

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: A37-00088A
Date Received: 9/20/1988
Receipt No: S002343
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WALTER J HOFSTETTER 208-788-2813
Address: 19185 US HWY 20
PICABO ID 83348
OR
Name: MARIANNE HOFSTETTER 208-788-2813
Address: 19185 US HWY 20
PICABO ID 83348

2. Date of Priority: NOV 1, 1885

3. Source: SILVER CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	20E	36	NE	NE	SW		BLAINE
02S	20E	1	NE	SW	NE		BLAINE

5. Description of diverting works:

CLARK #29 HEADGATE, CLARK #29-P 20 HP PUMP (320 GPM)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.192		

7. Total Quantity Appropriated is:

0.192 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	20E	36	NW		SE		IRR	6.0
			SW		SE		IRR	2.0
			Section Acres		8.0			
02S	20E	1	NE		NE	1	IRR	33.0
			NW		NE	2	IRR	19.8
			SW		NE		IRR	13.0
Section Acres		65.8						
Total Acres		73.8						

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:

A37-00089A, A37-00090D, A37-01224A

14. Remarks:

ALL RIGHTS COMBINED SHALL PROVIDE NO MORE THAN .02 CFS/AC.

CLAIM WAS AMENDED BASED ON OWNERSHIP CHANGE WHEN HOFSTETTERS SOLD
3.19 AC IN NWNE SECTION 1 TO YOUNGS, WHO OWN PART B. 3/19/98 jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST

Decree Plaintiff

ALTURAS WATER CO.

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s): (part) A37-00088A, 89A, 90D, 1224A
Adjudication Claim No(s): _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant WALTER J. & MARIANNE HOFSTETTER

19185 HWY 20 PICABO ID 83348

4. New Owner/Claimant(s) JACK & ^{OR} FLORENCE YOUNG

New Mailing Address Name Connector (Check one): ☒ and, ☒ or, ☐ and/or

19183 HWY 20

City, State and ZIP Code PICABO, IDAHO 83348

New Telephone Number (208) 788-5885

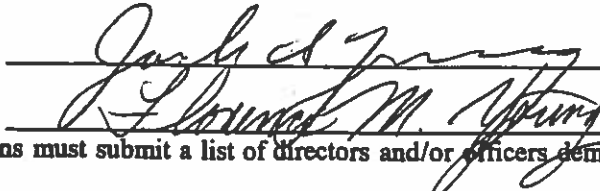
5. Date you acquired the property JAN. 24, 1990

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 3.194 Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) 

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

SAWTOOTH TITLE CO., INC.

171 West Sixth Street
P.O. Box 188
Ketchum, Idaho 83340
(208) 726-4595

Date: 3-7-90, 19__
Our Order No. _____
Loan No. ESCROW NO. 941
Re: YOUNG/HOFSTETTER

To: MR. AND MRS. JACK YOUNG
P.O. BOX ~~549~~ 736
~~BELLEVEUE, IDAHO 83313~~
Pocatello, Idaho 83348

Please find enclosed the following, relative to the above transaction:

RETURN	YOUR FILE	
_____	_____	Lawyers Title Ins. Corp. commitment No. _____
_____	_____	Billing Statement No. _____
_____	_____	Escrow Instructions _____
_____	_____	Closing Statement _____
_____	_____	Promissory Note, original _____, Copy _____
_____	_____	Deed of Trust, original _____, copy _____
_____	_____	Mortgage, original _____, copy _____
_____	_____	Authorization to Reconvey _____
_____	_____	Satisfaction of Mortgage _____
_____	<u>XXXXX</u>	Warranty Deed INSTRUMENT NO. 317073
_____	_____	Insurance Certificates _____
_____	_____	Our check # _____ \$ _____ to _____
_____	_____	Our check # _____ \$ _____ to _____
_____	_____	Our check # _____ \$ _____ to _____
_____	_____	Our check # _____ \$ _____ to _____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	Lawyers Title Ins. Corp. Owners policy No. _____
_____	_____	Lawyers Title Ins. Corp. Mortgagee policy No. _____

If you have any questions, please let us know.

Truly

SAWTOOTH TITLE CO., INC.

Sena

15004

Courtesy of SAWTOOTH TITLE CO., Inc.

WARRANTY DEED

For Value Received

WALTER J. HOFSTETTER AND MARIANNE HOFSTETTER, TRUSTEES

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

JACK S. YOUNG AND FLORENCE M. YOUNG, HUSBAND AND WIFE

whose address is: P.O. BOX 549 BELLEVUE, IDAHO 83313

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

A PARCEL OF LAND LOCATED WITHING THE NE $\frac{1}{4}$, SECTION 1 TOWNSHIP 2 SOUTH, RANGE 20, EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NE $\frac{1}{4}$:
THENCE S. 53°02'05" E., 662.50 FEET TO A 5/8" BAR THE
TRUE POINT OF BEGINNING:

THENCE S. 88°57'31" E., 336.77 FEET TO A 5/8" BAR;
THENCE S. 31°02'48" W., 488.81 FEET TO A 5/8" BAR;
THENCE S. 48°41'22" W., 361.82 FEET TO A 5/8" BAR;
THENCE N. 15°44'49" E., 689.64 FEET TO THE TRUE POINT OF
BEGINNING, CONTAINING 3.194 ACRES MORE OR LESS.

317073

BLAINE CO. REQUEST
OF: Sawtooth Title Co., Inc.

Deed

90 MAR 2 PM 4 34

MARY GREEN, CLERK

FEES \$300

This instrument filed for record by
Sawtooth Title Co., Inc., as an ac-
commodation only. It has not been
examined as to its execution or as
to its effect upon the title.

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 incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: JANUARY 24, 1990

Walter J. Hofstetter

WALTER J. HOFSTETTER

Marianne Hofstetter

MARIANNE HOFSTETTER

Walter J. Hofstetter

WALTER J. HOFSTETTER, TRUSTEE

Marianne Hofstetter

MARIANNE HOFSTETTER, TRUSTEE

STATE OF IDAHO, COUNTY OF BLAINE

On this 30th day of January, 1990,
before me, a notary public in and for said State, per-
sonally appeared

WALTER J. HOFSTETTER
AND MARIANNE HOFSTETTER

known to me to be the person whose name is ARE
subscribed to the within instrument and acknowledged to
me that THEY HAVE executed the same.

Notary Public
Residing at
Comm. Expires 5-1-91
Blaine, Idaho

STATE OF IDAHO, COUNTY OF BLAINE

On this 30th day of January, 1990,
before me, a notary public in and for said State, per-
sonally appeared

WALTER J. HOFSTETTER
AND MARIANNE HOFSTETTER
TRUSTEES

known to me to be the person whose name is ARE
subscribed to the within instrument and acknowledged to
me that THEY HAVE executed the same.

Notary Public
Residing at
Comm. Expires 5-1-91
Blaine, Idaho

PLAT SHOWING HOFSTETTER SUBDIVISION

Located Within Section 36, T1S,
R.20E., B.M.
Blaine County, Idaho
October 1980



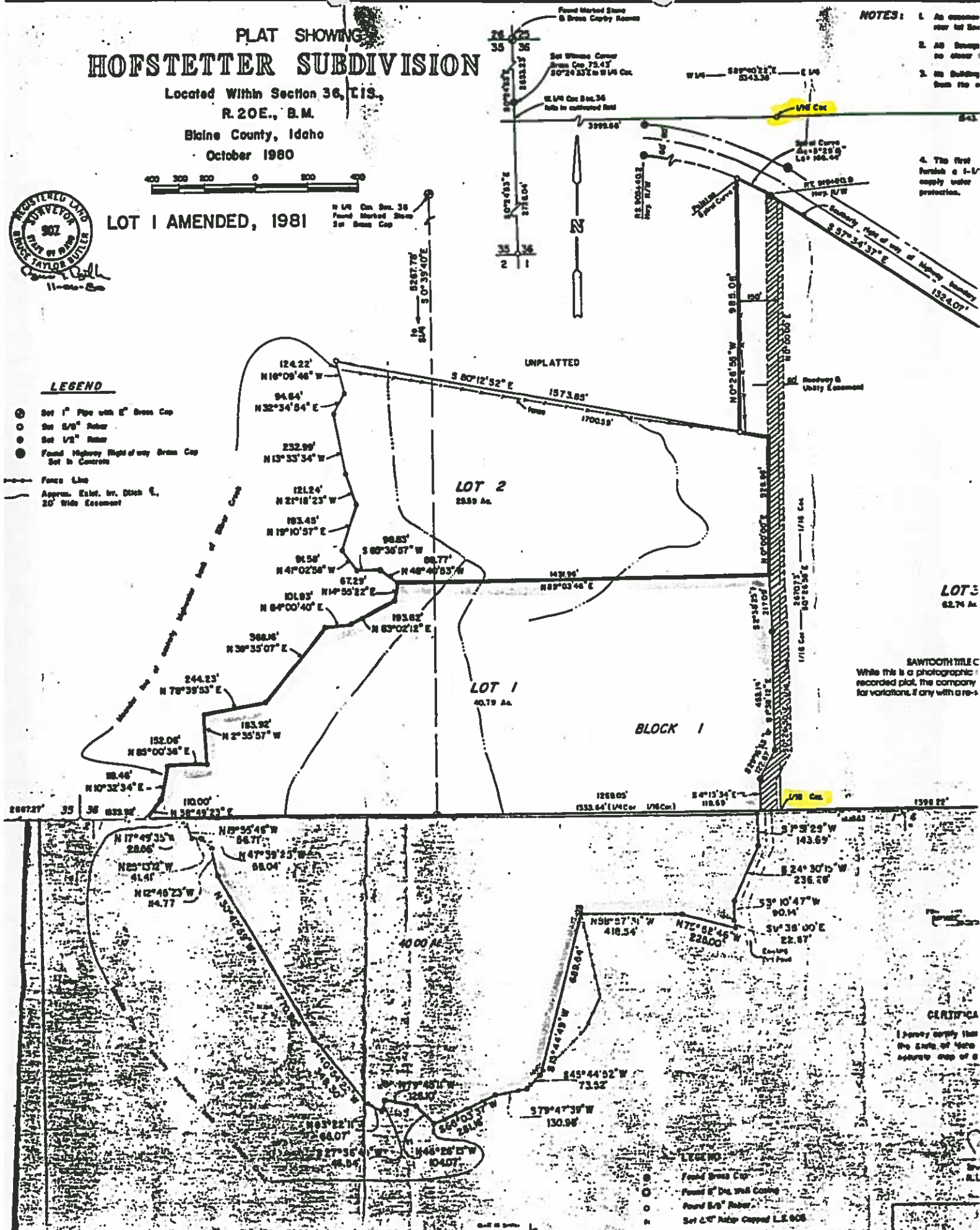
LOT 1 AMENDED, 1981



LEGEND

- ⊙ Set 1" Pipe with 2" Brass Cap
- Set 5/8" Rubber
- Set 1/2" Rubber
- ⊙ Found Highway Right of way Brass Cap Set in Concrete
- Fence Line
- Approx. Estab. Irr. Ditch E. 20' Wide Easement

- NOTES:**
1. An easement over lot 2.
 2. All Survey to show 1
 3. No Building from the
 4. The first Parcel a 1/2" supply water protection.



