

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 37-918
Date Received: 5/9/1995
Receipt No: S018071
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HENRICUS P BEEKWILDER FAMILY REVOCABLE TRUST Phone: (916)481-1893
2687 TOWNSEND CT
SACRAMENTO CA 95864

2. Date of Priority: 04/01/1940

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

4. Point of Diversion:

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

5. Description of diverting works:

HEADGATE #22 & HIAWATHA CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	/	/	0.095	
DOMESTIC	/	/		

7. Total Quantity Appropriated is:

0.095 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
02N	18E	4	NW	NW	4	IRRIGATION	1
			SW	NW		IRRIGATION	10
			NW	NW	4	DOMESTIC	
			SW	NW		DOMESTIC	
						Section Acres	11
						Total Acres	11

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:

SAVED & DEVELOPED RIGHT INDEPENDENT OF PRIORITY DATE.
P. U. IS TAX LOTS #2347 & 2349.
RT. IS FOR 4.73 INCHES OF WATER.
RT. IS DELIVERED AS A FLOOD RIGHT BY WATERMASTER.

12/28/00 tf; ownership changed Logan to Tierney per 1409(6) and warranty deed received 6/15/00. James Speck also added as attorney per NOA.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 21, 2003

HENRICUS P BEEKWILDER FAMILY REVOCABLE TRUST
2687 TOWNSEND CT
SACRAMENTO CA 95864

Re: SRBA Claims 37-11801, 37-918

Dear Trustees:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carrie Hahn'.

Carrie Hahn
Office Specialist

Enc. (4)

RECEIVED

WARRANTY DEED

MAY 27 2003

FOR VALUE RECEIVED

Department of Water Resources
Southern Region

THOMAS T. TIERNEY AND ELIZABETH C. TIERNEY, husband and wife

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

HENRICUS P. BEEKWILDER and BEATRYS M. BEEKWILDER, as Co-Trustees of the
HENRICUS P. BEEKWILDER FAMILY REVOCABLE TRUST Dated March 27, 1979the grantees, whose current address is 2687 Townsend Ct.
Sacramento, CA 95864

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

See Exhibit 'A'

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

Instrument # 478132

HAILEY, BLAINE, IDAHO

2003-02-06 10:14:00 No. of Pages: 2

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

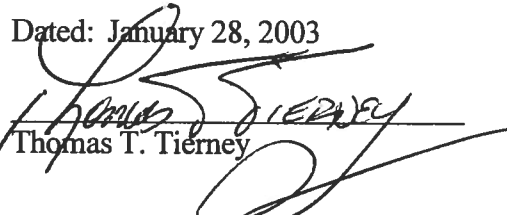
Fee: 6.00

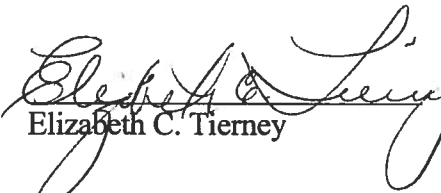
Ex-Officio Recorder Deputy

Index to: WTYQC/CORP DEED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and 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 said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 28, 2003

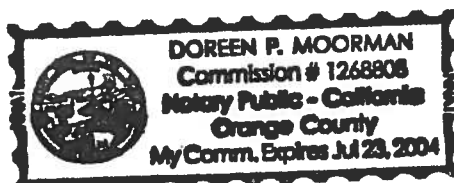

Thomas T. Tierney


Elizabeth C. Tierney

State of: CaliforniaCounty of: Orange

On this 31 day of January, 2003, Before me a Notary Public in and for said State, personally appeared Thomas T. Tierney and Elizabeth Tierney known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public

Residing at 22875 Bonita Ln. Lake Forest, CA 92630Comm. Expires July 23, 2004

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

RECEIVED
MAY 27 2003
 Department of Water Resources
 Southern Region

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-11800</u>	_____	☐	_____	_____	☐
_____	<u>37-918</u>	☐	_____	_____	☐
_____	<u>37-11801</u>	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Thomas T. Tierney & Elizabeth C. Tierney
2412 Mesa Dr., Newport Beach, CA 92660
4. New Owner/Claimant(s) Henricus P. Beekwilder and Beatrys M. Beekwilder, Trustees of the Henricus P. Beekwilder Family Revocable Trust dated March 27, 1979
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 2687 Townsend Court
- City, State and ZIP Code Sacramento, CA 95864
- New Telephone Number (916) 481-1893
5. Date you acquired the property February 6, 2003

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) _____ Henricus P. Beekwilder
(include title if applicable) Trustee.
Beatry M Beekwilder
Trustee

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 [Signature] Date 5/27/03 Fee 25.00
 Receipted by [Signature] Date 5/27/03 Receipt No. 5025880
 Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED

MAY 27 2003

Department of Water Resources
Southern Region

Exhibit 'A'

A PARCEL OF LAND LOCATED IN THE NW ¼ OF SECTION 4, TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Commencing at the northwest corner of Section 4; thence
S 2° 25' 28" E., 1,253.74 feet to the southwest corner of Lot 1, Block 2, West Meadows
Subdivision, said point also being the POINT OF BEGINNING. Thence

N 89° 36' 11" E., 607.92 feet to the southeast corner of Lot 2, Block 1, Northridge
Subdivision No. 1; thence

S 12° 46' 08" E., 950.20 feet along the westerly boundary of said Northridge
Subdivision; thence

Along the northerly boundary of Tax Lot 6845 and Booth Subdivision S 89° 09' 15" W.,
603.53 feet to the easterly right of way boundary of U.S. Highway 75, also being the
northwest corner of Lot 1, Block 1, Booth Subdivision; thence

N 12° 46' 52" W., 763.49 feet along said easterly Highway right of way; thence

Along said easterly Highway right of way 192.31 feet along the arc of a curve to the left,
having a central angle of 1° 54' 34" and a radius of 5,770.00 feet to the POINT OF
BEGINNING.

