

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: A37-10210A
Date Received: 6/22/1988
Receipt No: X777777
Received By: QC HLB

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: HEATHER HOLLANDER SHIELDS 208-788-6129
Address: PO BOX 861
BELLEVUE ID 83313

AND

Name: BUTCH SHIELDS 208-788-6129
Address: PO BOX 861
BELLEVUE ID 83313

2. Date of Priority: MAY 1, 1896

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
04S	17E	31	SE	SE	SW		LINCOLN

5. Description of diverting works:
VIA BIG WOOD CANAL CO. & AMERICAN FALLS RES. DIST. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	16E	12	SE SW		IRR	20.0
Section Acres						20.0
Total Acres						20.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
AMERICAN FALLS SUPPLEMENTAL WATER

14. Remarks:

THIS CLAIM IS BASED ON A PORTION OF THE OLD RIGHT 37-00533. THE WATER IS DELIVERED VIA THE MILNER GOODING CANAL IN EXCHANGE FOR WATER FROM BIG WOOD RIVER DELIVERED INTO BIG WOOD CANAL CO. SYSTEM.

OWNERSHIP CHANGE MADE 6/20/96 BY TLB.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-10210. THE "A" PORTION BELONGS TO SHIELDS AND THE "B" PORTION BELONGS TO MOHR. MEMORANDUM OF CONTRACT, POWER OF ATTORNEY, AND MAP ARE INCLUDED FOR PROOF. TLB 9/18/97

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S.C. FROST, ET. AL.

Decree Plaintiff

ALTURAS WATER CO., ET. AL.

vs Decree Defendant



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

SEP 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STEVE & ELIZABETH MOHR
HCR 60 BOX 306
BLISS ID 83314

RE: SRBA CLAIM(S): A37-10205 & A37-10210(SPLIT)
SHIELDS

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. THESE COPIES ARE FOR YOUR RECORDS. PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script, reading "Tara L. Backlund".

TARA L. BACKLUND
ADJUDICATION RECORDS CLERK

/tlb
ENCLOSURES

CC: SHIELDS, PO BOX 861, BELLEVUE, ID 83313



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAY 14 1997

Department of Water Resources
Southern Region

DATE OF CLOSING: NOVEMBER 12, 1996

LEGAL DESCRIPTION OF PROPERTY: Township 5 South Range 16 EAST of the Boise Meridian
Section 12, se 1/4 of sw 1/4 of 1/4, Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

AS DESCRIBED ON ATTACHED MEMO OF CONTRACT

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) A37-10205 and A37-10210 Split 20/20 acres
Assigned by IDWR:
- [] Name and Address of Former Owner/Claimant(s)(Seller): HEATHER HOLLANDER SHIELDS
BUTCH SHIELDS
P.O. BOX 861 BELLEVUE, IDAHO 83313
- [] New Owner/Claimant (Purchaser): STEVEN AND ELIZABETH A. MOHR
- [] New Mailing Address: HCR 60 BOX 306
BLISS, IDAHO 83314
- [] New Telephone Number: () - -
- [] Does the change in ownership result in a splitting of the water right owned/claimed? X yes no (as to #A37-102
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
SEE DESCRIPTION ON WARRANTY DEED TO MOHR'S

- [] Attach proof of ownership, describe proof attached: C/S #161550 (also see power of attorney #161549)

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s): Steven & Elizabeth A. Mohr, Wy Attorney at Law Date 11/26/96
- [] Signature of Former Owner/Claimant(s): Butch Shields Date 9/9/96

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: By:

Further Action Needed:

Further Action Taken
Date: By:

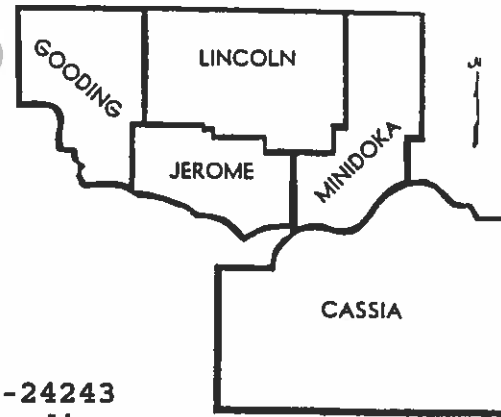
Final Review and Data-Entry
Date: 9/18/97 By: HB

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO:
OFFICE:

L-24243
Gooding

May 12, 1997

RECEIVED

MAY 14 1997

Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

RE: Notice of Change of Water Right Ownership
MOHR/SHIELDS
Cert Mail #P 248 124 310

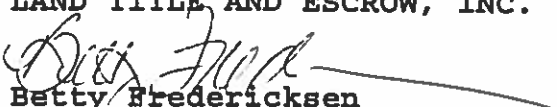
Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on
on the above for Water Right Numbers as indicated
- Copy of Memo of Sale #161550

Thank you,

LAND TITLE AND ESCROW, INC.


Betty Fredericksen
(208) 934-8477

P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: MOHR

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 - FAX 878-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0808 - FAX 436-1188

MEMORANDUM OF CONTRACT

On NOV 8th, 1996, Heather Hollander Shields and Butch Shields, as Vendor and Steven Mohr and Elizabeth A. Mohr husband and wife, as Vendee made and entered into a certain Land Sale Contract

wherein said Vendor agreed to sell to said Vendee and the latter agreed to purchase from said Vendor the fee simple title in and to the following described real property in Lincoln County, State of Idaho, To-Wit:

A parcel of land located in the Southeast 1/4 of the Southwest 1/4 of Section 12, T. 5 S., R. 16 E., B.M. containing 20 more or less, being Parcel 2 as shown on the attached map and more particularly described in the attached description.

