

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 37-47E
Date Received: 3/28/1995
Receipt No: C032374
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CINDRA L PALMER WALBERT Phone: (208)788-3915
PO BOX 219
HAILEY ID 83333

MICHAEL E WALBERT Phone: (208)788-3915
PO BOX 219
HAILEY ID 83333

2. Date of Priority: 10/31/1889

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	Type
01N	18E	12	SW SW	BLAINE	

5. Description of diverting works:

GLENDAL #50 DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.5	

7. Total Quantity Appropriated is:
0.5 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
01N	18E	23	NW	SW	IRRIGATION	20
Section Acres						20
Total Acres						20

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:

ADDRESS CHANGE SUBMITTED BY CLAIMANT ON POSTAL FORM 3576

15. Basis of Claim: Decreed

RECEIVED

JUL 16 2001

Department of Water Resources
Southern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JUN 26 2001

Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-307E	A37-00307E				
37-47E	A37-00047E				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

KENNETH E. ZAJAC

1122 E. BRADLEY ST. LARAMIE, WY 82072

4. New Owner/Claimant(s)

Michael E. Walbert & Cindra L. Palmer-Walbert

Name Connector (Check one): [] and, [] or, [X] and/or

New Mailing Address

P.O. Box 219

City, State and ZIP Code

Hailey, ID 83333

New Telephone Number

(208) 788-3915

5. Date you acquired the property

April 16, 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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(If the right(s) will not be split, skip this area and proceed to item 7)

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Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Michael E. Walbert
Cindra L. Palmer-Walbert

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by <u>[Signature]</u>	Date _____	Receipt No. _____
Processed by <u>[Signature]</u> AJ	Date <u>7/17/01</u>	WR _____ Date _____

Order No. 28042

WARRANTY DEED

FOR VALUE RECEIVED

KENNETH E. ZAJAC, an unmarried man

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

MICHAEL E. WALBERT and CINDRA PALMER-WALBERT, husband and wife

GRANTEE(s) whose address is: P.O. Box 219, Hailey, ID 83333

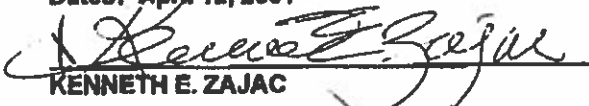
the following described real property in Blaine County, Idaho, to wit:

Lot 1, POVERTY FLAT SUBDIVISION, according to the official plat thereof recorded as Instrument No. 202835, records of Blaine County, Idaho.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD 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: April 12, 2001

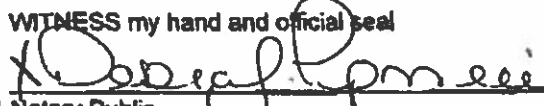

KENNETH E. ZAJAC

State of Wyoming

County of Albany

On this 12 day of April in the year 2001, before me, the undersigned, personally appeared KENNETH E. ZAJAC known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they executed the same.

WITNESS my hand and official seal


Notary Public

Commission Expires 5-11-03

DEBRA J. PEPMEIER
Notary Public
Albany County, WY
My commission expires
May 11 2003





QUITCLAIM DEED

For value received, KENNETH E. ZAJAC, a single man, does hereby convey, release, remise and forever quitclaim unto MICHAEL E. WALBERT and CINDRA L. PALMER-WALBERT*, husband and wife, the following described water rights in Blaine County, Idaho.

Idaho Department of Water Resources Water Right numbers 37-00307E and 37-00047E or other water rights which are appurtenant to the Real Property, described as Lot 1, Poverty Flats Subdivision, Blaine County, Idaho, and currently pending in the Snake River Basin Adjudication.

Dated this 3rd day of April, 2004.

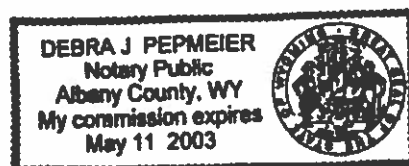

Kenneth E. Zajac

STATE OF WYOMING)
County of Albany)
ss.)

On this 3 day of April, 2001, before me, a Notary Public for said County and State, personally appeared KENNETH E. ZAJAC, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Robert P. Pomeroy
 NOTARY PUBLIC
 Residing at 1109 Graham
 My commission expires 5-11-03



*whose address is: P.O. Box 219, Hailey, ID 83333

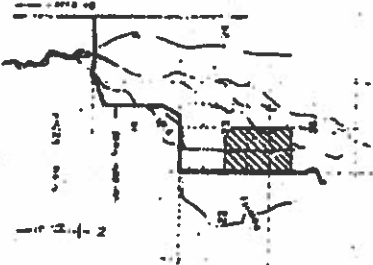
For
Claus

POVERTY LAW JOURNAL

IN THE N 1/2 NW 1/4, SECTION 26, AND THE SW 1/4, SECTION 23,

TIN, RIBE., 9M., BLAINE COUNTY, IDAHO

OCTOBER, 1979



14163- TWO SET HENRY OF ALFORD NY

UNPLATTED

Dr. Gregory B. Berman, MD, PhD

NOTE: 1. Lot 3 may not be further subdivided nor allowed additional residential development. The desired water rights now attached to this property shall be proportioned among all the lots on the basis of their size.

