

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: A37-00047C
Date Received: 12/12/1989
Receipt No: S010670
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: WILLIAM H MURPHY
Address: PO BOX 2595
KETCHUM ID

208-726-7022

83340

2. Date of Priority: OCT 31, 1889

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
01N	18E	23	SE	SW			BLAINE

5. Description of diverting works:
GLENDALE #50 DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/11	11/01	0.504		

7. Total Quantity Appropriated is:
0.504 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
01N	18E	23	SE	SW		IRR	20.0

Section Acres 20.0

10. Place of Use: Continued

Total Acres 20.0

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:
A37-00307C

14. Remarks:

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
AC. IRRIG. NOT SPECIFIED. FARM = 200 AC.

UNRECORDED TRANSFER.

12/5/96 TF; OWNERSHIP CHANGED FROM CRESTANI TO MURPHY PER
WARRANTY DEEDS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL
vs Decree Defendant

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: 8/16/96

SEP 03 1996

LEGAL DESCRIPTION OF PROPERTY: Township 01N Range 18ESection 23, 1/4 of 1/4 of 1/4 Govt. Lot 1, Block 7, Subdivision/Townsite Poverty Flat Subd.

Department of Water Resources
Southern Region

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

☐ 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)
Assigned by IDWR:

A37-0307C and A37-0047C

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Mauro Crestani, Sun Valley Title, Artur Grabher (see attached Deed)

☐ New Owner/Claimant
(Purchaser):

William H. Murphy

☐ New Mailing Address:

PO Box 2595Ketchum, ID 83340

☐ New Telephone Number:

(208) 726- - 7022

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached:

(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)

Date

☐ Signature of Former
Owner/Claimant(s):

Date

Date 20/8/96Date 20/8/96

(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

By:

Claim Numbers of Split, if any:

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

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: 8/16/96

SEP 03 1996

LEGAL DESCRIPTION OF PROPERTY: Township 01N Range 18E
 Section 23, 1/4 of 1/4 of 1/4 Govt. Lot 1, Department of Water Resources
 Lot 7, Block , Subdivision/Townsite Poverty Flat Subd. Southern Region
 If you have additional legal descriptions, please attach separate sheet.

- ☐ 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) Assigned by IDWR: A37-0307C and A37-0047
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Mauro Crestani, Sun Valley Title, Artur Grabher (see attached Deed)
- ☐ New Owner/Claimant (Purchaser): William H. Murphy
- ☐ New Mailing Address: PO Box 2595
Ketchum, ID 83340
- ☐ New Telephone Number: (208) 726- - 7022
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached:
 (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): William H. Murphy Date Aug 14 96
- ☐ Signature of Former Owner/Claimant(s): Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date By:

Further Action Needed:

Further Action Taken
Date By:Final Review and Data-Entry
Date By:

Claim Numbers of Split, if any:

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

Order No. 16678

WARRANTY DEED

RECEIVED

SEP 03 1996

Department of Water Resources
Southern Region

FOR VALUE RECEIVED

Mauro Crestani, a married man,

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

Sun Valley Title Company, an Idaho corporation

whose address is: P. O. Box 2365, Ketchum, ID 83340

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

Lot 7, POVERTY FLAT SUBDIVISION, according to the official plat thereof recorded April 18, 1980, as Instrument No. 202835, records of Blaine County, Idaho.

BLAINE CO. REQUEST
05200000 Title Co. Inc.
DEED
'90 JUL 31 PM 4 20
MARY GREEN, CLERK
FEES \$ 3.00
322213

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated June 28, 1996

Mauro Crestani

State of Idaho

County of Cade

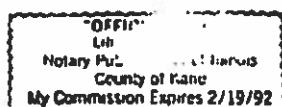
On this 28th day of June 1996, before me, a notary public in and for said State, personally appeared Mauro Crestani known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she executed the same.

William C. Lintab

Notary Public

Residing at

Commission Expires:



Order No. 16678A

CORPORATION
WARRANTY DEED

BLAINE CO. REQUEST
30 JUL 31 PM 4 21
MARY GREEN, CLERK
FEES \$ 3.00

RECEIVED

SEP 03 1996

Department of Water Resources
Southern Region

FOR VALUE RECEIVED,

Sun Valley Title Company

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

Artur Grabher and Johana Grabher, husband and wife

whose address is: St. Antonius STRASSE, 6890 Lustenau VLBB, Austria

grantee, the following described real estate, situated in Blaine County, Idaho, to wit:

Lot 7, POVERTY FLAT SUBDIVISION, according to the official plat thereof recorded April 18, 1980, as Instrument No. 202835, records of Blaine County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

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 Secretary.

Sun Valley Title Company, an Idaho corporation

Cassie Majerus
PRESIDENT

ATTEST:

SECRETARY

State of Idaho

County of Blaine

On 6-29-90 before me, the undersigned, a Notary Public in and for said State, personally appeared CASSIE MAJERUS and _____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) who executed the within instrument as XX President and _____ Secretary on behalf of Sun Valley Title Company, the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Terri A. Gadsby
Notary Public
Residing At Ketchum, Idaho
Commission Expires: 4-28-95



RECEIVED

SEP 03 1996

Department of Water Resources
Southern Region

WARRANTY DEED

FOR VALUE RECEIVED

Artur Grabher and Johana Grabher, husband and wife

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

William H. Murphy, a single man

the grantee, whose current address is PO Box 2595
Ketchum, ID 83340

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

Lot 7, of POVERTY FLAT SUBDIVISION, BLAINE COUNTY, IDAHO,
according to the official plat thereof, recorded April
18, 1980, as Instrument No. 202835, records of Blaine
County, Idaho.

TOGETHER WITH THE FOLLOWING WATER RIGHTS:
37-0307 PRIORITY DATE 6/10/1887 13.60 INCHES
AND
37-0047 PRIORITY DATE 6/31/1889 50.40 INCHES

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

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the
said Grantee, his heirs and assigns forever. And the said Grantors do hereby
covenant to and with the said Grantees, that they are the owners in fee simple
of said premises; that they are free from all incumbrances

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

Dated: August 12, 1996

Artur Grabher 26.4.1941
Artur Grabher

Johana Grabher 27.8.1940
Johana Grabher

STATE OF:
COUNTY OF:

20th

On this _____ day of August,
1996, before me a Notary Public in
and for said State, personally
appeared Artur Grabher
and Johana Grabher
known or identified to me to be the
persons whose names are subscribed to
the _____ instrument, and
acknowledged to me that they executed
the same.

Notary Public
Residing at:

Austria, Vorarlberg

Comm. expires: BRZ1.



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: A37-00047C
Date Received: 12/12/1989
Receipt No: S010670
Received By: R.V. V.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAURO CRESTANI 708-485-3338
Address: 3328 ARDEN AVE.
BROOKFIELD, IL 60513

2. Date of Priority: OCT 31, 1889

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
01N	18E	23	SE	SW			BLAINE

5. Description of diverting works:
GLENDALE #50 DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/11	11/01	0.504		

7. Total Quantity Appropriated is:
0.504 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
01N	18E	23	SE	SW		IRR	20.0
Section Acres							20.0

10. Place of Use: Continued

Total Acres 20.0

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:
A37-00307C

14. Remarks:

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
AC. IRRIG. NOT SPECIFIED. FARM = 200 AC.