Together with an easement 40 feet in width for ingress and egress as recorded as instrument #160713 and #160720 in the records of Lincoln County.

Subject to rights and easements of record in favor of the Big Wood Canal Co., American Falls Reservoir Dist. #2 and The Idaho Power Co. servicing the premises

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

This Memorandum is executed to evidence and confirm said sale which includes the following terms:

- 1) Date of agreement: NOV 8, 1996
- 2) Interest transferred: all
- 3) True and actual consideration: \$47,000.00
- 4) Unless a change is requested, all Tax statements shall be sent to the following address: P.

O. Box 861, Bellevue, ID 83313

Dated this 8 day of NOV, 1996

VENDOR:

Heather Hollander Shields
Butch Shields

VENDEE:

Steven Mohr
Elizabeth A. Mohr
Attorney in Fact

MEMORANDUM OF CONTRACT

SCHEDULE A

A parcel of land located in the SE1/4 SW1/4, Section 12, T. 5 S., R. 16 E., B.M., Lincoln County, Idaho, more particularly described as follows;

Beginning at a brass cap marking the South 1/4 Corner of said Section 12, said point also being the REAL POINT OF BEGINNING;

thence N 0°14'27" W 1206.83 feet along the east boundary of said SE1/4 SW1/4 Section 12;

thence N 88°55'27" W 192.41 feet;

thence S 65°24'18" W 561.93 feet;

thence S 6°11'18" W 396.66 feet;

thence S 19°11'45" W 595.52 feet to the south boundary of said SE1/4 SW1/4 Section 12;

thence S 88°48'09" E 947.18 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH a grant of easement Instrument #160713 and #160714 as recorded in the office of the Lincoln County Recorder, Lincoln County, Shoshone, Idaho.

ALSO TOGETHER WITH a 50 foot wide access and public utility easement being 50 feet right of and 0 feet left of the following described line, Beginning at the northeast corner of said SE1/4 SW1/4 Section 12, thence S 0°14'27" E 118.70 feet to the point of terminus.

SUBJECT TO a 50 foot wide access and public utility easement affecting the easterly 50 feet of the above described parcel of land.

TOGETHER WITH all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto including but not limited to 20 inches decreed water priority date May 1, 1896.

161550

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of

Land Title & Abstract

NOV | 2 1996

at 20 minutes past 4 P. M.

recorded by *Helen Jackson, Dep.*

Fee: *2.00* Return to: *above*

SPECIAL POWER OF ATTORNEY

Know All Men by These Presents: That I.....

ELIZABETH A. MOHR

have made, constituted, and appointed, and by these presents do make, constitute and appoint.....

STEVEN MOHR

of.....BLISS, IDAHO.....true and lawful attorney for and in.....my.....

name, place and stead, and for.....his.....use and benefit as follows:
TO PRESERVE, MANAGE, LEASE, EXCHANGE, SELL FOR CASH, CREDIT OR ON
CONTRACT, CONVEY, ENCUMBER BY MORTGAGE OR DEED OF TRUST, ALL UPON SUCH
TERMS AND CONDITIONS AS HE SEES FIT PERTAINING TO THAT CERTAIN REAL
PROPERTY DESCRIBED AS FOLLOWS:

SEE SCHEDULE A ATTACHED

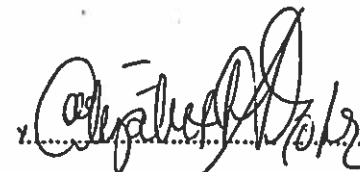
and to sign, seal, execute, deliver and acknowledge such instruments in writing of whatever kind and nature as may be necessary or proper in the premises.

Giving and granting unto said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the above stated premises, as fully to all intents and purposes as the signer might or could do if personally present, and hereby ratifying and confirming all that said attorney shall lawfully do or cause to be done in the above stated premises by virtue of these presents.

IN WITNESS WHEREOF, I.....have hereunto set.....my.....hand and seal on the.....24th.....
day of.....OCTOBER....., 19..96.....

Signed, sealed and delivered in presence of

ELIZABETH A. MOHR

} .....(Seal)

SCHEDULE "A"

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 12: A parcel of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said section, more particularly described as follows:

Beginning at a brass cap marking the South quarter corner of said Section 12, said point also being the REAL POINT OF BEGINNING:

Thence North 0° 14' 27" West 1206.83 feet along the east boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12;

Thence North 88° 55' 27" West 192.41 feet;

Thence South 65° 24' 18" West 561.93 feet;

Thence South 6° 11' 18" West 396.66 feet;

Thence South 19° 11' 45" West 595.52 feet to the south boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12:

Thence South 88° 48' 09" East 947.18 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH a grant of easement instrument No.160713 and Instrument No. 160714 as recorded in the office of the Lincoln County Recorder, Lincoln County, Shoshone, Idaho.

W 161549

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <i>Land Title & Escrow</i>
NOV 12 1996
at <u>19</u> minutes past <u>4</u> P. M. recorded by <i>Walter Jackson, Dep.</i> Fee <u>1.00</u> Return to: <i>above</i>

By hand.

1/4, Section 12,
a, more

with 1/4 Corner
east boundary
also being the

with boundary of
southwest corner
northwest corner
northeast corner
L. POINT OF

less,
ment #160713 and
ncolin County Recorder,
ement affecting the
cal of land.