2. There hereby exists a 10' utility easement along all lot lines.

UN3025 /

- Brass Cap
- Set 1/2" Pin w/round plastic cap - 100
- Found 5/8" Pin by JMS
- Found 1/2" Pin by Donnelly's Shop
- Set 5/8" Pin w/round plastic cap - 100
- 20" Coal Measures Element
- Record Data by JMS

POVERTY FLAT
SAWTOOTH ENGINEERS
CONSULTING ENGINEERS
KETCHIKAN, ALASKA

SAWTOOTH TITLE CO., INC.
While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

REAL ESTATE PURCHASE AND SALE AGREEMENT

THIS AGREEMENT is made and entered into this 23rd day of March, 2001, by and between **KENNETH E. ZAJAC**, a single man (hereinafter referred to as "Seller"), and **MICHAEL E. WALBERT and CINDRA L. PALMER-WALBERT**, husband and wife (hereinafter referred to as "Buyers"):

For and in consideration of the mutual promises and covenants herein contained, the parties hereto agree as follows:

1. **Property.** The Seller hereby agrees to sell and convey by good and sufficient warranty deed, and the Buyers hereby agree to purchase of and from the Seller, according to the terms and conditions hereinafter set forth, fee simple title to certain real property (the "Real Property") situated in Blaine County, Idaho, and more particularly described as follows:

Lot 1, POVERTY FLATS SUBDIVISION, according to the
official plat thereof, recorded as Instrument No. 202835,
records of Blaine County, Idaho.

2. **Water Rights.** The Seller will convey, by quitclaim deed, Idaho Department of Water Resources Water Right Nos. 37-00307E and 37-00047E, or any other water rights, which are appurtenant to the Real Property, and currently pending in the Snake River Basin Adjudication.

3. **Price and Payments.** The agreed upon purchase price for the Real Property is One Hundred Thirty Seven Thousand Dollars (\$137,000) which shall be paid in the following manner:

a. Five Thousand Dollars (\$5,000) earnest money shall be tendered by Buyers to Sawtooth Title Company, Ketchum, Idaho, for the benefit of the Seller upon Buyers' execution of this Agreement.

b. The balance of the purchase price of One Hundred Thirty Two Thousand Dollars (\$132,000), shall be paid in cash or certified funds on the date of closing.

4. **Closing and Prorations.** The sale herein contemplated shall be closed on the 16th day of April, 2001, at the offices of Sawtooth Title Company, in Ketchum, Idaho, unless the parties mutually agree to an alternative time or place. All taxes and assessments levied on the subject property shall be paid current by the Seller as of the date of closing. The proration of taxes shall be based on the previous year's taxes. All taxes and assessments attributable to the Real Property after closing shall be borne by the Buyers, and the Buyers hereby assume and agree to pay the same. All closing and escrow costs imposed by Sawtooth Title Company that may be imposed in connection with this transaction shall be borne equally by the parties.

5. **Possession.** The Buyers shall be entitled to possession of the Real Property on closing.

6. Risk of Loss. The risk of loss or damage to the Real Property herein sold shall remain with the Seller until the sale has been closed.

7. Title. The Real Property will be conveyed at the time of closing to the Buyers free and clear of all liens and encumbrances, with the exception of taxes, assessments and reservations and easements which are of record or are apparent. At closing, title shall be conveyed to the Buyers by a standard Warranty Deed executed by the Seller, except that the water rights shall be conveyed by Quitclaim Deed. All warranties and representations set forth in this Agreement shall be true and correct and in full force and effect at the time of execution hereof and at the time of closing.

8. Title Insurance. Upon execution hereof, the parties shall obtain a commitment for title insurance from Sawtooth Title Company. The commitment shall be reviewed and, if acceptable to Buyers, shall be approved and accepted by Buyers. If any defect in title exists that is unacceptable to Buyers, Buyers shall notify Seller in writing within fifteen (15) days of its receipt, and such defect shall be cured by Seller. If Seller is unable to cure such defect within thirty (30) days of such notice, this Agreement shall be null and void. At closing, the parties shall obtain a standard policy of owner's title insurance issued by Sawtooth Title Company insuring the Buyers in the amount of One Hundred Thirty Seven Thousand Dollars (\$137,000). Such policy shall show clear and marketable title in the Buyers, subject only to taxes, assessments, and reservations and easements which are of record or are apparent. All costs incurred for said title insurance policy shall be borne by the Seller.

9. Earnest Money. The Earnest Money paid hereunder by Buyers shall be non-refundable, and shall be retained by the Seller, along with accrued interest, if any, in the event the Buyers hereafter fail or refuse to close the transaction by the Closing date provided for in Paragraph 4 hereof. Provided, however, that if Seller hereafter fails or refuses to close the transaction by such Closing date, the Earnest Money, along with accrued interest, if any, shall be delivered by the Seller to the Buyers. Should a dispute arise as to which party is entitled to the Earnest Money due to a failure or refusal of one of the parties to close the transaction contemplated herein, such dispute shall be determined by a court of competent jurisdiction.

10. Condition of Property. Buyers acknowledge that they have personally inspected the Real Property, and are purchasing it based upon such personal inspection, and are not relying on any representation of the Seller in making the decision to purchase the Real Property. Buyers acknowledge that they are purchasing the Real Property "AS IS", with no warranty except as to title.

