

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 37-95F
Date Received: 10/5/1988
Receipt No: M001516
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

POINT OF ROCKS RANCH LLC Phone: (650)851-2914
35 HIDDEN VALLEY LN
WOODSIDE CA 94062

2. Date of Priority: 05/29/1893

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	Type
01S	20E	16	NW	SW	SE	BLAINE	

5. Description of diverting works:

PUMP AND MOTOR IN CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1.293	

7. Total Quantity Appropriated is:
1.293 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
01S	20E	16	SE	SE		IRRIGATION	1.9
			NW	SE		IRRIGATION	17
			SE	SW		IRRIGATION	31
			NE	SW		IRRIGATION	39
			SE	NW		IRRIGATION	1.3
			SW	NE		IRRIGATION	0.1
			SW	SE		IRRIGATION	20
					Section Acres	110.3	
01S	20E	21	NE	NE		IRRIGATION	34
			NW	NE		IRRIGATION	40
					Section Acres	74	
					Total Acres	184.3	

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:

TRANS.900,AND 2901. SAME PLACE OF USE FOR ALL RIGHTS LISTED. THIS RIGHT IS
COMBINED 3700095A AND 3000095E.
AMENDED POU 6-1-01 SCC.

15. Basis of Claim: Decreed

RECEIVED

MAR 27 2002

Department of Water Resources
Southern Region

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

Please 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, if the change in ownership is limited to a portion of 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
<u>37-00237D</u>	_____	___	<u>37-02591</u>	_____	___
<u>37-00426D</u>	_____	___	<u>37-07937</u>	_____	___
<u>37-00632F</u>	_____	___	<u>37-11498</u>	_____	___
<u>37-00943F</u>	_____	___	<u>37-04427</u>	_____	___
<u>37-00095F</u>	_____	___	<u>37-00706D</u>	_____	___
<u>37-00944F</u>	_____	___			

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) are for ten or more acres of irrigation, you must submit 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) John K. French and Elaine A. French
35 Hidden Valley Lane, Woodside, CA 94062-1203
4. New Owner/Claimant(s) Point Of Rocks Ranch, L.L.C.
 Name Connector (Check one): { } and, { } or { } and/or
- New Mailing Address 35 Hidden Valley Lane
- City, State and Zip Code Woodside, CA 94062
- New Telephone Number (650) 851-2914
5. Date you acquired the property February 4, 2002

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of 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	_____	_____

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	_____	_____

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

POINT OF ROCKS RANCH, L.L.C., an Idaho limited liability company

John K. French *Elaine A. French*
John K. French, Member/Elaine A. French, Member

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 _____

Recording Requested By
and
When Recorded Return to:

Thomas C. Praggastis, Esq.
Post Office Box 6090
Ketchum, Idaho 83340

Mail Tax Statements To:

Point of Rocks Ranch, L.L.C.
35 Hidden Valley Lane
Woodside, CA 94062

Instrument # 461573

HAILEY, BLAINE, IDAHO
2002-02-15 11:57:00 No. of Pages: 4
Recorded for : THOMAS C PRAGGASTIS
MARSHA RIEMANN Fee: 12.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

(Space Above Line for Recorder's Use)

WARRANTY DEED

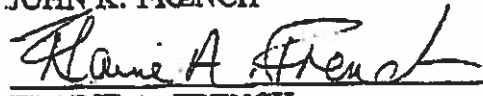
For Value Received, JOHN K. FRENCH and ELAINE A. FRENCH, husband and wife (collectively "Grantor"), hereby grant, bargain, sell and convey unto POINT OF ROCKS RANCH, L.L.C., an Idaho limited liability company, whose address is 35 Hidden Valley Lane, Woodside, California 94062 ("Grantee"), the real property located in Blaine County, Idaho, as more particularly described in Exhibit A attached hereto and incorporated herein by reference and all water rights appurtenant to the real property, as more particularly described in Exhibit B, attached hereto and incorporated herein by reference.

SUBJECT to taxes, easements, restrictions, reservations, assessments and encumbrances of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto Grantee and to Grantee's heirs and assigns forever. Grantor does hereby covenant to and with Grantee, that 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 this 4th day of February, 2002.


JOHN K. FRENCH


ELAINE A. FRENCH

State of California)
) ss.
County of San Mateo)

On this 4th day of February, 2002, before me, a Notary Public in and for said State, personally appeared JOHN K. FRENCH and ELAINE A. FRENCH, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.



Marcia Lennon
Notary Public in and for the State of California
Residing at 421 Offenbach Sunnyvale, CA
Commission expires _____

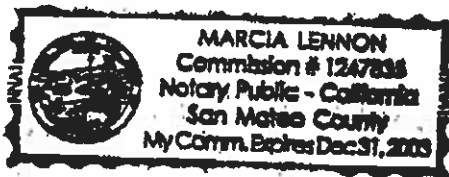


Exhibit "A"

TOWNSHIP 1 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 15: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 16: S $\frac{1}{2}$ SE $\frac{1}{4}$: N $\frac{1}{2}$ SE $\frac{1}{4}$: NW $\frac{1}{4}$ SW $\frac{1}{4}$: and E $\frac{1}{2}$ SW $\frac{1}{4}$

Excepting therefrom parcels of land in Section 16, more particularly described as follows:

COMMENCING at the 5/8" bar by Fosbury, marking the East one-quarter corner of said Section 16, which bears South 0°23'00" East, 322.74 feet from the 5/8" bar marking the closing corner to Section 15, Township 1 South, Range 20 East, Boise Meridian; thence South 60°33' 00" West, 2,666.55 feet to a fence corner, said corner being the **REAL POINT OF BEGINNING**; thence South 04°07'50" West, 171.12 feet to a fence corner on the Northerly bank of Silver Creek; thence North 76°30'09" West, 110.53 feet to a fence corner on the Northerly bank of Silver Creek; thence North 11°58'01" East, 53.39 feet to a fence corner; thence North 04°11'25" East, 78.77 feet to a fence corner; thence North 82°12'42" East, 103.93 feet to the fence corner marking the **REAL POINT OF BEGINNING**.

AND FURTHER EXCEPTING

Beginning at the SE corner of said East $\frac{1}{2}$ SW $\frac{1}{4}$; thence North a distance of 1,369.00 feet, more or less, to a point on the South right-of-way boundary line of existing county road; thence South 75°41' West, along said South boundary line of said county road right-of-way a distance of 203.60 feet to a point; thence South a distance of 940.60 feet to a point; thence South 58°30' West, a distance of 728.30 feet more or less, to a point on the South boundary line of Section 16; thence North 89°55' East, a distance of 819.00 feet, more or less **TO THE POINT OF BEGINNING**.

Section 21: N $\frac{1}{2}$ NE $\frac{1}{4}$

Section 22: N $\frac{1}{2}$ NW $\frac{1}{4}$

Excepting therefrom the right-of-way for Silver Creek.

EXHIBIT B

WATER RIGHTS

**Identification numbers of the Idaho Department of Water Resources
37-00237D, 37-00426D, 37-00632F, 37-00943F, 37-00095F, 37-
00944F, 37-02591, 37-07937, 37-11498, 37-04427 and 37-00706D**

Claimant's Name:
Point of Rocks Ranch, L.L.C.

Attorney Name & Address:
James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752

RECEIVED

MAR 27 2002

Department of Water Resources
Southern Region

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

In Re SRBA

Case No. 39576

)
)
) **NOTICE OF APPEARANCE**
)
)
)

DESCRIPTIVE SUMMARY

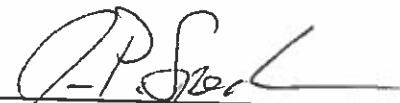
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Point of Rocks Ranch, L.L.C., an Idaho limited liability company, for the following water rights which are not the subject of any subcases: 37-00237D, 37-00426D, 37-00632F, 37-00943F, 37-00095F, 37-00944F, 37-02591, 37-07937, 37-04427 and 37-00706D.

DATED this 5th day of March, 2002.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of March, 2002, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

Form 92-346(1)-1109(5) July 2000

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

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

RECEIVED
DEC 24 2001
 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.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
37-00237D			37-02591		
37-00426D			37-07937		
37-00632F			37-11498		
37-00943F			37-04427		
37-00095F			37-00706D		
37-00944F					

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) Robert E. Gardner, Kathryn Allred Gardner and Mary Ellen Drashner
Box 1200, Hailey, ID 83333
4. New Owner/Claimant(s) John K. French and Elaine A. French
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 35 Hidden Valley Lane
- City, State and ZIP Code: Woodside, CA 94062-1203
- New Telephone Number (650) 851-2914
5. Date you acquired the property December 17, 2001

STATE OF IDAHO
IDAL 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): 37-00237D, 37-00426D, 37-00632F, 37-00943F, 37-0095F, 37-00944F
37-02591, 37-07937, 37-11498, 37-04427 and 37-00706D
- Adjudication Claim No(s): XXXX
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 Robert E. Gardner, Kathryn Allred Gardner & Mary Ellen Drashner
Box 1200, Hailey, Id 83333
4. New Owner/Claimant(s) John K. French & Elaine A. French
 New Mailing Address Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
35 Hidden Valley Lane, Woodside, CA 94062-1203
 City, State and ZIP Code _____
 New Telephone Number (650-851-2914
5. Date you acquired the property December 17, 2001
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 _____ 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) X [Signature]
X [Signature]
 (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..

RECEIVED
 DEC 24 2001
 Department of Water Resources
 Southern Region

Form 42-246 (2-14-07) July, 2000

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	_____	_____

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	_____	_____

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

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 [Signature] Date 12/27/01 Fee 25.00
 Recolpted by [Signature] Date 12/27/01 Receipt No. 5025502
 Processed by [Signature] Date _____ WR _____ Date _____

SVTC Order No. 01-16926

WARRANTY DEED

FOR VALUE RECEIVED, and as consideration as part of an IRC § 1031 tax-deferred exchange,

MARY ELLEN DRASHNER, an unmarried woman, as to an undivided 24.8344 percent interest, ROBERT E. GARDNER, a married man, as his sole and separate property, as to an undivided 21.3576 percent interest and KATHRYN ALLRED GARDNER, a married woman, as her sole and separate property, as to an undivided 53.8079 percent interest, which is all of their interest in said property

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

JOHN K. FRENCH AND ELAINE A. FRENCH, husband and wife

the grantee(s), whose current address is 35 Hidden Valley Lane, Woodside, CA 94062-1203

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

Please see attached Exhibit "A"

This transaction is a 1031 Exchange for the benefit of Mary Ellen Drashner, Robert E. Gardner and Kathryn Allred Gardner, as relinquished property.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any. Reserving and Excepting any and all water rights appurtenant thereto, which water rights shall be separately conveyed by Quitclaim Deed.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that it is the owner in fee simple of said premises; that said premises are free from all encumbrances

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

Dated: December 10, 2001



Kathryn A. Gardner



Mary Ellen Drashner



Robert E. Gardner

State of Idaho
County of Blaine

On this 11th day of Dec, 2001, Before me a Notary Public in and for said State, personally appeared Robert E. Gardner and Kathryn Allred Gardner known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public

Residing at Boise, IDComm. Expires 6/11/07

RESIDING AT:
BOISE, IDAHO
COMMISSION EXPIRES:
6-11-2007



State of Idaho

County of Ada

On this 11th day of Dec, 2001, before me, a Notary Public in and for said State, personally appeared Mary Ellen Drashner 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.

James L. Hansen

Notary Public

Residing at Boise, IdComm. expires 6/11/07

RESIDING AT:
BOISE, IDAHO
COMMISSION EXPIRES:
6-11-2007

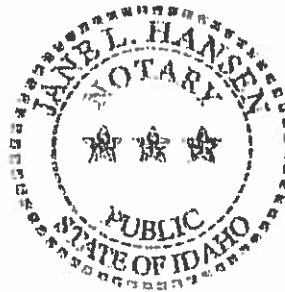


Exhibit "A"

TOWNSHIP 1 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 15: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 16: S $\frac{1}{2}$ SE $\frac{1}{4}$: N $\frac{1}{2}$ SE $\frac{1}{4}$: NW $\frac{1}{4}$ SW $\frac{1}{4}$: and E $\frac{1}{2}$ SW $\frac{1}{4}$

Excepting therefrom parcels of land in Section 16, more particularly described as follows:

COMMENCING at the 5/8" bar by Fosbury, marking the East one-quarter corner of said Section 16, which bears South 0°23'00" East, 322.74 feet from the 5/8" bar marking the closing corner to Section 15, Township 1 South, Range 20 East, Boise Meridian; thence South 60°33' 00" West, 2,666.55 feet to a fence corner, said corner being the REAL POINT OF BEGINNING; thence South 04°07'50" West, 171.12 feet to a fence corner on the Northerly bank of Silver Creek; thence North 76°30'09" West, 110.53 feet to a fence corner on the Northerly bank of Silver Creek; thence North 11°58'01" East, 53.39 feet to a fence corner; thence North 04°11'25" East, 78.77 feet to a fence corner; thence North 82°12'42" East, 103.93 feet to the fence corner marking the REAL POINT OF BEGINNING.

AND FURTHER EXCEPTING

Beginning at the SE corner of said East $\frac{1}{2}$ SW $\frac{1}{4}$; thence North a distance of 1,369.00 feet, more or less, to a point on the South right-of way boundary line of existing county road; thence South 75°41' West, along said South boundary line of said county road right-of-way a distance of 203.60 feet to a point; thence South a distance of 940.60 feet to a point; thence South 58°30' West, a distance of 728.30 feet more or less, to a point on the South boundary line of Section 16; thence North 89°55' East, a distance of 819.00 feet, more or less TO THE POINT OF BEGINNING.

Section 21: N $\frac{1}{2}$ NE $\frac{1}{4}$

Section 22: N $\frac{1}{2}$ NW $\frac{1}{4}$

Excepting therefrom roadways and the right-of-way for Silver Creek.

MAP 12A

16

15

5657

5656

6273

TL
6274

US

21

22

7655

MAP 13

1744

1746

1745

1748

1750

1751

1749

1045

1047

28



27

PICABO

2940

2942

GREEN SUPPLY

6610

6822

1753

1760

1794

500

1052

1050

1049

6580

1753

NO PICABO ROAD

T. IS. R. ZOE.

SVTC Order No. 01-16926

QUITCLAIM DEED

For Value Received MARY ELLEN DRASHNER, an unmarried woman, as to an undivided 24.8344 percent interest, ROBERT E. GARDNER, a married man, as his sole and separate property, as to an undivided 21.3576 percent interest and KATHRYN ALLRED GARDNER, a married woman, as her sole and separate property, as to an undivided 53.8079 percent interest, which is all of their interest

Do hereby convey, release, remise and forever quitclaim unto

John K. French and Elaine A. French, husband and wife

Whose current address is 35 Hidden Valley Lane, Woodside, CA 94062-1203

the following described water rights:

Identification Numbers of the Idaho Department of Water Resources 37-00237D, 37-00426D, 37-00632F, 37-00943F, 37-00095F, 37-00944F, 37-02591, 37-07937, 37-11498, 37-04427 and 37-00706D

Together with their appurtenances.

Dated: December 10, 2001

Robert E. Gardner Kathryn Allred Gardner
Mary Ellen Drashner
 Robert E. Gardner Kathryn Allred Gardner
 Mary Ellen Drashner

State of Idaho

County of Blaine

On this 11th day of Dec. 2001, before me, a Notary Public in and for said State, personally appeared Robert E. Gardner and Kathryn Allred Gardner known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

James R. Hansen
 Notary Public

Residing at: Boise, ID

Comm. Expires: 6/11/07

RESIDING AT:
 BOISE, IDAHO
 COMMISSION EXPIRES:
 6-11-2007

State of Idaho

County of Ada

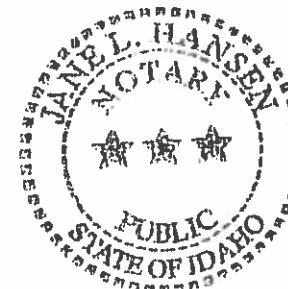
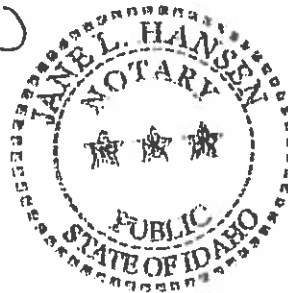
On this 11th day of Dec. 2001, before me, a Notary Public in and for said State, personally appeared Mary Ellen Drashner known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

James R. Hansen
 Notary Public

Residing at: Boise, ID

Comm. Expires: 6/11/07

RESIDING AT:
 BOISE, IDAHO
 COMMISSION EXPIRES:
 6-11-2007



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. **RECEIVED**
 Incomplete forms will be returned.