1/4, Section 12,
a, more

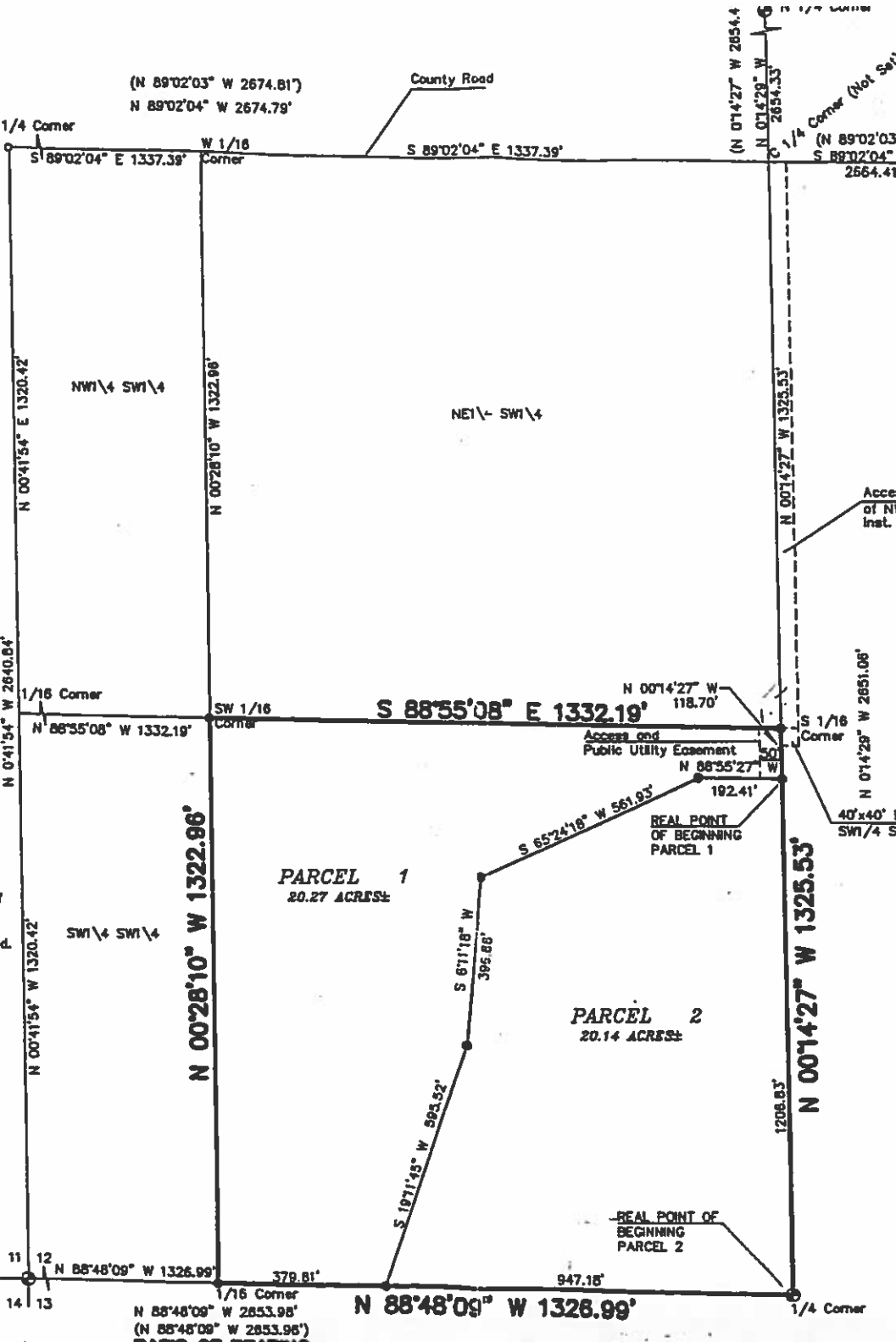
h 1/4 Corner
is REAL POINT OF
s east boundary

with boundary
REAL POINT OF

less,
ment #160713 and
ncolin County

is and public utility
t left of the following
corner "old SE1/4
.70 f the point of

blie utility easement
described parcel of land.



LEGEND

- property boundary
- ⊕ found brass cap
- found 5/8" iron pin
- set 5/8" iron pin
- found 1/2" iron pin
- set 1/2" iron pin
- () record data

CERTIFICATE OF SURVEYOR

I, Bruce T. Butler, a professional land surveyor in the State of Idaho do hereby state that this survey is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code and local ordinances relating to plats and surveys.

Bruce T. Butler _____ Date _____

COUNTY RECORDER'S CERTIFICATE

State of Idaho) _____
County of Lincoln) Instrument # _____

This is to certify that the foregoing survey was filed in the Office of the Recorder of Lincoln County, Idaho, on this _____ day of _____ 19____ at the hour of _____ o'clock _____ M., and duly recorded in the Record of Survey Book No. _____ at Page _____

Ex-officio Recorder _____ C:\PROJECTS\96095\96095 EP 10-18-96
5-12-96
7-25-96

RECORD OF SURVEY For BUTCH & HEATHER SHIELDS Located in Section 12, T. 5 S., R. 16 E., B.M. Lincoln County, Idaho			
	SAWTOOTH ENGINEERING Civil Engineers and Land Surveyors		
	Halley DATE 1996	(208) 788-8080 DWG. NO. 96088	Idaho SHT. 1 OF 1