11. Real Estate Commissions. It is understood and agreed by and between the parties that the real estate sale transaction herein contemplated does not involve a real estate agent for either the Seller or the Buyers. To the extent that any real estate commissions are owed as a result of this transaction by the Seller, the Seller agrees to be solely liable therefor, and the Seller agrees to indemnify the Buyers from any such commissions. To the extent that any real estate commissions are owed as a result of this transaction by the Buyers, the Buyers agree to be solely liable therefor, and the Buyers agree to indemnify the Seller from any such commissions.

12. Binding Effect. The provisions of this contract shall be binding upon and inure to the

benefit of the heirs, successors, personal representatives, and assigns of the parties hereto.

13. Attorney's Fees. If a suit or action is instituted to enforce any of the terms of this agreement, the prevailing party shall be entitled to recover all costs and attorney's fees from the non-prevailing party.

14. Acknowledgements. Seller and Buyers acknowledge that neither of them is relying on any representation of the other in any respect in entering into this transaction. The parties acknowledge that this transaction and the terms by which Seller is selling and the Buyers are acquiring the Real Property herein are fair and reasonable to both, and that each understands the transaction and the terms hereof.

15. Final Agreement. This document is the final and complete agreement of the parties pertaining to the sale and purchase of this Real Property, and supersedes and replaces all written and oral agreements heretofore made or existing by and between the parties or their representatives insofar as the Real Property is concerned. Facsimile copies and counterparts hereof shall be deemed to be one original document.

16. Covenants to Survive Closing. The covenants and conditions contained in this Agreement shall survive closing.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

"SELLER"

KENNETH E. ZAJAC

"BUYERS"


MICHAEL E. WALBERT


CINDRA L. PALMER-WALBERT

County of _____)

On this _____ day of _____, 2001, before me, a Notary Public for said County and State, personally appeared KENNETH E. ZAJAC, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

NOTARY PUBLIC

Residing at _____

My commission expires _____

STATE OF IDAHO)

ss.

County of Blaine)

On this 29th day of March, 2001, before me, a Notary Public for said County and State, personally appeared MICHAEL E. WALBERT, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Susan J. Ramsey
NOTARY PUBLIC FOR IDAHO
Residing at Billings, Id. 83313
My commission expires 4/29/03

STATE OF IDAHO)

ss.

County of Blaine)

On this 29th day of March, 2001, before me, a Notary Public for said County and State, personally appeared CINDRA L. PALMER-WALBERT, known or identified 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.

Susan J. Ramsey
NOTARY PUBLIC FOR IDAHO
Residing at Billings, Id. 83313
My commission expires 4/29/03

12. Binding Effect. The provisions of this contract shall be binding upon and inure to the benefit of the heirs, successors, personal representatives, and assigns of the parties hereto.

13. Attorney's Fees. If a suit or action is instituted to enforce any of the terms of this agreement, the prevailing party shall be entitled to recover all costs and attorney's fees from the non-prevailing party.

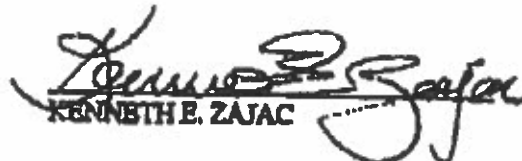
14. Acknowledgements. Seller and Buyers acknowledge that neither of them is relying on any representation of the other in any respect in entering into this transaction. The parties acknowledge that this transaction and the terms by which Seller is selling and the Buyers are acquiring the Real Property herein are fair and reasonable to both, and that each understands the transaction and the terms hereof.

15. Final Agreement. This document is the final and complete agreement of the parties pertaining to the sale and purchase of this Real Property, and supersedes and replaces all written and oral agreements heretofore made or existing by and between the parties or their representatives insofar as the Real Property is concerned. Facsimile copies and counterparts hereof shall be deemed to be one original document.

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"SELLER"


KENNETH E. ZAJAC

"BUYERS"

MICHAEL E. WALBERT

CINDRA L. PALMER-WALBERT

STATE OF WYOMING)

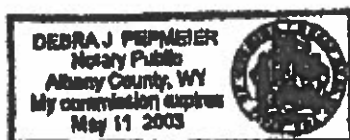
MAR 27 2001 12:02 PM FR RRT TWIN FALLS 200 736 0041 TO 12007261002
 MAR 27 2001 12:02 PM FR RRT TWIN FALLS 200 736 0041 TO 12007261002
 307-766-4010

P.05
 P.5

County of Albany) ss.

On this 23 day of March, 2001, before me, a Notary Public for said County and State, personally appeared KENNETH E. ZAJAC, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



Debra J. Pepmeier
 NOTARY PUBLIC
 Residing at 1111 1st St SW
 My commission expires 5-11-03

STATE OF IDAHO)

County of _____) ss.

On this _____ day of _____, 2001, before me, a Notary Public for said County and State, personally appeared MICHAEL E. WALBERT, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

NOTARY PUBLIC FOR IDAHO
 Residing at _____
 My commission expires _____

STATE OF IDAHO)

County of _____) ss.

On this _____ day of _____, 2001, before me, a Notary Public for said County and State, personally appeared CINDRA L. PALMER-WALBERT, known or identified 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.