UNRECORDED TRANSFER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
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: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A37-DDD47C

Date Received

12-8-89

Receipt Number

5010670

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

DEC 8 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) MAURO CRESTANI Phone (708) 4853338Mailing Address 3328 ARDEN AVE BROOKFIELD, IL Zip 605132. Date of Priority (Only one (1) per claim) 10/31/18893. Source of water supply (a) BIG WOOD RIVER
which is tributary to (b) MALAD RIVER4. a. Location of existing point of diversion is: Township 1N Range 18E Section 23,
SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BLAINEAdditional points of diversion if any: NONEb. If instream flow, beginning point of claimed instream flow is: N/A

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Wooden Head Gate
Cippolletti WeirMICROFILMED
FEB 22 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-1 to 11-1 amount 0.504 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.504 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 50 acre feet per annum
~~0.504 cfs~~

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

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	
1N	18E	23												20					20

Total number of acres irrigated 20

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.
3700307 priority dated 06/10/1887 or None ()

14. Remarks:

Last Name Crestani Ident No. _____

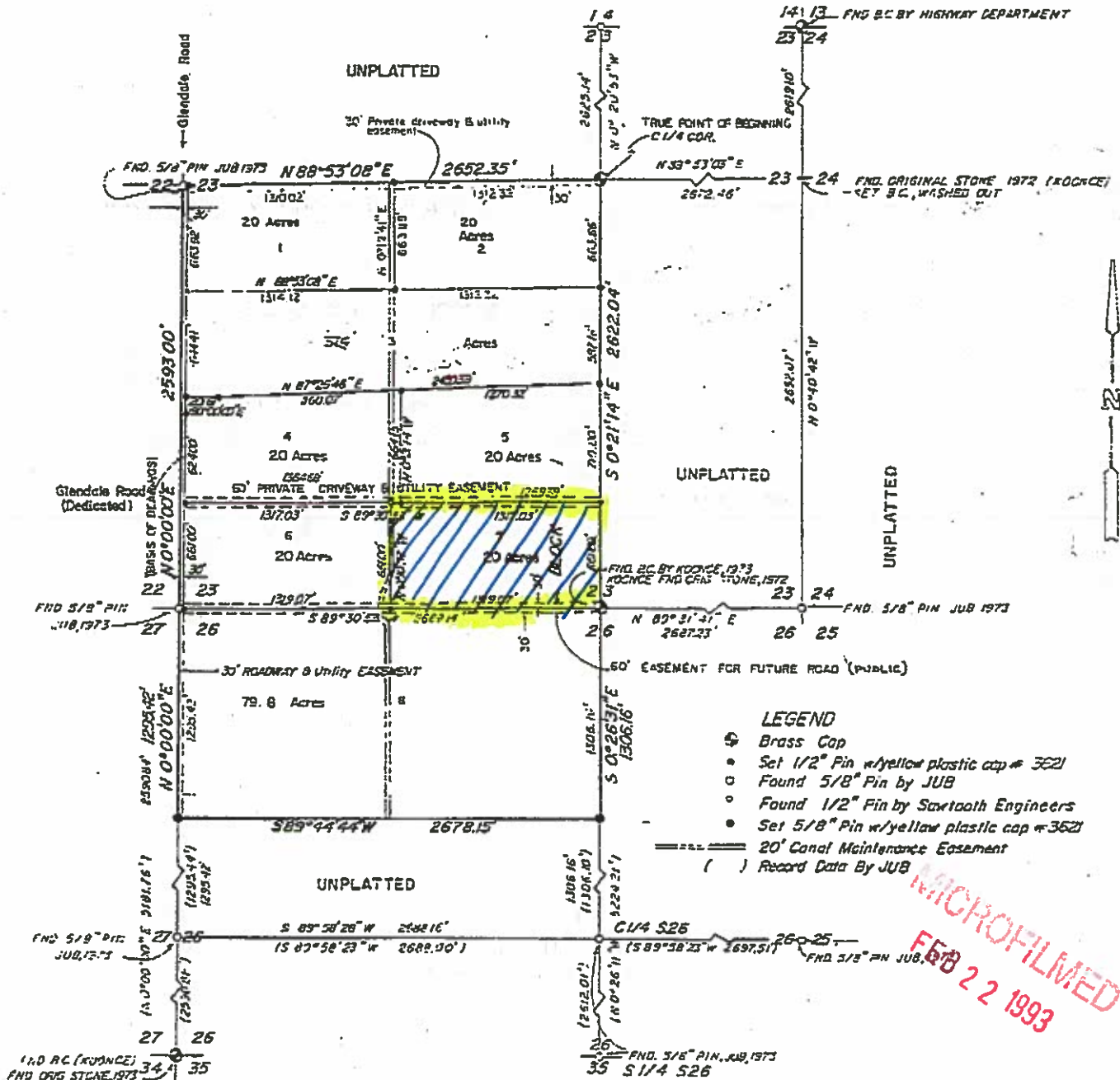
Copies: White -State, Yellow-Claimant

MICROFILMED
FEB 22 1993

PLAT SHOWING
POVERTY FLAT SUBDIVISION
 IN THE N 1/2 NW 1/4, SECTION 26, AND THE SW 1/4, SECTION 23,
 T.1N., R.18E., B.M., BLAINE COUNTY, IDAHO

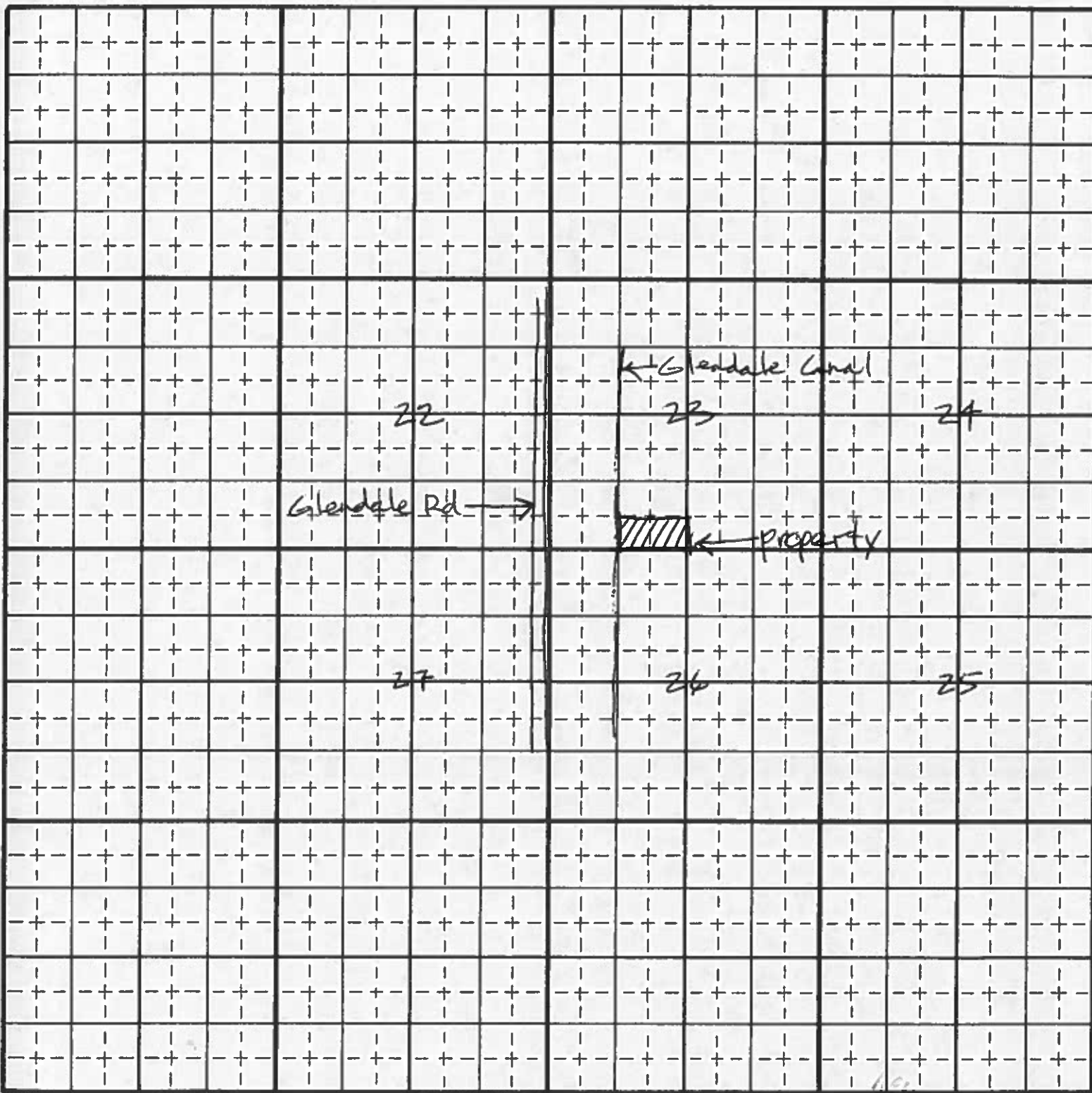
Sun Valley Title Company
 Fox Building, P. O. Box 577
 Hailey, Idaho 83333