OCT 08 1998

1. Water Right Number(s) _____ Department of Water Resources
 Southern Region
 Adjudication Claim Number(s) A37-00706D, A37-00237D, A37-00426D, A37-00632F, A37-00943F, A37-00095F, A37-00944F, A37-02591, A37-07937, A37-11498

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 on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acre outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimants Charles R. Larkin
P.O. Box 767, Picabo, Idaho 83348

4. New Owner/Claimant(s) Robert E. Gardner, Mary Ellen Drashner, and/or Kathryn Allred Gardner
 Name connector (check one): [] AND, [] OR, [X] AND/OR

 New Mailing Address 12 Heron Lane

 City, State and ZIP Code Bellevue, ID 83313

 New Telephone Number (208) 788 - 2568

5. Date you acquired the property August 18, 1989

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(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 actually irrigated _____ Number and type of stock _____

 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

 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/Claimant(s) Robert E. Gardner Date 10-6-98
Kathryn Gardner Date 10-2-98
Mary Ellen Drashner Date 10-3-98
 (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

ORIGINAL IN RED

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
James P. Speck, Esq.
HOGUE, SPECK & AANESTAD
Post Office Box 987
Ketchum, Idaho 83340

(Space above line for Recorder's use)

WARRANTY DEED

FOR VALUE RECEIVED, CHARLES R. LARKIN and GIOIA B. LARKIN, husband and wife, whose address is P. O. Box 767, Picabo, ID 83348 ("Grantor" whether one or more), hereby grants, bargains, sells and conveys unto PIONEER EXCHANGE CORPORATION, an Idaho corporation, whose address is P. O. Box 987, Ketchum, ID 83340 ("Grantee", whether one or more), the following described real property situated in Blaine County, Idaho:

That real property more particularly described in Exhibit A attached hereto and by this reference made a part hereof.

TOGETHER WITH any and all water rights appurtenant thereto, specifically including, but not limited to, Idaho Water Rights Nos. 37-0706, 37-0426, 37-0237, 37-0095, 37-0632, 37-0943, 37-0944, 37-2591 and 37-7937.

AND TOGETHER WITH all and singular the buildings, structures, improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, if any, the reversions, remainder and remainders, rents, issues and profits thereof;

SUBJECT TO those exceptions and restrictions of record;

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

DATED this 17 day of August, 1989.

Charles R. Larkin
CHARLES R. LARKIN

Gioia B. Larkin
GIOIA B. LARKIN

STATE OF IDAHO)
) ss.
County of Blaine)

On this 17th day of August, 1989, before me, the undersigned, a notary public in and for said state, personally appeared CHARLES R. LARKIN and GIOIA B. LARKIN, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

James H. Spork
Notary Public for Idaho
Residing at: East Fork of 1

j:\lrknpion.ded
8/16/89

Exhibit "A"

TOWNSHIP 1 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 15: S1/2 SW.✓

Section 16: S1/2 SE1/4:✓ N1/2 SE1/4:✓ NW1/4 SW1/4:✓ and E1/2 SW1/4.✓

Excepting therefrom parcels of land in Section 16, more particularly described as follows:

COMMENCING at the 5/8" bar by Fosbury, marking the East one-quarter corner of said Section 16, which bears S. 0° 23' 00" E., 322.74 feet from the 5/8" bar marking the closing corner to Section 15, T.1S, R.20E, B.M.; thence S. 60° 33' 00" W., 2666.55 feet to a fence corner, said corner being the REAL POINT OF BEGINNING; thence S. 04° 07' 50" W., 171.12 feet to a fence corner on the Northerly bank of Silver Creek; thence N. 76° 30' 09" W., 110.53 feet to a fence corner on the Northerly bank of Silver Creek; thence N. 11° 58' 01" E., 53.39 feet to a fence corner; thence N. 04° 11' 25" E., 78.77 feet to a fence corner; thence N. 82° 12' 42" E., 103.93 feet to the fence corner marking the REAL POINT OF BEGINNING.

AND FURTHER EXCEPTING

Beginning at the SE corner of said E1/2 SW1/4; thence N. a distance of 1,369.00 feet, more or less, to a point on the South right-of-way boundary line of existing county road; thence S. 75° 41' W., along said South boundary line of said county road right-of-way a distance of 203.60 feet to a point; thence S. a distance of 940.60 feet to a point; thence S. 58° 30' W., a distance of 728.30 feet more or less, to a point on the South boundary line of Section 16; thence N. 89° 55' E., a distance of 819.00 feet, more or less, TO THE POINT OF BEGINNING.

Section 21: N1/2 NE1/4.✓

Section 22: N1/2 NW1/4.✓

Excepting therefrom the Right-of-Way for Silver Creek.

ORIGINAL IN RED

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
James P. Speck, Esq.
HOGUE, SPECK & AANESTAD
Post Office Box 987
Ketchum, Idaho 83340

(Space above line for Recorder's use)

CORPORATION
WARRANTY DEED

FOR VALUE RECEIVED, PIONEER EXCHANGE CORPORATION, a corporation duly organized and existing under the laws of the State of Idaho, whose address is P. O. Box 987, Ketchum, ID 83340 ("Grantor"), hereby grants, bargains, sells and conveys unto MARY ELLEN DRASHNER, an unmarried woman, whose address is 2953 Leisure Drive, Boise ID 83704 ("Grantee", whether one or more), the following described real property situated in Blaine County, Idaho:

An undivided 24.8344% interest as a tenant-in-common in that real property more particularly described in Exhibit A attached hereto and by this reference made a part hereof.

TOGETHER WITH an undivided 24.8344% interest as a tenant-in-common in any and all water rights appurtenant thereto, specifically including, but not limited to, Idaho Water Rights Nos. 37-0706, 37-0426, 37-0237, 37-0095, 37-0632, 37-0943, 37-0944, 37-2591 and 37-7937.

AND TOGETHER WITH all and singular the buildings, structures, improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, if any, the reversions, remainder and remainders, rents, issues and profits thereof;

SUBJECT TO those exceptions and restrictions of record;

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances except as above-described, and that the

WARRANTY DEED - 2

Exhibit "A"

TOWNSHIP 1 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 15: S1/2 SW.✓

Section 16: S1/2 SE1/4: N1/2 SE1/4: NW1/4 SW1/4: and E1/2 SW1/4.✓

Excepting therefrom parcels of land in Section 16, more particularly described as follows:

COMMENCING at the 5/8" bar by Fosbury, marking the East one-quarter corner of said Section 16, which bears S. 0° 23' 00" E., 322.74 feet from the 5/8" bar marking the closing corner to Section 15, T.1S, R.20E, B.M.; thence S. 60° 33' 00" W., 2666.55 feet to a fence corner, said corner being the REAL POINT OF BEGINNING; thence S. 04° 07' 50" W., 171.12 feet to a fence corner on the Northerly bank of Silver Creek; thence N. 76° 30' 09" W., 110.53 feet to a fence corner on the Northerly bank of Silver Creek; thence N. 11° 58' 01" E., 53.39 feet to a fence corner; thence N. 04° 11' 25" E., 78.77 feet to a fence corner; thence N. 82° 12' 42" E., 103.93 feet to the fence corner marking the REAL POINT OF BEGINNING.

AND FURTHER EXCEPTING

Beginning at the SE corner of said E1/2 SW1/4; thence N. a distance of 1,369.00 feet, more or less, to a point on the South right-of-way boundary line of existing county road; thence S. 75° 41' W., along said South boundary line of said county road right-of-way a distance of 203.60 feet to a point; thence S. a distance of 940.60 feet to a point; thence S. 58° 30' W., a distance of 728.30 feet more or less, to a point on the South boundary line of Section 16; thence N. 89° 55' E., a distance of 819.00 feet, more or less, TO THE POINT OF BEGINNING.

Section 21: N1/2 NE1/4.✓

Section 22: N1/2 NW1/4.✓

Excepting therefrom the Right-of-way for Silver Creek.

ORIGINAL IN RED

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
James P. Speck, Esq.
HOGUE, SPECK & AANESTAD
Post Office Box 987
Ketchum, Idaho 83340

(Space above line for Recorder's use)

CORPORATION
WARRANTY DEED

FOR VALUE RECEIVED, PIONEER EXCHANGE CORPORATION, a corporation duly organized and existing under the laws of the State of Idaho, whose address is P. O. Box 987, Ketchum, ID 83340 ("Grantor"), hereby grants, bargains, sells and conveys unto ROBERT E. GARDNER, a married man dealing in his sole and separate property, whose address is P. O. Box 470, Bellevue, ID 83313 ("Grantee", whether one or more), the following described real property situated in Blaine County, Idaho:

An undivided 21.3576% interest as a tenant-in-common in that real property more particularly described in Exhibit A attached hereto and by this reference made a part hereof.

TOGETHER WITH an undivided 21.3576% interest as a tenant-in-common in any and all water rights appurtenant thereto, specifically including, but not limited to, Idaho Water Rights Nos. 37-0706, 37-0426, 37-0237, 37-0095, 37-0632, 37-0943, 37-0944, 37-2591 and 37-7937.

AND TOGETHER WITH all and singular the buildings, structures, improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, if any, the reversions, remainder and remainders, rents, issues and profits thereof;

SUBJECT TO those exceptions and restrictions of record;

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances except as above-described, and that the

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

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors, has caused its corporate name to be hereunto subscribed by its president and secretary.

DATED this 17th day of August, 1989.

PIONEER EXCHANGE CORPORATION, an
Idaho corporation

By: James P. Speck
James P. Speck, President

By: Ruby Becker
Ruby Becker, Secretary

STATE OF IDAHO)
)
County of Blaine) ss.

On this 17th day of August, 1989, before me, the undersigned notary public in and for said state, personally appeared James P. Speck and Ruby Becker, known or identified to me to be the president and secretary, respectively, of PIONEER EXCHANGE CORPORATION and the persons who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

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

Notary Public for Idaho
Residing at: Green Valley

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8/16/89

Exhibit "A"

TOWNSHIP 1 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 15: S1/2 SW.✓

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Section 21: N1/2 NE1/4.✓

Section 22: N1/2 NW1/4.✓

Excepting therefrom the Right-of-Way for Silver Creek.

ORIGINAL IN RED

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
James P. Speck, Esq.
HOGUE, SPECK & AANESTAD
Post Office Box 987
Ketchum, Idaho 83340

(Space above line for Recorder's use)

CORPORATION
WARRANTY DEED

FOR VALUE RECEIVED, PIONEER EXCHANGE CORPORATION, a corporation duly organized and existing under the laws of the State of Idaho, whose address is P. O. Box 987, Ketchum, ID 83340 ("Grantor"), hereby grants, bargains, sells and conveys unto KATHRYN ALLRED GARDNER, a married woman dealing in her sole and separate property, whose address is P. O. Box 470, Bellevue, ID 83313 ("Grantee", whether one or more), the following described real property situated in Blaine County, Idaho:

An undivided 53.8079% interest as a tenant-in-common in that real property more particularly described in Exhibit A attached hereto and by this reference made a part hereof.

TOGETHER WITH an undivided 53.8079% interest as a tenant-in-common in any and all water rights appurtenant thereto, specifically including, but not limited to, Idaho Water Rights Nos. 37-0706, 37-0426, 37-0237, 37-0095, 37-0632, 37-0943, 37-0944, 37-2591 and 37-7937.

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SUBJECT TO those exceptions and restrictions of record;

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances except as above-described, and that the

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

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors, has caused its corporate name to be hereunto subscribed by its president and secretary.

DATED this 17th day of August, 1989.

PIONEER EXCHANGE CORPORATION, an
Idaho corporation

By: James P. Speck
James P. Speck, President

By: Ruby Becker
Ruby Becker, Secretary

STATE OF IDAHO)
)
County of Blaine) ss.

On this 17th day of August, 1989, before me, the undersigned notary public in and for said state, personally appeared James P. Speck and Ruby Becker, known or identified to me to be the president and secretary, respectively, of PIONEER EXCHANGE CORPORATION and the persons who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

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

Arthur H. Hutton
Notary Public for Idaho
Residing at: Vanilla Village

j:\piokath.ded
8/16/89

Exhibit "A"

TOWNSHIP 1 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 15: S1/2 SW.✓

Section 16: S1/2 SE1/4: N1/2 SE1/4: NW1/4 SW1/4: and E1/2 SW1/4.✓

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AND FURTHER EXCEPTING

Beginning at the SE corner of said E1/2 SW1/4; thence
N. a distance of 1,369.00 feet, more or less, to a point on the South right-of-way boundary line of existing county road; thence
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S. a distance of 940.60 feet to a point; thence
S. 58° 30' W., a distance of 728.30 feet more or less, to a point on the South boundary line of Section 16; thence
N. 89° 55' E., a distance of 819.00 feet, more or less, TO THE POINT OF BEGINNING.

Section 21: N1/2 NE1/4.✓

Section 22: N1/2 NW1/4.✓

Excepting therefrom the Right-of-Way for Silver Creek.

Claimants Names:

**Robert E. Gardner
Mary Ellen Drashner
Kathryn Allred Gardner
12 Heron Lane
Bellevue, ID 83313**

RECEIVED

OCT 08 1998

*Department of Water Resources
Southern Region*

Attorney Name & Address:

**James P. Speck
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 93340
(208) 726-4421
FAX: (208) 726-0752**

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

In Re SRBA

Case No. 39576

)
)
)
)
)
)
)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

This is a notice of appearance by counsel on behalf of the new claimants and purchasers of water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation hereby enters its appearance on behalf of Claimants, Robert E. Gardner, Mary Ellen Drashner and Kathryn Allred Gardner, for

the following water right claims which are not the subject of any Subcases: A37-00706D, A37-00237D, A37-00426D, A37-00632F, A37-00943F, A37-00095F, A37-00944F, A37-02591, A37-07937, A37-11498.

DATED this 6th day of October, 1998.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of October, 1998, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

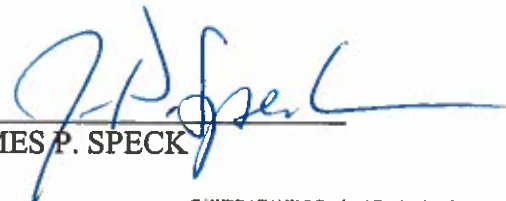
- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

RECEIVED

JUN 01 2001

Department of Water Resources
Southern Region

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 37-00095F
Date Received: 10/5/88
Receipt No: M001516
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KATHRYN ALLRED GARDNER

Phone: (208)788-2568

PO BOX 1200
HAILEY ID USA 83333

MARY ELLEN DRASHNER

Phone: (208)788-2568

PO BOX 1200
HAILEY ID USA 83333

ROBERT E GARDNER

Phone: (208)788-2568

PO BOX 1200
HAILEY ID USA 83333

2. Date of Priority: 05/29/1893

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	Type
01S	20E	16	NW SW SE	BLAINE	

5. Description of diverting works:

PUMP AND MOTOR IN CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.293	

7. Total Quantity Appropriated is:
1.293 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
01S	20E	16	SE	SE	IRRIGATION	1.9
			NW	SE	IRRIGATION	17
			SE	SW	IRRIGATION	31
			NE	SW	IRRIGATION	39
			SE	NW	IRRIGATION	1.3
			SW	NE	IRRIGATION	0.1
			SW	SE	IRRIGATION	20
					Section Acres	110.3
01S	20E	21	NE	NE	IRRIGATION	34
			NW	NE	IRRIGATION	40
					Section Acres	74
					Total Acres	184.3

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:

TRANS.900,AND 2901. SAME PLACE OF USE FOR ALL RIGHTS LISTED. THIS RIGHT IS
COMBINED 3700095A AND 3000095E.
AMENDED POU 6-1-01 SCC.