04/07/2005

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

RIGHT NUMBER: 37-10210A

NAME AND ADDRESS: HEATHER HOLLANDER SHIELDS
PO BOX 861
BELLEVUE ID 83313

BUTCH SHIELDS
PO BOX 861
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 05/01/1896

POINT OF DIVERSION:

T04S R18E S15 SWNWSE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.400 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R16E S12 SESW 20.0

20 ACRES TOTAL

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

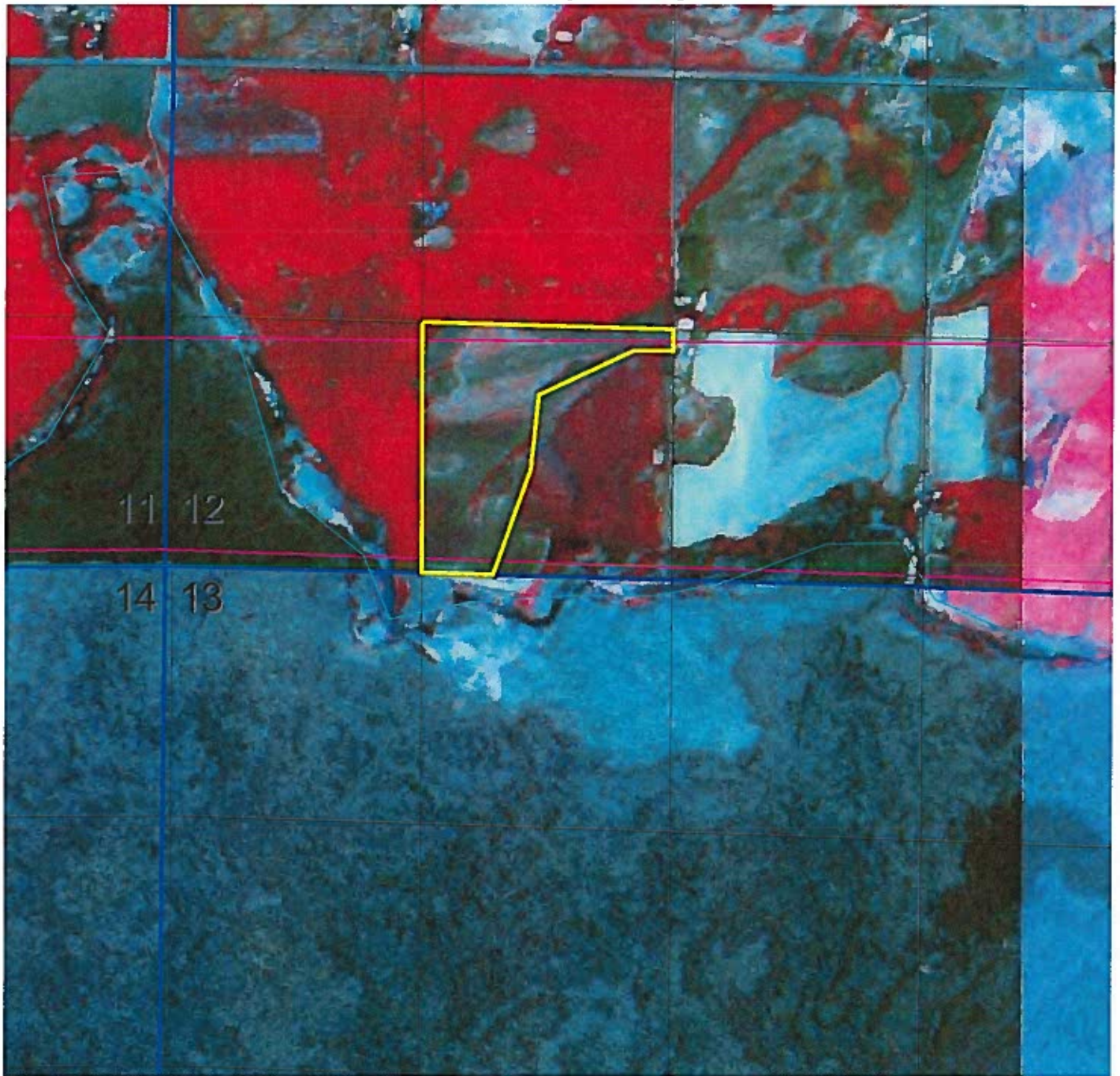
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

WATER IS DELIVERED THROUGH NORTH SHOSHONE CANAL.

IDAHO DEPT OF WATER RESOURCES

37-10210A



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 5S
RNG: 16E
SEC. 12



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: APRIL 7, 2005

ROUTING SLIP

Distribution		Provided for your:	
Date:	2-10-03	Information	
To:	Steve Clelland	Comments	
From:	Jim Stanton	Approval	
		Signature	
Special Notes:			
For your claim files per our conversation,			
I will take steps to cancel this transfer.			