THIS PLAT WAS MADE BY A PHOTOGRAPHIC REPRODUCTION OF A PLAT ON FILE IN EITHER THE RECORDER'S OR SURVEYOR'S OFFICE, THE COMPANY ASSUMES NO LIABILITY FOR VARIATION, IF ANY, WITH ANOTHER OR RE-SURVEY.



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

Scale: 2 inches equals 1 mile



Last Name Crestani Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED
FEB 22 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 3700047
Court Lincoln County 4th Jud. Dist Case Number _____ Decree Date 13 Dec 1909
Plaintiff vs Defendant Alturas Water vs. S.C. Frost et al.

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 1

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

Signature of Claimant (s) [Signature] Date 1 DEC 1989
Date _____

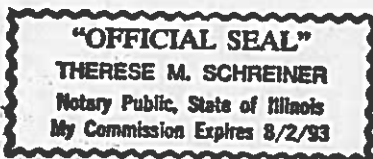
For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or Illinois)
County of Cook) SS.

Subscribed and sworn (or affirmed) before me this 1st day of December 19 89

SEAL



Notary Public Therese M. Schreiner
Residing at 472 FENNEL LANE SCHAUMBURG IL 60193
My Commission Expires 8/2/93
Please Print Name Therese M. Schreiner

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

Signature _____
Address _____
Date _____

MICROFILMED
FEB 22 1993

Last Name Crestani Ident. Number _____

Copies White-State, Yellow-Claimant

11/16/2006

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

RIGHT NUMBER: 37-47C

NAME AND ADDRESS: WILLIAM H MURPHY
PO BOX 2595
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 10/31/1889

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.500 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S23 SESW 14.00

14 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 14.0 acres in a single irrigation season. Combined Right Nos.: 37-47C and 37-307C.

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 - Decreed

The place of use is located within Lot 7, Poverty Flat Subdivision.



Idaho Department of Water Resources

SRBA Recommendation:
37-47C
(Irrigation)