15. Basis of Claim: Decreed

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Robert Gardner Date: 6-01-2001

Date:

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 1st
of June 2001

J. Stanton
Notary Public

Residing at Twin Falls, ID

My commission Expires 10-25-2006



14100

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: A37-00095F
Date Received: 10/04/1988
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES R. LARKIN 208-788-2823
Address: P.O. BOX 767
PICABO, ID 83348

2. Date of Priority: MAY 29, 1893

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	20E	16	NW	SW	SE		BLAINE

5. Description of diverting works:
PUMP AND MOTOR IN CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.293		

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

8. Total consumptive use is 227.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	20E	16	SW	SE		IRR	13.0
			SE	SE		IRR	1.0
Section Acres							14.0

A37-00095F

Page 1

Date: 10/04/88

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	20E	21	NE	NE		IRR	35.0
			NW	NE		IRR	40.0
						Section Acres	75.0
		22	NW	NW		IRR	2.0
						Section Acres	2.0
						Total Acres	91.0

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:

A3700237D, A3700426D, 37-00623, 00944, 00943.

14. Remarks:

TRANS. 900, AND 2901. SAME PLACE OF USE FOR ALL RIGHTS LISTED.
THIS RIGHT IS COMBINED 3700095A AND 3000095E.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/12/1909

S.C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Chas. B. Lankford Date: 10-4-88

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 4 day
of Oct 19 88

John Dale Carlson
Notary Public

Seal

Residing at Boise ID
My Commission Expires 6/2/94



15 20E A37-00095F

57.11
10.4
67.4

REFILMED
FEB 22 1993

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2008 SEP 11 AM 11 35

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

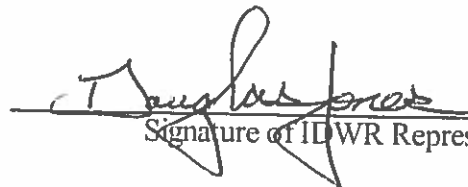
In Re SRBA	)	SUBCASE NO. (37-95F) 37-237D,
	)	37-426D, 37-632F, 37-706D, 37-943F
Case No. 39576	)	37-944F, 37-2591, 37-4427, 37-7937
	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 9/10/08



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9/11, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

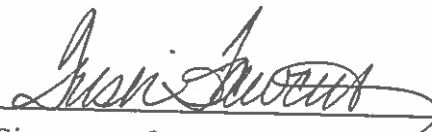
Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Point of Rocks Ranch LLC
PO Box 9320
Ketchum ID 83340

James P Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340



Signature of person or attorney mailing the form

07/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-95F

NAME AND ADDRESS: POINT OF ROCKS RANCH LLC
PO BOX 9320
KETCHUM ID 83340

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.290 CFS

PRIORITY DATE: 05/29/1893

POINT OF
DIVERSION:

T01S R20E S16 NWSWSE 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	1.290 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01S R20E S16 SENW 1.40	T01S R20E S16 NESW	39.00
	T01S R20E S16 SESW 30.00	T01S R20E S16 NWSE	17.00
	T01S R20E S16 SWSE 21.00	T01S R20E S16 SESE	1.60
	T01S R20E S21 NENE 34.00	T01S R20E S21 NWNE	40.00
	184 ACRES TOTAL		

This right is limited to the irrigation of 83 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 184 acres in a single irrigation season. Combined Right Nos.: 37-95F, 37-237D, 37-426D, 37-632F, and 37-706D.

The rights listed below are limited to the irrigation of a combined total of 83 acres in a single irrigation season. Combined Right Nos.: 37-95F, 37-237D, and 37-632F.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

07/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-237D

NAME AND ADDRESS: POINT OF ROCKS RANCH LLC
PO BOX 9320
KETCHUM ID 83340

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.350 CFS

PRIORITY DATE: 06/15/1887

POINT OF
DIVERSION:

T01S R20E S16 NWSWSE 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	1.350 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01S R20E S16 SENW 1.40	T01S R20E S16 NESW	39.00
	T01S R20E S16 SESW 30.00	T01S R20E S16 NWSE	17.00
	T01S R20E S16 SWSE 21.00	T01S R20E S16 SESE	1.60
	T01S R20E S21 NENE 34.00	T01S R20E S21 NWNE	40.00

184 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 184 acres in a single irrigation season. Combined Right Nos.: 37-95F, 37-237D, 37-426D, 37-632F, and 37-706D.

The rights listed below are limited to the irrigation of a combined total of 83 acres in a single irrigation season. Combined Right Nos.: 37-95F, 37-237D, and 37-632F.

This right is limited to the irrigation of 83 acres within the place of use described above in a single irrigation season.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

07/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-426D

NAME AND ADDRESS: POINT OF ROCKS RANCH LLC
PO BOX 9320
KETCHUM ID 83340

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.190 CFS

PRIORITY DATE: 04/01/1887

POINT OF
DIVERSION:

T01S R20E S16 NWSWSE 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	0.190 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01S R20E S16 SENW 1.40	T01S R20E S16 NESW	39.00
	T01S R20E S16 SESW 30.00	T01S R20E S16 NWSE	17.00
	T01S R20E S16 SWSE 21.00	T01S R20E S16 SESE	1.60
	T01S R20E S21 NENE 34.00	T01S R20E S21 NWNE	40.00
	184 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 184 acres in a single irrigation season. Combined Right Nos.: 37-95F, 37-237D, 37-426D, 37-632F, and 37-706D.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

07/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-632F

NAME AND ADDRESS: POINT OF ROCKS RANCH LLC
PO BOX 9320
KETCHUM ID 83340

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.460 CFS

PRIORITY DATE: 06/03/1897

POINT OF
DIVERSION:

T01S R20E S16 NWSWSE 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	1.460 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01S R20E S16 SENW 1.40	T01S R20E S16 NESW	39.00
	T01S R20E S16 SESW 30.00	T01S R20E S16 NWSE	17.00
	T01S R20E S16 SWSE 21.00	T01S R20E S16 SESE	1.60
	T01S R20E S21 NENE 34.00	T01S R20E S21 NWNE	40.00
	184 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 184 acres in a single irrigation season. Combined Right Nos.: 37-95F, 37-237D, 37-426D, 37-632F, and 37-706D.

The rights listed below are limited to the irrigation of a combined total of 83 acres in a single irrigation season. Combined Right Nos.: 37-95F, 37-237D, and 37-632F.

This right is limited to the irrigation of 83 acres within the place of use described above in a single irrigation season.

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

07/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-706D

NAME AND ADDRESS: POINT OF ROCKS RANCH LLC
PO BOX 9320
KETCHUM ID 83340

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.390 CFS

PRIORITY DATE: 03/15/1883

POINT OF
DIVERSION:

T01S R20E S16 NWSWSE 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	1.390 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01S R20E S16 SENW 1.40	T01S R20E S16 NESW	39.00
	T01S R20E S16 SESW 30.00	T01S R20E S16 NWSE	17.00
	T01S R20E S16 SWSE 21.00	T01S R20E S16 SESE	1.60
	T01S R20E S21 NENE 34.00	T01S R20E S21 NWNE	40.00

184 ACRES TOTAL

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 184 acres in a single irrigation season. Combined Right Nos.: 37-95F, 37-237D, 37-426D, 37-632F, and 37-706D.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

07/8/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-943F	POINT OF ROCKS RANCH LLC PO BOX 9320 KETCHUM ID 83340	Disallowed	Forfeited/abandoned due to non-use from 1982 to 1987.

07/8/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-944F	POINT OF ROCKS RANCH LLC PO BOX 9320 KETCHUM ID 83340	Disallowed	Forfeited/abandoned due to non-use from 1982 to 1987.

07/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2591

NAME AND ADDRESS: POINT OF ROCKS RANCH LLC
PO BOX 9320
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.540 CFS
269.50 AFY

The rights listed below are limited to a total combined diversion rate of 2.18 cfs and to a total combined annual diversion volume of 413 AF. Combined Right Nos.: 37-2591, 37-4427, and 37-7937.

PRIORITY DATE: 12/24/1956

POINT OF
DIVERSION:

T01S R20E S16 NESWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.540 CFS 269.50 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R20E S15	NWSW	4.50	T01S R20E S15	SWSW	36.00
T01S R20E S15	SESW	14.00	T01S R20E S16	NESE	2.50
T01S R20E S16	SESE	20.00			

77 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 121 acres in a single irrigation season. Combined Right Nos.: 37-2591, 37-4427, and 37-7937.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

07/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-4427

NAME AND ADDRESS: POINT OF ROCKS RANCH LLC
PO BOX 9320
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.460 CFS
182.00 AFY

The rights listed below are limited to a total combined diversion rate of 2.18 cfs and to a total combined annual diversion volume of 413 AF. Combined Right Nos.: 37-2591, 37-4427, and 37-7937.

PRIORITY DATE: 04/15/1962

POINT OF
DIVERSION:

T01S R20E S16 NESWSE 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	0.460 CFS 182.00 AFY
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01S R20E S15 SWSW 6.40	T01S R20E S15 SESW	4.60
	T01S R20E S22 NENW 20.00	T01S R20E S22 NWNW	21.00

52 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 121 acres in a single irrigation season. Combined Right Nos.: 37-2591, 37-4427, and 37-7937.

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 - Beneficial Use

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

07/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7937

NAME AND ADDRESS: POINT OF ROCKS RANCH LLC
PO BOX 9320
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.880 CFS
132.00 AFY

The rights listed below are limited to a total combined diversion rate of 2.18 cfs and to a total combined annual diversion volume of 413 AF. Combined Right Nos.: 37-2591, 37-4427, and 37-7937.

PRIORITY DATE: 08/24/1981

POINT OF
DIVERSION:

T01S R20E S16 NESWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.880 CFS 132.00 AFY
PLACE OF USE: <u>IRRIGATION in BLAINE County</u>		
T01S R20E S15 SWSW 1.40	T01S R20E S15 SESW 1.60	
T01S R20E S22 NENW 20.00	T01S R20E S22 NWNW 21.00	
44 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 121 acres in a single irrigation season. Combined Right Nos.: 37-2591, 37-4427, and 37-7937.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is subject to all prior water rights and may be forfeited by five years of non-use.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

September 11, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

POINT OF ROCKS RANCH LLC
PO BOX 9320
KETCHUM ID 83340

RE: SRBA Claim(s) 37-95F, 37-237D, 37-426D, 37-632F,
37-706D, 37-943F, 37-944F, 37-2591, 37-4427,
37-7937

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures

cc: James P. Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340

Anders, Matthew

To: Jim Speck
Cc: 'Mr. John K. French'; hideawayranch@earthlink.net
Subject: RE: point of rocks



37-0095F.doc



37-0237D.doc



37-0426D.doc



37-0632F.doc



37-0706D.doc

Jim,

I found an error in the recommendations. The combined use limit for acreage should be "The rights listed below are limited to the irrigation of a combined total of 83 acres in a single irrigation season. Combined Right Nos.: 37-95F, 37-237D, and 37-632F" and it only applies to the three claims listed, so I removed it from the other two claims. Attached are the updated recommendations.

Below are my responses to your questions.

1. Where do the combined limit remarks come from on the surface water rights?

Transfer No. 2901 and 2903 were both approved January 26th 1986. Transfer No. 2901 stacked water rights 37-95A, 37-237A, and 37-632B on 83 acres. Transfer No. 2903 stacked water rights 37-95E and 37-632E on 80 acres that overlapped all but 3 acres of the POU for Transfer No. 2901.

Water right 37-237B consists of 0.89 cfs for Irrigation of 8 quarter-quarter sections (320 acres)

Water right 37-632B consists of 1.26 cfs for Irrigation of 10 quarter-quarter sections (400 acres)

SRBA claim 37-95F combined water rights 37-95A and 37-95E. To avoid expansion of water right 37-95A, the POU for the combined water rights cannot exceed 80 acres.

SRBA claim 37-237D combined water rights 37-237A and 37-237B. To avoid expansion of water right 37-237A, the POU for the combined water rights cannot exceed 83 acres.

SRBA claim 37-632F combined water rights 37-632B and 37-632E. To avoid expansion of water right 37-632E, the POU for the combined water rights cannot exceed 80 acres.

Since water rights 37-95A, 37-95E, 37-237A, 37-632B, and 37-632E are stacked on same land, there is a combined use limit of 83 acres for claims 37-95F, 37-237D, and 37-632F. (I probably should have an additional condition to limit 37-95F and 37-632F to 80 acres).

Water right 37-426A consists of 0.83 cfs for Irrigation of 8 quarter-quarter sections (320 acres)

SRBA claim 37-426D is part of water right 37-426A, so it can be used to irrigate the entire 184-acre PPU.

Water right 37-706A consists of 1.18 cfs for Irrigation of 80 acres.

Water right 37-706B consists of 0.92 cfs for Irrigation of 8 quarter-quarter sections (320 acres)

SRBA claim 37-706D combined water rights 37-706A and 37-706B. To avoid expansion of water

right 37-706A, the POU for the combined water rights cannot exceed 80 acres.

Claims 37-95F, 37-237D, 37-426D, 37-632F, and 37-706D are stacked in a 184-PPU, so when combine they are limited to 184 acres.

2. Why are 37-2591 and 37-7937 limited to a combined total of 118 acres instead of their total of 121 acres?

I found a total of 118 acres of Irrigation. Since 37-2591 and 37-7937 add up to 121 acres, they overlap by 3 acres. Since the POU for 37-2591, 37-4427, and 37-7937 overlap, all three rights are included in a combined use limit of 118 acres.

I could not make a PPU with these three rights because 37-7937 was licensed in 10/1989, after the SRBA started.

3. For 37-4427, where does the priority date come from and how did you come up with the place of use?

The field exam for license 37-2591 was conducted on 7/19/1962 and the examiner documented 129 acres of irrigation. A well log dating from 1957 establishes that they had the diversion works in place and irrigation was documented in July 1962, so I set the priority date as the start of the irrigation season 4/15/1962. The POU for 37-4427 is land that was found to be irrigated at the time of the 1962 field exam, but was not included in the POU for license 37-2591 and was still being irrigated in 1987.

Let me know if you have any questions. Thanks!

Matt

-----Original Message-----

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Sunday, January 07, 2007 9:45 PM
To: Anders, Matthew
Cc: 'Mr. John K. French'; hideawayranch@earthlink.net
Subject: RE: point of rocks

Matt,

Some initial questions:

1. Where do the combined limit remarks come from on the surface water rights?

2. Why are 37-2591 and 37-7937 limited to a combined total of 118 acres instead of their total of 121 acres?

3. For 37-4427, where does the priority date come from and how did you come up with the place of use?

Thanks.

Jim

James P. Speck

SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

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-----Original Message-----

From: Anders, Matthew
Sent: Saturday, January 06, 2007 11:02 AM
To: jim@speckandaanestad.com

Jim,

Here the preliminary recommendations for Point of Rocks. Let me know if you have any questions.

<<point of rocks.zip>>

Matt Anders
GIS Specialist
Idaho Water Resources Research Institute
Idaho Department of Water Resources
322 East Front St.
PO Box 83720
Boise, ID 83720-0098

Ph. 208-287-4937

--
No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.5.432 / Virus Database: 268.16.6/617 - Release Date: 1/5/2007
11:11 AM

Attachment(s): point of rocks.zip

01/12/2007

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

RIGHT NUMBER: 37-95F

NAME AND ADDRESS: POINT OF ROCKS RANCH LLC
35 HIDDEN VALLEY LN
WOODSIDE CA 94062

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.290 CFS

PRIORITY DATE: 05/29/1893

POINT OF DIVERSION:

T01S R20E S16 NWSWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
1.290 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R20E S16	SENW	1.40	T01S R20E S16	NESW	39.00
T01S R20E S16	SESW	30.00	T01S R20E S16	NWSE	17.00
T01S R20E S16	SWSE	21.00	T01S R20E S16	SESE	1.60
T01S R20E S21	NENE	34.00	T01S R20E S21	NWNE	40.00

184 ACRES TOTAL

This right is limited to the irrigation of 83 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 184 acres in a single irrigation season. Combined Right Nos.: 37-95F, 37-237D, 37-426D, 37-632F, and 37-706D.