NOTARY PUBLIC FOR IDAHO
 Residing at _____
 My commission expires _____

My commission expires _____

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

RECEIVED
 No ✓
JUN 26 2001

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

Department of Water Resources
 Southern Region

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

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If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) KENNETH E. ZAJAC
1122 E. BRADLEY ST. LARAMIE, WY 82071
4. New Owner/Claimant(s) Michael E. Walbert & Cindra L. Palmer-Walbert
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address P.O. Box 219
- City, State and ZIP Code Hailey, ID 83333
- New Telephone Number (208) 788-3915
5. Date you acquired the property April 16, 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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(If the right(s) will not be split, skip this area and proceed to item 7)

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Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Michael E. Walbert

Cindra L. Palmer-Walbert

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

COPY

Mail to:

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 5032374

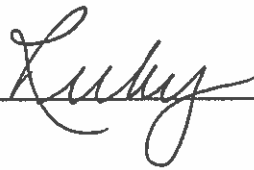
Date: 3/28/1995
Time: 08:19:04

Received
From: ZAJAC, KENNETH E.

Type of Payment	Program Acct	Amount
ADJUD. FILING FEE	41503 337 1155	120.00
CHECK 1049		
	Total	\$ 120.00

Water Right Numbers
A37-00047E A37-00307E - -

Region: STATE

Signature: 

MICROFILMED
NOV 21 1996

please ignore

↑

19001-130

1000-121213

34-00000

~~08~~

8226

34-0228

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

1-2023

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2012

True

207E

137-005-A7E

→ -0000

CHO

FIL

MED

0

Mail this card to all the people, businesses and publications who send you mail. For publications, tape an old address label over name and old address sections and complete new address.

Print or Type—Last Name, First Name, Middle Initial	Rathbun, WAYNE + Mildred			
APR/Suite No.	P.O. Box	R.D. No.		
3440 Dilling Rd.	99352			
City and State	ZIP Code	99326-9704		
Richland, WA				
No. and Street	APR/Suite No.	P.O. Box	R.D. No.	
3440 Dilling Rd.				
City and State	ZIP Code			
Connell, WA				
Date new address in effect	July 95			
Signature	Wayne + Mildred Rathbun			
Account No. (if any)	—			

PS FORM 3576 RECEIVER: Be sure to record the above new address in your address book at home or office.

Mail this postcard to people and businesses that send you mail

Please send mail to my new address beginning:

Now

My Name (Last Name, First Name, Middle Initial)

ZAJAC Kenneth E.

OLD Complete Street Address, PO Box, or Rural Route and RR Box No.

710 Beeson St.

City or Post Office

Boise

NEW Complete Street Address, PO Box, or Rural Route No. and Box No.

P0 Box 946

City or Post Office

Alamosa

Account Number (If Applicable)

Signature _____

Today's Date

Month	Day	Year
11	29	5

PS Form 3576, February 1995

Recipient: Be sure to record the above new address.

RECEIVED

JAN 1 1963

Department of Water Resources
Southern Region

Erin Jackie
and Lukas

Mail this postcard to people and businesses that send you mail

Please send mail to my new address beginning:

Month Day Year
15 1 96

My Name (Last Name, First Name, Middle Initial)

ZAJAC KENNETH E.

OLD Complete Street Address, PO Box, or Rural Route and RR Box No.

BOX 946

City or Post Office

ALAMOSA

NEW Complete Street Address, PO Box, or Rural Route No. and Box No.

59215 SPRING CREEK RD.

City or Post Office

MONTROSE

Account Number (If Applicable)

Signature

Today's Date

Month Day Year
4 1 96

PS Form 3576, February 1995

Recipient: Be sure to record the above new address.

← opp. Modified claims 4-18-96.
H Records only. O-R Records.
- 20

A37-00307E

A37-00047E

*If this is coming forward
your place should
be marked*

MICROFILMED
NOV 21 1996



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM
IN THE SNAKE RIVER BASIN ADJUDICATION

RECEIVED

MAY 01 1996

Department of Water Resources
Southern Region

☐ Water Right Number(s):

37-00047E

37-000307E

☐ Old Mailing Address:

Box 946

ALAMOSA, CO 81101

☐ New Mailing Address:

59215 SPRING CREEK RD.

MONTROSE, CO 81401

☐ New Telephone Number: (970) 249-2479

☐ Signature of Claimant(s):

Philip E. Batt

Date:

4/20/96

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: 5/8/96 By: HB

MICROFILMED

NOV 21 1996

RECEIVED

MAR 27 1995

Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00047E
Date Received: 3/24/1995
Receipt No: C032374
Received By: RT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH E ZAJAC 208-331-1528
Address: 710 BEESON ST
BOISE ID 83706-4716

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	12	SW	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	04/15	10/15	0.500		

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

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	23	NW	SW		IRR	20.0

Section Acres 20.0

Total Acres 20.0

MICROFILMED

NOV 21 1996

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:
A47-00307E

14. Remarks:

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

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s):  Date: 3-24-95

Date: _____

MICROFILMED
NOV 21 1996

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 24TH day
of March 19 95

Roxanne McCarthy
Notary Public

Seal

Roxanne McCarthy, Notary Public
Residing at Residing at Boise, Idaho
My Commission Expires May 16, 1996.
My Commission Expires _____

MICROFILMED
NOV 21 1996

11/21/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 12 2006

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: 37-47E

CINDRA L PALMER WALBERT

PO BOX 219

HAILEY ID 83333

Telephone Number: (208)788-3915

MICHAEL E WALBERT

PO BOX 219

HAILEY ID 83333

Telephone Number: (208)788-3915

RECEIVED

DEC 15 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

*I show the point of diversion as TOWN R18E512 SWSW Glendale #50
I also show the period of use 4/15 to 10/15.*

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

Verify the diversion location. See attached

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

Does not agree with water right paperwork that I have.