Legend

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

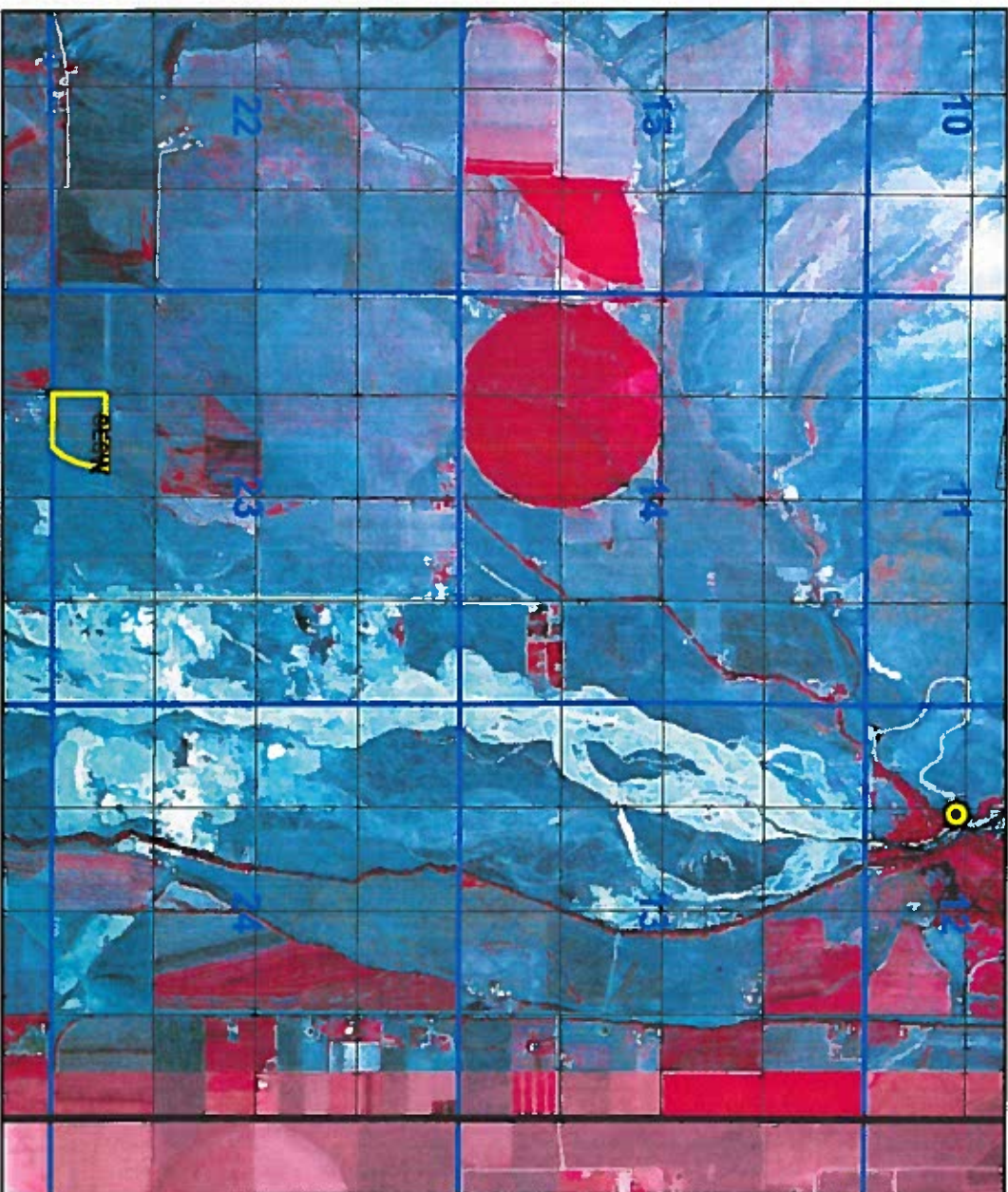


Blaine County
IDWR Basin 37



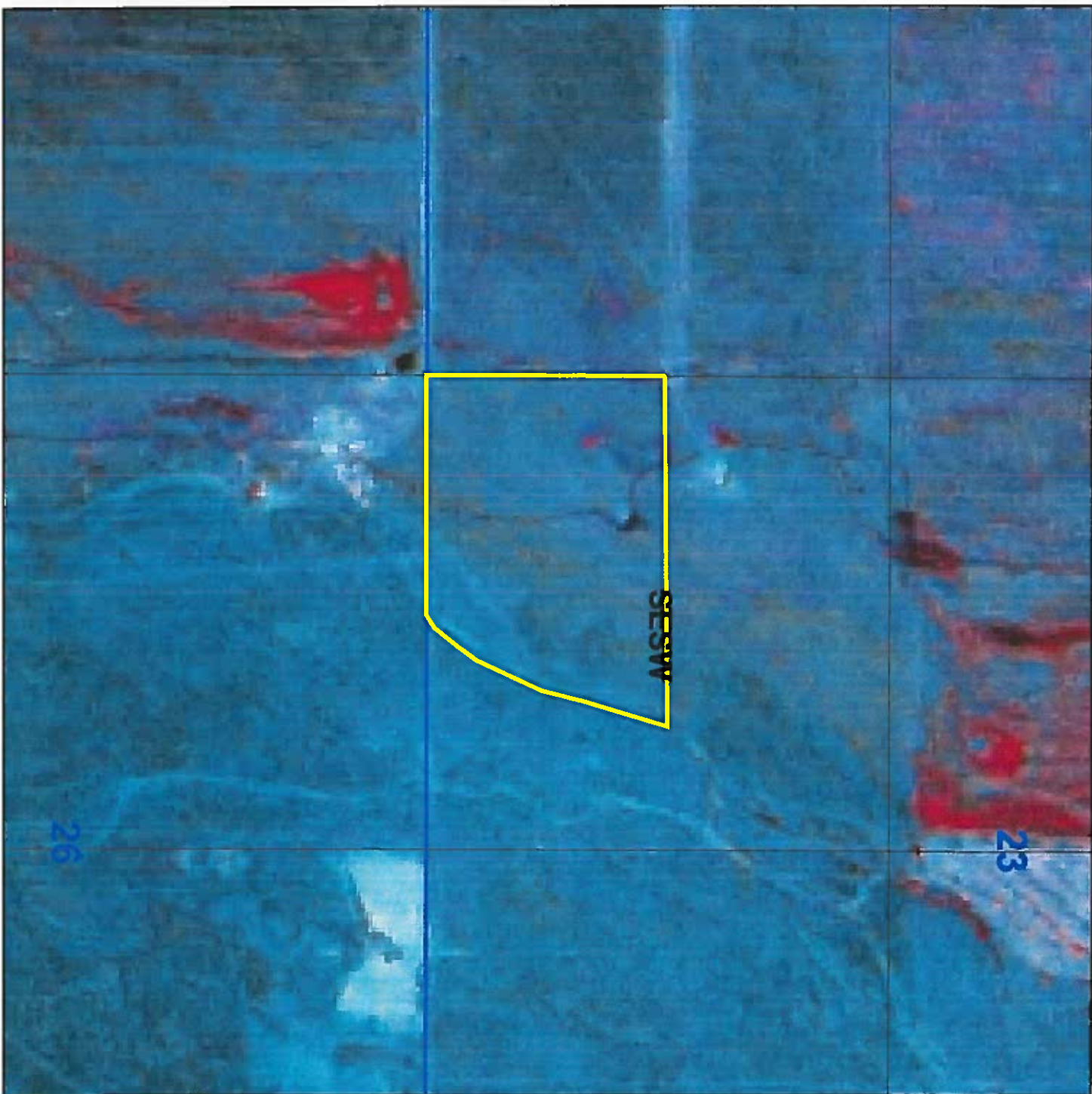
T01N

R18E



Prepared by C. Skinner
On Thursday, November 16, 2006
1987/88 Aerial Photography

37-47C



MEMORANDUM

TO: SRBA Claim Files Based on Portions of Rights 37-0047 & 37-0307

FROM: Corey Skinner

DATE: November 14, 2006

SUBJECT: SRBA Review & Recommendation(s)

Numerous SRBA claims have been filed based on portions of rights 37-0047 and 37-0307. Review of records indicates that various lot owners within the Poverty Flats Subdivision have filed these claims. Review of IDWR water right records indicates that right 37-0047 was decreed for 6.0 cfs for the irrigation of five 40-acre tracts that are now portions of Poverty Flats Subdivision, in particular, the Southwest $\frac{1}{4}$ of Section 23 (T01N, R18E) and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 26 (T01N, R18E). Review of IDWR water right records indicates that right 37-0307 was decreed for 1.6 cfs for the irrigation of four 40-acre tracts that are located to the west of Poverty Flats Subdivision, in particular, the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 22 (T01N, R18E), the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27 (T01N, R18E). Further review of IDWR records indicates that these two particular decreed rights did not historically overlap any other rights on their historical places of use. Therefore, there does not seem to be any problem with assuming that these rights were moved via unrecorded transfer(s) to the claimed place(s) of use now consisting of the Poverty Flats Subdivision.

The SRBA review consisted of determining the historically irrigated land on the property now consisting of the Poverty Flats Subdivision. Examination of various years of aerial photos helped to determine an approximate shape outlining the historically irrigated land. This shape (outlined in yellow) is shown on page 4 of this memo showing various years of aerial photos. The shape consists of approximately 199 acres of land. Note that the shape includes some land, in particular Lot 5 (owned by Ken Smith) and Lot 8C (owned by Fredrick Brown) that do not currently (as of this date) have SRBA claims filed by the property owners for their irrigation use. Water master records indicate that both of these properties &/or owners, Lot 5 (owned by Ken Smith) and Lot 8C (owned by Fredrick Brown), have been delivered water. The owners of these properties have been contacted in an effort to try and solicit SRBA claim filings for their water use.

Because the historically irrigated ground consists of approximately 199 acres there is a slight problem because the originally decreed place of use for right 37-0307 only consisted of four 40-acre tracts, at most 160 acres. Note that the approximately 199 acres matches very closely with the originally decreed place of use for right 37-0047, five 40-acre tracts, or potentially 200 acres. For the claims based upon right 37-0307, a set of allowable irrigated acres per claim was established by proportionately distributing the at most 160 acres amongst the claims within the historically irrigated 199 acres based on the amounts of water for each individual claimant as recorded in water master records. For example, original decree was for 1.6 cfs for 160 acres or 0.01cfs/acre so if watermaster records show delivery of 0.14 cfs then a 14-acre limit is recommended. The following table summarizes the individual recommendations for the claims currently filed, and that need to be filed, based on rights 37-0047 and 37-0307....