Also known as Tax Lot 7137.

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 37-918
Date Received: 5/9/95
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THOMAS T TIERNEY
2412 MESA DR
NEWPORT BEACH CA 92660

Phone: (949) 548-9346

ELIZABETH C TIERNEY
2412 MESA DR
NEWPORT BEACH CA 92660

Phone: (949) 548-9346

2. Date of Priority: 04/01/1940

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

4. Point of Diversion:

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

5. Description of diverting works:

HEADGATE #22 & HIAWATHA CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	/	/	0.095	
DOMESTIC	/	/	0	

7. Total Quantity Appropriated is:
0.095 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
02N	18E	4	NW	NW	4	IRRIGATION	1
			SW	NW		IRRIGATION	10
			NW	NW	4	DOMESTIC	
			SW	NW		DOMESTIC	
						Section Acres	11
						Total Acres	11

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:

SAVED & DEVELOPED RIGHT INDEPENDENT OF PRIORITY DATE
P. U. IS TAX LOTS #2347 & 2349
RT. IS FOR 4.73 INCHES OF WATER
RT. IS DELIVERED AS A FLOOD RIGHT BY WATERMASTER
12/28/00 tf; ownership changed Logan to Tierney per 1409(6) and warranty deed
received 6/15/00. James Speck also added as attorney per NOA.

15. Basis of Claim: Decreed

JUN 15 2000

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

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page
 Incomplete forms will be returned.

1. Water Right Number(s) 37-00918
 Adjudication Claim Number(s) A37-00918
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Robert C. Logan and Betty Logan
 Owner/Claimants
PO Box 423, Hailey, ID 83333
4. New Owner/Claimant(s) Thomas T. Tierney and Elizabeth C. Tierney
 Name connector (check one): [] AND, [] OR, [X] AND/OR
 New Mailing Address 2412 Mesa Drive
 City, State and ZIP Code Newport Beach, CA 92660
 New Telephone Number (949) 548-9346
5. Date you acquired the property 7/17/95
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Thomas T. Tierney 6/1/2000
 Owner/Claimant(s) Thomas T. Tierney Date
 (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



Order No. 95006748
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received **ROBERT C. LOGAN AND BETTY LOGAN, HUSBAND AND WIFE**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **THOMAS T. TIERNEY AND ELIZABETH C. TIERNEY, HUSBAND AND WIFE**

the Grantor whose current address is: ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
2832 Dew Avenue, Tustin, California 92680
the following described premises, to-wit:

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

580221

Deed
BLAINE CO. REQUEST
C: BLAINE COUNTY TITLE

'95 JUL 17 PM 3 37

Mary Green ^{CLERK}
FEES \$6⁰⁰ mpp

*Jo Heiss
will pick up.
(Signature)
5/30*

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: July 17, 1995

Robert C. Logan
ROBERT C. LOGAN

BETTY LOGAN
Betty Logan

State of IDAHO

County of BLAINE

On this 17th day of July, 1995, before me, the undersigned, a Notary Public, in and for said State, personally appeared ROBERT C. LOGAN AND BETTY LOGAN

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Marla G. Mink
Notary Public
Residing at: BELLEVUE
Commission Expires: 12/01/00 Dec

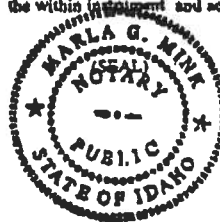


EXHIBIT "A"

A parcel of land located in the NW1/4 of Section 4, T. 2N., R 18 E., Boise Meridian, Blaine County, Idaho known as Tax Lot 2347 and Tax Lot 2349, more particularly described as follows:

COMMENCING at the northwest corner of said Section 4, thence S 2 degrees 25' 28" E 1253.74 feet more or less to the southwest corner of Lot 1, Block 2, WEST MEADOWS SUBDIVISION, said point also being the REAL POINT OF BEGINNING;
thence N 89 degrees 36' 11" E 607.92 feet to the southeast corner of Lot 2, Block 1, NORTHRIDGE SUBDIVISION NO. 1;
thence S 12 degrees 46' 08" E 950.20 feet along the westerly boundary of said NORTHRIDGE SUBDIVISION;
thence along the northerly boundary of Tax Lot 6845 and BOOTH SUBDIVISION S 89 degrees 09' 15" W 603.53 feet to the easterly right of way boundary of U. S. HIGHWAY 75 also being the northwest corner of Lot 1, Block 1, BOOTH SUBDIVISION;
thence N 12 degrees 46' 52" W 763.49 feet along said easterly Highway right of way;
thence along said easterly Highway right of way 192.31 feet along the arc of a curve to the left, having a central angle of 1 degree 54' 34" and a radius of 5770.00 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO INCLUDING BUT NOT LIMITED TO THOSE REFERRED TO AS IDWR A37-11800 AND A37-11801 AND THE RIGHTS DECREED IN THE CASE ENTITLED UPPER BIG WOOD RIVER WATER USER'S ASSN. VS. COFFIN, FOURTH JUDICIAL DISTRICT COURT CASE NO. 1714 DATED OCTOBER 5, 1942

B.G. B.F.