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

DATE: 12/8/06

SIGNATURE: Michael E. Walbert

Please print your name: Michael E. Walbert

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

* POD based on GPS reading

* Period of use is standard
season

(recommendation is larger than
period claimed)

Covered

SCANNED

13 2006

11/21/2006

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

RIGHT NUMBER: 37-47E
NAME AND ADDRESS: CINDRA L PALMER WALBERT
PO BOX 219
HAILEY ID 83333
MICHAEL E WALBERT
PO BOX 219
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.500 CFS
PRIORITY DATE: 10/31/1889
POINT OF DIVERSION: T01N R18E S12 NWSEW Within BLAINE County *Please verify*
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.500 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R18E S23 NWSW 20.00		
	20 ACRES TOTAL		

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

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 1, Poverty Flat Subdivision.

Corey
SCANNED
DEC 14 2006

11/21/2006

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: 37-47E

CINDRA L PALMER WALBERT
PO BOX 219
HAILEY ID 83333
Telephone Number: (208)788-3915

MICHAEL E WALBERT
PO BOX 219
HAILEY ID 83333
Telephone Number: (208)788-3915

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

*I show the point of diversion as TAIN R18E S12 SW SW Glendale #50
I also show the period of use 4/15 to 10/15.*

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

Verify the diversion location. See attached

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

Does not agree with water right paperwork that I have.

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

DATE: 12/8/06

SIGNATURE: Michael E. Walbert

Please print your name: Michael E. Walbert

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

11/21/2006

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

RIGHT NUMBER: 37-47E
NAME AND ADDRESS: CINDRA L PALMER WALBERT
PO BOX 219
HAILEY ID 83333
MICHAEL E WALBERT
PO BOX 219
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.500 CFS
PRIORITY DATE: 10/31/1889
POINT OF DIVERSION: T01N R18E S12 NWSEW Within BLAINE County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.500 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R18E S23 NWSW	20.00	
	20 ACRES TOTAL		

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

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 1, Poverty Flat Subdivision.

11/16/2006

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

RIGHT NUMBER: 37-47E

NAME AND ADDRESS: CINDRA L PALMER WALBERT
PO BOX 219
HAILEY ID 83333

MICHAEL E WALBERT
PO BOX 219
HAILEY ID 83333

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 NWSW 20.00

20 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 20.0 acres in a single irrigation season. Combined Right Nos.: 37-47E and 37-307E.

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 1, Poverty Flat Subdivision.



Idaho Department of Water Resources

SRBA Recommendation:

37-47E
(Irrigation)

