

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: A37-00153C
Date Received: 12/13/1988
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MELISSA DE LISSER 208-726-9742
Address: C/O EARL ENGELMANN
PO BOX 781
KETCHUM ID 83340

AND/OR

Name: PETER DE LISSER 208-726-9742
Address: C/O EARL ENGLEMAN
PO BOX 781
KETCHUM ID 83340

AND/OR

Name: EARL ENGELMANN 208-726-9742
Address: PO BOX 781
KETCHUM ID 83340

2. Date of Priority: SEP 1, 1885

3. Source: GREENHORN CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	18	NE	SW	NW		BLAINE

5. Description of diverting works:
CHECK DAM DELIVERING TO EARTHEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.760		

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

8. Total consumptive use is 33.7 Acre Feet Per Annum.

MICROFILMED
OCT 24 1994

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	18	NE NW		IRR	13.5
Section Acres						13.5
Total Acres						13.5

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:
NONE

14. Remarks:

PLACE OF USE IS WITHIN THE GREENHORN BENCH SUBDIVISION WHICH WAS PURCHASED AND PLATTED BY CLAIMANTS IN JULY - SEPTEMBER 1988. CLAIMANTS OWN THIS RIGHT FOR THE BENEFIT OF LOT OWNERS WITHIN THE SUBDIVISION UNTIL ALL OF THE LOTS ARE SOLD. USE OF THE WATER RIGHT IS GOVERNED AND RESTRICTED BY THE RECORDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GREENHORN BENCH SUBDIVISION.

THIS CLAIM RESULT OF SPLIT OF ORIGINAL CLAIM A37-00153B BY TRANSFERS 3991 & 4000.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

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OCT 24 1994

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
OCT 24 1994

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: A37-00153B
Date Received: 12/13/1988
Receipt No: C003915
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETER DE LISSER 208-726-9742
Address: C/O EARL ENLEMANN
P.O. BOX 781
KETCHUM, ID 83340

AND/OR

Name: MELISSA DE LISSER 208-726-9742
Address: C/O EARL ENLEMANN
P.O. BOX 781
KETCHUM, ID 83340

AND/OR

Name: EARL ENGELMANN 208-726-9742
Address: P.O. BOX 781
KETCHUM, ID 83340

2. Date of Priority: SEP 01, 1885

3. Source: GREENHORN CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	18E	18	NE	SW	NW		BLAINE

5. Description of diverting works:
CHECK DAM DELIVERING TO EARTHEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.260		

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

8. Total consumptive use is 52.5 Acre Feet Per Annum.

A37-00153B C

Page 1

Date: 12/13/88

MICROFILMED
FEB 22 1993

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	18	NE	NW		IRR	18.0
			SE	NW		IRR	3.0
						Section Acres	21.0
						Total Acres	21.0

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:
NONE

14. Remarks:

PLACE OF USE IS WITHIN THE GREENHORN BENCH SUBDIVISION WHICH WAS PURCHASED AND PLATTED BY CLAIMANTS IN JULY - SEPTEMBER 1988. CLAIMANTS OWN THIS RIGHT FOR THE BENEFIT OF LOT OWNERS WITHIN THE SUBDIVISION UNTIL ALL OF THE LOTS ARE SOLD. USE OF THE WATER RIGHT IS GOVERNED AND RESTRICTED BY THE RECORDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GREENHORN BENCH SUBDIVISION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39356
Ident Number 437-00153
Date Received 10-27-88
Receipt Number _____

RECEIVED

OCT 27 1988

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): Earl Engelmann &/or Peter deLisser &/or
Melissa deLisser

Phone: (208) 726-9742

Mailing Address: c/o Earl Engelmann
P. O. Box 781
Ketchum, ID 83340

2. Date of Priority: September 1, 1885
3. Source of water supply (a) Greenhorn Creek
which is tributary to (b) Big Wood River
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
3N	18E	18	NE	SW	NW		Blaine

Additional points of diversion if any: See above.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: Check dam delivering to
earthen ditch.