The rights listed below are limited to the irrigation of a combined total of 83 acres in a single irrigation season. Combined Right Nos.: 37-95F, 37-237D, and 37-632F.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



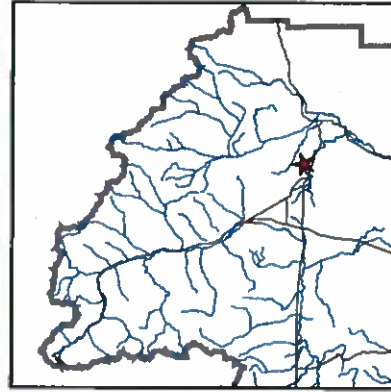
Idaho Department of Water Resources

SRBA Recommendation:

- 37-95F
- 37-237D
- 37-426D
- 37-632F
- 37-706D

Legend

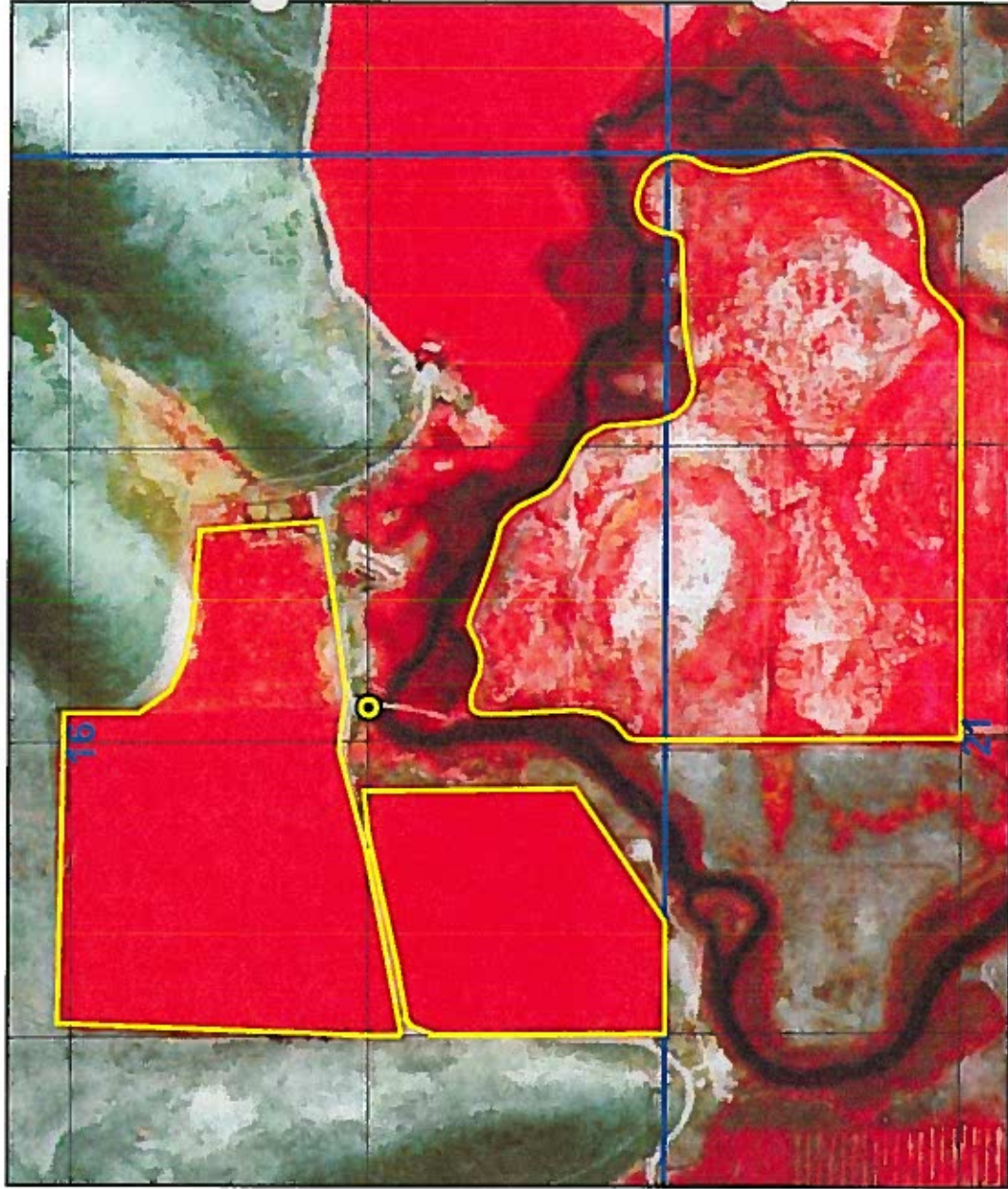
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37

Prepared by M. Anders
On Friday, January 5, 2007
1987/88 Aerial Photography

R20E



0 0.25 0.5 Miles

Adjudication Claim Notes

Claim(s): 37-95F, 37-237D, 37-426D, 37-632F, 37-706D, 37-943F, 37-944F

Background Data

37-95F

- Source is Silver Creek tributary to Little Wood River
- Priority date search indicates:
 - Transfer No. 900 split water right 37-95 into:
 - 37-95A for 1.09 cfs for Irrigation of 10 QQ
 - Transfer No. 2901 limited to Irrigation of 83 acres
 - 37-95B for 0.86 cfs for Irrigation of 8 QQ
 - Transfer No. 2903 split into:
 - 37-95D for 0.66 cfs for Irrigation of 8 QQ
 - 37-95E for 0.20 cfs for Irrigation of 80 acres
 - 37-95C for 0.65 cfs for Irrigation of 4 QQ
 - Total = 2.6 cfs
 - SRBA claims
 - 37-95C split into:
 - 37-21996 claimed 0.64 cfs
 - 37-21997 claimed 0.01 cfs
 - 37-95D claimed 0.66 cfs (temp)
 - 37-95F claimed 1.29 cfs for Irrigation of 184.3 acres
 - combined 37-95A & 37-95E
 - Watermaster delivering: 1.29 cfs
 - 37-95G claimed 0.20 cfs (temp)
 - Total claimed = 2.8 cfs

37-237D

- Source is Silver Creek tributary to Little Wood River
- Priority date search indicates:
 - Transfer No. 900 split water right 37-237 split into:
 - 37-237A for 1.13 cfs for Irrigation of 10 QQ
 - Transfer No. 2901 limited to Irrigation of 83 acres
 - 37-237B for 0.89 cfs for Irrigation of 8 QQ
 - 37-237C for 0.68 cfs for Irrigation of 4 QQ
 - Total = 2.7 cfs
 - SRBA claims
 - 37-237C claimed 0.68 cfs
 - 37-237D claimed 1.35 cfs for Irrigation of 184.3 acres
 - portions of 37-237A & 37-237B
 - Watermaster delivering: 1.35 cfs
 - 37-448D claimed 0.006 cfs
 - 37-448E claimed 0.29 cfs
 - Total claimed = 2.326 cfs

37-426D

- Source is Silver Creek tributary to Little Wood River
- Priority date search indicates:
 - Water right 37-426 split into:
 - 37-426A for 0.83 cfs for Irrigation of 8 QQ
 - 37-426B for 1.05 cfs for Irrigation of 10 QQ
 - 37-426C for 0.63 cfs for Irrigation of 4 QQ
 - Total = 2.51 cfs
 - SRBA claims
 - 37-426B claimed 1.05 cfs
 - all of 37-426B
 - 37-426C claimed 0.63 cfs
 - all of 37-426C
 - 37-426D claimed 0.19 cfs for Irrigation of 184.3 acres
 - part of 37-426A
 - Watermaster delivering: 0.19 cfs
 - 37-426E claimed 0.24 cfs
 - part of 37-426A
 - Total claimed = 2.07 cfs

37-632F

- Source is Silver Creek tributary to Little Wood River
- Priority date search indicates:
 - Water right 37-632 split into:
 - 37-632A for 0.75 cfs for Irrigation of 4 QQ
 - 37-632B for 1.26 cfs for Irrigation of 10 QQ
 - Transfer No. 2901 limited to Irrigation of 83 acres
 - 37-632C for 0.99 cfs for Irrigation of 8 QQ
 - Transfer No. 2903 split into:
 - 37-632D for 0.76 cfs for Irrigation of 8 QQ
 - 37-632E for 0.23 cfs for Irrigation of 80 acres
 - Total = 3.0 cfs
 - SRBA claims
 - 37-632A claimed 0.75 cfs
 - all of 37-632A
 - 37-632F claimed 1.47 cfs for Irrigation of 184.3 acres
 - should be all of 37-632B and 37-632E
 - Watermaster delivering: 1.46 cfs
 - 37-632G claimed 0.24 cfs
 - part of 37-632D
 - 37-632H claimed 0.24 cfs
 - part of 37-632D
 - 37-632J claimed 0.24 cfs
 - part of 37-632D
 - Total claimed = 2.94 cfs

37-706D

- Source is Silver Creek tributary to Little Wood River
- Priority date search indicates:
 - Water right 37-706 split into:
 - 37-706A for 1.18 cfs for Irrigation of 10 QQ
 - Transfer No. 2904 lists "transferred to" POU of 80 acres, but no acre limiting condition in this transfer.
 - 37-706B for 0.92 cfs for Irrigation of 8 QQ
 - 37-706C for 0.70 cfs for Irrigation of 4 QQ
 - Total = 2.8 cfs
 - SRBA claims
 - 37-706B claimed 0.22 cfs
 - part of 37-706A and/or 37-706B
 - 37-706C claimed 0.70 cfs
 - all of 37-706C
 - 37-706D claimed 1.39 cfs for Irrigation of 184.3 acres
 - part of 37-706A and 37-706B
 - Watermaster delivering: 1.39 cfs
 - 37-706E claimed 0.22 cfs
 - part of 37-706A and/or 37-706B
 - Total claimed = 2.54 cfs

37-943F

- Source is J Drain tributary to Grove Creek
- Claimed 1.59 cfs for Irrigation of 184.3 acres

37-944F

- Source is K & L Drains tributary to Loving Creek
- Claimed 0.804 cfs for Irrigation of 184.3 acres

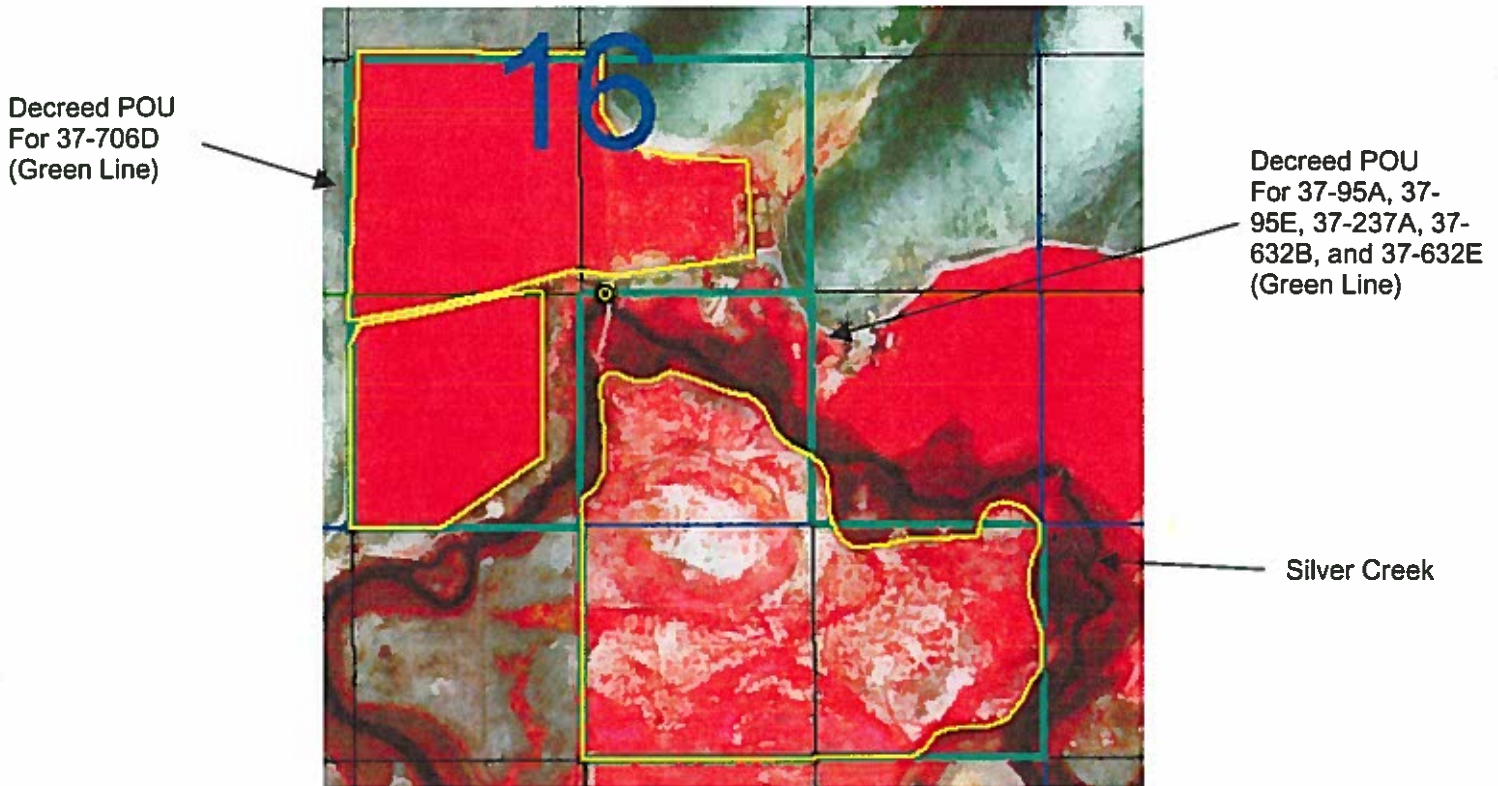
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Notes

T1S R20E Sections 16 & 21

- 37-95F
 - 37-95A and 37-95E are stacked and the POUs are the same except that 37-95E is 3 acres smaller.
 - Decided to recommend the combined POU for 37-95F as 83 acres.
- 37-237A is stacked on the same POU as 37-95A and 37-95E. 37-237B is on 8 QQ.
 - Decided that by combining portions of 37-237A and 37-237B, the combined POU is the 83 acres listed as the POU for water right 37-237A.
 - So water right 37-237A is not enlarged.
- 37-632F
 - Remark on claim says it combines 1.26 cfs from 37-632B and 0.232 cfs from 37-632E, for a total of 1.492 cfs. However, the claimed diversion rate is 1.472 cfs.
 - Watermaster is delivering 1.46 cfs
 - 37-632B and 37-632E are stacked on the same POU as 37-95A and 37-95E.