Legend

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

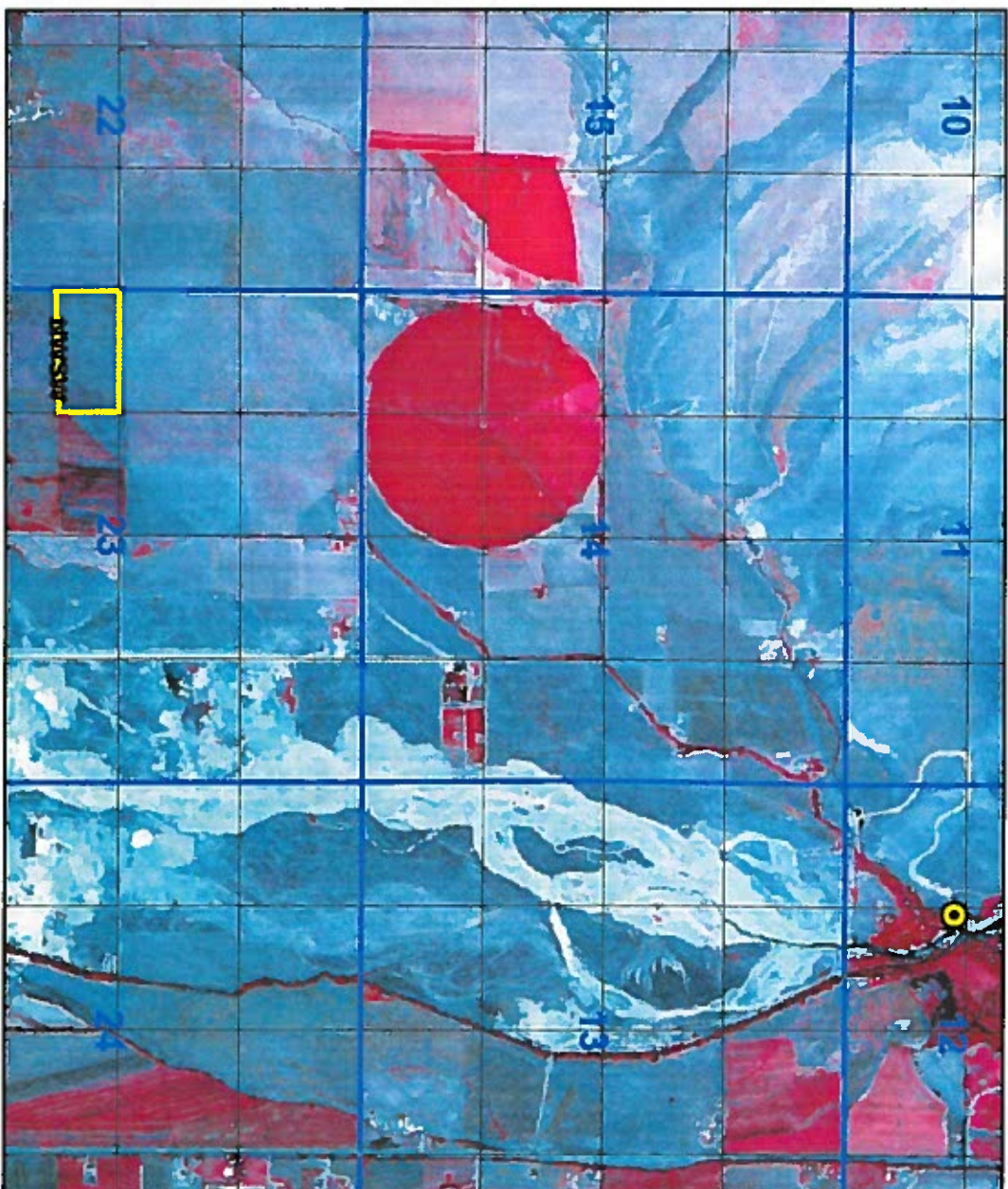


Blaine County
IDWR Basin 37



T01N

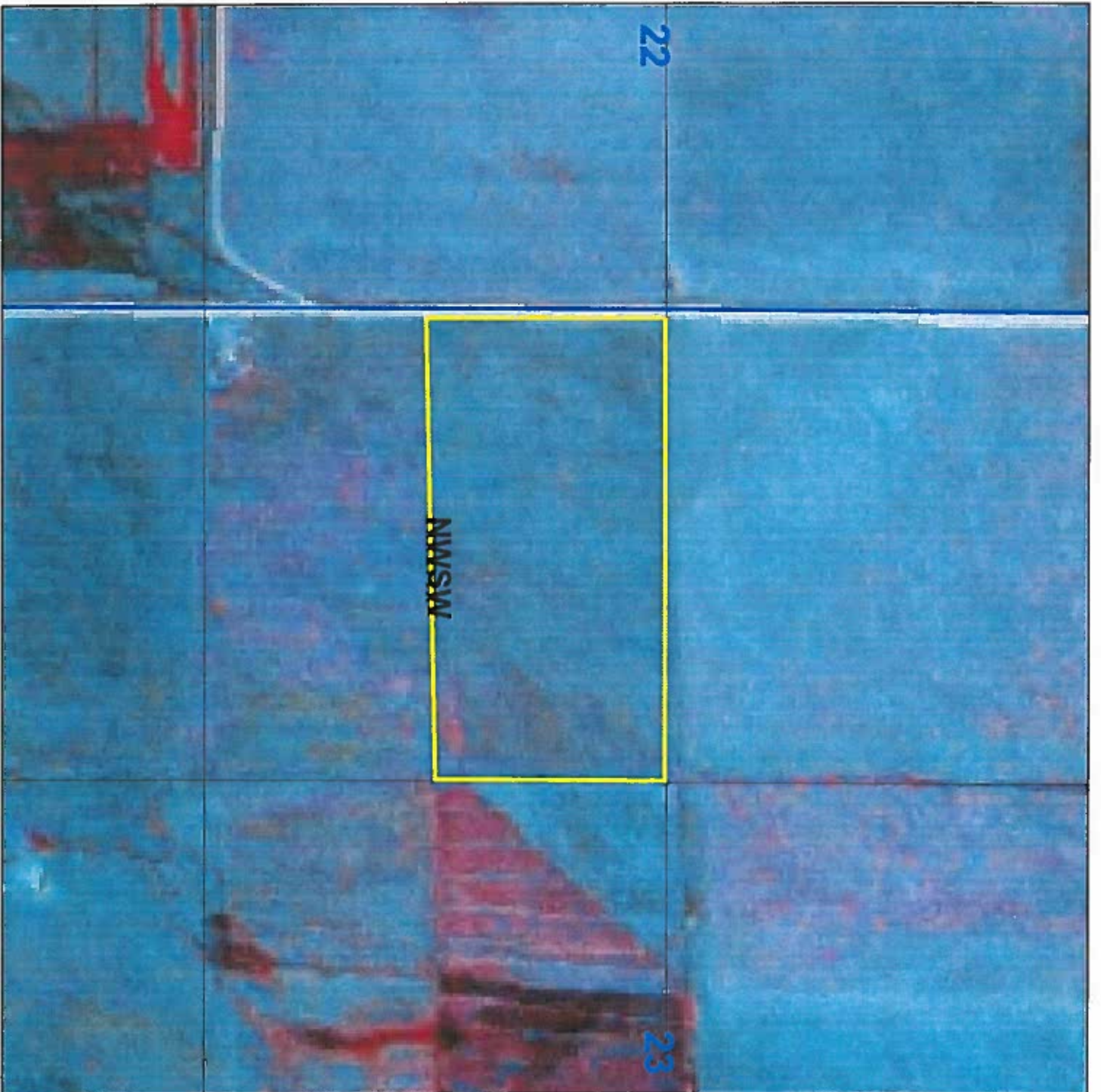
R18E



0 0.8 1.6 Miles

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

37-47E



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....