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

RECEIVED
JUN 15 2000
 Department of Water Resources
 300 North State Street
 Boise, Idaho 83726

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

1. Water Right Number(s) 37-00918
 Adjudication Claim Number(s) A37-00918

2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Robert C. Logan and Betty Logan
 Owner/Claimants
PO Box 423, Hailey, ID 83333

4. New Owner/Claimant(s) Thomas T. Tierney and Elizabeth C. Tierney
 Name connector (check one): [☐] AND, [☐] OR, [X] AND/OR
 New Mailing Address 2412 Mesa Drive
 City, State and ZIP Code Newport Beach, CA 92660
 New Telephone Number (949) 548-9346

5. Date you acquired the property 7/17/95

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Thomas T. Tierney 6/1/2000
 Owner/Claimant(s) Thomas T. Tierney Date
 (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), of Idaho Code. Section 42-248 requires certain property holders to notify the Department of water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right During an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed Claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believe there are Water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than ½ acre is irrigated, type and number of stock if your right is for stockwater, etc, In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstration the authority of the director of officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suit 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161



Order No. 95006748
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received **ROBERT C. LOGAN AND BETTY LOGAN, HUSBAND AND WIFE**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **THOMAS S. TIERNEY AND ELIZABETH C. TIERNEY, HUSBAND AND WIFE**

the Grantee whose current address is: ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
2832 Dew Avenue, Tustin, California 92680
the following described premises, to-wit:

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

580221

Deed

BLAINE CO. REQUEST

CLERK BLAINE COUNTY TITLE

'95 JUL 17 PM 3 37

Mary Green CLERK

FEES \$ 6¹⁰ mpp

Jo Heiss
will pick up.
[Signature]
5/30

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: July 17, 1995

[Signature of Robert C. Logan]
ROBERT C. LOGAN

BETTY LOGAN

[Signature of Betty Logan]

State of IDAHO

County of BLAINE

On this 17th day of July, 1995, before me, the undersigned, a Notary Public, in and for said State, personally appeared **ROBERT C. LOGAN AND BETTY LOGAN**

who, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

[Signature of Marla G. Mink]

Notary Public
Residing at: BELLEVUE
Commission Expires: 12/01/00 Dec



EXHIBIT "A"

A parcel of land located in the NW1/4 of Section 4, T. 2N., R 18 E., Boise Meridian, Blaine County, Idaho known as Tax Lot 2347 and Tax Lot 2349, more particularly described as follows:

COMMENCING at the northwest corner of said Section 4, thence S 2 degrees 25' 28" E 1253.74 feet more or less to the southwest corner of Lot 1, Block 2, WEST MEADOWS SUBDIVISION, said point also being the REAL POINT OF BEGINNING;
thence N 89 degrees 36' 11" E 607.92 feet to the southeast corner of Lot 2, Block 1, NORTHRIDGE SUBDIVISION NO. 1;
thence S 12 degrees 46' 08" E 950.20 feet along the westerly boundary of said NORTHRIDGE SUBDIVISION;
thence along the northerly boundary of Tax Lot 6845 and BOOTH SUBDIVISION S 89 degrees 09' 15" W 603.53 feet to the easterly right of way boundary of U. S. HIGHWAY 75 also being the northwest corner of Lot 1, Block 1, BOOTH SUBDIVISION;
thence N 12 degrees 46' 52" W 763.49 feet along said easterly Highway right of way;
thence along said easterly Highway right of way 192.31 feet along the arc of a curve to the left, having a central angle of 1 degree 54' 34" and a radius of 5770.00 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO INCLUDING BUT NOT LIMITED TO THOSE REFERRED TO AS IDWR A37-11800 AND A37-11801 AND THE RIGHTS DECREED IN THE CASE ENTITLED UPPER BIG WOOD RIVER WATER USER'S ASSN. VS. COFFIN, FOURTH JUDICIAL DISTRICT COURT CASE NO. 1714 DATED OCTOBER 5, 1942

B.G. B.F.