LOT 3
62.74 Ac.

SAWTOOTH TITLE C
While this is a photographic
recorded plat, the company
for variations, if any with a re-s

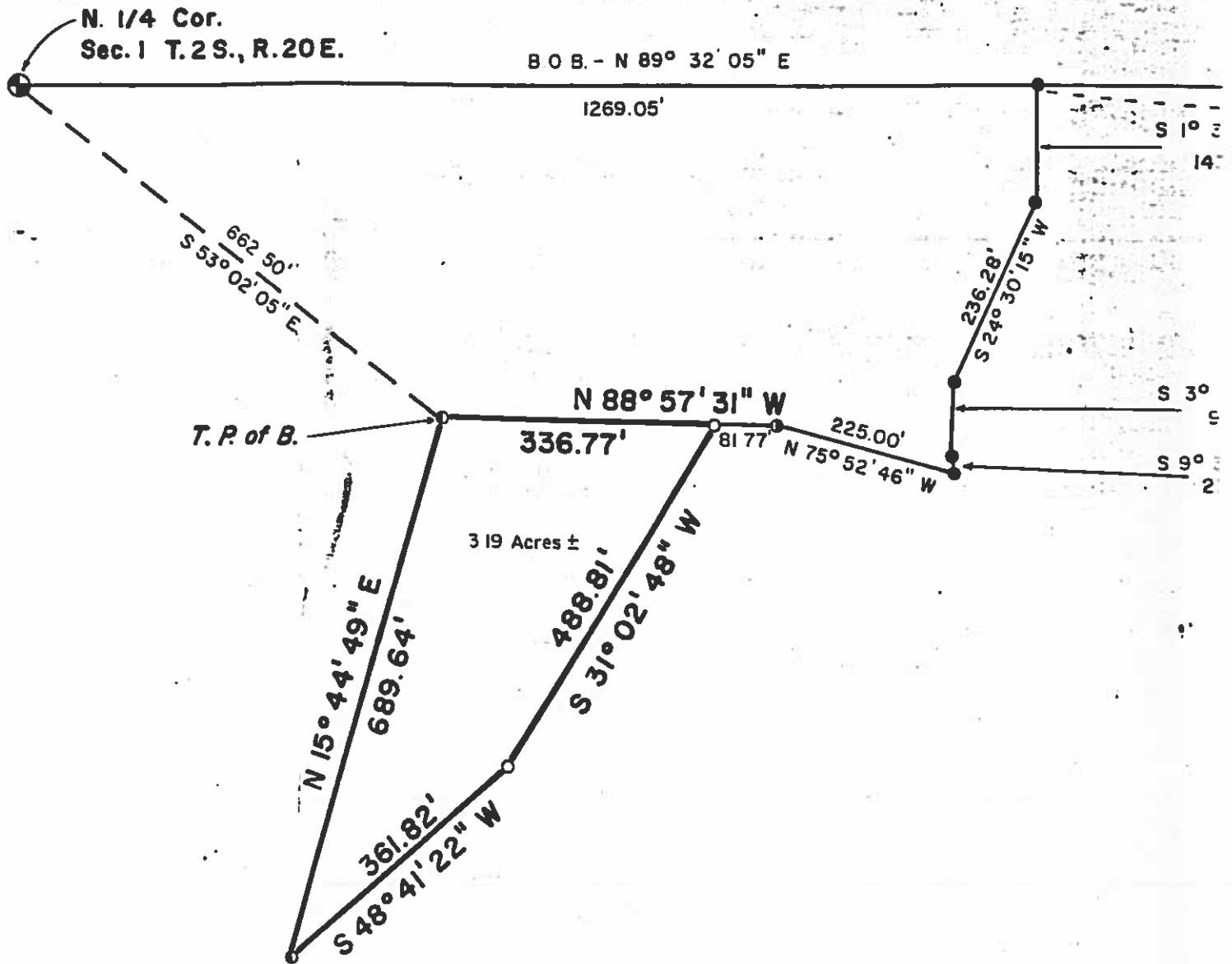
BLOCK 1

LEGEND

- ⊙ Found Brass Cap
- Found 5" Dia. Well Casing
- Found 5/8" Rubber
- ⊙ Set 1/2" Rubber Capped L.E. 008

CERTIFICATE

I hereby certify that
the scale of this
accurate map of a



copy

Letter of Agreement between Walter and Marianne Hofstetter and Jack and Florence Young:

Walter and Marianne Hofstetter, in return for One Dollar (\$1.00) and other good and valuable considerations agreed to and received by themselves from Jack and Florence Young, agree to allow the Youngs to fill in the irrigation ditches which cross the Young's property, situated in T1S, S36, R20E and T2S, S1, R20E, Blaine County, and which serve the Hofstetter's property situated in T1S, S36, R20E and T2S, S1, R20E, Blaine County.

The Hofstetters and the Youngs signify by this Agreement that, with reference to their "Water and Ditch Agreement," Document #210448 recorded with Blaine County, these ditches shall heretofore be considered closed, the appurtenant rights of way and ditch maintenance obligations abandoned, and that such ditches can not be reopened in the future unless by mutual consent between the parties to this Agreement, their heirs, representatives, successors and assigns.

Date: 10-22-91

Signed: Walter Hofstetter
Walter Hofstetter

Marianne Hofstetter
Marianne Hofstetter

Jack Young
Jack Young

Florence Young
Florence Young



Notary Public:

Elizabeth Ann Ecker

BLAINE CO. REQUEST

OF Larry Schoen agreement

1991 OCT 22 P 4: 46

334805

MARY GREEN, CLERK ps
FEES \$ 3.00

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: A37-00088A
Date Received: 9/20/1988
Receipt No: S002343
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALTER J. HOFSTETTER 208-788-2813
Address: 19185 U.S. HWY 20
PICABO, ID 83348
OR
Name: MARIANNE HOFSTETTER 208-788-2813
Address: 19185 U.S. HWY 20
PICABO, ID 83348

2. Date of Priority: NOV 01, 1885

3. Source: SILVER CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	20E	36	NE	NE	SW		BLAINE
02S	20E	1	NE	SW	NE		BLAINE

5. Description of diverting works:
CLARK #29 HEADGATE, CLARK #29-P 20 HP PUMP (320 GPM)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is 193.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	20E	36	NW	SE		IRR	6.0
			SW	SE		IRR	2.0
					Section Acres	8.0	
02S	20E	1	NE	NE	1	IRR	33.0
			NW	NE	2	IRR	23.0
			SW	NE		IRR	13.0
				Section Acres	69.0		
				Total Acres	77.0		

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:
A37-00089A, A37-00090D, A37-01224A

14. Remarks:
ALL RIGHTS COMBINED SHALL PROVIDE NO MORE THAN .02 CFS/AC.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/13/1909

S.C. FROST
Decree Plaintiff

vs

ALTURAS WATER CO.
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: 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): Marianne Hofstetter Date: Sep 20, 88

Date: _____

State of Idaho

County of Twin Falls)
SS.

Subscribed and sworn (or affirmed) before me this 20th day

of September 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, ID

My Commission Expires 6-30-94

20E.

4 Copies

Hwy 20 Bridge

NE/SW
PD

NW/SE

NE/SE
62 acres

Tax lot 2600
10a
Jensen 25.59

SE/SW

Tax lot 1205
16 19.5
Young 25
40a

Hofstadter

1S
2S.

Lot 3
NE/NW
Tax lot 544
23.3

Lot NW NE

Lot 1
NE/NE

380

Tax lot 41.3
29
PD

SW/NE

SE/NE

A37-00088 A

MICROFILMED
FEB 22 1982

Sep. 1981

APR 16 1982

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ter Right No. 37-0088, 0089,
0090, 1224
17-2167/8/11/2155

Department of Agriculture
Business Market Office

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Walter J. &/or Marianne Hofstetter Phone 788-2813

Post office address Picabo, Idaho 83348

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: see ~~file~~ attachments
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
thru purchase _____

3. Source of water _____ tributary to _____
4. Date of priority _____
5. Water is used for the following purposes:
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
6. Total amount of water under right: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is _____ % of _____ % of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated

9. Describe any other water rights used for the same purposes as described above

37-0088A	T# 2492
37-0089A	
37-0090D	
37-0091B	

MICROFILMED
OCT 24 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant _____ Phone _____

Post office address _____

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**a. Decree to Charles F. Brett (Name)in case of S. C. Frost et al vs Alturas Water Co. et aldated 12-13-1909 in 4th Jud. District county of Lincoln
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____**3. Source of water** Silver Creek tributary to Little Wood R.**4. Date of priority** A) 11-1-1885 B) 4-1-1888**5. Water is used for the following purposes:**A) amount 0.40 cfs for irrigation purposes from _____ to _____B) amount 0.80 cfs for " purposes from _____ to _____amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)**6. Total amount of water under right:** a. B) 0.80 cubic feet per second
A) 0.40 &/or
b. _____ acre feet per annum**7. Location of original point of diversion is** NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36Township 1S Range 20E, B.M., in Blaine County

Additional points of diversion, if any _____

8. Lands irrigated or place of use: NOTE: P. U. described below shows the distribution of lands north & east of Silver Cr. according to applicant.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>2S</u>	<u>20E</u>	<u>1</u>		<u>Lt 2</u> <u>40</u>	<u>10</u>		<u>Lt 3</u> <u>29</u>			<u>1</u>									<u>80</u>

Total number of acres to be irrigated 80**9. Describe any other water rights used for the same purposes as described above** _____

B. DESCRIPTION OF PORTION RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted A) 0.40 B) 0.80 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NE ¼ SW ¼, Section 36 Township 1S
Range 20E, B.M., Blaine County
Additional points SW ¼ NE ¼ Sec. 1 T. 2S R. 20E

- c. Description of diverting works Existing headgate & ditch; pump

- d. Describe the reasons for applying for a change in the point(s) of diversion _____
So water can be diverted by gravity flow or pumped into sprinkler system;
allow water to be applied to higher-quality lands within our farm.