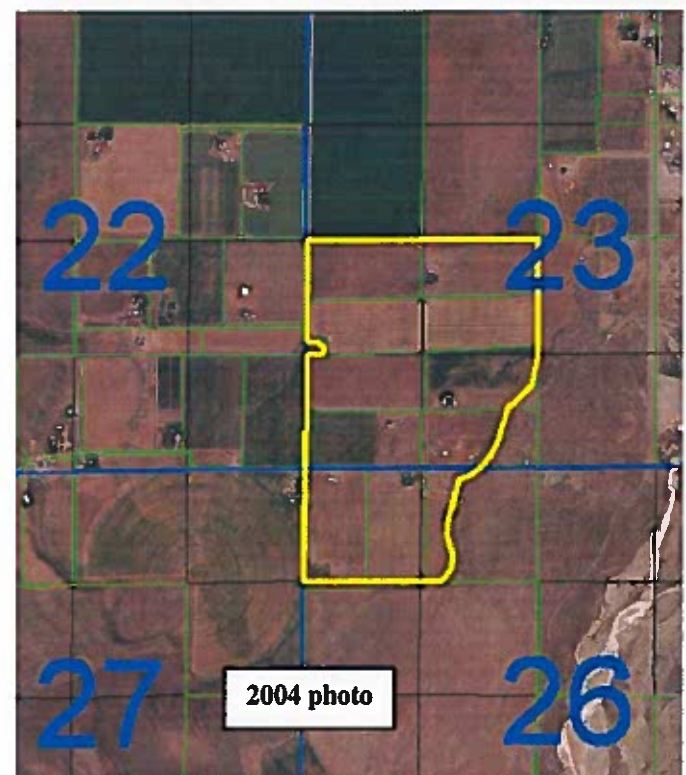
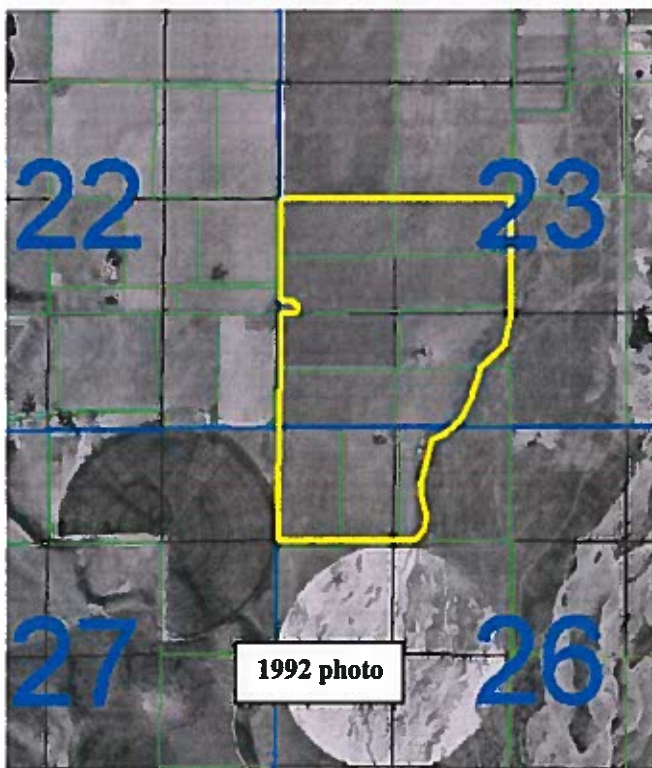
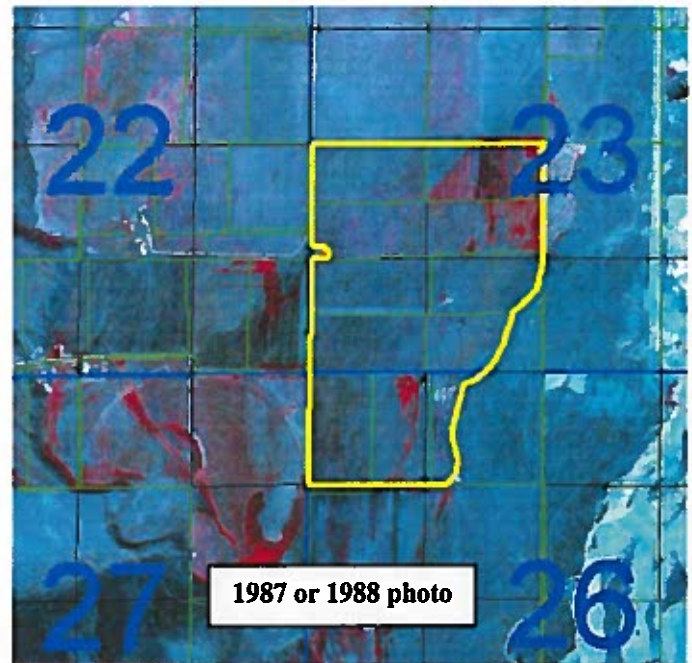
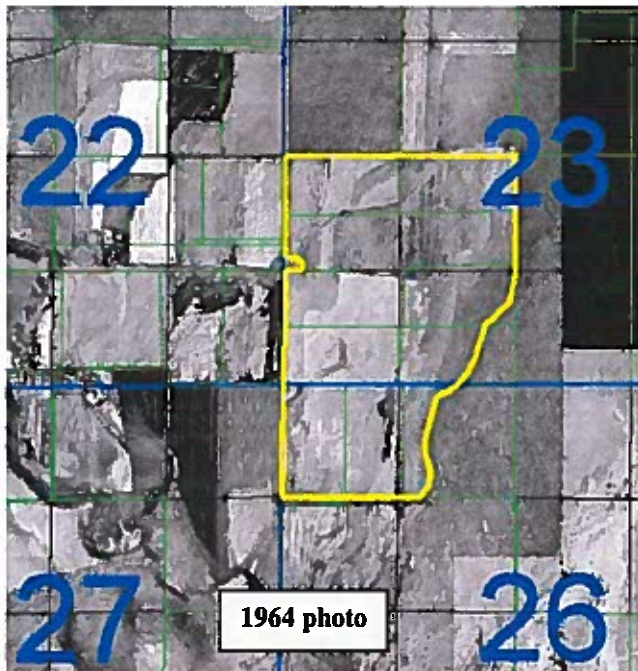
37-47 & 37-307 SRBA Claim Review Memo