- 37-706A is on 80 acres different from the POU for 37-95E. 37-706B is on 8 QQ.
 - Decided that by combining portions of 37-706A and 37-706B, the combined POU is the 80 acres listed as the POU for water right 37-706A.
 - So water right 37-706A is not enlarged.
- Water rights 37-95A, 37-95E, 37-237A, 37-632B, and 37-632E are stacked on same land, so there is a combined use limit of 83 acres for claims 37-95F, 37-237D, and 37-632F.
- Recommendations:
 - 37-95F, 37-237D, and 37-632F are limited to a combined total of 83 acres.
 - I probably should have an additional condition to limit 37-95F and 37-632F to 80 acres.
 - 37-95F, 37-237D, 37-426D, 37-632F, and 37-706D are limited to a combined total of 184 acres
 - 37-95F
 - 1.29 cfs for Irrigation of 83 acres within the PPU
 - 37-237D
 - 1.35 cfs for Irrigation of 83 acres within the PPU
 - 37-426D
 - 0.19 cfs for Irrigation of entire PPU
 - 37-632F
 - 1.46 cfs for Irrigation of 83 acres within the PPU
 - 37-706D
 - 1.39 cfs for Irrigation of 80 acres within the PPU
 - 37-943F
 - Disallowed
 - based on Watermaster testimony
 - 37-944F
 - Disallowed
 - based on Watermaster testimony
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-95A

WATER RIGHT NUMBER: 37-95A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES R LARKIN PO BOX 767 PICABO, ID 83348 (208)788-2823
Original Owner	J R BROADIE , ZZ

Priority Date: 05/29/1893

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>
DOMESTIC	/	to /		
IRRIGATION	/	to /	1.092 CFS	
<u>Total Diversion:</u>			1.092 CFS	

Location of Point(s) of Diversion

SILVER CREEK	SW1/4SE1/4	Sec. 20, 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	
01S	20E	16															16.0		16.0
01S	20E	21	30.0	37.0															67.0

Total Acres: 83

DOMESTIC same as IRRIGATIONConditions of Approval:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-95A

4. TRANS. 900, 2901.
WATER DIVERTED UNDER TRANS. 2901 SHALL NOT EXCEED WHAT CAN BE BENEFICIALLY
USED ON 83 ACRES.
5. R04 Use of water under this water right will be regulated by the watermaster of State Water District No.
&DISTRICT.

Remarks:Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
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:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-95E

WATER RIGHT NUMBER: 37-95E

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES R LARKIN PO BOX 767 PICABO, ID 83348 (208)788-2823
Original Owner	J R BROADIE

, ZZ

Priority Date: 05/29/1893

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	/ to /		0.201 CFS	
DOMESTIC	/ to /			

Total Diversion: 0.201 CFSLocation of Point(s) of Diversion

SILVER CREEK	SW1/4SE1/4	Sec. 16, 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	
01S	20E	16															16.0		16.0
01S	20E	21	27.0	37.0															64.0

Total Acres: 80

DOMESTIC same as IRRIGATIONConditions of Approval:

1. TRANS. 900, 2903.
WATER DIVERTED UNDER TRANS. 2903 SHALL NOT EXCEED WHAT CAN BE BENEFICIALLY USED ON 80 ACRES.
2. 016 See remarks for additional conditions of approval.
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 37-95E

4. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
5. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
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:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 900

THIS IS TO CERTIFY, That Ivan Molyneux and Donna Molyneux, husband and wife, and Clyde Molyneux and Nina Molyneux, husband and wife, and A. W. Molyneux and Maxine Molyneux, husband and wife, all of Gannett, Idaho, are the owners of and using the following described water rights, decreed by Judge Alfred Budge, of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln, in the case of

S. C. FROST, et al.,

Plaintiffs,

vs.

ALTURAS WATER COMPANY, et al.,

Defendants,

said decree bearing date of December 13, 1909, and being entered in the records of the Department of Reclamation of the State of Idaho in Boise, Idaho, in Volume 3 of Decrees, beginning at page 807.

- 2.8 cubic feet per second, from Little Wood River, with priority of March 15, 1883; decreed to Susan Wilson; 37-0704
- 2.7 cubic feet per second, from Butte Creek, with priority of June 15, 1887, decreed to John L. Freeman; 37-0235
- 2.5 cubic feet per second, from Silver Creek, with priority of April 1, 1887, decreed to Bruce Lloyd; 37-0423
- 2.6 cubic feet per second, from Silver Creek, with priority May 29, 1893, decreed to J. R. Broadie; 37-0095
- 3.00 cubic feet per second, from Butte Creek or Powers Creek, with priority of June 3, 1897, decreed to Henry E. Smith. 37-0632

Also the following described water rights decreed by Judge T. Bailey Lee, of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln, in the case of

FRANK McGLOCHLIN, et al.,
Plaintiffs,

Vs.

Mans H. Coffin, Mastermaster
Water District # 11 AB, et al.,
Defendants,

said decree bearing date of September 16, 1940, and being entered in the records of the Department of Reclamation of the State of Idaho, in Boise, Idaho, in Volume 6 of Decrees, beginning at page 800.

PROFILED
DATE 3-6-03

MICROFILMED

- 3.2 cubic feet per second from Silver Creek, "J" Drain,
with priority of July 1, 1913, decreed to W. R.
Patterson;
1.6 cubic feet per second from Silver Creek, "K" and "L"
Drain, with priority of July 1, 1913, decreed to
W. R. Patterson

37-0943
37-0944

That said water rights are appurtenant to the following
described lands, to-wit:

- 2.8 cubic feet per second, from Little Wood River,
with priority of March 15, 1883, appurtenant to
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22; N $\frac{1}{4}$ NE $\frac{1}{4}$
Section 21;
2.7 cubic feet per second, from Butte Creek, with priority
of June 15, 1887, appurtenant to E $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20;
2.5 cubic feet per second, from Silver Creek, with priority
of April 1, 1887, appurtenant to NW $\frac{1}{4}$ Section 21;
2.6 cubic feet per second, from Silver Creek, with priority of
May 29, 1893, appurtenant to SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15;
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22; N $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21;
3.00 cubic feet per second from Butte Creek, or Powers Creek,
with priority of June 3, 1897, appurtenant to SE $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 2 & 3, Section 18;
3.2 cubic feet per second, from Silver Creek, "J" Drain,
with priority of July 1, 1913, appurtenant to
S $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19;
1.6 cubic feet per second, from Silver Creek, "K" and "L"
Drain, with priority of July 1, 1913, appurtenant
to SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22;

All in Township 1 South, Range 20 East, B. M.

That said applicants have become the owners of the above
described water rights by purchase.

That now, upon the application of Iban Molyneux and Donna
Molyneux, husband and wife, Clyde Molyneux and Nina Molyneux, husband
and wife, and A. W. Molyneux and Maxine Molyneux, husband and wife,
all of Cammett, Idaho, for a Transfer of Water Rights, made before the
State Reclamation Engineer of the State of Idaho, and the said appli-
cation having been granted, the right to the use of 18.4 cubic feet per
second of the above described water rights upon the lands above described
is HEREBY ABANDONED, and the lands to be irrigated under such rights, and
to which the water rights hereby confirmed shall become appurtenant,
by this certificate, for irrigation and domestic purposes, are described
as follows, to-wit:

PROFILED
DATE 3-6-03

1.176	cubic feet per second, priority March 15, 1883	37-706A
1.134	" " " " June 15, 1887	37-237A
1.05	" " " " April 1, 1887	37-426B
1.092	" " " " May 29, 1893	37-95A
1.26	" " " " June 3, 1897	37-632B
1.344	" " " " July 1, 1913	
0.672	" " " " July 1, 1913	

Or a total of 7.728 cubic feet per second, to be transferred to

10 QQ

S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 15;
S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16;
SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20;
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21;
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22;
Township 1 South, Range 20 East, B. N.

0.924	cubic foot per second, priority March 15, 1883	37-706B
0.890	" " " " June 15, 1887	37-237B
0.825	" " " " April 1, 1887	37-426A
0.858	" " " " May 29, 1893	37-95B
0.990	" " " " June 3, 1897	37-632C
1.056	" " " " July 1, 1913	
0.528	" " " " July 1, 1913	

Or a total of 6.071 cubic feet per second, to be transferred to

8 QQ

E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 16;
NW $\frac{1}{4}$ Section 21;
E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 20;
Township 1 South, Range 20 East, B. N.

0.70	cubic foot per second, priority March 15, 1883	37-706C
0.676	" " " " June 15, 1887	37-237C
0.625	" " " " April 1, 1887	37-426C
0.650	" " " " May 29, 1893	37-95C
0.75	" " " " June 3, 1897	37-632A
0.80	" " " " July 1, 1913	
0.40	" " " " July 1, 1913	

Or a total of 4.601 cubic feet per second, to be transferred to

4 QQ

S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ (or SE $\frac{1}{4}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lots 2 & 3, Section 19,
Township 1 South, Range 20 East, B. N.

That the water rights hereby transferred will be limited at any given time to an amount actually needed and beneficially used, and shall not exceed the above described amounts.

That the water rights hereby transferred have heretofore been conducted to the first above described lands with points of diversion in Canal Nos. 14, 15, 11, 19 and 14 A, from Silver Creek.

That the water rights hereby transferred will hereafter be conducted to the last above described lands, with no change in points of diversion.

-4-

That the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 15th day of October, 1957.

(SEAL)

Mark R. Kulp
MARK R. KULP
State Reclamation Engineer

PROFILED
DATE 3-6-09

Transfer No. 2901
 Water Right No. 37-0237A ✓
37-0095A ✓
37-0632B ✓
37-0943B ✓
37-0944A ✓

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

Name of applicant R. Charles V. Jarkin Phone 788-2823
 Post Office address Picabo, ID 83348

A. DESCRIPTION OF RIGHT AS RECORDED1. Right evidenced by: See Enclosures

a. Decree No. _____ Decreed to _____ (Name)
 in case of _____ vs _____
 dated in _____ 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 _____
Water was transferred to P. H. by transfer #900. A portion of lands was sold without these water rights. Applicant later bought remaining lands & all water.

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purposes: See Enclosures

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 SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 20
 Township 1S Range 20E, B.M., in Blaine County
 Additional points of diversion, if any P. D. is Headgate #19 & Iden Ditch.

8. Lands irrigated or 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	
1S	20E	15											X	X					
		16														X	X		
		20			X				X										
		21	X	X															
		22					X	X											

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above MICRO IRRIGATED
37-04268 is now appurtenant to Sec. 20 lands only. 37-07051 being transferred

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. 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
- ✓ 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	

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 5.502 c.f.s. &/or _____ acre feet
- b. Description of diverting works Headgate #19 & Iden Ditch
- c. Describe the reasons for the proposed changes Show how these rights have been used for many years. Also to remove water from Sec. 20 lands.

2. Change in point of diversion No change.

Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
No change - water has been used on same lands for at least 20 years.

MICROFILMED

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 No. _____ Decreed to John L. Freeman
(Name)
in case of S. C. Frost et al vs Alturas Water Co. et al
dated in 12-13-1909 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 _____**3. Source of water** Butte Creek tributary to Silver Creek**4. Date of priority** 6-15-1887**5. Water is used for the following purposes:**

amount 1.134 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. 1.134 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:

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

Total number of acres to be irrigated _____

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

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1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County

Additional points _____

[illegible]

MICROFILMED

Transfer No. _____

Water Right No. 37-0095A
(T. 900)

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 No. _____ Decreed to J. R. Broadie
(Name)
in case of S. C. Frost et al vs Alturas Water Co. et al
dated in 12-13-1909 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 _____

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

4. Date of priority 5-29-1893

5. Water is used for the following purposes:

amount 1.092 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. 1.092 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:

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

Total number of acres to be irrigated _____

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

MICROFILMED

B. 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
- ✓ 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	

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 1.092 c.f.s. &/or _____ acre feet
- b. Description of diverting works _____

- c. Describe the reasons for the proposed changes _____

2. Change in point of diversion

Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

MICROFILMED

Transfer No. _____

Water Right No. 37-06328
(T. 900)

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 No. _____ Decreed to Henry E. Smith
(Name)
in case of S. C. Frost et al vs Alturas Water Co. et al
dated in 12-13-1909 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 _____

3. Source of water Butte Cr. or Powers Cr. tributary to Silver Creek

4. Date of priority 6-3-1897

5. Water is used for the following purposes:

amount 1.26 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. 1.26 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:

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

Total number of acres to be irrigated _____

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

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- 3. Place of use:**

[illegible]

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 1.26 c.f.s. &/or _____ acre feet
- b. Description of diverting works _____
- c. Describe the reasons for the proposed changes _____

2. Change in point of diversion

Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

MICROFILMED

Transfer No. _____

Water Right No. 37-0943B
(T. 900)

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 No. _____ Decreed to W. R. Patterson
(Name)
in case of Frank McGlochlin et al vs Marg H. Coffin et al
dated in 9-16-1940 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**3. Source of water** J Drain tributary to Silver Creek**4. Date of priority** 17-1-1911 None - independent right**5. Water is used for the following purposes:**

amount 1.344 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. 1.344 cubic feet per second
b. _____ &/or
_____ 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:

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

Total number of acres to be irrigated _____

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in detail. REMARKS.

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omit part B).

ENTIRE RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant,

1. Amount of water: _____ cubic feet per second
&/or
b. _____ acre feet per annum

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	

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 1.344 c.f.s. &/or _____ acre feet
b. Description of diverting works _____
c. Describe the reasons for the proposed changes _____

2. Change in point of diversion

Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

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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 No. _____ Decreed to W. R. Patterson
(Name)
in case of Frank McGlochlin et al vs Marg H. Coffin et al
dated in 9-16-1940 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 _____**3. Source of water** K & L Drains tributary to Silver Creek**4. Date of priority** None - independent right**5. Water is used for the following purposes:**

amount 0.672 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. 0.672 cubic feet per second
b. _____ &/or
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:

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

Total number of acres to be irrigated _____

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

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B. 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
- ✓ 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	

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 0.672 c.f.s. &/or _____ acre feet
- b. Description of diverting works _____

- c. Describe the reasons for the proposed changes _____

2. Change in point of diversion

Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

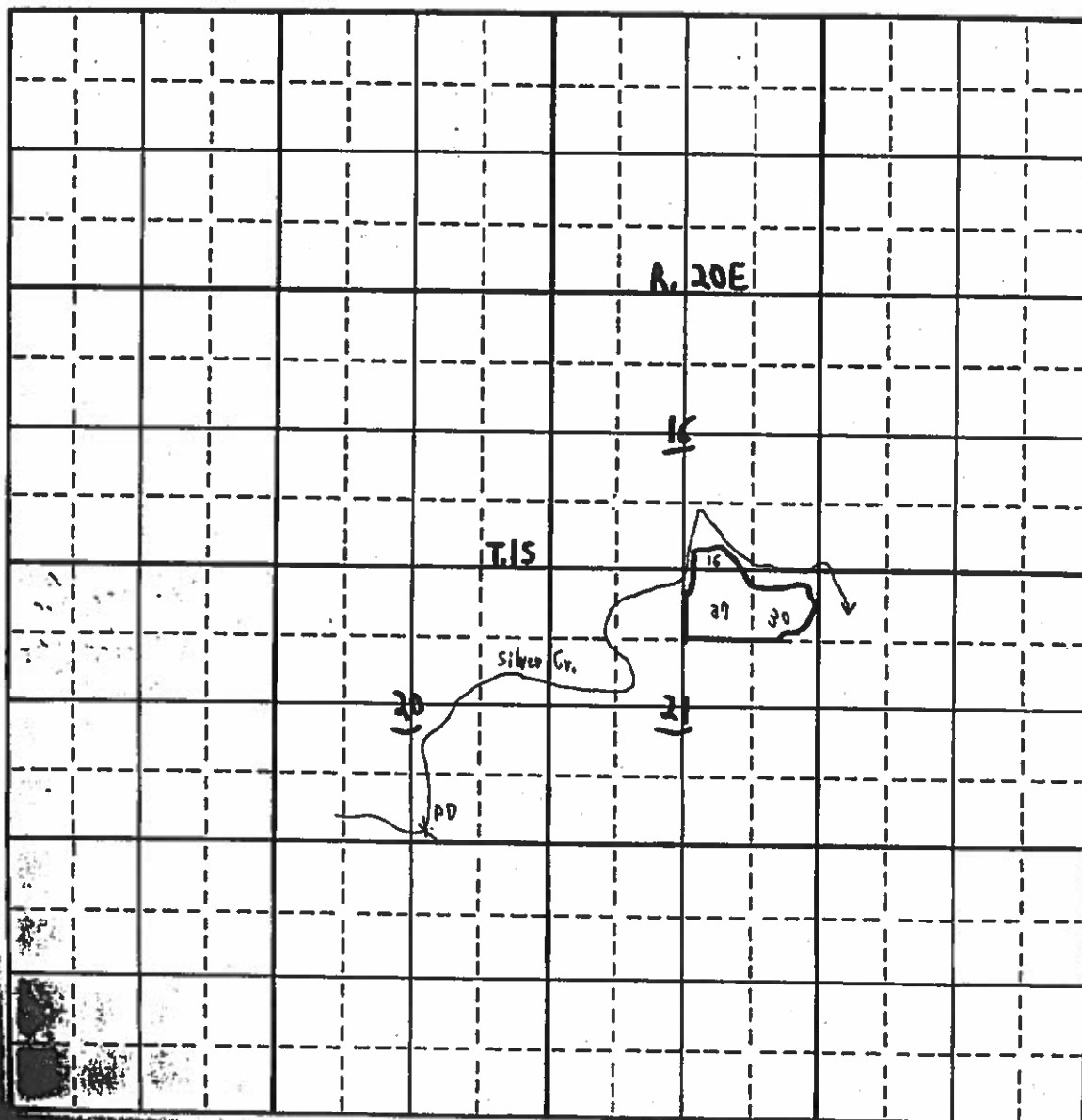
MICROFILMED

c. 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	
1S	20E	16															16		16
		21	30	37															67

Total number of acres to be irrigated 83

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



Draw plan in ink.

