

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 37-8079
Date Received: 2/10/2006
Receipt No: 5028389
Received By: NT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PATRICIA A WEAVER Phone: (208)788-4929
PO BOX 1413
HAILEY ID USA 83333

2. Date of Priority: 04/19/1983

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	4	SW SW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.1	

7. Total Quantity Appropriated is:

0.1 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	SW SW	IRRIGATION	3.9
				Section Acres	3.9
				Total Acres	3.9

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.

This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.

This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 13.7 af for the lands above.

15. Basis of Claim: License

16. Signature(s)

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 _____

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Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 08 2006

Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Patricia A. Weaver Phone 208 788-4929Mailing Address PO Box 1413 Hailey Id. Zip 833332. Date of Priority (Only one (1) per claim) 04/19/19833. Source of water supply (a) Ground Water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 02N Range 18E Section 4,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BlaineAdditional points of diversion if any: SW 1/4 SW 1/4

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 02N Range 18E Section 4, _____ 1/4 of _____ 1/4 of_____ 1/4, Govt. Lot _____ B.M., County of Blaine5. 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.Ditch No enlargements

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Horse pasture purposes from 4/15 to 10/15 amount 3.9 or 1.3

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.9 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
02N	18E	4											3.9						3.9

Total number of acres irrigated 3.9

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

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

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

14. Remarks:

Last Name Weaver Ident No. 37-8079

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

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 37-8279
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 _____

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

Signature of Claimant (s) Patricia A Weaver Date 2-7-06

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 _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 7th day of February 2006



Notary Public A. J. H.
Residing at Hailey
My Commission Expires 3-11-2010

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 _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-8079

WATER RIGHT NUMBER: 37-8079

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATRICIA A WEAVER PO BOX 1413 HAILEY, ID 83333 (208)788-4929
Current Owner	~~THOMAS N WEAVER PO BOX 1413 HAILEY, ID 83333 (208)788-4929~~

Priority Date: 04/19/1983

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 4, Twp 02N, 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											3.9						3.9

Total Acres: 3.9

Conditions of Approval:

1. R57 The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.
2. R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. R56 Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-8079

4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 13.7 af for the lands above.

Remarks:

Comments:

Water Supply Bank:

No. 70778

A. W. WARR ET UX to C. M. FOLEY ET UX

THIS INDENTURE, Made this 13th day of June in the year of our Lord one thousand nine hundred and thirty-three between A. W. Warr and Rosa A. Warr, his wife, of Halley, Blaine County, Idaho,

C. M. Foley and Esther M. Foley, his wife, of the same place

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Four Thousand and No/100 (\$4,000.00) - - - - - 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 the following described real estate, situated in the County of Blaine, State of Idaho, to-wit:

The Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) and Fraction of the Southwest Quarter of the Southwest Quarter (Fr. SW1/4SW1/4) (Tax Lot No. 979) of Section Four (4), the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) and Fraction of the Southeast Quarter of the Southeast Quarter (Fr. SE1/4SE1/4) (Tax Lot No. 978) of Section Five (5) and Fraction of the North Half of the Northwest Quarter (Fr. NW1/4NW1/4) (Tax Lot No. 1400) of Section Nine (9), all in Township Two (2) North of Range Eighteen (18) East of the Boise Meridian, containing 168.15 acres, more or less. Together with all water and water rights, ditch and ditch rights used by, belonging to or in any wise appertaining to the herein described land.

(\$4.00 I. R. S.)
(AFFIXED and
(CANCELLED.)

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable 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.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal on the day and year first above written.

Signed, Sealed and Delivered in the Presence of:
I. W. Walker

A. W. WARR
Rosa A. WARR

(SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO,

County of Blaine } ss. On this 13th day of June, in the year 1933, the undersigned, a Notary Public in and for said State, personally appeared A. W. Warr and Rosa A. Warr, his wife,

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

I. W. Walker

Notary Public, residing at Halley, Idaho.

Filed for record at the request of C. M. Foley at 9:15 o'clock A.M., March 23, 1934

By

Deputy

B. P. Thamm,

County Recorder.