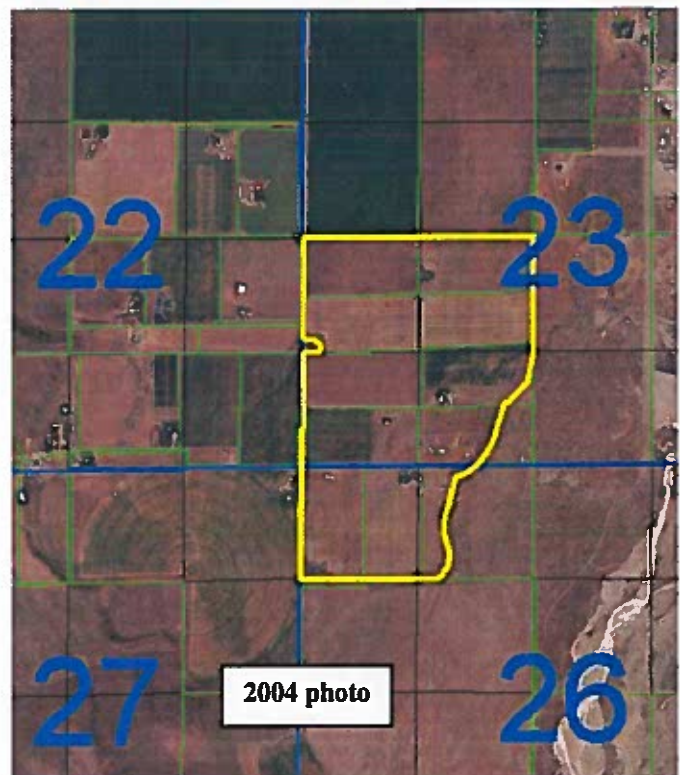
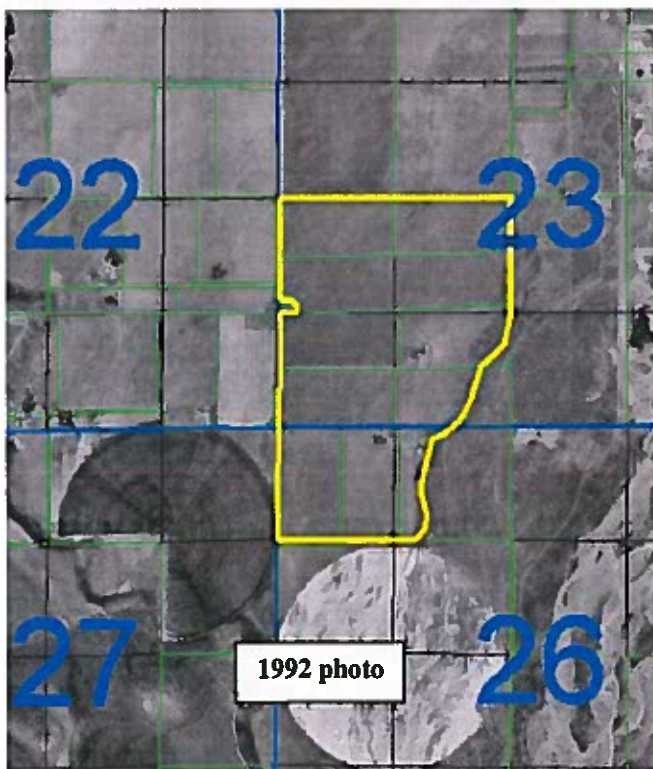
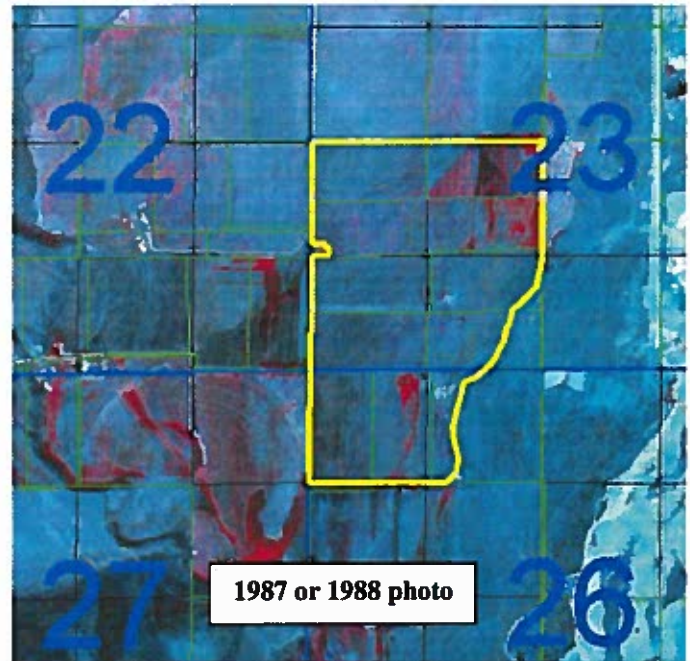
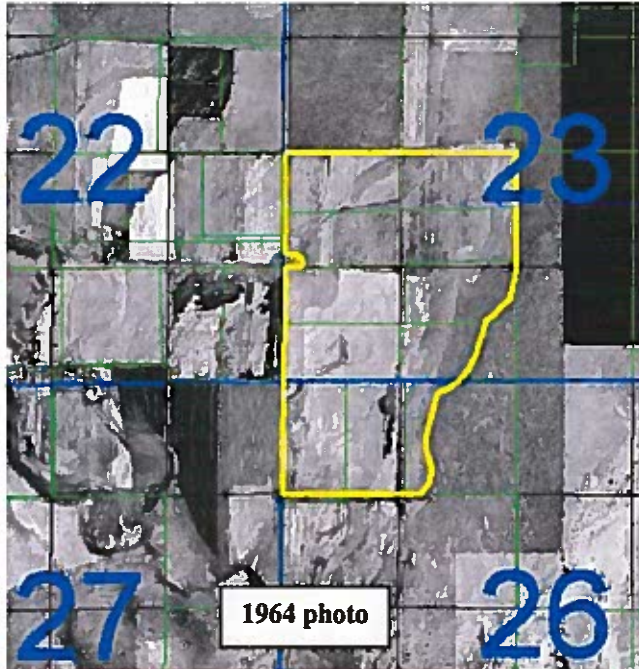
37-47 & 37-307 SRBA Claim Review Memo

November 14, 2006

Lot #	Claimant / Lot Owner	Claim #	Claimed Rate	Claimed POU	Water Master Rate	Rec. Rate	Rec. POU	Notes
1	Walbert	37-47E	0.50 cfs	20 acres	0.50 cfs	0.50 cfs	20 acres	Rec. as claimed
1	Walbert	37-307E	0.14 cfs	20 acres	0.14 cfs	0.14 cfs	14 acres within 20 acre PPU	Rec. as claimed except acre limit within PPU
2	Elisson	37-47A	0.50 cfs	20 acres	0.50 cfs	0.50 cfs	20 acres	Rec. as claimed
2	Elisson	37-307A	0.14 cfs	20 acres	0.14 cfs	0.14 cfs	14 acres within 20 acre PPU	Rec. as claimed except acre limit within PPU
3	South 36	37-11723	0.96 cfs	37.4 acres	0.96 cfs	0.96 cfs	36.4 acres	Claim based on 37-47. One acre home site (owned by Beck) not included in recommended POU
3	South 36	37-11721	0.24 cfs	37.4 acres	0.24 cfs	0.24 cfs	24 acres within 36.4 acre PPU	Claim based on 37-307. One acre home site (owned by Beck) not included in recommended POU
4	Toothman or Zenoniani	37-21803	0.50 cfs	20 acres	0.50 cfs	0.50 cfs	20 acres	Claim based on part of 37-47
4	Toothman or Zenoniani				0.14 cfs	0.14 cfs	14 acres within 20 acre PPU	No Claim Filed as of 11/14/06 on 37-307
5	Smith				0.50 cfs	0.50 cfs	19 acres	No Claim Filed as of 11/14/06 on 37-47
5	Smith				0.14 cfs	0.14 cfs	14 acres within 19 acre PPU	No Claim Filed as of 11/14/06 on 37-307
6	Guyre	37-47B	0.50 cfs	20 acres	0.50 cfs	0.50 cfs	20 acres	Rec. as claimed
6	Guyre	37-307B	0.14 cfs	20 acres	0.14 cfs	0.14 cfs	14 acres within 20 acre PPU	Rec. as claimed except acre limit within PPU
7	Murphy	37-47C	0.50 cfs	20 acres	0.50 cfs	0.50 cfs	14 acres	6.0 acres on east end of property not historically irrigated
7	Murphy	37-307C	0.14 cfs	20 acres	0.14 cfs	0.14 cfs	14 acres	6.0 acres on east end of property not historically irrigated
8A	Brunetto	37-47D	0.50 cfs	22 acres	0.50 cfs	0.50 cfs	21 acres	Plat shows lot at 21.37 acres
8A	Brunetto	37-307D	0.14 cfs	22 acres	0.14 cfs	0.14 cfs	14 acres within 21 acre PPU	Plat shows lot at 21.37 acres
8B	Wynn	37-47F	1.01 cfs	19 acres	0.50 cfs	0.50 cfs	19 acres	Recommended Rate Based on Water Master Records
8B	Wynn	37-307F	0.27 cfs	19 acres	0.14 cfs	0.14 cfs	14 acres within 19 acre PPU	Recommended Rate Based on Water Master Records
8C	Brown				1.01 cfs	1.01 cfs	9 acres	No Claim Filed as of 11/14/06 on 37-47
8C	Brown				0.27 cfs	0.24 cfs	9 acres	No Claim Filed as of 11/14/06 on 37-307. Rate adjusted to match original decree total (1.6 cfs)