RECEIVED

MAY 09 1995

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.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00918

Date Received: 5/ 9/1995

Receipt No: S018071

Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT C LOGAN 208-788-2945
Address: PO BOX 423
HAILEY ID 83333

AND/OR

Name: BETTY LOGAN 208-788-2945
Address: PO BOX 423
HAILEY ID 83333

2. Date of Priority: APR 1, 1940

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

4. Point of Diversion:

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

5. Description of diverting works:
HEADGATE #22 & HIAWATHA CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION			0.095		
DOMESTIC					

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

8. Total consumptive use is 22.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC: STOCKWATER FOR 10 HORSES

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	4	NW	NW	4	IRR	1.0
			NW	NW	4	DOMEST	
			SW	NW		IRR	10.0
			SW	NW		DOMEST	
						Section Acres	11.0
						Total Acres	11.0

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:
A37-11801

14. Remarks:

SAVED & DEVELOPED RIGHT INDEPENDENT OF PRIORITY DATE.
P. U. IS TAX LOTS #2347 & 2349.
RT. IS FOR 4.73 INCHES OF WATER.
RT. IS DELIVERED AS A FLOOD RIGHT BY WATERMASTER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 8/23/1951

O. D. BARKER, ET. AL.
Decree Plaintiff

MANS COFFIN, WATERMASTER
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

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CC-Y

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): Robert C. Lopez Date: 5-9-95

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day

of May 19 95

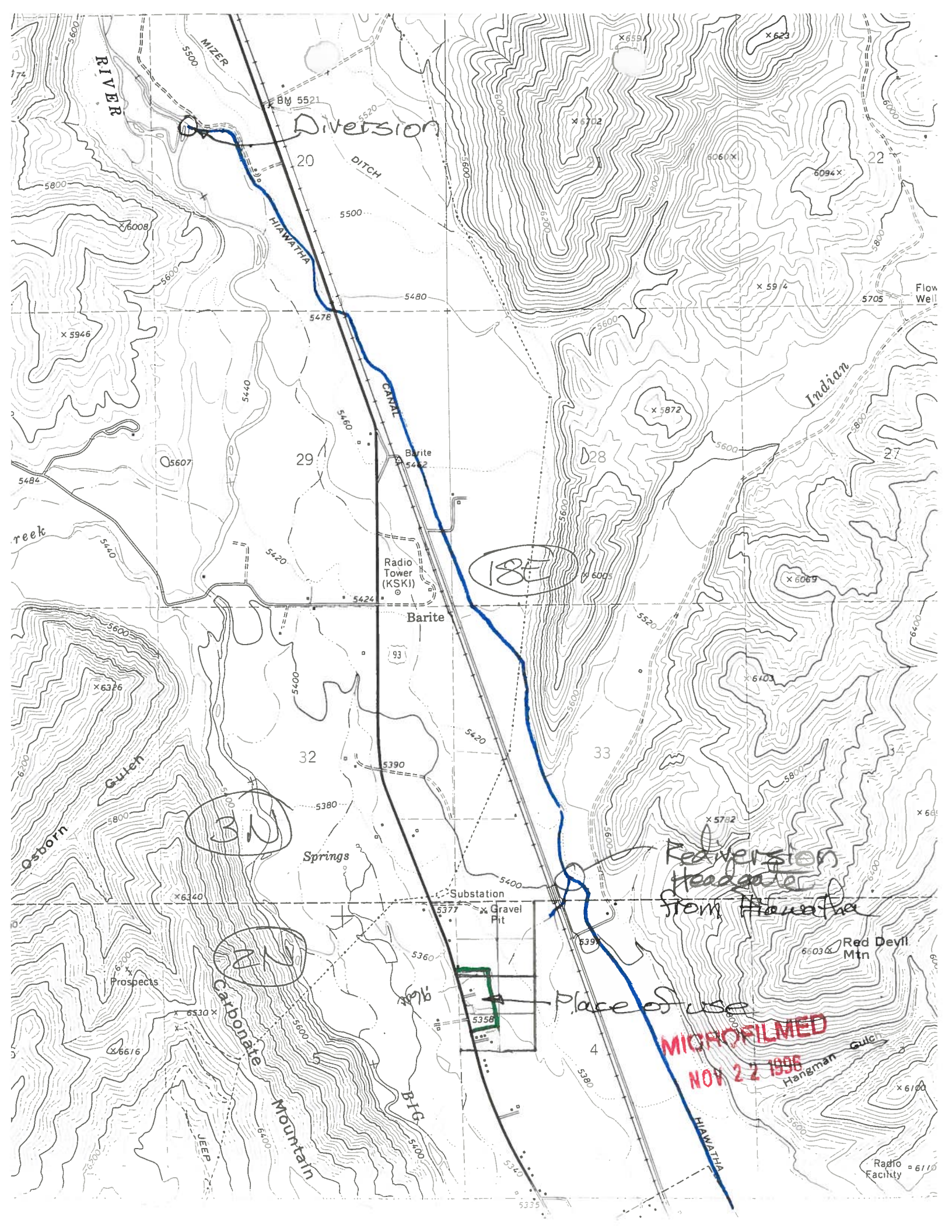
Mary A. Baldwin
Notary Public

Seal

Residing at Gooding Id
My Commission Expires 10/16/1998

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NOV 22 1996



Diversion

18

31

28

Rediversion
Headgate
from Hiawatha

Place of use

MICROFILMED
NOV 22 1996

write
LOGAN

02N 342400A

THIS INDENTURE, Made this 25th day of July
in the year of our Lord one thousand nine hundred and sixty-one, between

WILLIAM G. TEWS and MARY R. TEWS, husband and wife,
of Shoshone, County of Lincoln, State of Idaho
the parties of the first part, and