2. Change in place of use * No Change * Per conversation w/applicant 12-19-80. JS

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
29	20E	1	Lt1	Lt2			Lt3												80
			12	35	10		23												

Total number of acres to be irrigated _____

MICROFILMED
OCT 24 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant _____ Phone _____

Post office address _____

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to Charles F. Brett (Name)in case of S. C. Frost et al vs Alturas Water Co. et aldated 12-13-1909 in Fourth Jud. District county of Lincoln
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Silver Creek tributary to Little Wood R.4. Date of priority 6-30-1895

5. Water is used for the following purposes:

amount 1.2 cfs for irrigation purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day - both dates inclusive)

6. Total amount of water under right: a. 1.2 cubic feet per secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36Township 1S Range 20E, B.M., in Blaine County

Additional points of diversion, if any _____

8. Lands irrigated or place of use: NOTE: Lands are north & east of Silver Cr. Of the 80" decreed to 80 acres on this farm, applicants own 60" appurtenant to the 60 acres below.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>2S</u>	<u>20E</u>	<u>1</u>		<u>Lt2</u> <u>30</u>	<u>10</u>		<u>Lt3</u> <u>20</u>												<u>60</u>

Total number of acres to be irrigated 60

9. Describe any other water rights used for the same purposes as described above _____

MICROFILMED
OCT 24 1994

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 1.2 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NE 1/4 SW 1/4, Section 36 Township 1S
Range 20E, B.M., Blaine County
Additional points SW 1/4 NE 1/4 Sec. 1 T. 2S R. 20E

- c. Description of diverting works Existing headgate & ditch; pump
- d. Describe the reasons for applying for a change in the point(s) of diversion
facilitate installation of sprinkler system for more-efficient use of water;
will allow water to be used on higher-quality lands within our farm.

2. Change in place of use No Change

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

MICROFILMED
OCT 24 1954

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant _____ Phone _____

Post office address _____

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to * Frank A. Clark (Name)

in case of C. F. Brett & Frank A. Clark vs Sewell H. Chapman et al

dated 12-28-1932 in Fourth District county of Lincoln
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

thru purchase (deed attached)

3. Source of water Silver Creek tributary to Little Wood R.

4. Date of priority * * This is a perpetual right independent of of priority date.

5. Water is used for the following purposes:

amount 1.6 cfs for irrigation purposes from _____ to _____

amount _____ for domestic purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day - both dates inclusive)

6. Total amount of water under right: a. 1.6 cubic feet per second

b. _____ &/or
acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36

Township 1S Range 20E, B.M., in Blaine County

Additional points of diversion, if any _____

8. Lands irrigated or place of use: * NOTE: This decree superceeds Lic. 37-2167 part & T. 2155

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1S	20E	36									5		20			15	40		80
2S	20E	1	Lt1 33	Lt2 40			Lt3 23												109

MICROFILMED
OCT 24 1954

Total number of acres to be irrigated 189

9. Describe any other water rights used for the same purposes as described above _____

3. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 1.6 cfs c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NE 1/4 SW 1/4, Section 36 Township 1S
Range 20E, B.M., Blaine County
Additional points SW 1/4 NE 1/4 Sec. 1 T. 2S R. 20E

- c. Description of diverting works Existing headgate & ditch in Sec. 36; pump in Sec. 1

- d. Describe the reasons for applying for a change in the point(s) of diversion _____
Facilitate use of sprinkler system for more efficient use of water.

2. Change in place of use No Change

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated

MICROFILMED
OCT 24 1954

A topographic map of the R. JOE area. The map features a grid with section numbers 25, 26, 30, 31, 35, and 36. Key landmarks include Baker Canyon, Silver Canyon, and R. JOE. Roads are shown as solid lines, and a dashed line indicates a ditch. Elevation points are marked with numbers like 4835, 4828, 4810, 4795, and 4791. Other features include a grain elevator, air strip, water tank, and several wells. The map is oriented with North at the top.

MICROFILMED
OCT 24 1954

4. Remarks Seven acres in the E-1/4 Sec. 1 became unirrigable under these rights when
the railroad was constructed and the river channel relocated many years ago.
The water rights for this farm cover a total of 189 acres as described under
right #37-1224.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Marianne Hofstetter
(Signature of applicant)

Subscribed and sworn to before me this 6th day of November, 1980.

Loren O. Halmer
(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0088, 37-0089,
37-0090, 37-1224
and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the
Department shall be permanently installed and maintained as part of the diverting
works.
2. Use of water under this right is subject to control by the watermaster of State Water
District No. 37, Big Wood River.
3. All of the rights under this transfer when combined shall not irrigate more than
189 acres and shall not provide more than 4 afa per acre nor more than 0.02 cfs per
acre.

Witness my hand this 17th day of April, 1982.

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by JA Date 11-6-80

Prelim. check by ADH Fee \$50.00 7/6645

Receipted by marva Date 10-23-80

Published in wood river journal

Pub. dates 12/15 + 12/25/80

Watermaster recommendation requested on 11/26/80

rec'd. 12/2/80

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by Quin Det

MICROFILMED
OCT 24 1984

POOR ORIGINAL

We agree to the request contained in the attached State of
Idaho Department of Water Resources, Form 222, 1-87.

Walter J. Hoffert Marianne Hoffert
(Signature of Grantor of Warranty Deed)

Subscribed and sworn to before me this 10th day of Nov., 19 88

Charlotte L. Biggs
(Notary Public)

My commission expires 2-18-92

MICROFILMED
OCT 24 1994

INSOLIDATED TAX NOTICE AND RECEIPT
BLAINE COUNTY TAX COLLECTOR
HAILEY, IDAHO 83333

REAL PROPERTY
MARKET VALUE TAX CODE AREA PARCEL NUMBER BILL NUMBER
11880 71-00 RP00287000010A 11727

HOFSTETTER SUB
LOT 1

11890

40.79

YOUNG, JACK S. & FLORENCE M.
P. O. BOX 549
DELLEVUE, ID 83313

DELINQUENT CERT.

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE	.001974	23.46	FULL PAYMENT
COUNTY	.000375	4.46	TAX 111.00
RECREATION	.000400	4.76	PEN.
AMBULANCE	.004164	49.44	SUB TOT.
SCHOOL DIST #61	.001426	16.94	INT.
SCHOOL OVERRIDE	.000261	3.10	TOT.
L W RIVER LIRR	.000058	.70	1ST INSTALLMENT
PICABO CEM	.000681	8.10	TAX 55.50
RURAL FIRE			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INSTALLMENT
			TAX 55.50
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL	.009339	111.00	

POOR ORIGINAL

Attach. III

PLEASE DIRECT TAX QUESTIONS TO THE TREASURER'S
OFFICE 788-4100. RETURN TAX STUBS WITH PAYMENT.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1988 RP002870000010A
YOUNG, JACK S. & FLORENCE M.
P. O. BOX 549 11727

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1988 RP002870000010A
YOUNG, JACK S. & FLORENCE M.
P. O. BOX 549 11727

SPECIAL CODE	TAX	CODE	AREA	TAX	TOTAL TAX
	55.50		71-00	111.00	71-00

2nd

5B

FULL

5B

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

MARILYN HANIER
BLAINE COUNTY TAX COLLECTOR
P.O. BOX 905
HAILEY, IDAHO 83333

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
AID BY

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY

DECEMBER 20, 1988
CHECK
CASH

CASH

CASH

UA-28
000

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 incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 28, 1988

Walter J. Hofstetter

Walter J. Hofstetter

Marianne Hofstetter

Marianne Hofstetter

Walter J. Hofstetter

Walter J. Hofstetter, Trustee

Marianne Hofstetter, Trustee

Marianne Hofstetter, Trustee

STATE OF Idaho . COUNTY OF Blaine

On this day of , 19 ,
before me, a notary public in and for said State, personally appeared

Walter J. Hofstetter

and
Marianne Hofstetter

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

Anna K. Suckman
Notary Public

Residing at Picabo, Idaho
Comm. Expires 2-14-91

STATE OF IDAHO, COUNTY OF Blaine

On this day of , 19 ,
before me, a notary public in and for said State, personally appeared

Water J. Hofstetter
and Marianne Hofstetter, trustees

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

Anna K. Suckman
Notary Public

Residing at Picabo, Idaho
Comm. Expires 2-14-91

IV

MICROFILMED

OCT 24 1984

13-Sep-1989

Dean Haskell
Box 11
Carey, Idaho 83320

Dear Dean,

Irrigation District # 37-N

PERMIT NO.: 37-01224, 37-00088, 37-00089,
37-00090 Transfer No. 3549.

Please find attached copy of approved application for transfer of water right from the State Office in favor of Jack and Florence Young for you information and further handling.

Please note section on bottom of part 1, page 2 of 12 titled "Action of the Director, Department of Water Resources" items 1, 2, & 3.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:LP

MICROFILMED
OCT 24 1994

~~No Fee enclosed~~Page **RECEIVED** STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3549FEB 27 1989 **APPLICATION FOR TRANSFER OF WATER RIGHT****PART 1**Department of Water Resources
Southern Region OfficeName of applicant Jack and Florence Young Phone 208-788-4419
Post Office address PO Box 549 Bellevue, ID 83313**RECEIVED****A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use SEP 12 1989
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Addition of (or change to) sprinkler system
and use of flood irrigation. Pumping directly out of Silver Creek
to avoid water loss through sinks and evaporation.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE** Edited per telecon
5-1-89 by Mrs Young

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
** Part of ~~37-01224R~~	** Perpetual ~~start, 1880~~	0.70 cfs	irrigation	4/15 to 10/15
Part of ~~37-00088R~~	Nov 1, 1885	0.20 cfs	irrigation	4/15 to 10/15
Part of ~~37-00089R~~	April, 1888	0.40 cfs	irrigation	4/15 to 10/15
Part of ~~37-00090R~~	Jun 30, 1895	0.70 cfs	irrigation	4/15 to 10/15

2. Total amount of water being transferred 2.00 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Silver Creek tributary to Little Wood River

4. Point(s) of Diversion: * = New points of diversion

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	SW	36	01S	20E	Blaine	Clark #29 Headgate on Silver Cr
	SW	SE	SW	36	01S	20E	Blaine	* Pump for pivot (and possible over station on Silver Cr.)
	NE	SE	SW	36	01S	20E	Blaine	* Pump for sprinklers on Silver Cr
	NE	SW	SE	36	01S	20E	Blaine	Possible location of irrigation storage pond * on existing ditch.