MICROFILMED
FEB 22 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	1.26 cfs

7. Total Quantity Claimed: 1.26 cfs

8. Total consumptive use claimed is 52.5 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
3N	18E	18	NE	NW	I	18
3N	18E	18	SE	NW	I	3

Total number of irrigated acres: 21

11. Place of use is located in Blaine County.

12. Do you own the property listed above as place of use? Yes (see Remarks).

13. Describe any other water rights used at the same place and for the same purposes as described above? None.

14. Remarks: This Claim is for a porion of right originally decreed to M. A. Comstock in S.C. Frost et al. v. Alturus Water Co. et ux.. Balance of the right has been claimed by adjacent landowner as A37-00153. Place of use is within the Greenhorn Bench Subdivision which was purchased and platted by Claimants in July - September, 1988. Claimants own this right for the benefit of lot owners within the subdivision until all of the lots are sold. Use of the water right is governed and restricted by the recorded Declaration of Covenants, Conditions and Restrictions for Greenhorn Bench Subdivision.

Last Name: Engelmann

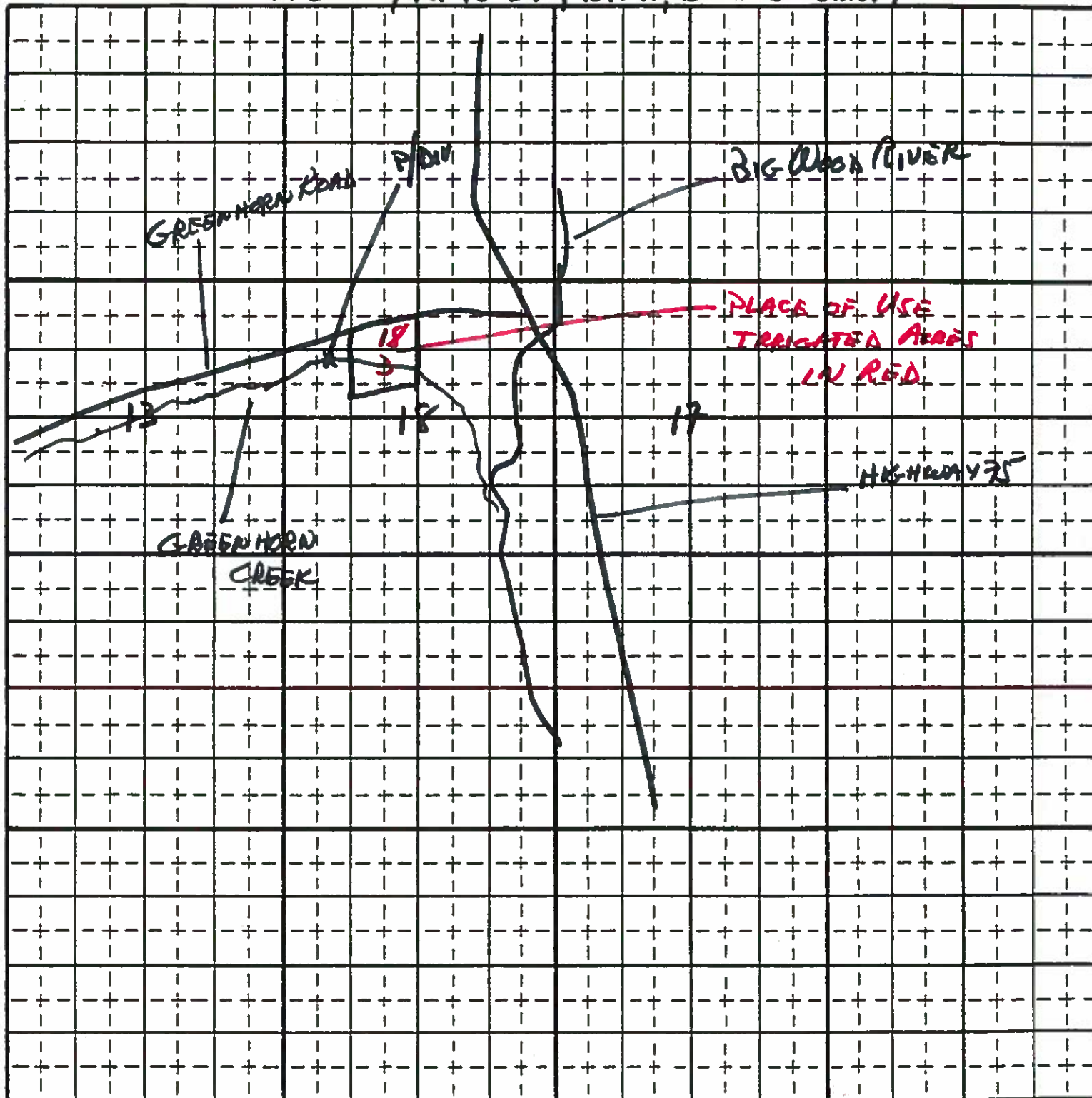
Ident No. _____

MICROFILMED
FEB 22 1993

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

Scale: 2 inches equals 1 mile

T. 3 N., R. 18 E., B.M., BRAINE COUNTY



Last Name

ENGELMANN

Ident No.

Copies: White-State, Yellow-Engelmann

MICROFILMED
FEB 22 1992

15. Basis of Claim: Decree

IDWR Water Right Number: 37-0153

Court: Lincoln County

Case Number:

Decree Date: December 13, 1909