AHO

QUIT CLAIM DEED RECORD, BLAINE COUNTY, IDAHO

128/259

259

No. 70929

O. M. FOLEY ET UX to ANDREW L. KNIGHT

THIS INDENTURE, Made the 4th day of April in the year of our Lord one thousand nine hundred and Thirty-Four O. M. Foley and Esther M. Foley, his wife, of Hailey, Blaine County, Idaho, between Andrew L. Knight of the same place

WITNESSETH, That the said part 1st of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerationn---- lawful money of the United States of America, to them

whereof is hereby acknowledged, ha ve bargained, sold, released, and forever quit claimed, and by these presents do bargain, sell, remise, release, and forever quit claim unto the said part 2 of the second part, and to his heirs and assigns, the following described real estate

The NORTHWEST QUARTER of the SOUTHWEST QUARTER (NW1/4SW1/4) and Fraction of the SOUTHWEST QUARTER of the SOUTHWEST QUARTER (Fr. SW1/4SW1/4) (Tax Lot No. 9/9) of Section FOUR (4), and the NORTHEAST QUARTER of the SOUTHEAST QUARTER (NE1/4SE1/4) and Fraction of the SOUTHEAST QUARTER of the SOUTHEAST QUARTER (Fr. SE1/4SE1/4) (Tax Lot No. 9/8) of Section FIVE (5) in Township TWO (2) North of Range EIGHTEEN (18) East of the Boise Meridian. Together with water and water rights thereunto belonging or in any wise appertaining. Except that this conveyance does not impair the right to the use of the water through the "Cramer Ditch" for one (1) day each week for the use upon Tax Lot No. 1399 and for three (3) days each week for the use upon Tax Lot No. 1400.

Subject to the Mortgages of Record in Book 110 of Mortgages, at Pages 115 and 117, records of Blaine County, Idaho, which mortgages the grantee assumes and agrees to pay.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the rents issue and profits thereof; and also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said part 1st of the first part, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances, unto the said part 2 of the second part, his heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal on the day and year first above written.

Signed, Sealed and Delivered in the Presence of
O. M. Foley
Esther M. Foley

ACKNOWLEDGMENT

STATE OF IDAHO
County of Blaine
before me, Joseph W. Fuld, a Notary Public
O. M. Foley and Esther M. Foley, husband and wife,
known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they

Gave under my hand and official seal the day and year last above written.
Joseph W. Fuld,
Notary Public, Residing at
Hailey, Idaho.
My Commission Expires Feb. 24, 1936.
I hereby certify that this deed was filed for record at the request of Andrew L. Knight
in my office at 10:40 o'clock A. M. May 7, 1934

By JOHN F. INSIGN, Recorder.
P. 1.00
B. P. THAMM, County Recorder.

Warranty Deed Record, No. 153, Blaine County, Idaho

No. 07737

ANDREW L. KNIGHT ET UX. TO H. C. WALKER ET AL.

THIS INDENTURE, Made this 13th day of November in the year of our Lord one thousand nine hundred and forty-four, between Andrew L. Knight and Doris Knight, husband and wife, of Hailey, Blaine County, Idaho,

H. C. Walker and Lloyd Walker, a partnership, d/b/a/ the City Market.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of

Thirty-five hundred and No/100 (\$3,500.00)

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 the following described real estate, situated in the County of Blaine, State of Idaho, to-wit:

A fraction of the NORTHWEST QUARTER of the SOUTHWEST QUARTER, (Fr. NW1/4SW1/4) known as Tax Lot No 1538; and a fraction of the SOUTHWEST QUARTER of the SOUTHWEST QUARTER (Fr. SW1/4SW1/4) known as Tax Lot 1536 (both formerly tax lot no. 979, Section FOUR (4); and the NORTHWEST QUARTER of the SOUTHWEST QUARTER (NW1/4SW1/4), a fraction of the SOUTHEAST QUARTER of the SOUTHEAST QUARTER (Fr. SE1/4SE1/4) known as Tax Lot 978, Section 5 all in Township TWO (2) North, Range EIGHTEEN (18) East Boise Meridian, Blaine County, Idaho.

Together with all ditch and ditch rights, water and water rights, including 160 inches of the water of Purdue Slough, Decreed from May 1, 1883, in Warr vs. Swendsen Commissioner, in the District Court of Blaine County, Idaho. Decree entered June 21, 1920.

Subject to the mortgages of record in Book 110 of Mortgages, at pages, 115 and 117, records of Blaine County, Idaho, which mortgages the Grantees assume and agree to pay.

(\$6.05 I.R.S.)
(AFFIXED HERE)
(CANCELED)

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issue and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable 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.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:

R. H. McCoy

Andrew L. Knight

(SEAL)

Doris Knight

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of Blaine

ss.

On this 17th

day of November

in the year 1944

before me,

R. H. McCoy

a Notary Public in and for said State, personally appeared

Andrew L. Knight and Doris Knight, husband and wife.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

R. H. McCoy

My commission Expires March 31, 1947.