MEMO

TO: FILE DATE: 2-4-02
FROM: JIM STANTON
RE: Claims on Rt. 37-533 (Big Wood River, 1896 Priority, 3.2 cfs)

RECEIVED

FEB 11 2003

Department of Water Resources

Watermaster records checked this date reflect the following:

Heart Lazy S Ranch owns 0.912 cfs

Gary Nelson owns 0.28 cfs (purchased from 1.6 cfs owned by Heart Lazy S Ranch)

Thomas White owns 0.408 cfs (purchased from 1.6 cfs owned by Heart Lazy S Ranch)

Steven Mohr owns 0.64 cfs

Lavern Carpenter owns 0.56 cfs

Butch Shields owns 0.40 cfs

SRBA claims reviewed this date show the following:

Claim 37-533A shows 1.6 cfs owned by Heart Lazy S Ranch; changes of ownership for Nelson & White were submitted last year but not yet processed

Claims 37-10210B & 20347 show Mohr owns 0.78 cfs, not 0.64 cfs per WM records

Claim 37-20346 shows Carpenter owns 0.42 cfs, not 0.56 cfs per WM records

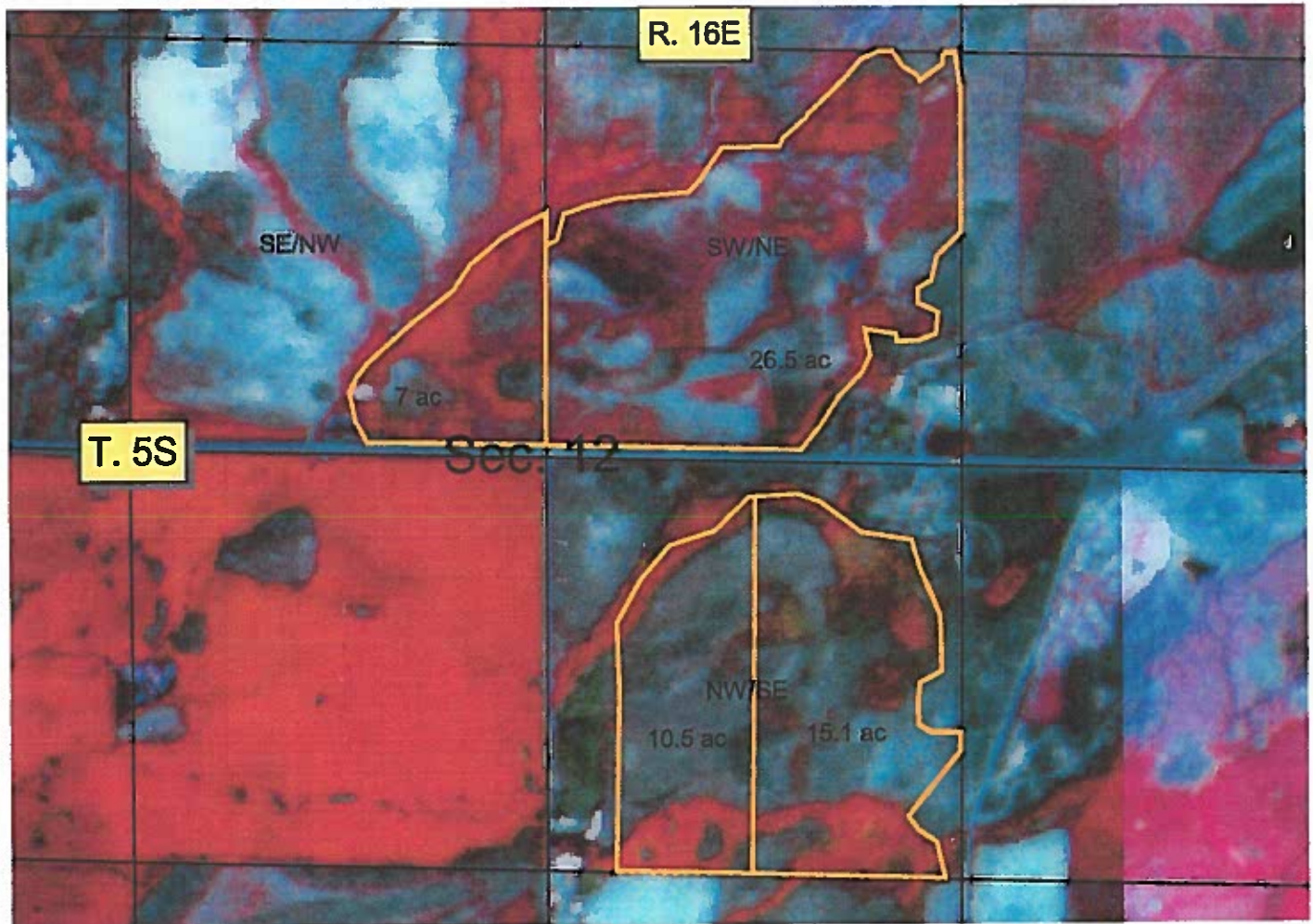
Claim 37-10210A shows Shields owns 0.40 cfs

The total amount decreed matches the total amount claimed. However, it appears that Carpenter should be entitled to 0.56 cfs and Mohr should be entitled to 0.64 cfs of 37-533.