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	20E	36												16			25		41
02S	20E	1																	40.3

MICROFILMED**OCT 24 1994**Total acres 81.3

PART 1

6. General Information:

a. Description of diversion system Clark #29 Headgate; adjustable orifice pump (7.5Hp)
for pivot; 10 Hp pump for sprinklers; storage pond on existing
ditch is possible alternative to pump for sprinklers.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. See Attachment II

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No water loss through sinkholes in ditches. Pivot facilitates
even water application. Surface mainline, wheel line, hand
lines allow irrigation on land not covered by pivot.

d. Remarks:

Original water rights are split by Adjudication Claims listed
on this transfer. Mainline for pivot is underground and
is used for pivot only. Second pump is needed for surface lines.
Original Point of Diversion needed for some gravity flow.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0088/0089/0090D/1224

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under these rights is subject to control by the watermaster of State Water District No, 37M, Little Wood River.
3. This transfer does not authorize diversion of more than .02 cfs/acre.

Witness my hand this 5th day of September

J. Glen Saxton
Chief, Water Alloc. Bureau

MICROFILMED 89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
 (Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-0088 Decreed to Charles F. Brett
 In case of S.C. Frost et al vs. Alturas Water Co. et al
 dated 12-13-1909 in 4th Jud. District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2492 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice Attachment III ☒ Warranty Deed Attachment IV ☐ Other _____

3. Source of water Silver Creek tributary to Little Wood River4. Date or priority Nov 1, 1885

5. Water is used for the following purpose:

amount 0.40 cfs for irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.4 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	36	01S	20E	Blaine	Clark #29 Headgate
		SW	NE	01	02S	20E	Blaine	Pump

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02S	20E	01		Lot 2 40	10		Lot 3 29			1									80

MICROFILMED

OCT 24 1994

Total acres 809. Describe any other water rights used for the same purpose as described above 37-0089, 37-0090 Part37-1224

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .2 cfs for irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02S	20E	01		170 ⁺ Lot 2			233 ⁺ Lot 3												40.3

Total acres 40.3

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount .2 cfs for irrigation purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02S	20E	01		23 ⁺ Lot 2	10		5.74 ⁺ Lot 3			1									39.7

MICROFILMED

OC 24 1994

Total acres 39.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: _____

- a. Decree No. 37-0089 Decreed to Charles F. Brett
 In case of S.C. Frost et al vs. Alturas Water Co. et al
 dated 12-13-1909 in 4th Jud. District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2492 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice Att. III ☒ Warranty Deed Att. IV ☐ Other _____

3. Source of water Silver Creek tributary to Littlewood River4. Date or priority April, 1888

5. Water is used for the following purpose:

amount 0.8 cfs for irrigation purposes from _____ to _____
 (cfs/ac-ft) _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

6. Total amount of water under right 0.8 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	36	01S	20E	Blaine	Clark #29 Headgate
		SW	NE	01	02S	20E	Blaine	PUMP

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02S	20E	01		Lot 2 40	10		Lot 3 29			1									80

MICROFILMED**OCT 24 1980**

Total acres _____

9. Describe any other water rights used for the same purpose as described above 37-0088, 37-0090 Part37-1224

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.40 cfs for irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02S	20E	01		Lot 2 17			Lot 3 233												40.3

Total acres 40.3

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.40 cfs for irrigation purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02S	20E	01		23 Lot 2	10		5.7 Lot 3			1									39.7

MICROFILMED

OCT 24 1994

Total acres 39.7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: _____

- a. Decree No. 37-00906 Decreed to Charles F. Brett
 In case of S.C. Frost et al vs. Alturas Water Co. et al
 dated 12-13-1909 in 4th Jud. District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2492 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice Att III ☒ Warranty Deed Att IV ☐ Other _____

3. Source of water Silver Creek tributary to Little Wood River4. Date or priority 6-30-1895

5. Water is used for the following purpose:

amount 1.2 cfs for irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.2 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	36	01S	20E	Blaine	Clark #29 Headgate
		SW	NE	01	02S	20E	Blaine	PUMP

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02S	20E	01		Lot 2 30	10		Lot 3 20												60

MICROFILMEDTotal acres 60

9. Describe any other water rights used for the same purpose as described above

37-0088, 37-0089,37-1274

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.70 cfs for irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02S	20E	1		Lot 2 17			Lot 3 20												37

Total acres 37

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.50 cfs for irrigation purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02S	20E	01		Lot 2 13	10														23

MICROFILMED

OCT 24 1994

Total acres 23

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: _____
- a. Decree No. 37-1224 Decreed to Frank A. Clark
in case of C.F. Brett & Frank A. Clark vs. Sewell H. Chapman et al
dated 12-28-1932 in 4th Judicial District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2492 which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
☒ Tax Notice Att III ☒ Warranty Deed Att IV ☐ Other _____
3. Source of water Silver Creek tributary to Little Wood River
4. Date or priority Perpetual Right
5. Water is used for the following purpose:
 amount 1.6 cfs for irrigation purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
6. Total amount of water under right 1.6 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	36	01S	20E	Blaine	Clark #29 Headgate
		SW	NE	01	02S	20E	Blaine	pump

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	20E	36									5			20		15	40		80
02S	20E	01	Lot 1 33	Lot 2 40	13		Lot 3 23												109

MICROFILMEDTotal acres 00189 1934

9. Describe any other water rights used for the same purpose as described above 37-0088, 37-0089,

37-0090 Part

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.70 cfs for irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	20E	36												16			25		41
02S	20E	01		Lot 2 17				Lot 3 23											40

Total acres 81

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.90 cfs for irrigation purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	20E	36									5		4		15	15			39
02S	20E	01		Lot 1 33	Lot 2 23	13													69

MICROFILMED

OCT 24 1994

Total acres 108

PART 3

B. CHANGES IN NATURE OF USE

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 27th day of February, 19 89.

John G. Young
(Signature of Applicant)

Mary G. Baldwin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 3 attachments

Received by JRI Date 2-27-89 Protest filed by _____

Prelim. check by JRI Fee \$50.00/5006388

Receipted by JRI Date 2-27-89

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 5/3 & 5/10/89 Hearing held by _____ Date _____

Watermaster recommendation requested on 4/20/89 Recommended for ☒ approval ☐ denial

_____ rec'd. 5/15/89 by Lt. Jim Gary

Copy of transfer sent to lien holder _____

MICROFILMED

OCT 24 1994

01/11/2007

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

RIGHT NUMBER: 37-88A

NAME AND ADDRESS: MARIANNE HOFSTETTER
19185 HWY 20
PICABO ID 83348

WALTER J HOFSTETTER
19185 HWY 20
PICABO ID 83348

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.192 CFS

This right when combined with all other rights shall provide no more than .02 cfs per acre.

PRIORITY DATE: 11/01/1885

POINT OF DIVERSION:

T01S R20E S36 NENESW Within BLAINE County

T02S R20E S1 NESWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.192 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02S R20E S01 Lot 1 NENE	12.00	T02S R20E S01 Lot 2 NWNE	13.00
T02S R20E S01 SWNE	11.00	T02S R20E S01 SENE	1.80
T02S R20E S01 Lot 3 NENW	0.20		

38 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is split from former right 37-88.

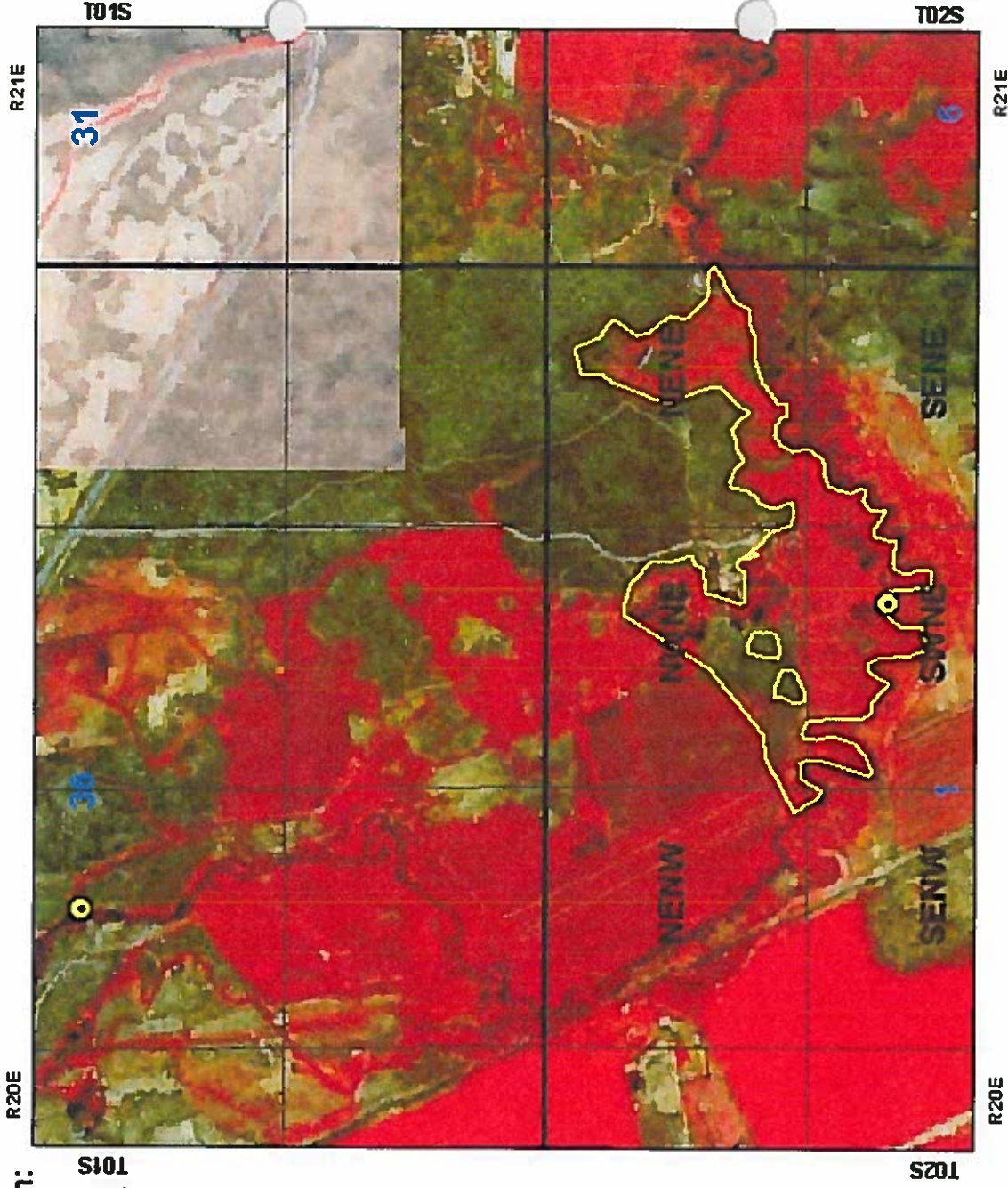


Idaho Department of Water Resources

SRBA Recommendation:

37-88A, 37-89A

37-90D, 37-1224A



Legend

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



Blaine County
IDWR Basin 37



0 0.4 0.8 Miles

Prepared by N. Erickson
On Thursday, January 11, 2007
1987/88 Aerial Photography

March 08, 2004

Steve Clelland
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED

MAR 12 2004

Department of Water Resources

RE: Place of use Legal Description for Irrigation **Claim** # A37-01224A, A37-00088A
A37- 00089A, A37-00090D

Mr. Clelland,

1. A Survey in 1996 showed that a 2.2 acre piece of pasture lying North of Silver Creek, some of which we had been irrigating, belonged to JR Simplot Company. We now have bought this property known as:

Fraction of the SE1/4 of the NE1/4 of Section 1, Township 2 South , Range 20 East Boise Meridian, Blaine County, Idaho

We would like to continue irrigating it.

2. The water right **A37-01224A** has been decreed ,” made appurtenant” to cover **all** the land we own in “Lot 1,(40 acres) Lot 2, and SW/NE.” (29.58) acres. **A total of 70 acres**

However, because of rocky ground we presently irrigate about 40 acres of the 70 acres allowed in Section 1.

15 acres in Lot 1 (NENE)

13 acres in Lot 2 (NWNE)

10 acres in SW/NE

2 acres in SE/NE

Since 1989 , we own land , but no longer irrigate in Section 36.

Water right A37-01224A is our best right because it is “decreed to be absolute, independent, perpetual right and independent of and prior to all other rights on Silver Creek and Little Wood River”. “...Water from all sources” cannot be used “in excess of one inch per acre...” (Brett &Clark vs Chapman Et. Al.

We have been using the 0.671 C.F.S. for the irrigation of the above described 40 acres.

Sincerely,

Marianne Hofstetter

Walter J. Hofstetter

Marianne Hofstetter

19185 US Hwy 20

Picabo Idaho, 83348

Phone 208-788-2813

enclosures copies of Warranty Deed, Legal Description of the SE/NE and 2 pages of Decree.

ALPINE ENTERPRISES INC.

Surveying, Mapping, GPS, GIS and Natural Hazards Consulting

PROPERTY DESCRIPTION OF A PARCEL OF LAND TO BE TRANSFERRED FROM SIMPLOT TO HOFSTETTER

A parcel of land lying within the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 1, Township 2 South, Range 20 East, Boise Meridian, Blaine County, Idaho; being more particularly described as follows:

Commencing at a 6" diameter well casing marking the Northeast Corner of said Section 1, proceed S $89^{\circ}34'55''$ W, 1333.19 feet to an Aluminum Cap marking the North Corner between US Government Lots 1 and 2 of said Section 1; thence S $0^{\circ}09'23''$ E, 1328.83 feet between said Lots 1 and 2 to an Aluminum Cap marking the Northeast $\frac{1}{16}$ Corner of said Section 1, which point is the **TRUE POINT OF BEGINNING**;

Thence N $89^{\circ}26'49''$ E, 434.22 feet along the line between said Lot 1 and the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 1 to its intersection with the Northerly Bank of Silver Creek;

Thence S $35^{\circ}18'53''$ W, 115.32 feet along the Northerly Bank of Silver Creek;

Thence S $71^{\circ}59'45''$ W, 161.22 feet along the Northerly Bank of Silver Creek;

Thence S $1^{\circ}42'07''$ E, 72.64 feet along the Northerly Bank of Silver Creek;

Thence S $50^{\circ}27'25''$ W, 34.11 feet along the Northerly Bank of Silver Creek;

Thence S $8^{\circ}14'27''$ E, 68.56 feet along the Northerly Bank of Silver Creek;

Thence S $71^{\circ}16'26''$ W, 66.39 feet along the Northerly Bank of Silver Creek;

Thence S $10^{\circ}10'28''$ W, 85.05 feet along the Northerly Bank of Silver Creek;

Thence S $81^{\circ}45'35''$ W, 23.56 feet along the Northerly Bank of Silver Creek;

Thence N $57^{\circ}46'01''$ W, 115.58 feet along the Northerly Bank of Silver Creek to a $\frac{5}{8}$ " rebar by PLS 7048 at the intersection with the line between said Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 1;

Thence N $0^{\circ}09'02''$ W, 348.68 feet along said line between the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, to the **TRUE POINT OF BEGINNING**; containing 96,154 square feet, (2.21 acres), more or less.

The described parcel is to be attached to existing Hoffstetter Tax Lot 7298 in a separate Description, so as not to create a single separate parcel.

Basis of Bearings is Idaho State Plane Coordinate System, Central Zone, NAD83(1992) at Grid in US Survey Feet.

12/29/2003

469_Desc_SimplotToHoffstetter.doc

BARGAIN AND SALE DEED

GRANTOR, J.R. SIMPLOT COMPANY, a Nevada corporation, successor by merger to SIMPLOT INDUSTRIES, INC., a Utah corporation, whose principal address is 999 Main Street, Suite 1300, Boise ID 83702, for Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby bargain, sell and convey unto **WALTER J. HOFSTETTER** and **MARIANNE HOFSTETTER**, husband and wife, whose principal address is 19185 U.S. Highway 20, Picabo ID 83348, as GRANTEE, and to Grantee's successors and assigns forever, all of the following described real estate located in Blaine County, State of Idaho:

See Exhibit A attached hereto and made a part hereof.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances, EXCEPT all water rights of Grantor appurtenant to or associated with the real estate described herein, which are expressly reserved unto and retained by Grantor. SUBJECT TO such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

The use of the real estate described herein is restricted to pasture, with no buildings or improvements to be located thereon except for standard fencing, irrigation equipment and watering devices commonly used in local livestock husbandry. This use restriction shall burden the real property described on Exhibit A, shall run with the land and shall benefit the adjacent parcel owned by Grantor, its successors and assigns.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto caused this deed to be executed in its corporate name this 20 day of February, 2004.

J.R. SIMPLOT COMPANY

By [Signature]
Lawrence S. Hlobik, President & CEO

ATTEST:

By [Signature]
Terry T. Uhling, Secretary

Instrument # 499776
Hailey, Blaine, Idaho
2004-03-01

STATE OF IDAHO)
) ss.
County of ADA)

On this 20th day of February, 2004, before me, a Notary Public in and for said State, personally appeared Lawrence S. Hlobik and Terry T. Uhling, known to me to be the President & CEO and Secretary, respectively of J.R. Simplot Company, the corporation that executed the within instrument, and acknowledged to me that said corporation executed the same.

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



Vivian L. Stoke
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 08/03/04

37-88A

(HOFSTETTER)

1/7/04
Sec

37-89A

37-90D

37-1224A

see map 3 71 right side
23 & 13

whole place

1. POU - confirm irrigated acres as shown on GIS

yes - map - there are couple little plots 680 & 220 ^{TOP LEFT SIDE}

2. locate & confirm PODS:

NESWNE S.1 is shown on map

where is S.36 NENESW?

3. Tax lot map is included to keep ownership lines correct when showing POU between 37-88A & 37-88B. Is it still correct as shown?

4. Do the ② match the splits as given by WM?

AS PER WM .20 - 88A 0.192^{cts} (as claimed) ②

at to rounding .40 - 89A 0.384

NEW WORKERS split .50 - 90D 0.48

.70 - 1224A 0.671

1.727 cts - on 73.8 acres claimed

(= 0.0234 cts/AC) duty.

1-13-03 Walter J. Hofstetter 37-88A-89A-90D-1224A-C

I met with Walter & Mrs Hofstetter & they confirmed the four water rights, and the place marked yellow on aerial photo except two small strips of land (see map) top left side a 6 acre & 2 ac. strips have been watered - looks like section 36. Mrs Hofstetter advised me that the Jan 1, 1800 1224A right is for the whole farm unit, the other 3 Jr rights 88A-89A-90D are spring flood rights, are to be used on land on 23 ac., 13 ac. (see map) bottom left side of their place NW of NE & SW-NE sec 1.

They are in the process of buying 2.2 ac. (map SE/NE corner) they think they will sign papers by March. They will be able to irrigate this 2 ac beside their house, so I advised them that as soon as they have deed to get in and see Steve - Boise.

They both confirm POD on map (see photo most of their land is in sec. 1 not 36 as map appears) The POD on map may be off a tiny bit but appear very close (see brookway disc) the old POD just below Hiway bridge is not used very much, land around it is pasture, brush & trees.

they thought the map was in close proximity without comparing to a survey of their place & Young Property for exact property lines, she thought photo was quite good of irrigated lands except the small strips 6 ac & 2 ac.