Notary Public, Residing at Hailey, Idaho.

Filed for record at the request of R. H. McCoy at 2:35 o'clock P. M., November 17, 1944.

By

Deputy

D. P. Thamm,

County Recorder.

By

No. 07737

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STATE

County of

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written.

By commission Expires

Filed for re

BARGAIN AND SALE DEED

R. C. WALKER, ESTATE OF ET AL. TO LLOYD WALKER

THIS INDENTURE, Made the 18th day of February, in the year of our Lord one thousand nine hundred and forty-nine between Estate of R. C. Walker (also known as Raymond C. Walker), by Leah I. Walker, Administratrix of said estate, and Leah I. Walker, widow of said R. C. Walker, individually, as parties of the first part, and Lloyd Walker, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Six Thousand and no/100 Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part, and to heirs and assigns, forever, all first parties right, title and interest in and to those certain places or parcels of land situate, lying and being in the County of Blaine and State of Idaho, particularly described as follows, to-wit:

Fractional NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4, known as Tax Lot No. 1535, Fractional SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4, known as Tax Lot No. 1536, Fractional SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, known as Tax Lot No. 978, The NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5; Fractional NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, known as Tax Lot No. 10, All in Township 2 North, Range 18 East of the Boise Meridian, containing 127.92 acres more or less,

Together with all ditch and ditches, canals, rights of way, used, had or appertaining to said promises, and all water and water rights, including 160 inches of waters of Purdum Blough, decreed from May 1, 1883, in case of Warr vs. Swenson, Commissioner, in District Court of Blaine County, decree entered June 21, 1920;

Subject to Federal Land Bank Mortgages;

This Deed executed pursuant to Order of Probate Court entered in matter of Estate of R. C. Walker, Deceased on the 18th day of February, 1949.

(26.50 I. R. S.)
(Affixed and
(Cancelled)

together with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest - - - property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the said party of the second part and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in Presence of

Estate of R. C. Walker by Leah I. Walker, Admin.
Leah I. Walker, (Seal)

STATE OF IDAHO, }
County of Blaine. } SS.

On this 18th day of February, in the year 1949, before me, Joseph McFadden, Notary Public in and for said State, personally appeared Leah I. Walker known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Seal)

Joseph McFadden, Notary Public for the
State of Idaho, Residing at Hailey, Idaho.

STATE OF IDAHO, }
County of Blaine,) SS.

On this 18th day of February, 1949, before me, Joseph McFadden, a Notary Public in

and for said S
of R. C. Walke
to the within

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No. 94988

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and for said State, personally appeared Leah I Walker, known to me to be the administratrix of the estate of R. C. Walker, deceased, late of Hailey, Blaine County Idaho, and to be the person whose name is subscribed to the within instrument, and acknowledged to me she executed the same as such administratrix.

In Witness whereof I have set my hand and seal.

Joseph McFadden, Notary Public for Idaho
Residence: Hailey, Idaho

Filed for record at the request of Joseph McFadden at 10:45 o'clock A. M., February 24, 1949
B. P. Thamm, Ex-Officio Recorder,
By June Dixon, Deputy.

WARRANTY DEED

No. 94988 FOSTER McGLOCHLIN to VERNA McGLOCHLIN.

THIS INSTRUMENT, Made this 25th day of February in the year of our Lord one thousand nine hundred and forty-nine between Foster McGlochlin, of Picabo, County of Blaine, State of Idaho, the party of the first part, and Verna McGlochlin (wife of first party) of Oicabo, County of Blaine, State of Idaho, the part - - of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Love and affection to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in the townsite of Picabo, County of Blaine, State of Idaho, to-wit:

The East Half (E $\frac{1}{2}$) of Lots one (1) and Two (2) in Block eight (8) of said Townsite, according to the official plat on file in the office of the County Recorder of Blaine County, Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest of, in and to the said property, as well in law as in equity, of the said party of the first part:

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to her heirs and assigns forever. And the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, her heirs and assigns, against the said party of the first part, and his 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.

IN WITNESS WHEREOF, The said part - - of the first part has hereunto set his hand and seal the day and year first above written.

Foster McGlochlin (Seal)

Signed, Sealed and Delivered
in the presence of: Joseph W. Fuld.

ACKNOWLEDGMENT

STATE OF IDAHO,)
COUNTY OF BLAINE.) ss.