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D. REMARKS

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.

Chas. B. Luckin
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of April, 19 83

Mary A. Newby
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

37-0095A/0237A/0632B/
0943B/0944A

This is to certify that I have examined Application for Transfer of Water Rights No. 0943B/0944A 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. Measuring devices shall be maintained in J, K, and L Drains.
3. Use of water under these rights is subject to control by the watermaster of State Water District No. 37M, Little Wood River.
4. The amount of water diverted under this transfer shall not exceed the amount that can be beneficially used on 83 acres.

Witness my hand this 16th day of January, 19 86

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by go Date 4-14-83 Protest filed by None
Prelim. check by ADM Fee 50.00 \$27206
Received by marya Date 4/14/83
Published in Wood River Journal Copies of protest forwarded by 7/6/83
Pub. dates 7/6 & 7/20/83 Hearing held by _____ Date _____
Watermaster recommendation requested on 7/6/83 Recommended for approval denial
rec'd. 8/10/83 by ADM Jim

MICROFILMED

Transfer No. 2903Water Right No. 37-0632C ✓
37-0095B ✓
37-0943C ✓
37-0944B ✓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 R. Charles Larkin Phone 788-2823
Post Office address Picabo, ID 83348

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: See Enclosuresa. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ 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
Purchase of a portion of land & proportional share of water rights.

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 annum7. Location of original point of diversion is SW 1/4 of SE 1/4 of Section 16
Township 1S Range 20E B.M. in Blaine CountyAdditional points of diversion, if any 1/4 NW 1/4 Sec 16 T1S R20E Blaine Co ID
P. D. is Mantey #14P

8. Lands irrigated or 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	
1S	20E	16									X			X					
		21					X	X	X	X									
		20	X			X													

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above
37-0706B, 37-0237B, 37-2042, 0-26A10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No Yes, describe in item D, REMARKS

omit part B)

1. Amount of water, a. _____ cubic feet per second &/or
b. _____ acre feet per annum
Point of diversion SW 1/4 SE 1/4, Section 16 Township 1S
Range 20E, B.M. Blaine 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	
1S	20E	16									40			40					80

Total number of acres to be irrigated 80

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

1. General Information

- a. Amount of water to be diverted 0.804 c.f.s. &/or _____ acre feet
b. Description of diverting works ~~1/4 Sec 16 NE 1/4 NW 1/4~~ Headgate #19 & Eden Ditch
c. Describe the reasons for the proposed changes Put water to use in a more-productive system

2. Change in point of diversion

Point of diversion SW 1/4 SE 1/4, Section 20 Township 1S
Range 20E, B.M. Blaine County
Additional points _____

3. Change in place of use

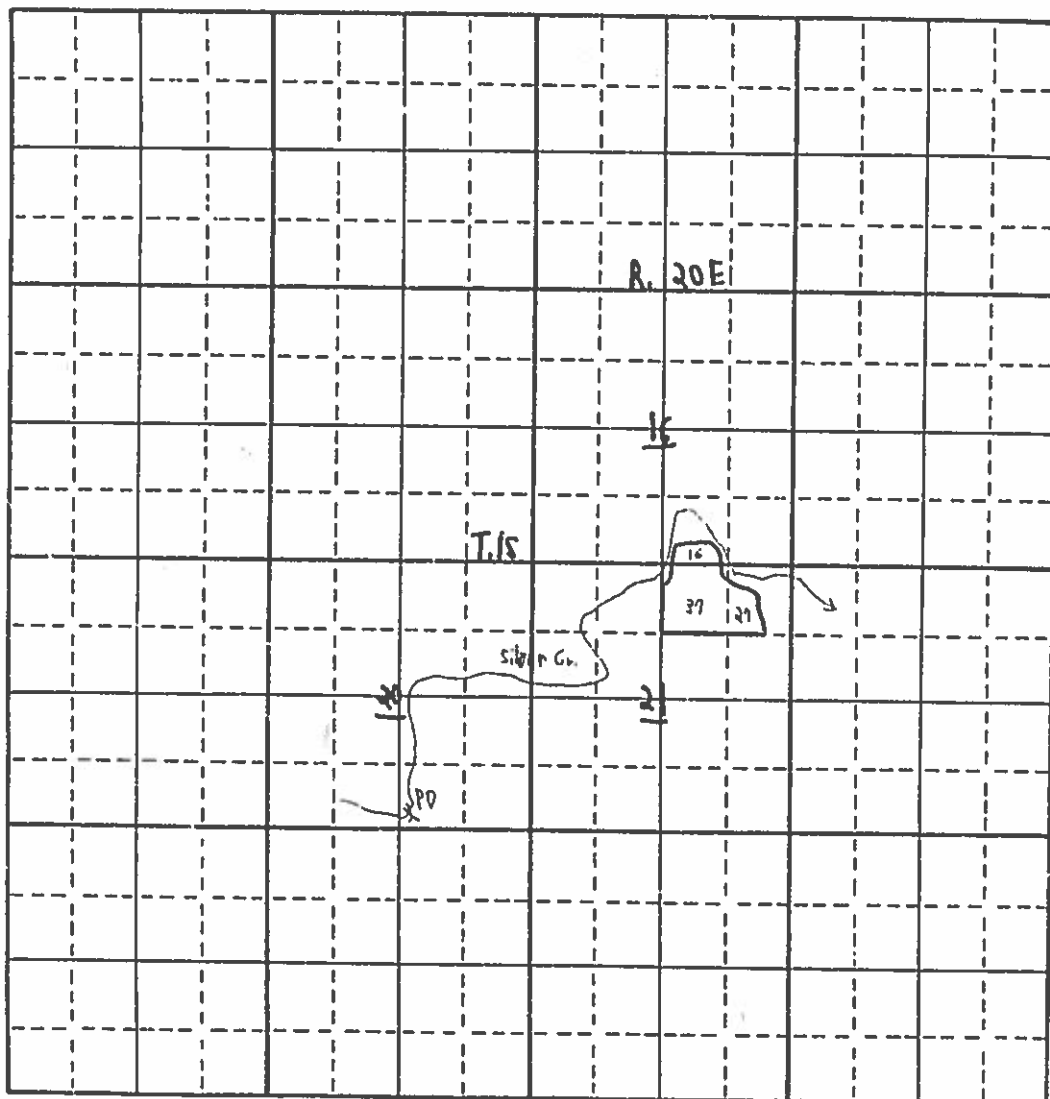
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
No Change - present land will be irrigated with other rights of earlier priority.

c. Describe the land or place of use to which the right will be transferred:

TWP	RANGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SE	SW	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	20E	16																16	16
		21	27	37															64

Total number of acres to be irrigated 80

4. Describe any other water rights used for the same purpose as described above. 5 other decreed rights
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE 2 inches equal 1 mile Draw plan in ink

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 willfull misrepresentations made in this application may result in voiding its approval.

Charles R. Larkin
(Signature of Applicant)

Subscribed and sworn to before me this 14 day of April, 1983

Gregory A. Searcy
(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. 37-0095B/0632C/0943C/0944B 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. Measuring devices shall be maintained in J, K, & L Drains.
3. Use of water under these rights is subject to control by the watermaster of State Water District No. 37, Little Wood River.
4. The amount of water diverted under this transfer shall not exceed the amount that can be beneficially used on 80 acres.

Witness my hand this 16th day of January, 1986

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>AD</u>	Date <u>4-14-83</u>	Protest filed by <u>None</u>
Prelim. check by <u>AD</u>	Fee <u>\$7.00</u> # <u>27206</u>	
Received by <u>Gregory</u>	Date <u>4-1-83</u>	
Published in <u>Sanibel Co. Journal</u>		Copies of protest forwarded by _____
Pub dates <u>7/14 & 7/21/83</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on <u>7/6/83</u>		Recommended for <u>approval</u> denial
rec'd. <u>8/10/83</u>		by <u>AD</u> <u>Jim</u>

Transfer No. 2904Water Right No. 37-0706ASTATE 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 R. Charles Larkin Phone 788-2823Post Office address Picabo, ID 83348

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to Susan Wilson (W. J. Ohlinger by transfer)
(Name)
in case of S. C. Frost et al vs Alturas Water Co. et al
dated in 12-13-1909 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

Water was transferred to P. U. via Transfer #900. A portion of lands were later sold without water. Applicant later bought remainder of lands & all water.3. Source of water Silver Creek tributary to Little Wood River4. Date of priority Mar 15, 1883

5. Water is used for the following purposes:

amount 1.176 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. 1.176 cubic feet per secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 20Township 1S Range 20E, B.M., in Blaine CountyAdditional points of diversion, if any P. D. is the Iden Ditch (Headgate #19)

8. Lands irrigated or place of use:

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	15											X	X					
		16															X	X	
		20			X					X									
		21	X	X															
		22					X	X											

PROFILED
DATE 3-6-03

Total number of acres to be irrigated _____

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

6 other decreed rights totaling 7.728 cfs10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D. REMARKS

MICROFILMED

B. 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

Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

MICROFILMED

PROFILED
DATE 3.6.03

3. Place of use:

PROFILED
DATE _____

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 _____

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

1. General Information

a. Amount of water to be diverted 1.176 c.f.s. &/or _____ acre feet

b. Description of diverting works Pump

c. Describe the reasons for the proposed changes Move water to higher quality soil & reduce ditch loss.

2. Change in point of diversion

Point of diversion SW 1/4 SE 1/4, Section 16 Township 1S
Range 20E, B.M., Blaine County
Additional points P. D. is Mante #14-P.

3. Change in place of use

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

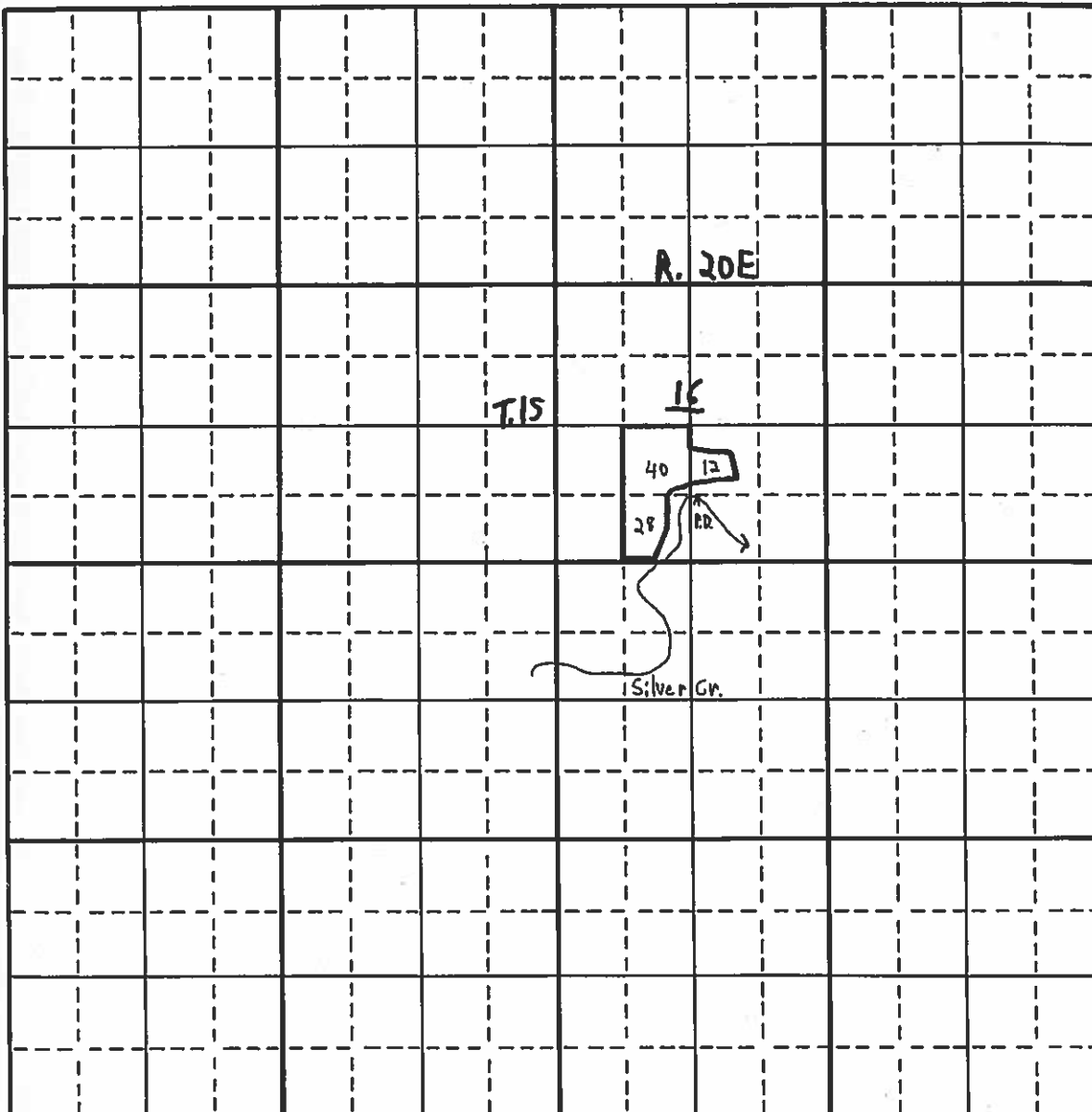
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
No change - lands will be irrigated with other rights. Overall acreage will not increase.

c. Describe the lands 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	
1S	20E	16									40			28			12		80

Total number of acres to be irrigated 80

4. Describe any other water rights used for the same purpose as described above. 37-0706B Part & associated rights
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PROCESSED
DATE 3-16-03

MICROFILMED

D. REMARKS

MICROFILMED

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 willfull misrepresentations made in this application may result in voiding its approval.

Chas. R. Larkin
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of April, 19 83

May A. Mundy
(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. 37-0706A 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. 37M, Little Wood River.

Witness my hand this 24th day of April, 19 85

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>ge</u>	Date <u>4-14-83</u>	Protest filed by <u>None</u>
Prelim. check by <u>Alan</u>	Fee <u>50.00</u> # <u>21206</u>	
Received by <u>meys</u>	Date <u>4/14/83</u>	
Published in <u>Wood River Journal</u>		Copies of protest forwarded by _____
Pub. dates <u>7/14 & 7/21/83</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on <u>7/5/83</u>		Recommended for <u>approval</u> denial
_____ rec'd. <u>8/10/83</u>		by <u>Adm. Gen. Dir.</u>



T 13 R Gardner
389

crops

pasture

10/15

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

March 26, 2002

RECEIVED

MAR 27 2002

Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

**RE: Notice of Change of Water Right Ownership for 37-00237D,
37-00426D, 37-00632F, 37-00943F, 37-00095F, 37-00944F, 37-02591,
37-07937, 37-11498, 37-04427 and 37-007906D
Our File No.: 020010**

Dear Allen:

Enclosed you will find the original and a copy of the above-referenced Notice of Change of Water Right Ownership for the above-referenced water rights acquired by my client, Point of Rocks Ranch, L.L.C. and the original and one copy of our firm's Notice of Appearance. Please receipt date stamp the copies and return them to me in the postage prepaid, self addressed envelope I have included for that purpose.