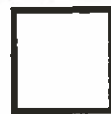
Heart Lazy S Ranch (Mike Sant) needs to amend his claim to facilitate the splits to Nelson & White, as the actual place of use does not agree with the claimed place of use (based on my transfer-related field inspection of the property last year). Transfer will be withdrawn, as it would not be allowed (was filed to facilitate the property sale, but is not needed now). This property also has AFRD #2 water, and the two rights cannot be separated per canal co. rules (37-533 is supplemental to canal shares)

IDAHO DEPARTMENT OF WATER RESOURCES

App for Transfer - Heart Lazy S Ranch



Section Lines



Quarter/Quarter Lines

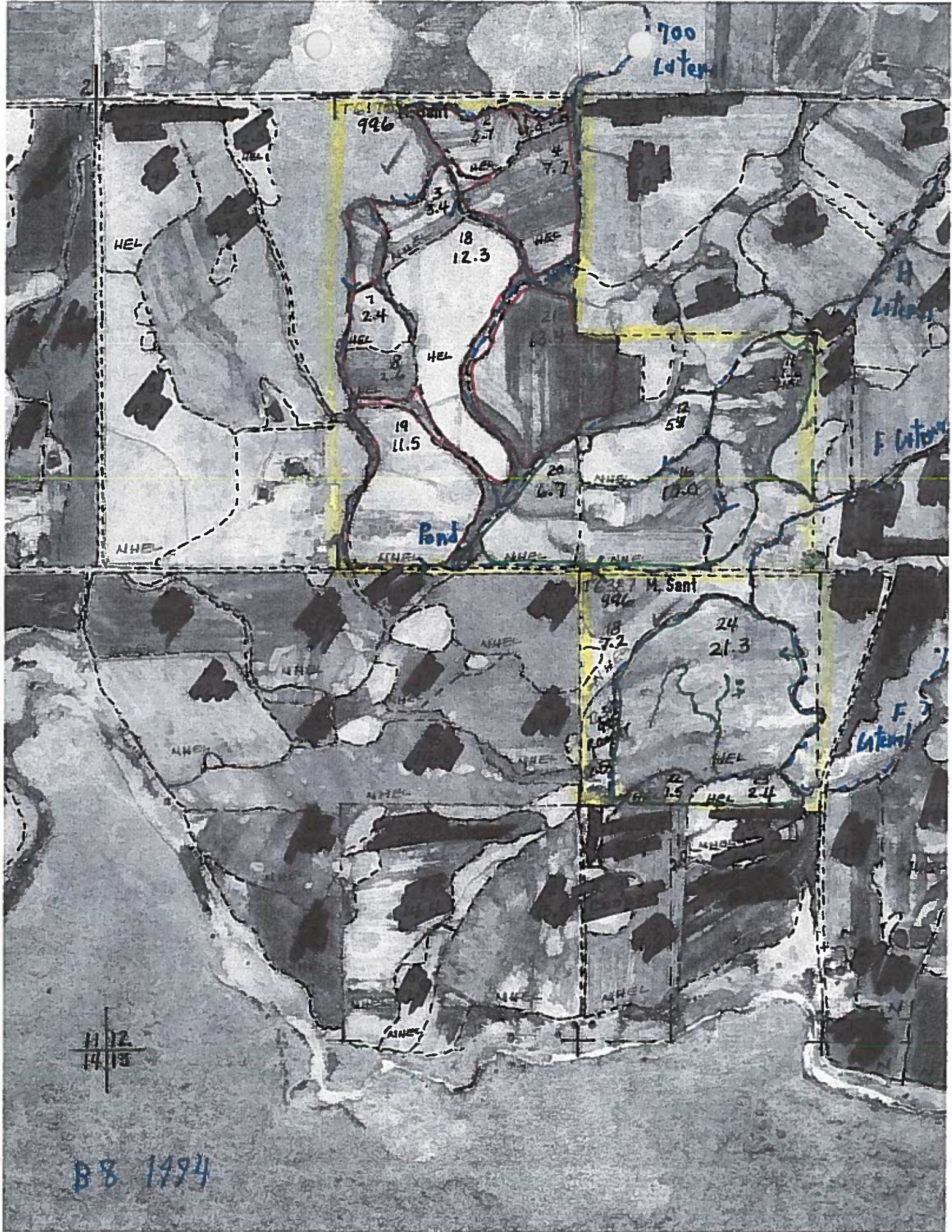
General Location:

● Point(s) of Diversion



Existing Place of Use - 37-553
38.81" Am Falls Res Supplemental Shares





B8 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ton White
934-4383
534-4383

WATER DISTRICT NO. 37 & 37 M

P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451



LEE R. PETERSON
Watermaster

March 22, 2001

Anthony Fitzgerald
Century Twenty One
717 Blue Lakes Blvd.
Twin Falls, Idaho 83301

Dear Mr. Fitzgerald,

This letter is in response to the phone conversation with my Secretary of 3/22/01. Our records indicate that Mike Sant has a decreed water right #37-0533, for 80 inches and 38.81 inches of American Falls Supplemental water.

As she explained over the phone the Supplemental water cannot be split off from the Decreed water. If Mr. Sant chooses to divide the Decreed water be sure to divide the same percentage of Supplemental water to go with the Decree.

There is an unpaid assessment of \$40.00 due our office at the time of closing. We also need a copy of the signed and notarized deed in order for us to change the ownership records. Please include a complete description of the water rights with each portion of land on the deed.

This is provided for your information only and is not a representation, guaranty, warranty or opinion that the water rights are valid or in effect and should not be relied upon as such.

If we can be of further assistance feel free to contact us.

Sincerely,

A handwritten signature of Lee R. Peterson in dark ink, written over a dashed line.

Lee R. Peterson
Watermaster



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

April 16, 2001

Heart Lazy S Ranch
C/o Mike Sant
464 W Four Mile Rd
Shoshone, ID
83352

RE: App for Transfer Filed 10-23-00

Dear Mike;

As promised, I have prepared a map showing the present place of use of your decreed river right and supplemental American Falls Reservoir shares. Based on a proportional split of your decreed right, the east portion of the south pasture would have 20.4 inches (0.408 cfs) appurtenant to it. The west portion of the south pasture would have 14.2 inches (0.284 cfs) appurtenant to it. If the buyers of these two parcels are satisfied with this split, each can simply file a Change of Ownership of Water Right to put their portion of the decreed right into their name. There is a \$100 processing fee for splitting water rights in this manner.