✓ ROBERT C. LOGAN and BETTY LOGAN, husband and wife,
Box 423 Hailey, Id 83333
of Hailey, County of Blaine, State of Idaho
the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
Thirteen Thousand Five Hundred and 00/100-----DOLLARS,
lawful money of the United States of America,

to them in hand paid by the said
parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
of the second part, and to their heirs and assigns forever, all of the following described real estate.
situated in Hailey, County of Blaine, State of Idaho, to-wit:

A parcel of land situated in the West Half of the Northwest Quarter
(W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 4, Township 2 North, Range 18, East of the Boise
Meridian, designated on the Blaine County Tax Assessor's Rolls as
Tax Lots 2347 and 2349, and being more particularly described as
follows:

Tax Lot 2347: That portion of the Northwest Quarter of the Northwest
Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 4, Township 2 North, Range 18, East of
the Boise Meridian, beginning at a point, the intersection of East
boundary of U. S. Highway No. 93 and the South Line of Tax Lot 2215;
thence East 599 feet; thence Southerly paralleling U. S. Highway No.
93 approximately 72 feet; thence West approximately 599 feet along
South line of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
of Section 4; thence Northerly along the East boundary of U. S. High-
way No. 93 approximately 72 feet to the point of beginning; contain-
ing 0.96 acres, more or less.

Tax Lot 2349: That portion of the Southwest Quarter of the Northwest
Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 4, Township 2 North, Range 18, East of
the Boise Meridian, described as a strip of land extending East 600
feet from U. S. Highway No. 93 beginning at the North line of the
Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section
4; and continuing South 12°44' East approximately 881 feet along
U. S. Highway No. 93 East boundary to the North line of Tax Lot 2146;
containing 10.06 acres, more or less.

Together with 13 inches of the waters of Big Wood River of priority
date of March 4, 1883; and also 4.73 inches of developed water of
Big Wood River as shown in that Decree entered August 23, 1951, in
Lincoln County, Idaho, in the case of O. D. Barker, et al, Plaintiffs,
vs Coffin, Watermaster, Defendant, with priority of April 1,

#22 Hwaithra
Part of 37-0577
3/24/1883 13 in
268
A 37-11801

ETHER, With all and singular the tenements, hereditaments and appu-
s or in anywise appertaining, the reversion and reversions, remainder and
profits thereof; and all estate, right, title and interest in and to the sa-
in equity, of the said parties of the first part.

AVE AND TO HOLD, All and singular the above mentioned and describe
with the appurtenances, unto the parties of the second part, and to their heirs
and the said parties of the first part, and their heirs, the said premises in the quiet and peaceful
possession of the said parties of the second part, their heirs and assigns, against the said parties
of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully
claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

37-0918
Claudine Stranahan
4.73 in

MICROFILMED

NOV 22 1996

Water Right Number - 37-00918 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STRANATHAN

CLAUDINE

1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - + + - - Stage - - + + - - Status - - +
04/01/1940 17 SOUTHERN D - DECREED

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

+ - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

03N 18E 20 SW NW (13) BLAINE

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

01 - IRRIGATION
43 - DOMESTIC

0.095

+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.095

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

02N 18E 4 NW NW 4 01 IRRIGATION (13) BLAINE
02N 18E 4 SW NW 4 01 IRRIGATION (13) BLAINE

+ - - Diversion Means - HEADGATE #22 & HIAWATHA CANAL

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +
SAVED & DEVELOPED RIGHT INDEPENDENT OF PRIORITY DATE.

P. U. IS TAX LOTS #2347 & 2349.

RT. IS FOR 4.73 INCHES OF WATER.

RT. IS DELIVERED AS A FLOOD RIGHT BY WATERMASTER.

+ - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - - - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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NOV 22 1996

Water right number - 37-00918

Prefix Translation:

WATER RIGHT

+ - - - Decree Plaintiff - - +

+

+ - - - - Decree Defendant

+

+ - Decree Date - +

O. D. BARKER, ET. AL.

MANS COFFIN, WATERMASTER

08/22/1951

+ . . . +
- Comments - . . . +
No Comments Found

+ - - Audit Fields - 03/24/87 05/28/88

Water Rights Dates and Flags Area

| | | | | | | | |
|-------------------|---|------------|-----------------|---|------------|--------------------|------|
| Proof Due Date | - | 00/00/0000 | Field Exam Made | - | 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - | 00/00/0000 | Protested Date | - | 00/00/0000 | Suan Falls | - |
| Proof Made Date | - | 00/00/0000 | Hearing Date | - | 00/00/0000 | Temporary Right | - |
| Exam to S.O. Date | - | 00/00/0000 | Verified Date | - | 03/24/1987 | DLE/Carey Act | - |
| Order Show Cause | - | 00/00/0000 | Receipt Number | - | | Water District | - 37 |
| Licensed Date | - | 00/00/0000 | Appl Received | - | 00/00/0000 | Transfer/Amended | - |
| Decree Date | - | 08/22/1951 | Name Connector | - | | POU Ownership Flag | - |
| Presumption Flag | - | | | | | | |

MICROFILMED
NOV 22 1996

12/22/2006

**NOTICE OF ERROR
REPLY**

RECEIVED

JAN 04 2007

DEPARTMENT OF

RECEIVED

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-918

HENRICUS P BEEKWILDER FAMILY REVOCABLE TRUST
2687 TOWNSEND CT
SACRAMENTO CA 95864
Telephone Number: (916)481-1893

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

"No beneficial use found."
"Insufficient evidence of delivery of water right."