Plaintiff v. Defendant:

S.C. Frost et al. v. Alturus Water Co. et ux.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) [Signature]

Date 10-26-88

Date _____

State of Idaho)

County of Blaine) ss.

Subscribed and sworn before me this 26th day of October, 1988.

Notary Public Ruby Munn Reamer
Residing at Sun Valley, ID
Commission Expires 1/17/93

17. Notice of Appearance:

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

Signature: [Signature]

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 10/26/88

Last Name: Engelmnn
a:\englmnn1.clm

Ident No.: _____

MICROFILMED
FEB 22 1993

10/06/2006

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

RIGHT NUMBER: 37-153C
NAME AND ADDRESS: MELISSA DE LISSER
C/O EARL ENGELMANN
PO BOX 781
KETCHUM ID 83340

PETER DE LISSER
C/O EARL ENGLEMAN
PO BOX 781
KETCHUM ID 83340

EARL ENGELMANN
PO BOX 781
KETCHUM ID 83340

SOURCE: GREENHORN CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.760 CFS

This right when combined with all other rights shall provide no more than .02
cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 09/01/1885

POINT OF DIVERSION:

T03N R18E S18 NESWN Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.760 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T03N R18E S18 NENW 13.50

13.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

SRBA Recommendation:

37-153C

(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by E. NORQUES
On Friday, October 6, 2006
1987/88 Aerial Photography



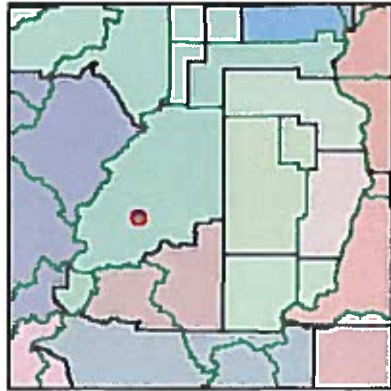
Idaho Department of Water Resources

SRBA Recommendation:

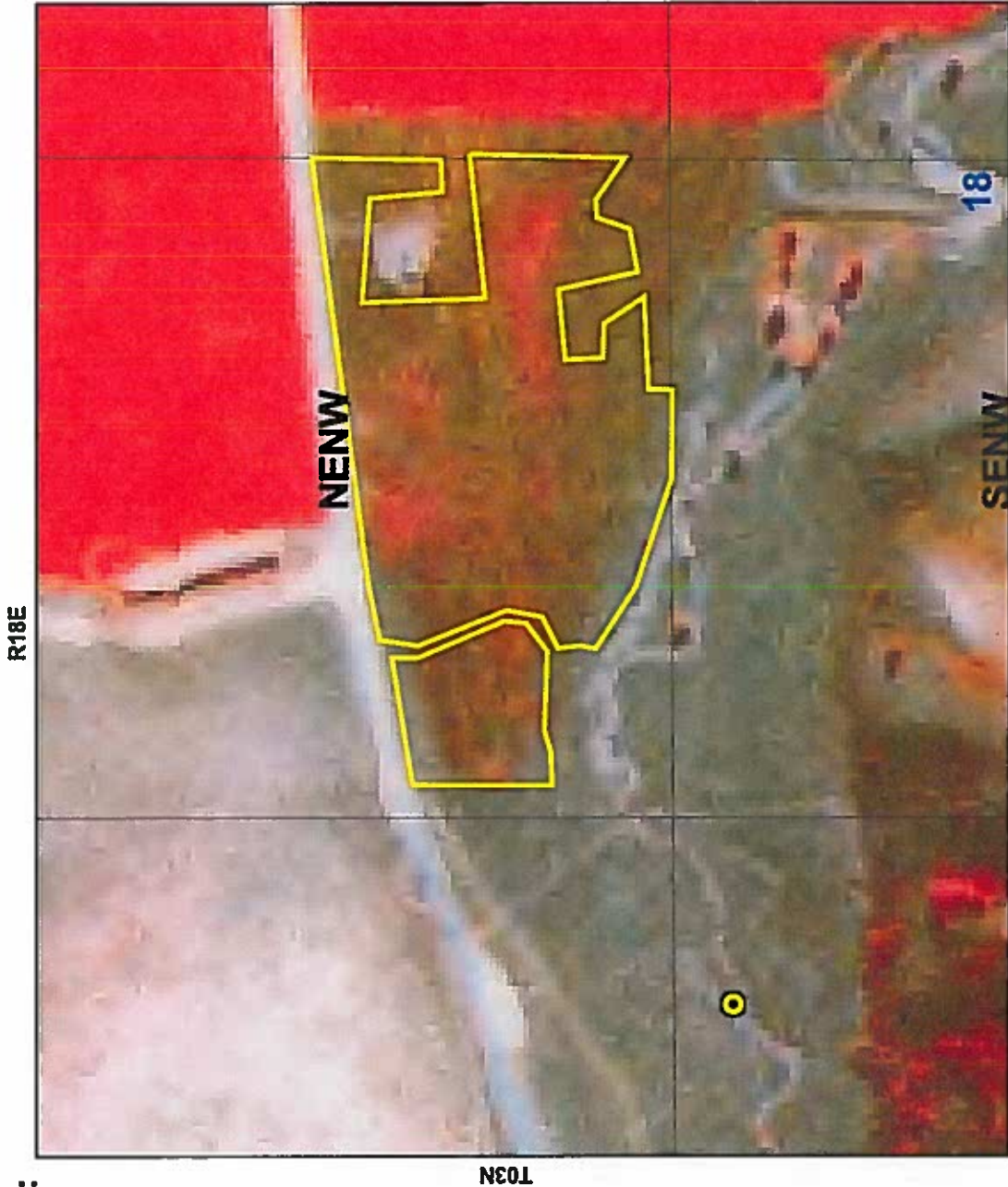
37-153C
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by E. NORQUES
On Friday, October 6, 2006
1987/88 Aerial Photography