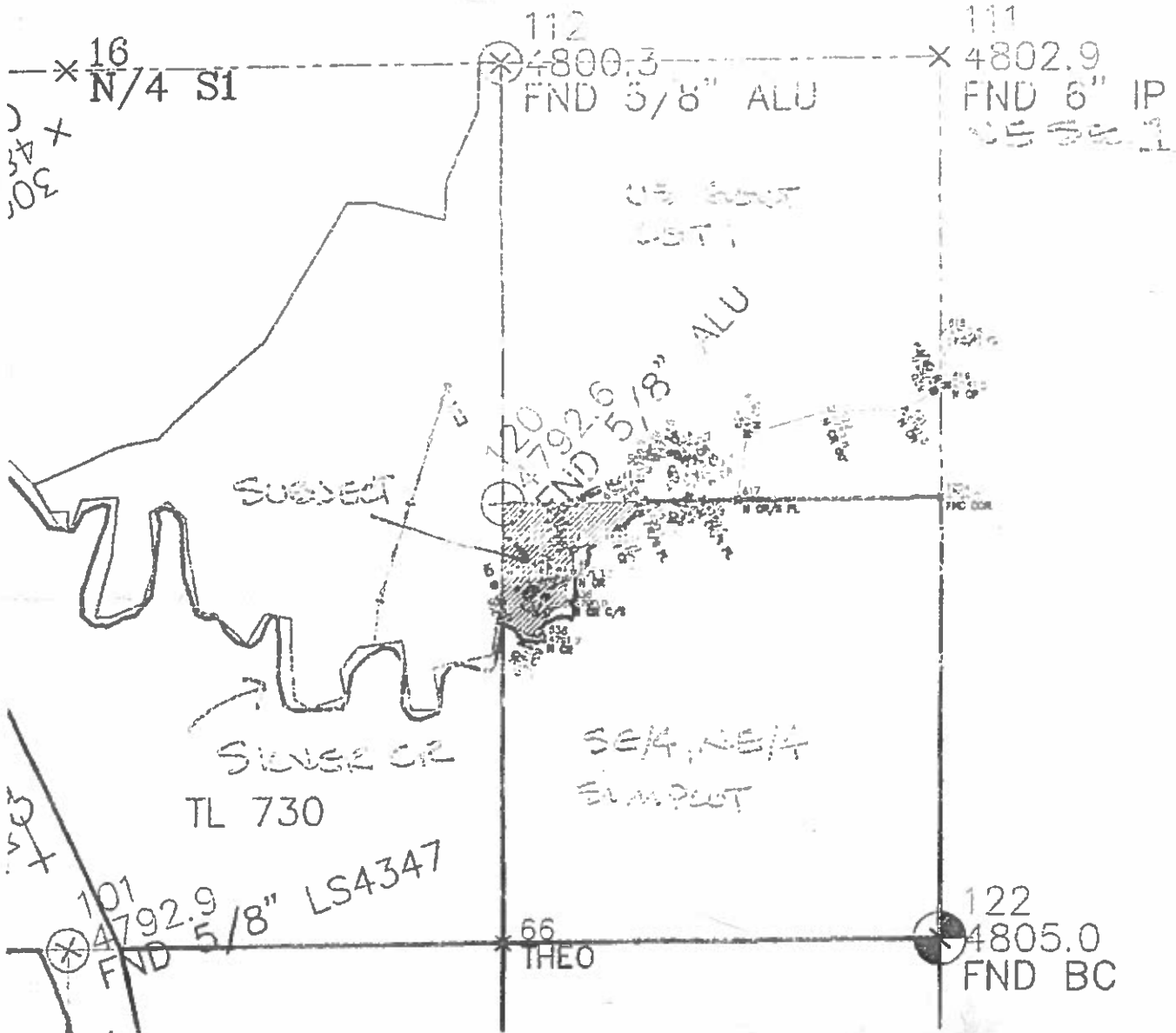
4- The wlm records indicate a little difference and that is due to rounding the figures. Mr. Young would probably be a little diff. also.

2-10-04 I Met with Mr & Mrs Nofstetter again, she had question of irrigable ground North & West of home which they irrigate with sprinkler system (see photo). She also inquired about the land (place of use) 37-1224C SEC. 36 23.8 ac., she claims this land is not theirs and cannot figure out where it would be on their farm - compare water right report 1224C with claim form of 9-20-1988 of 6 & 2 ac in sec 36.

Mrs Nofstetter did agree that the 6 & 2 ac. strips showing on map is alright to declare them as dry lands

3004
⊗ 4802.9
FND 1/2" LS907

6" Well Casing



ALPINE ENTERPRISES INC.

Surveying, Mapping, GPS, GIS and Natural Hazards Consulting

PROPERTY DESCRIPTION OF A PARCEL OF LAND TO BE TRANSFERRED FROM SIMPLOT TO HOFSTETTER

A parcel of land lying within the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 1, Township 2 South, Range 20 East, Boise Meridian, Blaine County, Idaho; being more particularly described as follows:

Commencing at a 6" diameter well casing marking the Northeast Corner of said Section 1, proceed S $89^{\circ}34'55''$ W, 1333.19 feet to an Aluminum Cap marking the North Corner between US Government Lots 1 and 2 of said Section 1; thence S $0^{\circ}09'23''$ E, 1328.83 feet between said Lots 1 and 2 to an Aluminum Cap marking the Northeast $\frac{1}{16}$ Corner of said Section 1, which point is the **TRUE POINT OF BEGINNING**;

Thence N $89^{\circ}26'49''$ E, 434.22 feet along the line between said Lot 1 and the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 1 to its intersection with the Northerly Bank of Silver Creek;

Thence S $35^{\circ}18'53''$ W, 115.32 feet along the Northerly Bank of Silver Creek;

Thence S $71^{\circ}59'45''$ W, 161.22 feet along the Northerly Bank of Silver Creek;

Thence S $1^{\circ}42'07''$ E, 72.64 feet along the Northerly Bank of Silver Creek;

Thence S $50^{\circ}27'25''$ W, 34.11 feet along the Northerly Bank of Silver Creek;

Thence S $8^{\circ}14'27''$ E, 68.56 feet along the Northerly Bank of Silver Creek;

Thence S $71^{\circ}16'26''$ W, 66.39 feet along the Northerly Bank of Silver Creek;

Thence S $10^{\circ}10'28''$ W, 85.05 feet along the Northerly Bank of Silver Creek;

Thence S $81^{\circ}45'35''$ W, 23.56 feet along the Northerly Bank of Silver Creek;

Thence N $57^{\circ}46'01''$ W, 115.58 feet along the Northerly Bank of Silver Creek to a $\frac{5}{8}$ " rebar by PLS 7048 at the intersection with the line between said Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 1;

Thence N $0^{\circ}09'02''$ W, 348.68 feet along said line between the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, to the **TRUE POINT OF BEGINNING**; containing 96,154 square feet, (2.21 acres), more or less.

The described parcel is to be attached to existing Hoffstetter Tax Lot 7298 in a separate Description, so as not to create a single separate parcel.

Basis of Bearings is Idaho State Plane Coordinate System, Central Zone, NAD83(1992) at Grid in US Survey Feet.

12/29/2003

469_Desc_SimplotToHoffstetter.doc

P.O. Box 2037, 280 Rivers Street East, Lower Level; Ketchum, ID 83340 208-727-1988 fax: 208-727-1987 e-mail: alpine7@mindspring.com

ALPINE ENTERPRISES INC.

Surveying, Mapping, GPS, GIS and Natural Hazards Consulting

PROPERTY DESCRIPTION OF HOFSTETTER TAX LOT 7298 PLUS 2.21 ACRES PURCHASED FROM SIMPLOT

A parcel of land lying within portions of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, and US Govt. Lots 2 & 3 of Section 1, Township 2 South, Range 20 East, Boise Meridian, Blaine County, Idaho; being more particularly described as follows:

Commencing at a 6" diameter well casing marking the Northeast Corner of said Section 1, proceed S 89°34'55" W, 1333.19 feet to an Aluminum Cap marking the North Corner between US Government Lots 1 and 2 of said Section 1, which point is the **TRUE POINT OF BEGINNING**;

Thence S 0°09'02" E, 1328.51 feet between said Lots 1 and 2 to an Aluminum Cap marking the Northeast $\frac{1}{16}$ Corner of said Section 1;

Thence N 89°26'49" E, 434.22 feet along the line between said US Govt. Lot 1 and the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 1 to its intersection with the Northerly Bank of Silver Creek;

Thence S 35°18'53" W, 115.32 feet along the Northerly Bank of Silver Creek;

Thence S 71°59'45" W, 161.22 feet along the Northerly Bank of Silver Creek;

Thence S 1°42'07" E, 72.64 feet along the Northerly Bank of Silver Creek;

Thence S 50°27'25" W, 34.11 feet along the Northerly Bank of Silver Creek;

Thence S 8°14'27" E, 68.56 feet along the Northerly Bank of Silver Creek;

Thence S 71°16'26" W, 66.39 feet along the Northerly Bank of Silver Creek;

Thence S 10°10'28" W, 85.05 feet along the Northerly Bank of Silver Creek;

Thence S 81°45'35" W, 23.56 feet along the Northerly Bank of Silver Creek;

Thence N 57°46'01" W, 115.58 feet along the Northerly Bank of Silver Creek to a $\frac{5}{8}$ " rebar by PLS 7048 at the intersection with the line between said Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 1;

Thence S 63°14'09" W, 21.57 feet along the Northerly Bank of Silver Creek;

Thence S 06°46'57" W, 98.56 feet along the Northerly Bank of Silver Creek;

Thence S 78°09'15" W, 184.93 feet along the Northerly Bank of Silver Creek;

Thence S 11°44'34" E, 127.42 feet along the Northerly Bank of Silver Creek;

ALPINE ENTERPRISES INC.