2. Describe the changes you wish to make in the proposed recommendation:

Water right should be continued in force

3. Give a brief explanation as to why you disagree with these portions:

This water right is on tax lot 7137, approx. 12.92 acres along Highway 75
This property has water right 3711801 as well, which is not questioned
for use. Both water rights are used and should stay in force.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/28/06 SIGNATURE: [Signature]
Please print your name: Henricus P. Beekwilder

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

RECEIVED

JAN 08 2007

WATER RESOURCES
WESTERN REGION

SCANNED

JAN 04 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

January 9, 2007

JAMES E. RISCH
Governor

KARL J. DREHER
Director

HENRICUS P BEEKWILDER FAMILY REVOCABLE TRUST
2687 TOWNSEND CT
SACRAMENTO CA 95864

COPY

**RE: NOTICE OF ERROR REPLY FOR SNAKE RIVER BASIN ADJUDICATION
(SRBA) RECOMMENDATION 37-918**

Ladies and Gentlemen:

I reviewed your notice of error reply for the suggested recommendation for your water right 37-918. The reason that I recommended that this water right be disallowed is that there is no record of delivery of this water right in the watermaster's delivery reports. Without documentation or evidence of some form showing that this water right has been diverted from the Big Wood River, we cannot change the recommendation. However, if you or your attorney can supply some type of documentation or record that shows that this water has been diverted from the Big Wood River, the recommendation can be changed.

Unfortunately, there is a very short time frame available to supply this information before this recommendation is filed with the SRBA court. Even if the water right is recommended to the court to be disallowed, you do have the ability to file an objection to this recommendation with the court, and supply the information before a decree is issued on this right. IDWR can then work with you to the extent possible to have this water right decreed properly. The objection process should give you adequate time to provide the necessary information.

If you have any questions or concerns please contact our Southern Region office at 1341 Fillmore St., Suite 200, Twin Falls, ID 83301-3037, telephone number (208) 736-3033 or myself at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

CC James P. Speck - Attorney

12/18/2006

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

RIGHT NUMBER: 37-918

NAME AND ADDRESS: HENRICUS P BEEKWILDER FAMILY REVOCABLE TRUST
2687 TOWNSEND CT
SACRAMENTO CA 95864

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.095 CFS

PRIORITY DATE: 04/01/1940

POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/15 10/31 | 0.095 CFS |
| DOMESTIC | / / | |

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04 Lot 4 NWNW 1.00 T02N R18E S04 SWNW 10.00

DOMESTIC in BLAINE County

T02N R18E S04 Lot 4 NWNW T02N R18E S04 SWNW

11 ACRES TOTAL

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

No beneficial use found.

Insufficient evidence of delivery of the water right.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-918 V1

WATER RIGHT NUMBER: 37-918 V1

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|---|
| Current Owner | HENRICUS P BEEKWILDER FAMILY REVOCABLE TRUST
2687 TOWNSEND CT
SACRAMENTO, CA 95864
(916)481-1893 |
| Original Owner | ROBERT C LOGAN
BOX 429
HAILEY, ID 83333
(208)788-2945 |
| Original Owner | BETTY LOGAN
PO BOX 423
HAILEY, ID 83333
(208)788-2945 |
| Original Owner | THOMAS T TIERNEY
2412 MESA DR
NEWPORT BEACH, CA 92660
(949)548-9346 |
| Original Owner | ELIZABETH C TIERNEY
2412 MESA DR
NEWPORT BEACH, CA 92660
(949)548-9346 |
| Attorney | JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM, ID 83340
(208)726-4421 |

Priority Date: 04/01/1940

Basis:

Status: **DISALLOWED**

| <u>Source</u> | <u>Tributary</u> |
|----------------|------------------|
| BIG WOOD RIVER | MALAD RIVER |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-----------------------|-----------------------|----------------------|
| IRRIGATION | 04/15 to 10/31 | 0.095 CFS | |
| DOMESTIC | / to / | | |
| <u>Total Diversion:</u> | | 0.095 CFS | |

Location of Point(s) of Diversion

| | | |
|----------------|------------|---------------------------------|
| BIG WOOD RIVER | SW1/4NW1/4 | Sec. 20, Twp 03N, Rge 18E, B.M. |
| BLAINE County | | |

Place of Use

IRRIGATION

| | | | | | | | | | | | | |
|-----|-----|-----|--|----|--|----|--|----|--|----|--|--------|
| Twp | Rge | Sec | | NE | | NW | | SW | | SE | | |
| | | | | NE | | NW | | SW | | SE | | Totals |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-918 V1

| | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|---------|---|----|----|----|----|----|-----|------|----|----|----|----|----|----|----|----|----|--------|
| 02N 18E | 4 | | | | | | 1.0 | 10.0 | | | | | | | | | | 11.0 |
| | | | | | | | L 4 | | | | | | | | | | | |

Total Acres: 11

DOMESTIC

| Twp | Rge | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|----|-----|----|----|----|----|----|----|--------|
| 02N | 18E | 4 | | | | | | X | X | | | | | | |
| | | | | | | | | L 4 | | | | | | | |

Conditions of Approval:

1. P03 No beneficial use found.
2. Insufficient evidence of delivery of the water right.
3. P13 No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

Remarks:Comments:

1. dnelson 12/18/2006 Claim Review

Comment: In review of this claim, I could find no record of delivery of this right by the watermaster. I also could not find any water delivered with a priority date of 1940. Whereas no water has been delivered under this right by the watermaster, I am forced to disallow the water right until such time as proof or acknowledgement from the watermaster that water has been delivered under this water right.