With regard to the supplemental canal shares, what you do with these is between the land owners and the reservoir district/watermaster's office. On a proportional basis, however, the east part of the south pasture would have 9.9 shares, and the west part would have 6.9 shares.

If you wish to withdraw your application for transfer, your filing fee will be refunded. If the purchasers of the south pasture wish to split the decreed right in other than standard proportions, they will need to apply for water transfers. If they want more water than what would go with the land, then you will have to dry up acres on your remaining land.

Regards,

James E. Stanton
Sr. Water Resource Agent



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

February 4, 2002

Mike Sant
Heart Lazy S Ranch
464 W Four Mile Rd
Shoshone, ID
83352

RE: App for Transfer Filed 10-23-00; My Letter Dated 5-10-01

Dear Mr. Sant;

As you may recall, you filed this transfer to facilitate the sale a portion of your property. The proposal was not acceptable to the canal company, however, so we were going to withdraw the transfer in favor of amending your SRBA claim 37-533A based on my site visit of last year. I sent you a relinquishment form last spring, but you did not return it. Another relinquishment form is enclosed; once we receive the signed form, I will initiate a refund of your \$290 filing fee.

In order for your claim to be split properly among based on the land you sold to Nelson and White, you need to amend your claim to describe the land that I found to be irrigated during my visit to the property last spring. In order to facilitate this process, a copy of your existing claim is enclosed. I found 7 acres irrigated in the SE/NW Sec. 12, 26.5 acres in the SW/NE, and 25.6 acres in the NW/SE. If you will cross out the claimed acres and then replace them with these figures, and then initial each change, this will allow us to change our records accordingly once the amended claim with your notarized signature is received in this office. These changes do not appear to increase the number of claimed acres in these tracts (due to the canal water also claimed there), so there should be no additional filing fee.