Kindly call me if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal

enclosures

cc: Client (w/out encls.)
Chief, Natural Resources Division (w/encl.)
U.S. Dept. of Justice(w/encl.)
IDWR, Document Depository (w/encl.)

December 21, 2001

SUN VALLEY
TITLE
C O M P A N Y



IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Our Order No. 01-16926
Gardner/French
T1S, R20E, Ptn. Sec. 15, Ptn. Sec. 16

To Whom It May Concern:

Regarding the above, I have enclosed the following:

- Check no. 10709 in the amount of \$25.00
- Notice of Change of Water Right Ownership
- Department of Water Resources Notice of Change in Water Right Ownership
- Copy Warranty Deed
- Map
- Copy Quitclaim Deed

If you have any questions or comments please do not hesitate to contact our office.

Happy Holidays!

Very Truly Yours,

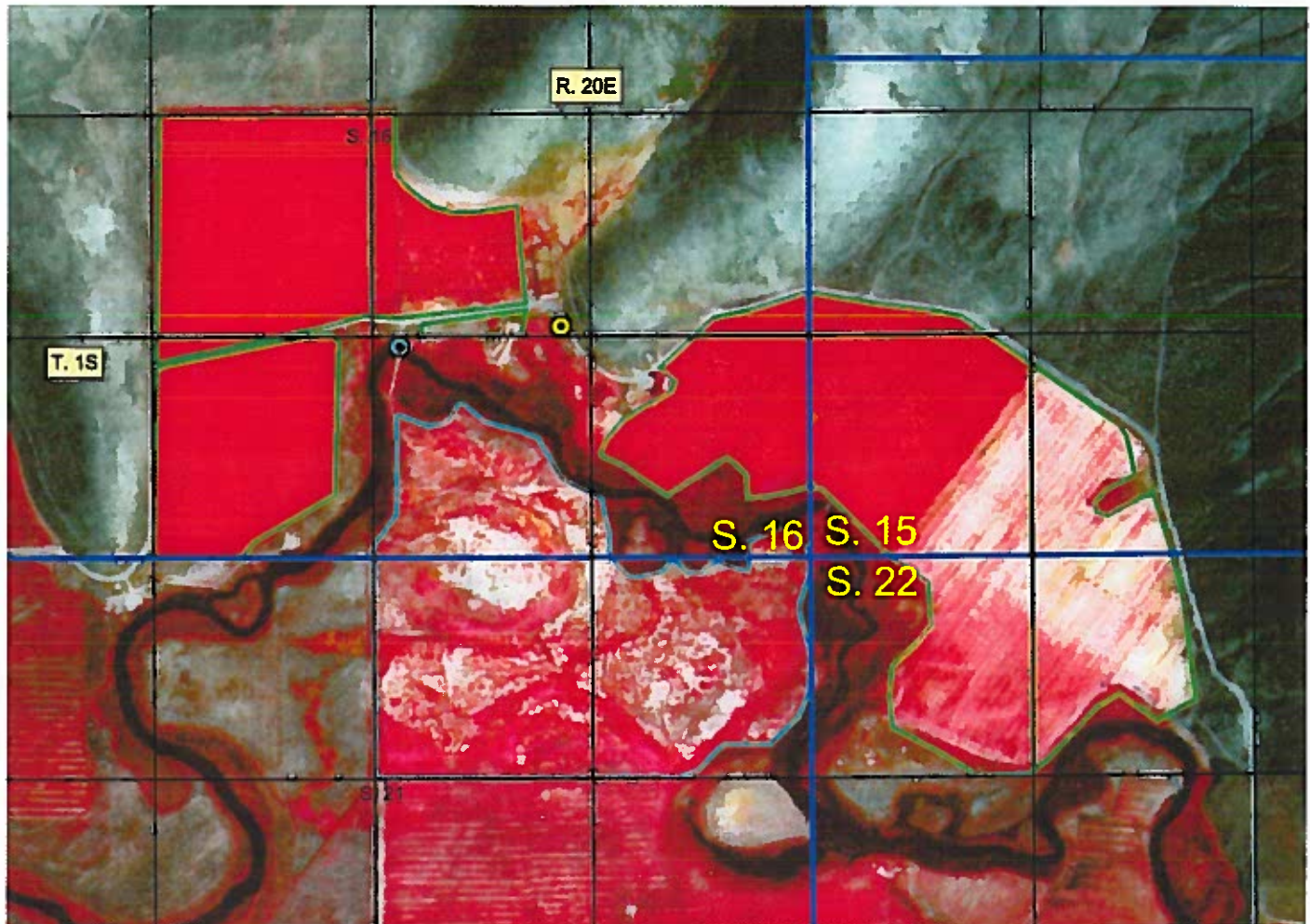
Lindsay Atienza
Escrow Assistant

enc. la

IDAHO DEPARTMENT OF WATER RESOURCES

Withdrawn 12-10-01 JZ

APP FOR TRANSFER - Robert Gardner (East Farm)



Section Lines



Quarter/Quarter Lines

General Location: North of Silver Cr. & just east of Point of Rocks

● Point(s) of Diversion (Well)

● Pump In Silver Creek



Proposed Ground-Water PPU

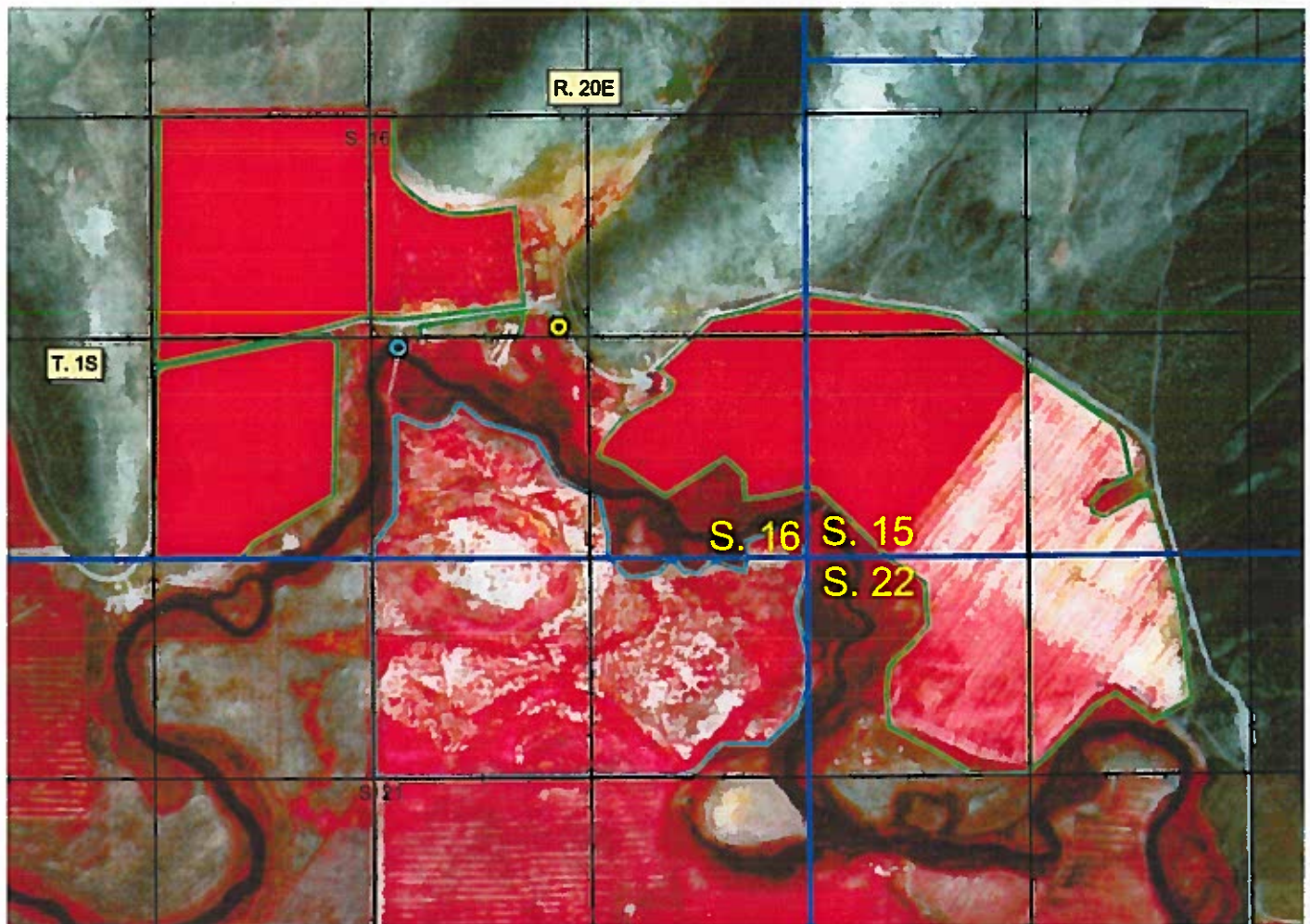


Prepared By J E Stanton 9-3-01

1986/87 NAPP Data

IDAHO DEPARTMENT OF WATER RESOURCES

APP FOR TRANSFER - Robert Gardner (East Farm)



Section Lines



Quarter/Quarter Lines

General Location: North of Silver Cr. & just east of Point of Rocks

 Point(s) of Diversion (Well)

 Pump In Silver Creek



Proposed Ground-Water PPU

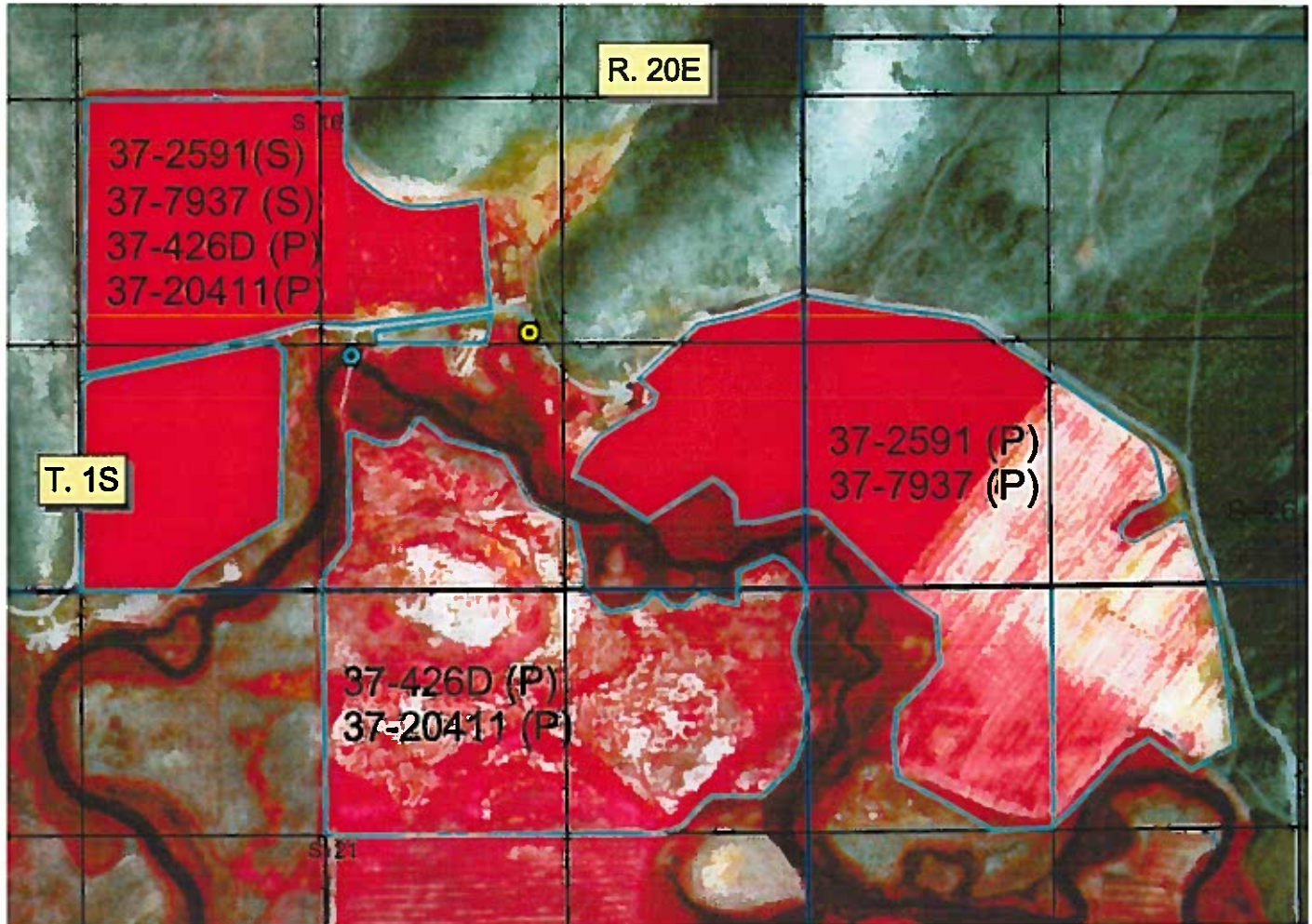


Prepared By J E Stanton 9-3-01

1986/87 NAPP Data

IDAHO DEPARTMENT OF WATER RESOURCES

APP FOR TRANSFER - Robert Gardner (East Farm)



Section Lines



Quarter/Quarter Lines

General Location: Both sides of Silver Cr. & just east of Point of Rocks



Pump in Silver Creek



Irrigation Well



Water Rights After Proposed Transfers

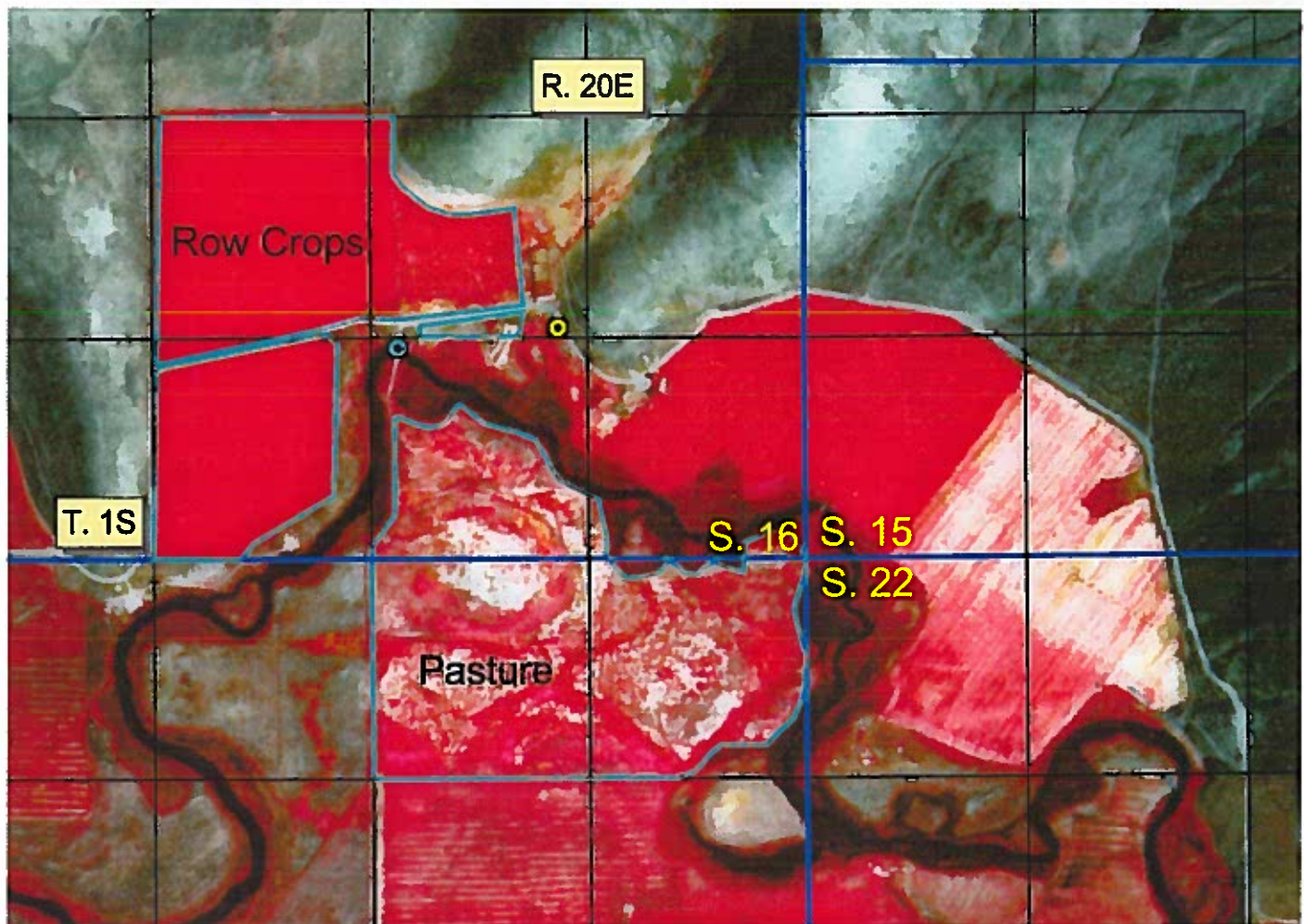
P = Primary Right

S = Supplemental Right



IDAHO DEPARTMENT OF WATER RESOURCES

APP FOR TRANSFER - Robert Gardner (East Farm)