Surveying, Mapping, GPS, GIS and Natural Hazards Consulting

Thence S 89°32'24" W, 91.32 feet along the Northerly Bank of Silver Creek;
Thence N 07°13'16" W, 209.47 feet along the Northerly Bank of Silver Creek;
Thence S 82°27'21" W, 136.16 feet along the Northerly Bank of Silver Creek;
Thence S 38°03'47" W, 89.25 feet along the Northerly Bank of Silver Creek;
Thence S 11°51'18" E, 79.28 feet along the Northerly Bank of Silver Creek;
Thence S 70°49'44" W, 115.63 feet along the Northerly Bank of Silver Creek;
Thence N 55°30'21" W, 52.89 feet along the Northerly Bank of Silver Creek;
Thence N 04°33'27" W, 130.67 feet along the Northerly Bank of Silver Creek;
Thence N 0°24'27" W, 113.33 feet along the Northerly Bank of Silver Creek;
Thence N 79°46'04" W, 81.49 feet along the Northerly Bank of Silver Creek;
Thence S 32°24'07" W, 106.94 feet along the Northerly Bank of Silver Creek;
Thence N 46°04'52" W, 130.47 feet along the Northerly Bank of Silver Creek;

Thence N 84°10'01" W, 50.26 feet along the Northerly Bank of Silver Creek;
Thence N 11°06'19" W, 178.91 feet along the Northerly Bank of Silver Creek;
Thence N 05°29'17" W, 109.78 feet along the Northerly Bank of Silver Creek;
Thence N 48°22'28" W, 75.58 feet along the Northerly Bank of Silver Creek;
Thence S 60°09'10" W, 62.35 feet along the Northerly Bank of Silver Creek;
Thence S 05°30'40" E, 165.16 feet along the Northerly Bank of Silver Creek;
Thence S 17°45'40" W, 113.30 feet along the Northerly Bank of Silver Creek;
Thence S 67°13'18" W, 111.65 feet along the Northerly Bank of Silver Creek;
Thence N 84°36'02" W, 43.37 feet along the Northerly Bank of Silver Creek;
Thence N 14°50'58" E, 190.87 feet along the Northerly Bank of Silver Creek;
Thence N 04°42'58" E, 175.48 feet along the Northerly Bank of Silver Creek;

ALPINE ENTERPRISES INC.

Surveying, Mapping, GPS, GIS and Natural Hazards Consulting

Thence S 86°09'03" W, 112.14 feet along the Northerly Bank of Silver Creek;

Thence S 19°30'34" W, 98.10 feet along the Northerly Bank of Silver Creek;

Thence N 62°16'01" W, 8.29 feet along the Northerly Bank of Silver Creek;

Thence N 0°14'10" W, 53.43 feet along the Northerly Bank of Silver Creek;

Thence S 89°27'00" W, 54.07 feet along the Northerly Bank of Silver Creek;

Thence N 30°46'20" W, 94.90 feet along the Northerly Bank of Silver Creek to a 5/8" rebar by LS907;

Thence N 66°05'53" E, 281.08 feet to a 5/8" rebar by LS907;

Thence N 79°49'55" E, 130.94 feet to a 5/8" rebar by LS907;

Thence N 45°47'08" E, 73.50 feet to a 5/8" rebar by LS4459;

Thence N 48°43'38" E, 361.71 feet to a 5/8" rebar by LS4459;

Thence N 31°05'04" E, 488.66 feet to a 5/8" rebar by LS4459;

Thence S 88°55'15" E, 81.75 feet to a 5/8" rebar by LS907;

Thence S 75°50'30" E, 224.93 feet to a 1/2" rebar with Illegible Cap;

Thence N 09°35'44" W, 22.86 feet to a 1/2" rebar with Illegible Cap;

Thence N 03°13'03" E, 90.11 feet to a 1/2" rebar with Illegible Cap;

Thence N 24°32'31" E, 236.21 feet to a 1/2" rebar with Illegible Cap;

Thence N 01°33'45" E, 143.92 feet to a 1/2" rebar with Illegible Cap;

Thence N 89°34'07" E, 64.43 feet to the **TRUE POINT OF BEGINNING**; containing 1,383,900 square feet, (31.77 acres), more or less.

Basis of Bearings is Idaho State Plane Coordinate System, Central Zone, NAD83(1992) at Grid in US Survey Feet.

469_Desc_TL7298Plus2Acres.doc

P.O. Box 2037, 280 Rivers Street East, Lower Level; Ketchum, ID 83340 208-727-1988 fax: 208-727-1987 e-mail: alpine7@mindspring.com

State of Idaho, }
Lincoln County. }

I, Venetta Albert, the duly elected, qualified, and acting Clerk of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln, do hereby certify that the above and foregoing is a true, complete and correct copy of Decree in the case of C. W. Brett and Frank A. Clark, plaintiffs, vs. Sewell H. Chapman, watermaster of Water District No. 11-AB, Silver Creek and Lower Little Wood River, defendant, and John Hunter, W. H. Bauhaun, and Charles Myers, intervenors, the original of which Decree is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court this 27th day of January, 1933.

Venetta Albert

Clerk of the District Court of
the Fourth Judicial District of
the State of Idaho, in and for
Lincoln County.

(SEAL)

Filed October 19, 1933
E. P. Thamm,
Clerk District Court,
Blaine County, Idaho.

That the plaintiff Frank A. Clark be and he is hereby decreed to be the owner of the right to the use of 1.6 cubic feet per second of time of the waters of Silver Creek for the irrigation of the lands hereinafter in this paragraph described, and for domestic purposes thereon, with a date of priority prior to the earliest priority on Silver Creek and Little Wood River as established by the decree in the case of S. C. Frost et al. vs. Little Wood River Company et al., or any other decree, and said water right is hereby made appurtenant to said land, more particularly described as follows:

"Lot 1 and all that part of Lots 2 and 3 and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, all in Sec. 1, Twp. 2 S. R. 20 E. E. M.; lying north and east of Silver Creek; all that portion of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 36, Twp. 1 S. R. 20 E. E. M. lying east of Silver Creek; the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 36, Twp. 1 S. R. 20 E. E. M.; a strip of land 150 feet wide extending north and south off the east end of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Sec. 36 containing 4.7 acres; a strip of land extending east and west off the south end of the said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Sec. 36, lying between the south boundary line of said forty and the irrigation ditch belonging to Frank A. Clark containing 6.5 acres; a tract of land in the southeast corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Sec. 36 lying south of the said Frank A. Clark irrigation ditch and east of said Silver Creek containing 5 acres, situate in Elaine County, State of Idaho."

3.

That the above mentioned water rights of the plaintiffs, and of each of them, be and they are hereby decreed to be absolute, independent, perpetual rights and independent of and prior to all other rights on Silver Creek and Little Wood River.

4.

That neither of said defendants shall use at any time on their respective lands an amount of water from all sources in excess of one inch per acre on the basis of the acreage of their respective lands.

Given under my hand this 23 day of December, 1932.

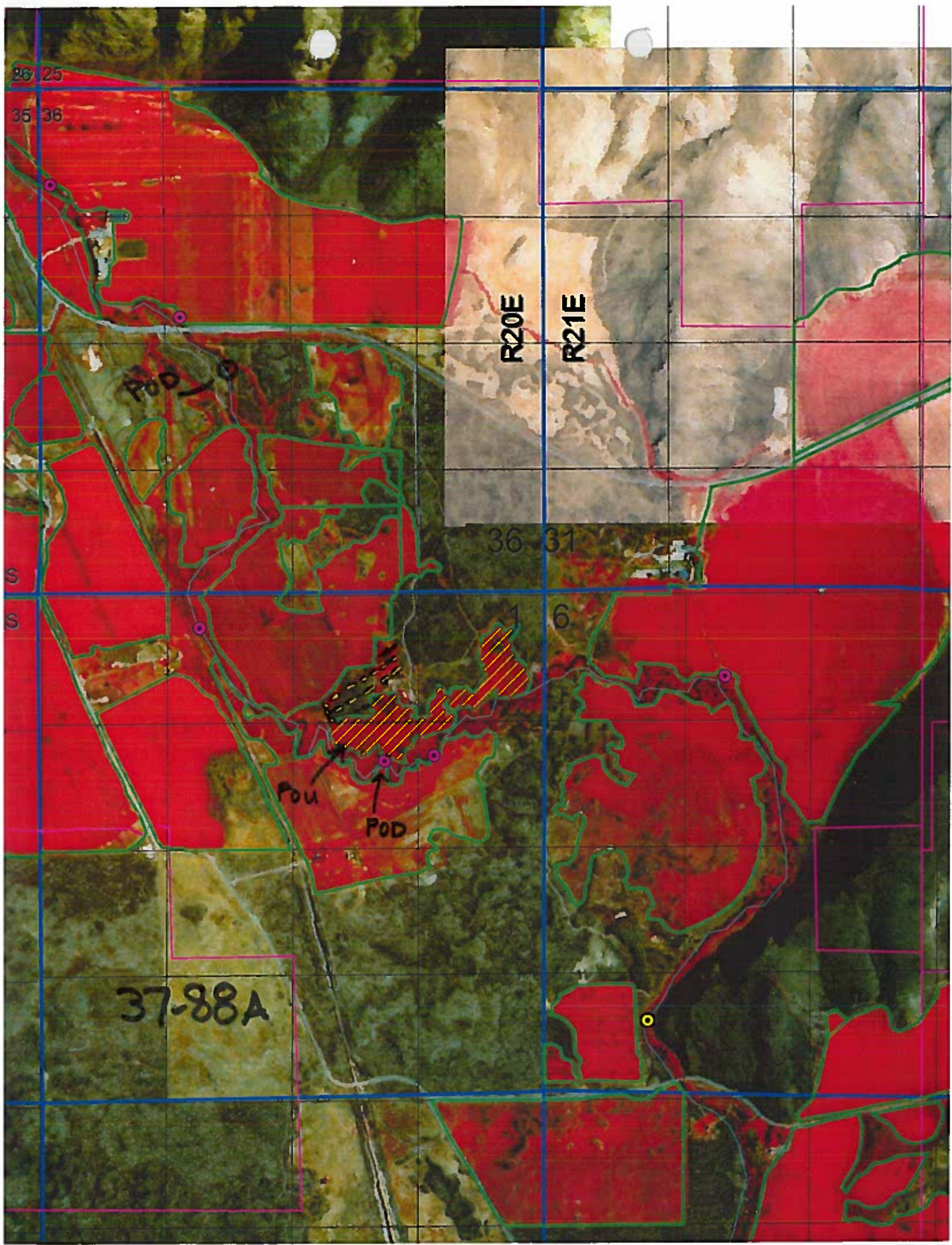
Jay L. Downing

Presiding District Judge.

STATE OF IDAHO,

Lincoln County.