Note that the total recommended amounts for the claimed portions of right 37-47 total 5.97 cfs for the irrigation of 198.4 acres, compared to the original decreed amount of 6.0 cfs for the irrigation of five 40-acre tracts, and compared to the total water master record of 5.97 cfs. Also note that the total recommended amounts for the claimed portions of right 37-307 total 1.60 cfs for the irrigation of 145 acres, compared to the original decreed amount of 1.60 cfs for the irrigation of four 40-acre tracts, and compared to the total water master record of 1.63 cfs. *It should be noted that these totals include proposed recommendations for claims that have not yet been filed as of this date (Toothman or Zenoniani portion of 37-307 for Lot # 4, Smith portions of 37-47 and 37-307 for Lot #5, and Brown portions of 37-47 and 37-307 for Lot #8C.* Also in order to insure that no more than 1.6 cfs will be recommended for the portions of right 37-307, the proposed recommendation for the Brown portion of right 37-307 is 0.24 cfs (water master records show 0.27 cfs). This particular recommendation was selected to be reduced since it has the highest duty of water (rate per acre), when compared to the original decree, and other claimed portions based on the original decree.

**Various Years of Aerial Views of Historical Place of Use
(Approximately 199 acres Outlined in Yellow)**



ROAD

GLENDALE

300

304

1 2
3

316

4 5

324

328

POVERTY FLAT SUBDIVISIC

332

336

22 23
27 26

6 7

340

344

348

8A 8B

8C

SECS. 23 & 26,

FND 5/8" PIN JUL 3 1973

N 88°53'08"E

652.35'

22 23

1310.02

1312.32

30'

20 Acres

20 Acres

2 CAMERON

N 88°53'08"E

1314.12

1312.32

663.89

2593.00'

37.4
30.1

Acres

N 87°26'46"E

1160.07

2480.39'

1270.32'

201.8
150.0000'E

20 Acres

20 Acres

60' PRIVATE DRIVEWAY & UTILITY EASEMENT

1317.03'

S 89°30'53" W

1317.03'

Glendale Road
(Dedicated)

(BASIS OF BEARINGS)
N 0°00'00"E

22 23

20 Acres

20 Acres

BLOCK

FND 5/8" PIN
JUL 8 1973

22 23

1319.07'

S 89°30'53" W

1319.07'

FND. BC
KNOONCE
T.P.O.

27 26

717.67'

686.17'

1264.30'

26

30' ROADWAY & UTILITY EASEMENT

WYNN

B-A

B-B

B-C

21.37 Acres

20.47 Acres

37.99 Acres

2590.84' 1295.42'
N 0°00'00"E

27 26

717.66'

686.14'

1274.35'

26

S 89°44'44" W

2678.15'

UNPLATTED

S 89°58'28" W

2688.16'

(S 89°58'23" W

2688.00')

MICROFILMED
FEB 22 1993

FND 5/8" PIN
JUL 8 1973

27 26

1306.16'
(1306.10')

5224.21'

C1/4

2.01'

(S 89°58'23" W

2688.00')



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

January 17, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM H MURPHY
PO BOX 2595
KETCHUM ID 83340

RE: SRBA Claim(s) A37-00307C and A37-00047C

Dear Mr. Murphy:

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 record of the claim(s) 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 cursive script that reads "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

enc.

August 22, 1996

Department of Water Resources
Souther Region Office
222 Shoshone St East
Twin Falls ID 83301

RE: 96-13601
Artur Grabher
William H. Murphy
Lot 7, of Poverty Flat



Regarding the above, I have enclosed the following:

- Water Right Transfer From
- Three Warranty Deeds

Sincerely,

Carolyn Baird

Carolyn Baird
Escrow Officer



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Dec. 13, 1989

Re: A37-00047C
A37-00307C

MAURO CRESTANI
3328 ARDEN AVE
BROOKFIELD IL 60513

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in black ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
FEB 22 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th-Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-Nov-1989 14:13

Mauro Crestani
3328 Arden Ave.
Brookfield, Il. 60513

RE: SRBA Claim

Dear Mr. Crestani:

Please find enclosed your claim and your check # 1648 for \$75.00 which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking your claim it appears that you are basing your claim on portions of two water decrees however it is not clear as to the entire extent of your claim since not all items of the claim were completed.

Normally when a person files on the water rights a separate claim is required for each water right unless the claimant chooses to file a claim combining several rights in which only the latest priority can be claimed. In the later situation of a combined claim a savings of filing fees can be achieved however the resulting loss of priority may not be wise. You will have to make this determination. Since you did not specify the priority you are claiming I am unclear as to your intent. For your aid I have enclosed copies of proof reports for the rights you reference in your claim. It appears that your rights stem from portions of each of these rights. I checked the Watermaster Records and it appears you are delivered 0.136 cfs under a portion of 37-00307 having a priority of 06/10/1887 and 0.504 cfs under a portion of 37-00047 having a priority of 10/31/1889.

As you may know the filing deadline for Blaine County was October 26, 1988. Claims filed after the deadline are subject to late fees unless proper notice was not sent to the claimant. Although your name appears on our mailing list the address is not the same as that which you are presently using; therefore, I must assume that proper notice was not given and must accept your claim as being timely at this time.

If you wish to continue to press your claim or claims please find enclosed instructions and other claim forms for your use. In returning claims please complete all items. Specifically complete Items #2, #6, #8 and #13 since your first claim did not complete these items and also note that the claims must be notarized. Note that the fee for each claim is \$50.00 and there is a one time variable fee of \$1/acre

RECEIVED

DEC 8 1989

Department of Water Resources
Southern Region Office

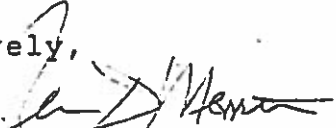
RECORDED
FEB 22 1993

Page 2 Crestani
11/06/89

irrigated. (If you file one claim for 20 acres the fee is \$70/ if you file two claims for 20 acres the fee is \$120) In returning the claims please enclose a copy of this letter. Please note that any claims filed must be returned within 30 DAYS of the date of this letter to be considered timely. After that date they will be considered late and subject to additional late fees which will be an additional \$50.00 per claim

If you have any questions please feel free to contact our office.