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 SUBDIVISIO

332

336

6 7

22 23
27 26

340

344

348

8A 8B

8C

SECS. 23 & 26,

FND 5/8" PIN JUL 1973

N 88°53'08"E

52.35'

22 23

1310.02

1312.32

30'

20 Acres

20 Acres
2 C. 100' E 200'

N 88°53'08"E

1314.12

1312.32

Acres

N 87°26'46"E

1160.07

2430.39'

1270.32'

20 Acres

20 Acres

60' PRIVATE DRIVEWAY & UTILITY EASEMENT

1317.03'

S 89°30'53" W

1317.03'

20 Acres

20 Acres

1319.07'

S 89°30'53" W

2668.14'

1264.30'

30' ROADWAY & UTILITY EASEMENT

WYNN

8-A

8-B

8-C

21.37 Acres

20.47 Acres

37.99 Acres

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 1973

1°00'00"E 5181.76')

(1295.44')

1295.42'

N 0°00'00"E

2590.84'

22

23

27

26

N 0°00'00"E

2593.00'

(BASIS OF BEARINGS)

Glendale Road
(Dedicated)

S 0°21'14"E 2622.04'

S 0°26'51"E

1306.16'

5224.21')

C1/4

(S 8

FND. BC
KNOONCE
T.P.O.

BLOCK

1306.16'

(1306.10')

2.01'

2°26'11" W



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

July 17, 2001

CINDRA L PALMER WALBERT
MICHAEL E WALBERT
PO BOX 219
HAILEY ID 83333

Re: SRBA Claim(s) 37-47E, 37-307E

Dear Mr. and Mrs. Walbert:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the 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,

Trish Fawcett
Technical Records Specialist

Enc.



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

7/13/01

DIRK KEMPTHORNE
Governor

June 28, 2001

To: Dept. of Water Resources

KARL J. DREHER
Director

~~MICHAEL E WALBERT~~
~~CINDRA L PALMER-WALBERT~~
PO BOX 219
HAILEY ID 83333

RECEIVED

JUL 15 2001

Department of Water Resources
Southern Region

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM 37-307E, 37-47E

Dear Claimant(s):

Thank you for returning the NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without the required information listed under item 2 of the ownership change form. Specifically, we need a copy of your warranty deed, title policy or contract of sale (with attached legal description) along with a plat or survey map.

Enclosed is your original ownership change form. Please attach the required information and return the entire packet in the enclosed self-addressed envelope. As soon as this information is received, our records will be updated and you will be notified by mail that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Trish Fawcett

Trish Fawcett
Technical Records Specialist

*Sorry for the inconvenience.
Enclosed is the information
you require. Thank you!
Cindra P. Walbert*

enc.



State of Idaho

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Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

02/28/20

Water Right 37-307F

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 37-47E

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNETH E ZAJAC 59215 SPRING CREEK RD MONTROSE, CO 81401

Original Owner GUY C BARNUM
XXXXX, ID 0000

Priority Date: 10/31/1889
Basis: Deceased
Status: Active

Source
BIG WOOD RIVER

Tributary to
MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	0.5 CFS		

Total Diversion **0.5 CFS**

Location of Point(s) of Diversion:

BIG WOOD RIVER SWSW Sec. 12 Township 01N Range 18E BLAINE County

IRRIGATION Use:
Acre Limit: 20

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

[illegible]

Total Acres: 20

Remarks:

1. General ADDRESS CHANGE SUBMITTED BY CLAIMANT ON POSTAL FORM 3576.

Other Information:

Water District Number: 37

DATE: 04/18/96
PAGE: 1

**DIVERSION
VOLUME**

0.50 CFS

0.50 CFS

0.50 CFS

Stage: DECREED

BLAINE County

20.0

Other Rights: A47-00307E

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

DO NOT FLM