I, Venetta Albert, the duly elected, qualified, and acting Clerk of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln, do hereby certify that the above and foregoing is a true, complete and correct copy of Decree in the case of C. F. Erett and Frank A. Clark, plaintiffs, vs. Sewell H. Chapman, Watermaster of Water District No. 11-AB, Silver Creek and Lower Little Wood River. Defendant, and John Hunter, W. H. Downing, and Charles Myers,



36 25

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R20E

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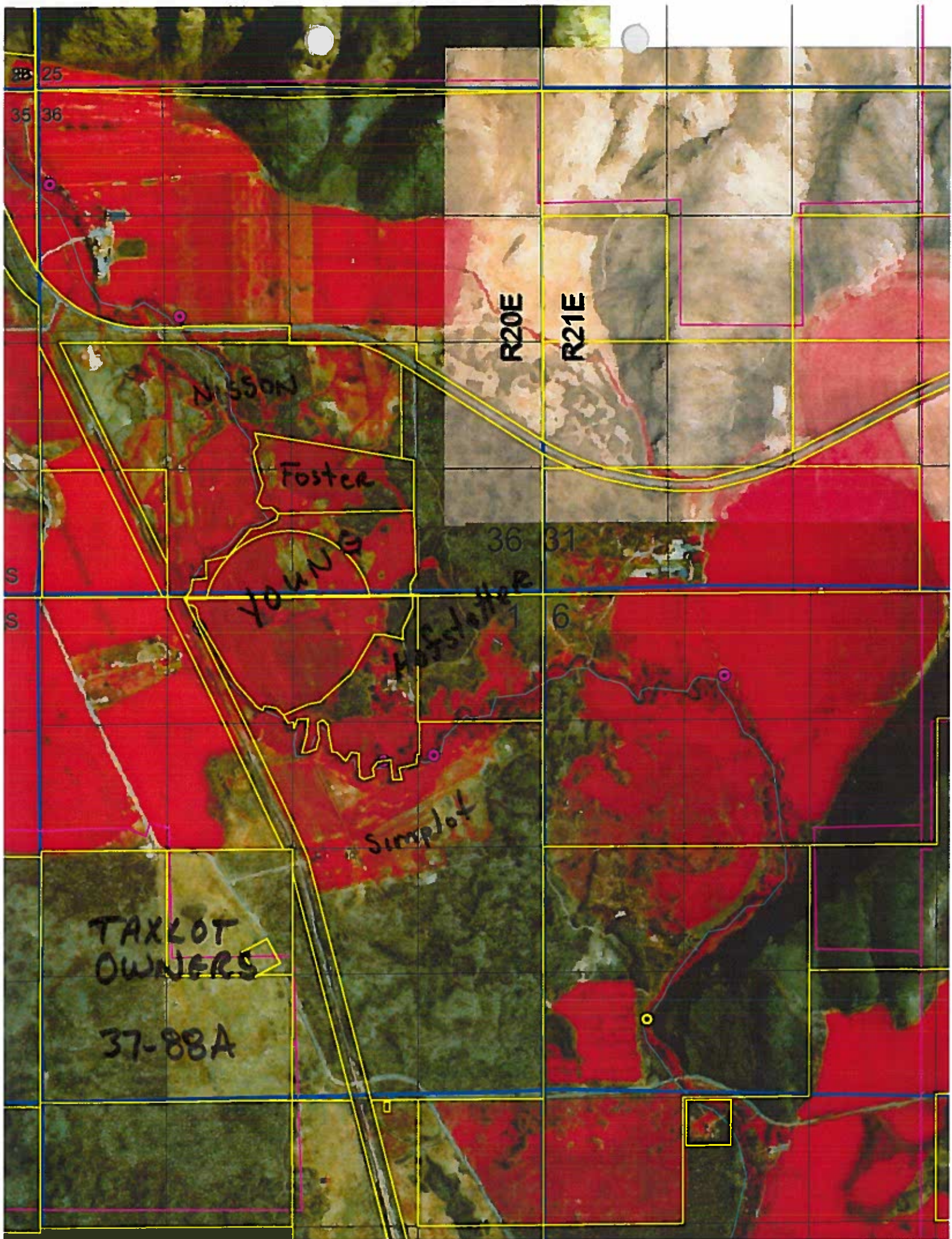
1 6

37-88A

POD

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35 36

R20E

R21E

NISSON

Foster

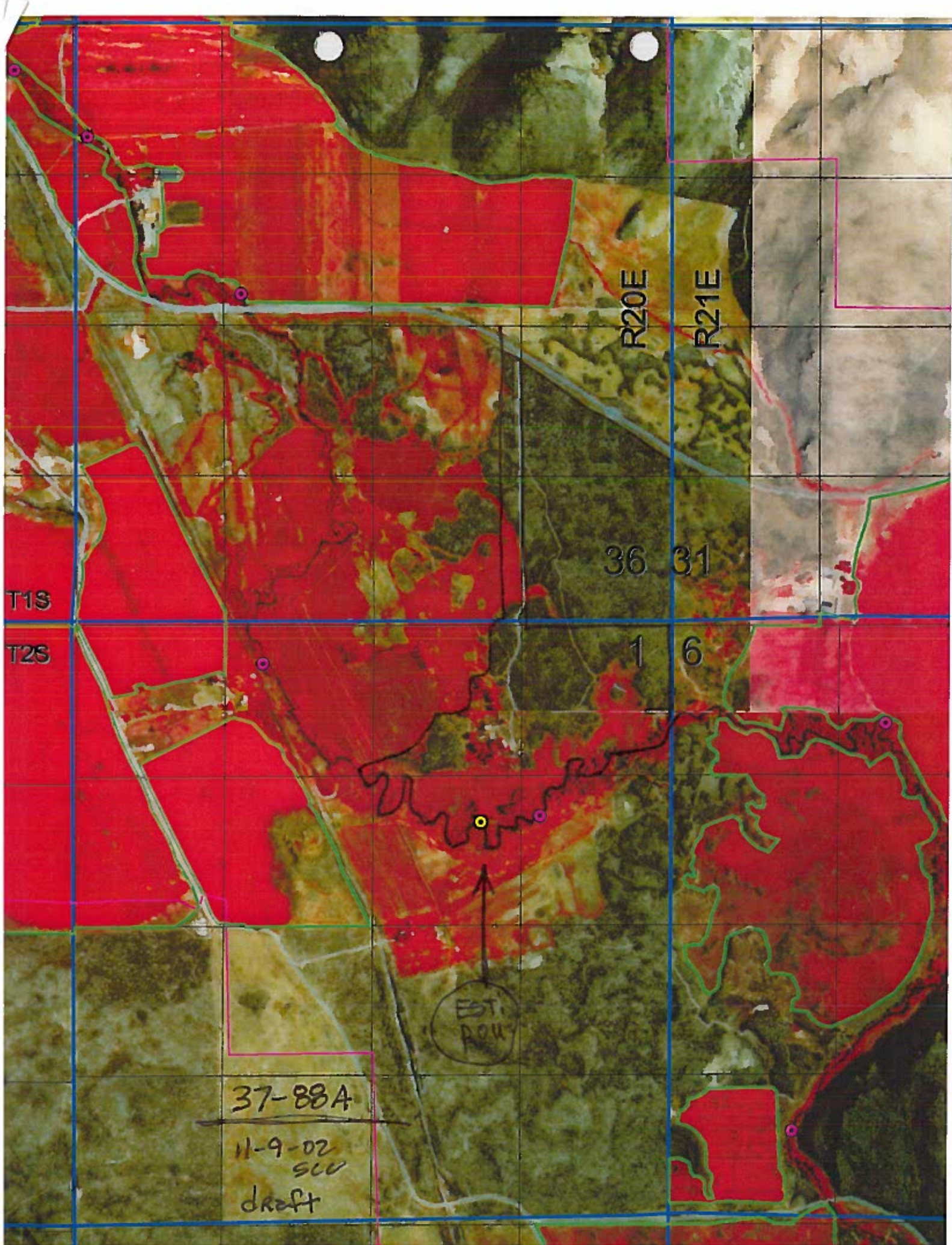
YOUNG

Hobbs

Simplot

TAXLOT
OWNERS

37-88A



R20E

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T1S

T2S

37-88A

11-9-02
SLC

draft

EST.
ROW

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-88A

WATER RIGHT NUMBER: 37-88A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WALTER J HOFSTETTER 19185 HWY 20 PICABO, ID 83348 (208)788-2813
Original Owner	CHARLES F BRETT PICABO, ID 83333
Current Owner	MARIANNE HOFSTETTER 19185 HWY 20 PICABO, ID 83348 (208)788-2813

Priority Date: 11/01/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SILVER CREEK	LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

SILVER CREEK	SW1/4NE1/4	Sec. 1, Twp 02S, Rge 20E, B.M.
BLAINE County		
SILVER CREEK	NE1/4SW1/4	Sec. 36, Twp 01S, Rge 20E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	20E	1			23.0	10.0				5.7				1.0					39.7
					L 2					L 3									

Total Acres: 39.7

Conditions of Approval:

1. 016 See remarks for additional conditions of approval.
2. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works

in a manner that will provide the watermaster suitable control of the diversion.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-88A

4. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.

Remarks:

1. General THIS RT. WHEN COMBINED WITH RTS. 37-0089, 37-0090 & 37-1224 SHALL PROVIDE NO MORE THAN .02 CFS/AC NOR MORE THAN 4 AFA/AC NOR IRRIGATE MORE THAN 189 AC.
TRANS. 2492.

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37M
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1998

WALTER J HOFSTETTER
MARIANNE HOFSTETTER
19185 HWY 20
PICABO ID 83348

RE: AMENDED CLAIM/OWNERSHIP CHANGE #A37-00088A, A37-00089A,
A37-00090D, A37-01224A

Dear Mr. and Mrs. Hofstetter:

Enclosed are copies of amended claims which reflect the sale of the 3.19 acres in the NWNE, Lot 2, of Section 1 to the Youngs. I have changed the Places of Use and the Diversion Rates to reflect the transaction. I was able to make these changes without changing your claim numbers.

Please review the records and if you have any corrections or questions, feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads 'Jeanie'.

Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

March 19, 1998 9:14am

CUSTOMER

FLORENCE AND JACK YOUNG

A37-00088A & B

A37-00089A & B

A37-00090D & E

A37-01224A & B

SUBJECT: AMENDED CLAIMS/OWNERSHIP CHANGE OF 3.19 AC
phone call (.) walk-in (X)

Walter and Marianne Hofstetter (Part A) sold a 3.19 acre parcel in the NWNE, Lot 2, of Section 1 to Jack and Forence Young (Part B). I amended the claims to show those acres going from Hofstetters to Youngs. Also included in the paperwork is a copy of an agreement between both parties allowing the Youngs to fill in the irrigation ditches which cross the Young's property and serve the Hofstetter's property.