Sincerely,


Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

MICROFILMED
FEB 22 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-Nov-1989 14:13

Mauro Crestani
3328 Arden Ave.
Brookfield, IL. 60513

A 37-00047C
00307C

RE: SRBA Claim

Dear Mr. Crestani:

Please find enclosed your claim and your check # 1648 for \$75.00 which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking your claim it appears that you are basing your claim on portions of two water decrees however it is not clear as to the entire extent of your claim since not all items of the claim were completed.

Normally when a person files on the water rights a separate claim is required for each water right unless the claimant chooses to file a claim combining several rights in which only the latest priority can be claimed. In the later situation of a combined claim a savings of filing fees can be achieved however the resulting loss of priority may not be wise. You will have to make this determination. Since you did not specify the priority you are claiming I am unclear as to your intent. For your aid I have enclosed copies of proof reports for the rights you reference in your claim. It appears that your rights stem from portions of each of these rights. I checked the Watermaster Records and it appears you are delivered 0.136 cfs under a portion of 37-00307 having a priority of 06/10/1887 and 0.504 cfs under a portion of 37-00047 having a priority of 10/31/1889.

As you may know the filing deadline for Blaine County was October 26, 1988. Claims filed after the deadline are subject to late fees unless proper notice was not sent to the claimant. Although your name appears on our mailing list the address is not the same as that which you are presently using; therefore, I must assume that proper notice was not given and must accept your claim as being timely at this time.

If you wish to continue to press your claim or claims please find enclosed instructions and other claim forms for your use. In returning claims please complete all items. Specifically complete Items #2, #6, #8 and #13 since your first claim did not complete these items and also note that the claims must be notarized. Note that the fee for each claim is \$50.00 and there is a one time variable fee of \$1/acre

MICROFILMED

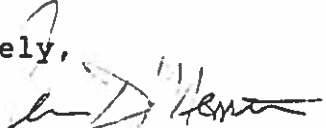
NOV 21 1996

Page 2 Crestani
11/06/89

irrigated. (If you file one claim for 20 acres the fee is \$70/ if you file two claims for 20 acres the fee is \$120) In returning the claims please enclose a copy of this letter. Please note that any claims filed must be returned within 30 DAYS of the date of this letter to be considered timely. After that date they will be considered late and subject to additional late fees which will be an additional \$50.00 per claim

If you have any questions please feel free to contact our office.

Sincerely,


Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

MICROFILMED
NOV 21 1996

CRESTANI, MAURO
CRESTANI, TERESA
PH. 312-485-3338
3328 ARDEN AVE.
BROOKFIELD, ILL. 60513-1402

1648

17 OCT 1989

70-703172719

POOR ORIGINAL

DIRECTOR OF THE
N FALLS

NUMBER: 39576

PAY TO THE ORDER OF

Idaho Dept. of Water Resources \$ 75.00
Seventy-Five & 100/100's DOLLARS

BROOKFIELD FEDERAL BANK
FOR SAVINGS
PH. (312) 485-8000
BROOKFIELD, ILLINOIS 60513

MEMO: Water Rights Filing Fee
& Water Charge

WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 23 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) MAURO CRESTANI Phone (312) 485 3338

Mailing Address 3328 ARDEN AVE, BROOKFIELD, IL Zip 60513

2. Date of Priority (Only one (1) per claim) _____

3. Source of water supply (a) BIG WOOD RIVER
which is tributary to (b) MALAD RIVER

4. a. Location of existing point of diversion is: Township 1 N Range 18 E Section 23
SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BLAINE

Additional points of diversion if any: NONE

b. If instream flow, beginning point of claimed instream flow is: N/A

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Wooden Head GATE,
CIPPOLLETTI WEIR

Fee?
notary
late?

MICROFILMED

NOV 21 1996

6. Water is claimed for the following purposes: Decreed as irrigation water right.
(both dates are inclusive) (cfs) (acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 37-0307-.13 cfs No Split WR ✓
37-0047-.504 cfs (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.) N/A

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	
~~1N~~	~~18E~~	~~12~~											~~20~~						~~20~~
1N	18E	23											20						20

Total number of acres irrigated 20

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

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 ()

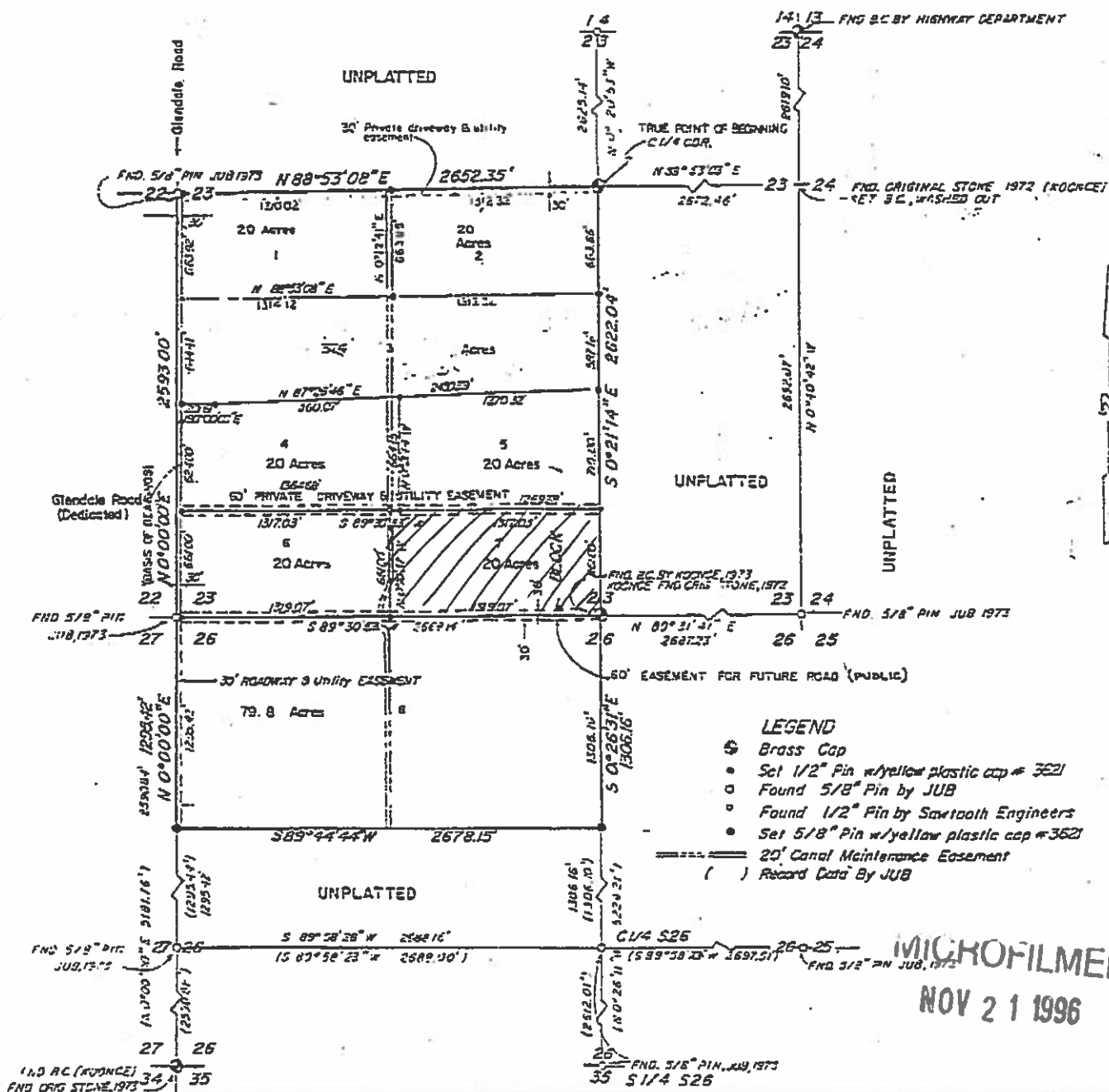
14. Remarks:

MICROFILMED

NOV 21 1996

Last Name Crestani Ident No. _____

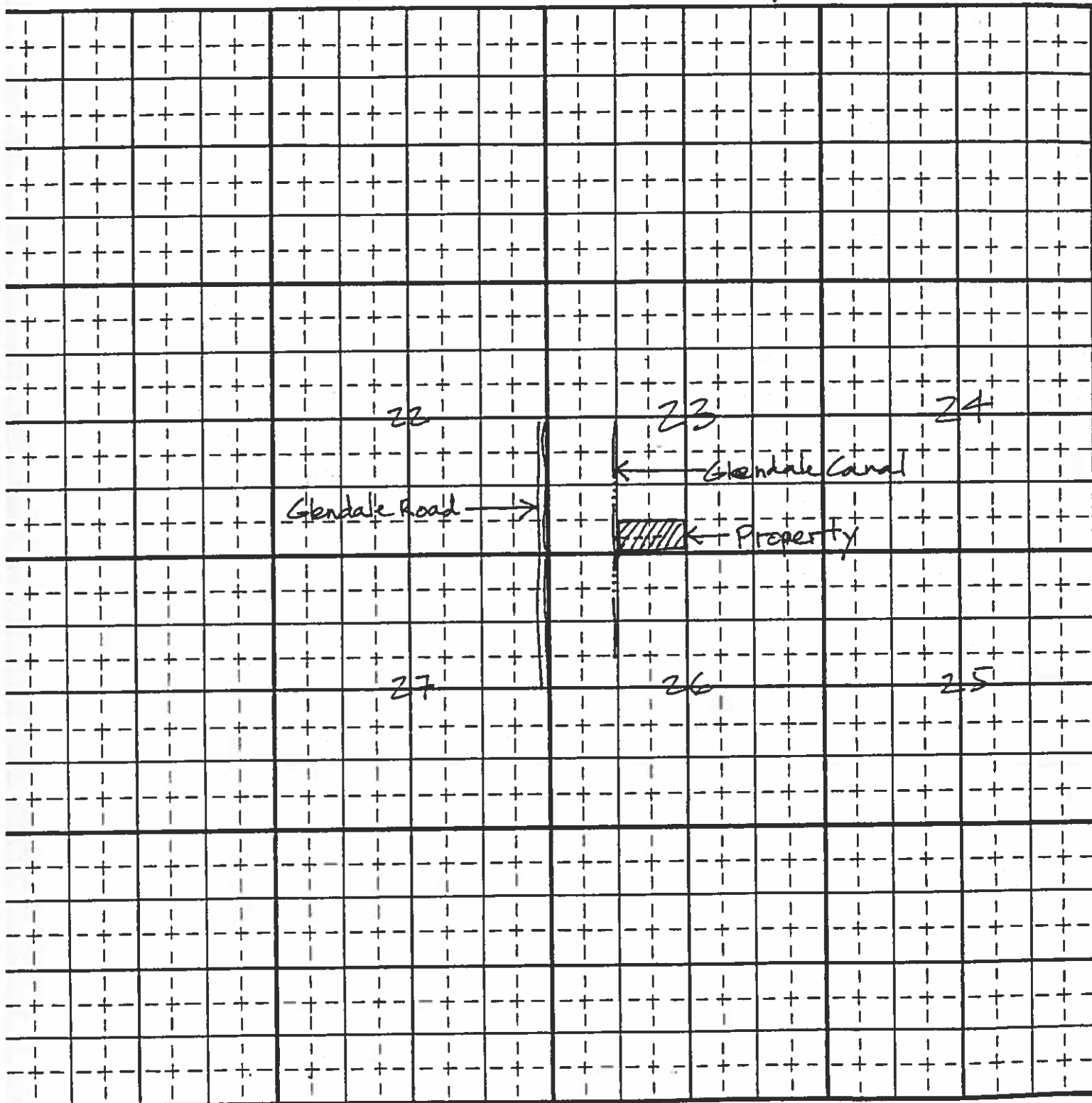
Copies: White -State, Yellow-Claimant



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

Scale: 2 inches equals 1 mile

Poverty Flats Sub, Lot 7
S $\frac{1}{2}$ OF SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 23
T. 1N, R. 12E., Blaine County, IDAHO



MICROFILMED

NOV 21 1996

Copies: White-State, Yellow-Claimant

Last Name Crestani Ident No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 37,0307, 37-0047

Court Lincoln Co., 4th Jud. Dist. Case Number _____ Decree Date 13 Dec, 1909

Plaintiff vs Defendant Atturas Water vs. S.C. Frost et al.

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 1

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

Signature of Claimant (s) _____

Date 17 OCT 1989

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 _____

Title

of _____

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 _____)

) SS.

County of _____)

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED

NOV 21 1996

Last Name Crestani Ident. Number _____

Copies White-State, Yellow-Claimant

RECEIVED

Form 42-1409(10)-1
5/89

NOV 8 1989

Date Received

OCT 23 1989

Department of Water Resources
State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

MAURO CRESTANI (312) 485 3338
Name of Claimant Phone Number
3328 ARDEN AVE. BROOKFIELD, IL. 60513
Mailing Address City State Zip
Blaine Co. OCT 26 1988
County(s) where place of use is located Date claim originally due
Water rights for Poverty Flats Subdivision, Lot 7.
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

I have moved & have not been able to
meet the deadline. During the move, much
mail was not delivered & some was lost. by
those now

Claimant requests an extension to OCT 1, 19 94
Signature [Signature] Date of request 17 OCT, 19 89
OWNER
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

Proper notice not sent to this address.

and if granted the filing deadline is extended to December 4, 19 89

Signed this 4 day of November, 19 89

Notice mailed to
400 S Vernon Ave
Some state + zip

Director or his designated agent

DAVID B. SHAW

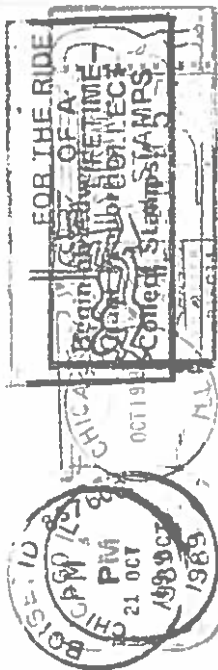
MICROFILMED

NOV 21 1996

Mail to: Idaho Department
1301 N. Orchard S
Boise, ID 83706

not in return
mail
no filing as yet!

Crestani
3328 Arden Ave.
Brockfield, IL. 60513



IDAHO DEPARTMENT OF WATER RESOURCES
2148 4th AVE. EAST
TWIN FALLS, IDAHO 83301

MICROFILMED
NOV 21 1996