Dear Don:

This is to acknowledge receipt of your correspondence of September 19, 1990 regarding the above captioned matter. I must confess that I have only recently communicated the content of your correspondence to my client.

Consequently, it may not be possible to provide you with the additional documentation from Mrs. Harrah which you requested by the October 19, 1990 date you set forth in your correspondence. While we will make every effort to provide you with the documentation on or before that date, it may be necessary to ask for a short extension should we encounter delays arising from an inability to communicate with Mrs. Harrah or her attorney. I am hopeful that you will be accomodating in this regard.

If the October 19, 1990 deadline set forth in your correspondence is inflexible, please contact me at your earliest convenience so that I can inform my client that no further delay will be accepted.

Response:

*Will look for
info. by 11/19/90.
If unable to make that
date plz reply setting
forth efforts made to date,
plan for completing request
and time frame contemplated.*

RECEIVED
FEB 26 1993

Mr. Don Shaff
October 4, 1990
Page /p

Thank you for your cooperation.

Very truly yours,

ELAM, BURKE AND BOYD


Scott L. Campbell

SLC:jm

cc: Keith McCaw
Joseph D. Weinstein, Esquire

RECEIVED

FEB 26 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 19, 1990

Scott L. Campbell
Elam, Burke and Boyd
P.O. Box 1539
Boise, ID 83701

RE: Snake River Basin Adjudication (SRBA)
Blaine County - Amended Notice of Claim #A37-12130
Newfoundland Partners

Dear Scott:

The amended Notice of Claim submitted by you for your clients has been received, and a receipt for the fees paid is enclosed. The change in ownership is not without problems, however.

The previous claimant, Mrs. Harrah, claimed the place of use in the NE1/4 SW1/4 of Section 5. The portion of Exhibit A to the Warranty Deed supplied with the amended claim cites Parcel D is apparently in the NW1/4 SW1/4 of Section 5. The enclosed photocopy of the ortho-photoquad for the area may confirm the pond is located in Parcel D. The problem arises in connecting the conveyed property to the water right claim recorded with this agency.

To avoid the complexity of Mrs. Harrah or the Trust amending the Notice of Claim, Mrs. Harrah could provide written notice to this agency either through you or from her agent, that in fact Mrs. Harrah did convey with the property transaction the specifically assigned water right claim number referenced above to your clients, Newfoundland Partners. The written notice would have to contain Mrs. Harrah's signature. The verification by notary public would not be necessary. The amended claim will be held in suspense until October 19, 1990, or until I receive further instructions from you earlier.

Please contact me if you have any questions.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state:tf

Enclosures:

Ortho-photoquad Map

micronized

FEB 26 1993

ELAM, BURKE AND BOYD

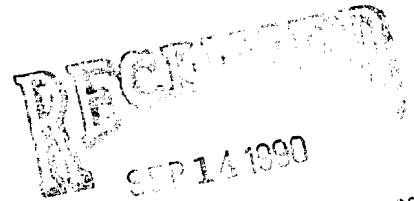
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

SCOTT L. CAMPBELL

September 13, 1990



Department of Water Resources

Mr. Don Shaff
SNAKE RIVER BASIN ADJUDICATION BUREAU
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83704

RE: Amended Notice of Claim No. A37-12130

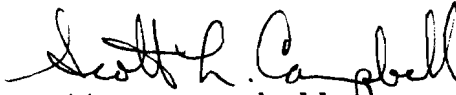
Dear Don:

I have enclosed an amended Notice of Claim No. A37-12130 for filing on behalf of Newfoundland Partners, the present owners of the real property to which this water right is appurtenant. I have also enclosed a check in the amount of \$100 to cover the additional costs of filing an amended claim.

Please contact me if you have any questions.

Very truly yours,

ELAM, BURKE AND BOYD


Scott L. Campbell

slc:jm
Enclosure

cc: Keith McCaw
Joseph Weinstein, Esquire

FEB 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 30, 1990

RECEIVED

JUN 1 1990

Department of Water Resources
Southern Region Office

Reid Newby
Box F
Shoshone, ID 83352

RE: Adjudication Claim No. A37-12130

Dear Reid:

I have been asked to write you a letter about a use of water by Keith McCaw near Sun Valley. I am not familiar with Mr. McCaw's use of water. Sherl Chapman, a consultant, has submitted information to show that there is actually a gain in the pond owned by Mr. McCaw. The gain must be attributable to something, probably springs that were inundated by the pond, and while sense tells me that more water will be lost from the ponding than direct flow of the spring and other water directly to the Big Wood River, the Department has determined that we should not, at this time, prohibit continued passage of water through Mr. McCaw's pond provided it is not injuring other water users.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

cc: Southern Region
Scott Campbell

UNRECORDED

FEB 26 1993

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

Amended

CLAIMANT'S NAME Newfoundland Partners CLAIM IDENT. NO. A37-12130

DATE RECEIVED 9-14-90 CK # 1018330 AMOUNT \$ 100

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | | | |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? <u>1.60 fee - .4 fee = 1.2 fee</u> <u>Ad \$100</u> <u>Exempt</u> | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: [Signature]

Date: FEB 26 1991

Claim must be returned to claimant:

Claimant must be notified of modifications: ☒ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by: [Signature]

Sent to claimant by:

Date:

Date: 10-1

Checked by: [Signature]

Date: 10-18-90

Comments: POU resolved by Full deed received 10-15-90

Atty contacted 10-17-90 about additional \$20; said he will send 10-17-90