2. dnelson 12/18/2006 TEXT

Comment: SAVED & DEVELOPED RIGHT INDEPENDENT OF PRIORITY DATE.

P. U. IS TAX LOTS #2347 & 2349.

RT. IS FOR 4.73 INCHES OF WATER.

RT. IS DELIVERED AS A FLOOD RIGHT BY WATERMASTER.

12/28/00 tf; ownership changed Logan to Tierney per 1409(6) and warranty deed received 6/15/00. James Speck also added as attorney per NOA.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-918 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 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:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Summary | | | 12/18/2006 | dnelson | Disallowed |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|---|
| Summary | 11/3/2006 4:55:21 PM | CFRITSCH | Bulk Copy |
| Summary | 12/18/2006 3:46:35 PM | dnelson | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(Yes) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
(No) 4. Is any portion of the claim be recommended?
(Yes) 6. Is an additional remark and/or condition required?
(Yes) 7. Would you like to view the recommended right?
(No) 8. Is this a split or combined right?
(No) 9. Do you have documents you would like to attach or link to the file?
(Yes) 10. Would you like to set the verification date? |

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-918

WATER RIGHT NUMBER: 37-918

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|---|
| Current Owner | HENRICUS P BEEKWILDER FAMILY REVOCABLE TRUST
2687 TOWNSEND CT
SACRAMENTO, CA 95864
(916)481-1893 |
| Original Owner | ROBERT C LOGAN
BOX 429
HAILEY, ID 83333
(208)788-2945 |
| Original Owner | BETTY LOGAN
PO BOX 423
HAILEY, ID 83333
(208)788-2945 |
| Original Owner | THOMAS T TIERNEY
2412 MESA DR
NEWPORT BEACH, CA 92660
(949)548-9346 |
| Original Owner | ELIZABETH C TIERNEY
2412 MESA DR
NEWPORT BEACH, CA 92660
(949)548-9346 |
| Attorney | JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM, ID 83340
(208)726-4421 |

*Disallow
NO RECORD
OF DELIVERY
IN WATERMASTER
RECORDS.*

Priority Date: 04/01/1940

Basis: Decreed

Status: Active

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-------------|-----------|-----------------------|----------------------|
| IRRIGATION | / | to / | 0.095 CFS | |
| DOMESTIC | / | to / | | |
| <u>Total Diversion:</u> | | | 0.095 CFS | |

Location of Point(s) of Diversion

BIG WOOD RIVER

SW1/4NW1/4

Sec. 20, Twp 03N, Rge 18E, B.M.

BLAINE County

Place of Use

IRRIGATION

| | | | | | | | |
|-----|-----|-----|----|----|----|----|--------|
| Twp | Rge | Sec | NE | NW | SW | SE | Totals |
| | | | | | | | |
| NE | NW | SW | SE | NE | NW | SW | SE |
| | | | | | | | |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-918

| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-----|-----|---|----|----|----|----|----|-----|------|----|----|----|----|----|----|----|----|----|--------|
| 02N | 18E | 4 | | | | | | 1.0 | 10.0 | | | | | | | | | | 11.0 |
| | | | | | | | | L 4 | | | | | | | | | | | |

Total Acres: 11

DOMESTIC

| Twp | Rge | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|-----|-----|-----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|--------|
| 02N | 18E | 4 | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| | | | | | | | | X | X | | | | | | | | | | |
| | | | | | | | | L 4 | | | | | | | | | | | |

Conditions of Approval:

1. SAVED & DEVELOPED RIGHT INDEPENDENT OF PRIORITY DATE.
P. U. IS TAX LOTS #2347 & 2349.
RT. IS FOR 4.73 INCHES OF WATER.
RT. IS DELIVERED AS A FLOOD RIGHT BY WATERMASTER.

12/28/00 tf; ownership changed Logan to Tierney per 1409(6) and warranty deed received 6/15/00.
James Speck also added as attorney per NOA.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 5/9/1995
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:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-918

WATER RIGHT NUMBER: 37-918

| | |
|-------------------|-------------------------|
| <u>Owner Type</u> | <u>Name and Address</u> |
| Current Owner | CLAUDINE STRANATHAN |
| | , ZZ |

Priority Date: 04/01/1940

Basis: Decreed

Status: Active

| | |
|----------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| BIG WOOD RIVER | MALAD RIVER |

| | | | | |
|-----------------------|-------------------------|-----------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION | / to / | | 0.095 CFS | |
| DOMESTIC | / to / | | | |
| | <u>Total Diversion:</u> | | 0.095 CFS | |