Section Lines



Quarter/Quarter Lines

General Location: North of Silver Cr. & just east of Point of Rocks



Pump In Silver Creek



Historic P/U - 37-706D, 426D

Proposed P/U - 37-20411



Prepared By J E Stanton 9-3-01

1986/87 NAPP Data

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

October 6, 1998

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

RECEIVED
OCT 08 1998
Department of Water Resources
Southern Region

**Re: Notice of Change of Water Right Ownership
Larkin - Gardner and Drashner**

Dear Allen:

Enclosed you will find a Notice of Change of Water Right Ownership for several water rights previously claimed in the SRBA by Charles R. Larkin and now owned by Robert E. Gardner, Kathryn Allred Gardner and Mary Ellen Drashner. I have also enclosed a Notice of Appearance on behalf of the Gardners and Mrs. Drashner. Please call me if you have any questions about this Notice. If not, kindly send me copies of the computer printouts reflecting the change of ownership once the information has been entered into the IDWR database.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
Enclosure
cc: Clients (w/encls.)



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

A37-00095F

November 10, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JULIE CORD
PO BOX 2412
HAILEY ID 83333

Dear Julie,

Sorry it has taken me so long to get this information mailed off to you. We have been under numerous deadlines recently and it's been hard to keep up with everything. I have included copies of the water rights and adjudication claims that appear to be appurtenant to the land in the legal description you gave me. I would check with the water master to see if he has been delivering the surface water rights to this area.

As I mentioned on the phone, this land is in the Big Wood River Groundwater Management Area (see enclosed map showing the boundaries). I spoke with Gary Funderburg of our office, who is in charge of the well drilling program. He suggested you contact a private engineering firm familiar with that area to measure the temperature of the existing well. He said the department might issue a drilling permit for a new well for domestic and recreation purposes in this area under certain conditions. He also mentioned that if you were drilling for warm water, you would need to put up a bond anywhere from \$5,000 to \$20,000 and furnish a prospectus (usually done by a well driller) at the time of application. He would be happy to discuss any questions you may have if you give him a call at the office.

Another option might be to file a transfer to change the nature of use from irrigation or stockwater to domestic and recreation. This could involve drying up some irrigated acres.

If I can be of any further assistance, please give me a call.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie'.

Jeanie Robertson
Sr. Water Resource Agent

MEMORANDUM

TO: JULIE CORD
HANGGI & CO
PO BOX 891
KETCHUM ID 83340

FROM: Mary Baldwin, IDWR

DATE: October 20, 1997

SUBJECT: Research, Re: Robert Gardner property

Enclosed please find copies of various documents printed during my research.

To help you understand the enclosed material, I will give you some background information obtained regarding this property. It appears that Ivan Molyneux must have owned the property at the time that Water Right License No. 37-02591 was issued. I have also enclosed a flow chart regarding the processing steps in obtaining a water right license which might be helpful to you. As a general rule, the water right remains in the name of the person who owned the property at the time the water right license is issued and the current owner would appear on the Snake River Basin Adjudication Claim, provided that a claim has been filed with the Department.

The chain of ownership must have gone something like this, based on the deeds, etc. on file with our Department:

Molyneux--->Levard Hansen--->Charles Larkin

Mr. Larkin was the owner who filed and received an Approved Transfer No. 2587 to make changes to Water Right No. 37-02591; HOWEVER, the point of diversion remained in the SWSE, S16, T01S, R20E.

The only well log for geothermal water appears to be in the SWSE, S16, T01S, R20E. Any water temperature over 85 degrees is defined by the Department as geothermal.

****Please note that the Snake River Basin Adjudication Claim No. A37-02591 showing Mr. Larkin as the current owner indicates the point of diversion is within the NESE, S16, T20E.

In order for Mr. Gardner's name to appear as the current owner of Snake River Basin Adjudication Claim No. A37-02591 he would need to file a Change of Ownership form with the Department. That is one of the forms that I faxed to you on 10/17/97.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

10/17/97

Post-it® Fax Note	7671	Date	# of pages
To	Julie Cord	From	Mary
Co./Dept.		Co.	IDWR
Phone #		Phone #	
Fax #	726-2576	Fax #	

DIVERSION
VOLUME

0.201 CFS

TOTAL DIVERSION: 0.201 CFS

Stage: DECREED

BLAINE County

3

T	R	S	NENE	NNNE	SNNE	SENE	NEEN	NNNN	SNNN	SENN	NEEN	NNNN	SNNN	SENN	NEEN	NNNN	SNNN	SENN	SUM
01S	20E	16	lt	AC	lt	AC	lt	AC	lt	AC	lt	AC	lt	AC	lt	AC	lt	AC	16.0
01S	20E	21	27	37															64.0
TOTAL ACRES																			80.0

Other Water Rights Listing Overlapping Place(s) of use:

37-00095A	37-00237A	37-00426B	37-00632B	37-00632E	37-00943B	37-00943E	37-00944A	37-00944E
-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------

016 - See remarks for additional conditions of approval.

TRANS. 900, 2903.
WATER DIVERTED UNDER TRANS. 2903 SHALL NOT EXCEED WHAT CAN
BE BENEFICIALLY USED ON 80 ACRES.

Exam Sent to S.O.:

Field Exam Fee:

DIVERSION
VOLUME

227.50 AFA

Stage: DECREED

BLAINE County

2

[illegible]

100

Audit: 10/04/88 CARLSON 03/30/95 POST-STD

To: Mary Baldwin

From: Julie Cord

Date: 10/24/97

Number of Pages: 5

Phone:

Fax: 736-3037

FAX

RECEIVED

OCT 24 1997

Department of Water Resources
Southern Region

Remarks:

Here are 2 legal descriptions (which should be the same) and 2 maps. I would like the water rights - surface, ground, licenses, permits, etc. - that are on this property as well as the adjudication papers to see what has been filed for, the use, & under what name. I would be interested in talking with Gary about the GPS & temperature. I can be reached at 788-6631 or faxed to 726-2576. My P.O. box is 2412 Hailey, ID 83333.
Thank you!

Hanggi & Co. Realtors - P O Box 891 -
Ketchum, ID 83340 - Phone: 208-726-3303 -
Fax: 208-726-2576

Point of Rocks Ranch
Silver Creek

865
17,821
17,621
50,361
9,231
174,911

63.000 AC
1.000 AC

5 1996
10 1996
31 1996
32 1996
TOTALS

DRASHNER, MARY ELLEN 24.8344% SWSH, SESM, SEC 13
& GARDNER, KATHERYN A 53.8079% -FR SE TL 6274, SESE SEC 16
& GARDNER, ROBERT 21.3576% -N1/2NE, SEC 21
BOX 470 -N1/2NW, SEC 22
BELLEVUE 1S 20E
ID 83313 RD 80000

3-8
0 240
ARB AMT

1 1996

NESW, FR SESW TL 5657, SEC 16
1S 20E

DRASHNER, MARY ELLEN 24.8344%
& GARDNER, KATHERYN A 53.8079%
& GARDNER, ROBERT 21.3576%

26,621

TOTALS 71.000

BOX 470
BELLEVUE ID 83313

43-8

1 1996
5 1996

-N1/2SE, NWSH, SEC 16;
1S 20E

DRASHNER, MARY ELLEN 24.8344%
& GARDNER, KATHERYN A 53.8075%
& GARDNER, ROBERT 21.3576%

6,001
3,001

BOX 470
BELLEVUE ID 83313

43-8

120. AC

COUNTY PROPERTY LISTING
PARCEL REPORT - NO VALUES

Legal Description

Exhibit 1

TOWNSHIP 1 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 15: $SE\frac{1}{2}$ SW.✓

Section 16: $SE\frac{1}{2}$ $SE\frac{1}{4}$; $NE\frac{1}{2}$ $SE\frac{1}{4}$; $NW\frac{1}{4}$ $SW\frac{1}{4}$; and $E\frac{1}{2}$ $SW\frac{1}{4}$.

Excepting therefrom parcels of land in Section 16, more particularly described as follows:

COMMENCING at the $\frac{5}{8}$ " bar by Fosbury, marking the East one-quarter corner of said Section 16, which bears $S. 0^{\circ} 23' 00'' E.$, 322.74 feet from the $\frac{5}{8}$ " bar marking the closing corner to Section 15, T.15, R.20E, B.M.; thence $S. 60^{\circ} 33' 00'' W.$, 2666.55 feet to a fence corner, said corner being the REAL POINT OF BEGINNING; thence $S. 04^{\circ} 07' 50'' W.$, 171.12 feet to a fence corner on the Northerly bank of Silver Creek; thence $N. 76^{\circ} 30' 09'' W.$, 110.53 feet to a fence corner on the Northerly bank of Silver Creek; thence $N. 11^{\circ} 58' 01'' E.$, 53.39 feet to a fence corner; thence $N. 04^{\circ} 11' 25'' E.$, 78.77 feet to a fence corner; thence $N. 82^{\circ} 12' 42'' E.$, 103.93 feet to the fence corner marking the REAL POINT OF BEGINNING.

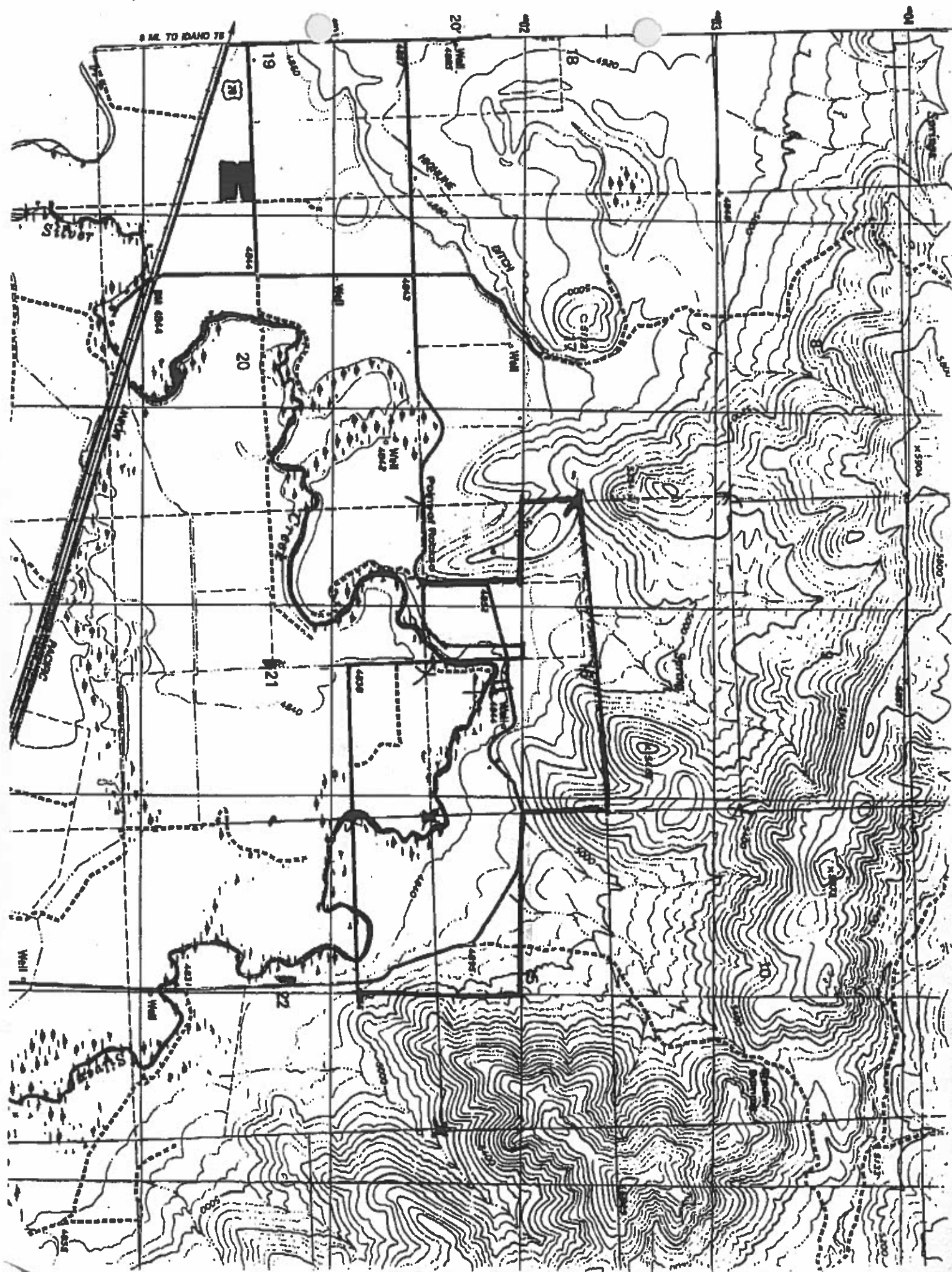
AND FURTHER EXCEPTING

Beginning at the SE corner of said $E\frac{1}{2}$ $SW\frac{1}{4}$; thence $N.$ a distance of 1,369.00 feet, more or less, to a point on the South right-of-way boundary line of existing county road; thence $S. 75^{\circ} 41' W.$, along said South boundary line of said county road right-of-way a distance of 203.60 feet to a point; thence $S.$ a distance of 940.60 feet to a point; thence $S. 58^{\circ} 30' W.$, a distance of 728.30 feet more or less, to a point on the South boundary line of Section 16; thence $N. 89^{\circ} 55' E.$, a distance of 819.00 feet, more or less, TO THE POINT OF BEGINNING.

Section 21: $NE\frac{1}{2}$ $NE\frac{1}{4}$.✓

Section 22: $NE\frac{1}{2}$ $NW\frac{1}{4}$.✓

Excepting therefrom the Right-of-Way for Silver Creek.



27 28

4 3 2 1

US

Dry Creek Cattle Assoc

6

US

15

US

US

Drasner & Gardner

6373
Molson

725274

725257

725256

Castle

6331
B. & G. Miller

6331
B. & G. Miller

Fish & Game

UStock

Start

McFarland

21

22