On this 25th day of February, in the year 1949, before me, Joseph W. Fuld, a Notary Public

DEED

FOR VALUE RECEIVED, VALCO, INC., an Idaho corporation,

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, bargain, Sell and Convey unto

THOMAS WEAVER and PATRICIA ANN WEAVER, husband and wife,

grantee whose current address is P. O. Box 445, Ketchum, Idaho 83340,

the following described real estate, to-wit:

Lot 8 of RIVER GROVE RANCH SUBDIVISION, Blaine County, Idaho, according to the amended plat thereof recorded in Book 15 of Plats, Page 10, records of Blaine County, Idaho.

SUBJECT TO That Mortgage dated December 21, 1976, executed by Valco, Inc., Mortgagor, to Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, Agatha K. Walker, Mortgagee, recorded December 28, 1976, as Instrument No. 170795, records of Blaine County, Idaho.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees their heirs and assigns forever

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 5th day of November, 1977.



By

Dale L. Donnelly

Dale L. Donnelly, PRESIDENT.

ATTEST:

Valerie M. Donnelly
Valerie M. Donnelly, SECRETARY.

STATE OF IDAHO, County of Blaine

On this 31 day of October, 1977, before me, a Notary Public in and for said State, personally appeared Dale L. Donnelly and Valerie M. Donnelly, known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Residing at
Comm. Expires

Hailey
2/10/81

Notary Public
, Idaho

STATE OF IDAHO, COUNTY OF Blaine

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

at — minutes past 1:00 o'clock P.M.,
this 15 day of Dec,
1977 in my office, and duly recorded in Book
of Deeds at Page

MARIE ME LUYA
Ex-Officio Recorder

By

Hazel Barker

Deputy.

Fees \$1.00
Mail to:

INSTRUMENT NO. 178870

11/21/2006

RECEIVED

DEC 06 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

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: 12/13/2006

Water right number: 37-8079

PATRICIA A WEAVER

PO BOX 1413

HAILEY ID 83333

Telephone Number: (208)788-4929

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

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

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

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

DATE: 12-4-06

SIGNATURE:

Patricia Weaver

Please print your name:

Patricia Weaver

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

SCANNED
DEC 08 2006



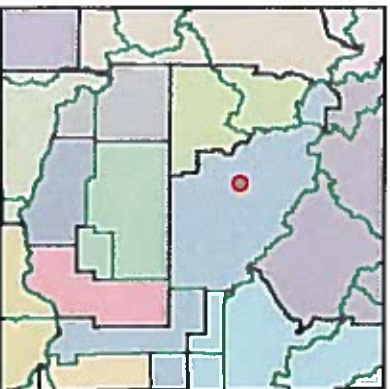
Idaho Department of Water Resources

SRBA Recommendation:

37-8079
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



T02N



R18E



Prepared by E. NORQUES
On Wednesday, October 18, 2006
1987/88 Aerial Photography

10/17/2006

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

RIGHT NUMBER: 37-8079

NAME AND ADDRESS: PATRICIA A WEAVER
PO BOX 1413
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.

This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 13.7 af for the lands above.

PRIORITY DATE: 04/19/1983

POINT OF DIVERSION:

T02N R18E S4 SWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.100 CFS
0.100 CFS

04/15 10/15

PLACE OF USE: IRRIGATION Within BLAINE County

T02N R18E S04 SWSW 3.90

3.9 ACRES TOTAL

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 - License

This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.

Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.



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 DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 21, 2005

Thomas and Patricia Weaver
PO Box 1413
Hailey, ID 83333

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA)

Dear Weavers

The Idaho Department of Water Resources (IDWR) is presently investigating water right claims in the Upper Big Wood Basin in preparation for submittal of Director's Report recommendations to the SRBA Court later next year.

As residents of legal description Twp 02N Rng18E Sec 4 SWSW, it appears that you have not yet claimed the following water rights in which are currently filed in your name:

- Water right 37-4312 (see enclosure)
- Water right 37-8079 (see enclosure)

In order for IDWR to recommend these water rights to the SRBA court in this important adjudication process, you must first comply with the following:

- Carefully complete the enclosed "Notice of claim to a water right" form for each water right in which you wish to claim.
- Fees for filing a notice of claim for irrigation rights is \$50.00 per right plus an additional \$1.00 per acre claimed. (Idaho Code 42-1414)
- Submit all necessary forms and fees to the IDWR at the address above.



Thank-you for your cooperation in this important adjudication process. Feel free to call with any questions or concerns.

Sincerely



Nick Treasure

Water Resource Agent

E-mail address: nick.treasure@idwr.idaho.gov

Enclosures