Reviewer -
not sure when is
a right here. It could
be appellative filing.
Ruta

INTER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 3-19-92

TO File

SUBJECT App. for Transfer of Rt. 37-0153

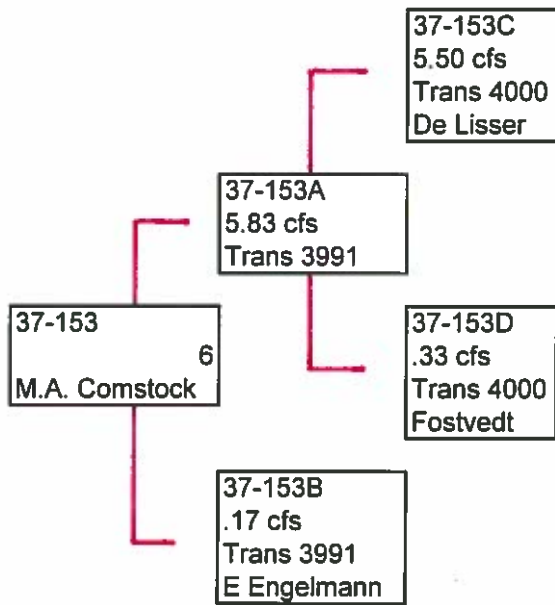
Today I inspected the property and water source involved with this transfer. I found one ditch on the north side of Greenhorn Creek that could have watered some of Lot 3 at one time. The ditch is 12-18" wide and a few inches deep, and flows thru heavy sagebrush for its entire length. A 1/4 private road cuts the ditch above the applicant's property, so Greenhorn Cr. water could no longer reach Lot 3 thru this ditch. If 1/4 Due to another poor snowpack, the stream was completely dry during my visit. Sagebrush growth up to 2' high covered Lot 3 in varying densities. The sparse areas appeared to have been watered from the Comstock Ditch out of Big Wood River, but this ditch now ends north of the Greenhorn Gulch Road. Apparently no Big Wood water went with this property. Judging by the sagebrush growth, this appears to be just another old farm that has set idle for a long time until someone finally bought it for a subdivision. The issue of abandonment/forfeiture certainly comes into question. On the other hand, this water supply is so poor that approval of the transfer probably won't benefit the applicant much and probably won't harm downstream users much.

RECEIVED

MAY 20 1993

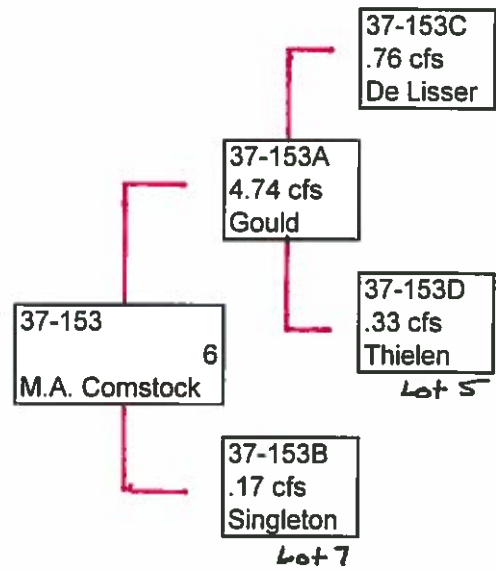
SIGNATURE

Water Right



37-153 Splits

Adjudication



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4000
WATER RIGHT NO. 37-00153D

This is to certify that: **KARSTEN A FOSTVEDT**
TERI FOSTVEDT
PO BOX 5248
KETCHUM ID 83340

has requested a change to the above captioned water rights. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.33 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
GREENHORN CREEK	BIG WOOD RIVER

Priority: 09/01/1885

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	18	SENE	5		5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
5. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

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MAY 20 1993

TRANSFER NO. 4000
WATER RIGHT NO. 37-00153D

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Dated this 6th day of April, 1993.