Location of Point(s) of Diversion

| | | |
|----------------|------------|---------------------------------|
| BIG WOOD RIVER | SW1/4NW1/4 | Sec. 20, Twp 03N, Rge 18E, B.M. |
| BLAINE County | | |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|-----|-----|-----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|--------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 02N | 18E | 4 | | | | | | X | | X | | | | | | | | | |
| | | | | | | | | L 4 | | | | | | | | | | | |

DOMESTIC same as IRRIGATIONConditions of Approval:

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P. U. IS TAX LOTS #2347 & 2349.
RT. IS FOR 4.73 INCHES OF WATER.
RT. IS DELIVERED AS A FLOOD RIGHT BY WATERMASTER.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-918

Licensed Date:

Decreed Date: 8/22/1951

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 37

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant: Mans Coffin

Decree Plaintiff: O D Baker, et al

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

May 22, 2003

RECEIVED

MAY 27 2003

Department of Water Resources
Southern Region

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

***Re: Beekwilder Family Revocable Trust - Notice of Change in Water Right
Ownership***

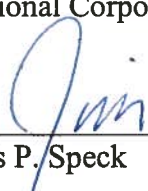
Dear Alan:

Enclosed you will find the original and one copy of a Notice of Change in Water Right Ownership for decreed Water Right No. 37-11800 and SRBA Claims 37-918 and 37-11801, all appurtenant to property acquired by my client in February 2003 from Thomas T. Tierney and Elizabeth C. Tierney. Please receipt date stamp the copy and return it to me in the postage pre-paid self-addressed envelope included for that purpose and, at your convenience, provide me with copies of computer printouts from your database reflecting this change in ownership.

Please call me if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS/jef
Enclosures
cc: Client, with enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

January 8, 2001

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: SRBA Claim(s) A37-009¹⁹81, A37-11801
Decreed Water Right 37-11800

Dear Counselor:

Pursuant to the change in ownership request and notice of appearance that have been submitted to the Department, we have changed the record of current ownership to your client and added you as attorney. Please find the enclosed copy of the computer record of claim A37-00981 noting the change in claimant. Review this record and if there is an error, or you have any questions, please contact this office.

You have also been added as attorney on claim 37-11801 and water right 37-11800, which were previously changed into the Tierney's name.

Sincerely,


Trish Fawcett
Technical Records Specialist

enc.

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

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

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

June 14, 2000

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

RECEIVED
JUN 15 2000
Department of Water Resources
Southern Region

Re: SRBA Claim No. A37-00918
Our File No.: 1170/000112

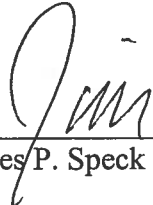
Dear Allen:

Enclosed you will find a Notice of Change of Water Right Ownership for SRBA Claim No. A37-00918 and Water Right No. 37-00918. This water right was somehow overlooked when the ownership was changed on SRBA Claim No. A37-11801 and Water Right No. 37-11800 for this property. I have also enclosed my firm's Notice of Appearance in the SRBA for Claims A37-00918 and A37-11801 and a separate Notice of Appearance for 37-11800, unobjected to domestic and stockwater right. Kindly receipt date stamp the copies of these documents which I have also included and return them to me in the stamped and self-addressed envelope provided for that purpose. If you have any questions, please contact me.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal

cc: Clients (w/encls.)
Jo Heiss (w/encls.)
Chief, Natural Resources Division (w/encls.)
U.S. Dept. of Justice (w/encls.)
Idaho Dept. of Water Resources (w/encls.)

Claimants Names:

Thomas T. Tierney
Elizabeth C. Tierney

Attorney Name & Address:

James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752

RECEIVED
JUN 15 2000
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 SRBA

Case No. 39576

)
)
) **NOTICE OF APPEARANCE**
)
)
)

DESCRIPTIVE SUMMARY

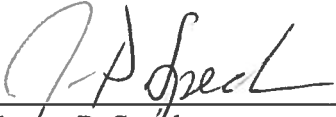
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimants, Thomas T. Tierney and Elizabeth C. Tierney, for the following water rights which are not the subject of any subcases: A37-00918 and A37-11801.

DATED this 14th day of June, 2000.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of June, 2000, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

Claimants Names:

**Thomas T. Tierney
Elizabeth C. Tierney**

RECEIVED

JUN 15 2000

Attorney Name & Address:

**James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752**

Department of Water Resources

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

In Re SRBA

Case No. 39576

)
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NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

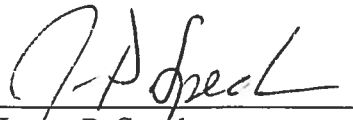
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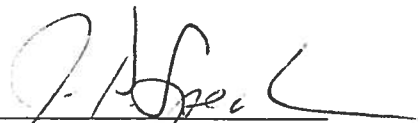
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JAMES P. SPECK

RECEIVED

JUN 15 2000

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

Department of Water Resources
TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

June 14, 2000

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

Re: SRBA Claim No. A37-00918
Our File No.: 1170/000112

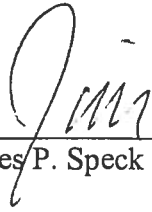
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SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal

cc: Clients (w/encls.)
Jo Heiss (w/encls.)
Chief, Natural Resources Division (w/encls.)
U.S. Dept. of Justice (w/encls.)
Idaho Dept. of Water Resources (w/encls.)