Regards,

James E. Stanton
Sr. Water Resource Agent

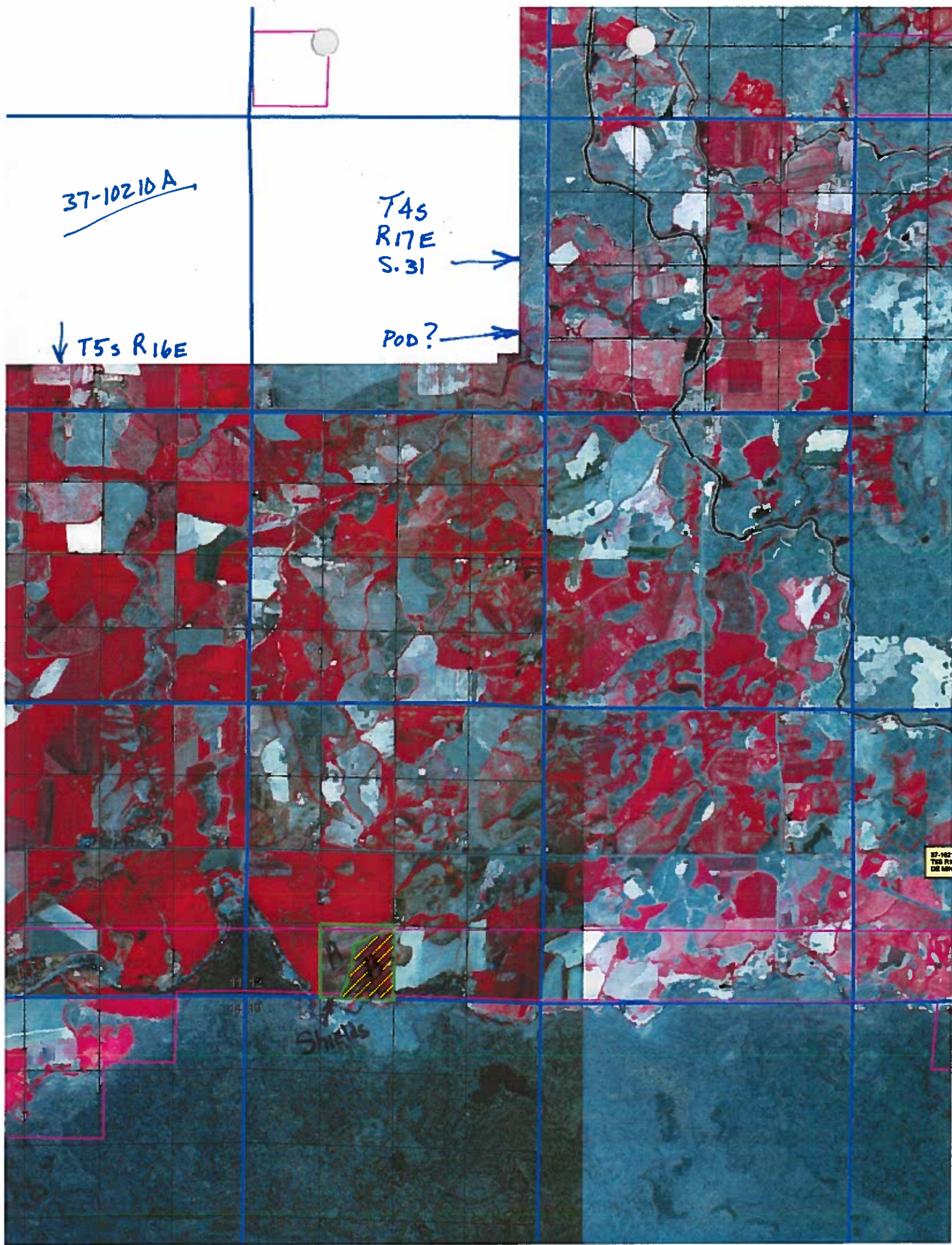
37-10210 A

↓ T5s R16E

T4s
R17E
S.31



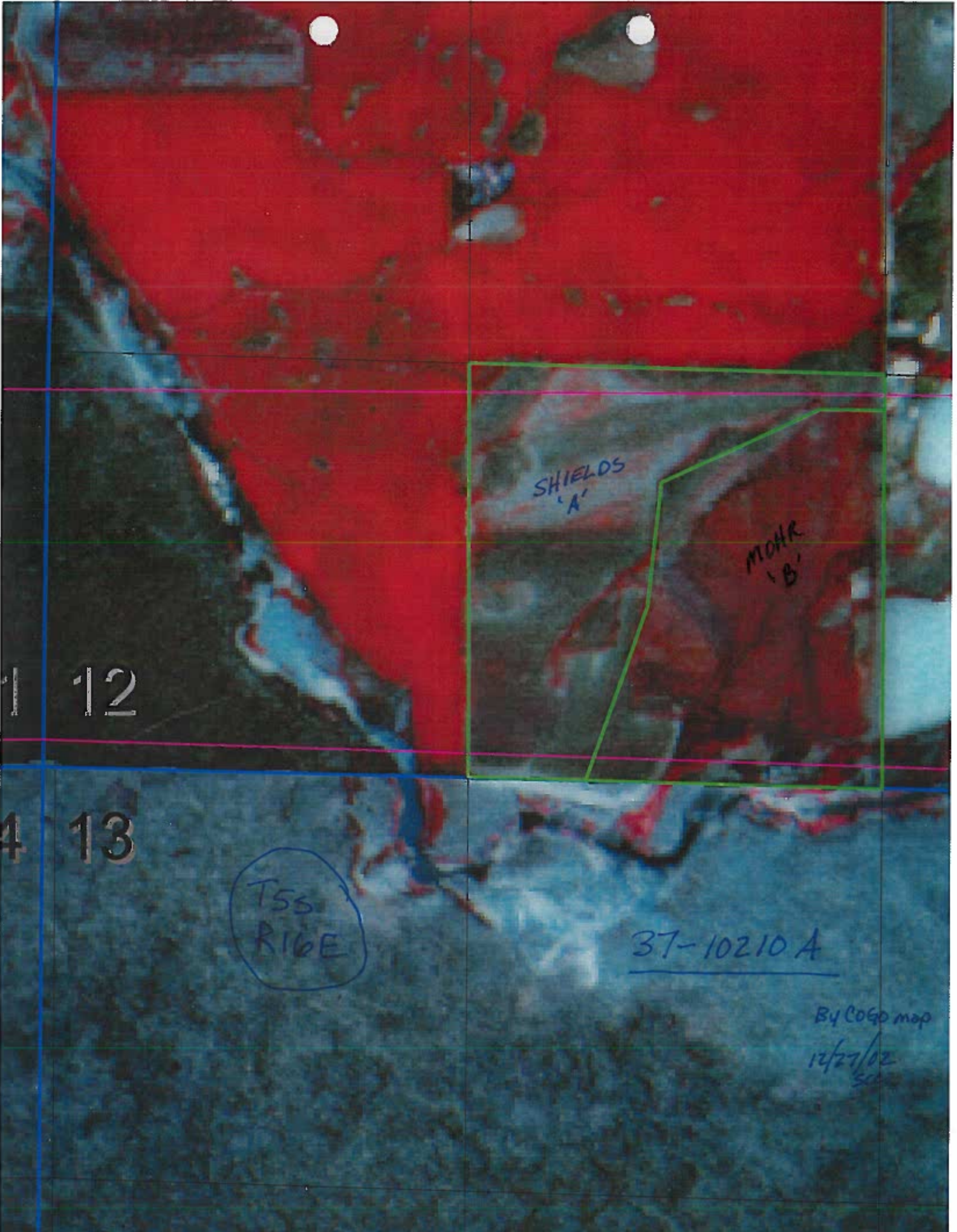
POD?



37-10210
T4s R17E
S.31



Shields



SHIELDS
'A'

MOHR
'B'

TSS
RIGGE

37-10210 A

By COGO map
12/27/02
SC

12/27/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-533

WATER RIGHT NUMBER: 37-533

Owner Type Name and Address
 Current Owner JOSEPH B PECK

, ZZ

Priority Date: 05/01/1896

Basis: Decreed

Status: Active

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

3.200 CFS

Total Diversion:

3.200 CFS

Annual VolumeLocation of Point(s) of Diversion

BIG WOOD RIVER

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
05S 16E 12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X									X		X	X		

Conditions of Approval:Remarks:

1. General AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.

Comments:Dates and Other Information:

SPLIT:
 (37-533 'parent' .80) cfs
 37-533 R
 37-10210A
 37-10210B
 1.60
 .40
 .40
 2.40 cfs
 .42
 .38
 3.20 cfs
 37-20346
 20347

12/27/02
 SCC

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-533

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
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:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False