A. Glen Saylor
Chief, Water Alloc. Bureau

MICROFILMED

MAY 20 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
WATER RIGHT NO. 37-00153B

Trans. #3991

This is to certify that: **EARL ENGELMANN**
PO BOX 781
KETCHUM ID 83340-0781

has requested a change to the above captioned water rights. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 - 11/01	0.17 CFS	
	Total	0.17 CFS	

Priority: 09/01/1885

Source: GREENHORN CREEK tributary to: BIG WOOD RIVER

LOCATION OF POINT(S) OF DIVERSION:

NESENW, Section 18, Township 03N, Range 18E, BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES
03N	18E	18	SENW 2.5

CONDITIONS/REMARKS:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
5. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.

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MAY 20 1993

Dated this 30th day of March, 1993.

[Signature]
Chief, Water Allocation Bureau

7	0134	Carter, Jones B.	25 inches.	June 1, 1884.	Corral Creek.
7	0135	" "	25 "	June 1, 1886.	" "
7	0136	" "	35 "	June 1, 1888.	" "
7	0137	Castle, C. W.	40 "	June 1, 1889.	Silver Creek.
7	0138	" "	60 "	May 15, 1890.	" "
7	0139	Chasey, Laura J.	150 "	June 1, 1883.	Spring Creek.
7	0140	Chaquette, Manuel	243 "	Nov. 2, 1885.	Big Wood River.
7	0141	Chamell, Eugene	10 "	Nov. 1, 1885.	Silver Creek.
7	0142	" "	20 "	Sept. 1, 1887.	" "
7	0143	" "	20 "	Apr. 1, 1888.	" "
7	0144	Cherry, James	125 "	Apr. 15, 1894.	Little Wood River. (Also shares in Little Wood River Canal Co.)
7	0145	" "	" "	June 1, 1881.	Corral Creek.
7	0146	" "	135 "	June 1, 1883.	" "
37	0147	" "	35 "	June 1, 1886.	" "
7	0148	" "	160 "	Apr. 16, 1888.	" "
7	0149	Clarke, Sarah	285 "	May 1, 1888.	Little Wood River.
7	0150	Coates, George	30 "	Apr. 1, 1882.	" "
7	0151	" "	97-1/2 "	Apr. 1, 1883.	(Also shares in Little Wood River Canal Co.)
7	0152	Cort, Henry A., Estate of	160 "	Apr. 1, 1893.	Little Wood River.
7	0153	Comstock, M. A.	300 "	Sept. 1, 1885.	Greenhorn Creek.
7	0154	" "	500 "	Dec. 13, 1887.	Big Wood River.
7	0155	Cooper, John W.	30 "	Apr. 12, 1883.	" "
7	0156	" "	40 "	May 1, 1887.	" "
7	0157	Cooper, Joseph	160 "	Dec. 1, 1892.	Little Wood River.
7	0158	" "	100 "	July 1, 1881.	Big Wood River.
7	0159	Cramer, Hugh	300 "	July 30, 1888.	East Fork of Big Wood River.
7	0160	Crobbin, Alfred	160 "	Nov. 12, 1885.	Big Wood River.
7	0161	Crobbin, Daniel L.	50 "	May 10, 1909.	" "

JUN 04 1996

Clark, William W.
Coates, George

Coit, Henry A.,
Estate of

Comstock, M. A.

Cook, John W.

Cooper, Joseph

Cramer, E.

Cramer, Hugh

Crebbin, Alfred

Cronin, Daniel L.

Crothers, Albert D.

of Sec. 5, T. 1 S., R. 13 E., -- 320 acres.
SE 1/4 of Sec. 3, T. 2 S., R. 21 E., 160 acres.
S 1/2 of SW 1/4 of Sec. 21, and S 1/2 of SE 1/4
of Sec. 20, T. 2 S., R. 21 E., -- 160 acres.

NW 1/4 of SW 1/4 of Sec. 5, N 1/2 of SE 1/4 and
SE 1/4 of SE 1/4 of Sec. 6, T. 5 S., R. 19 E.,
containing 160 acres.

NE 1/4 of Sec. 7, NW 1/4 of SE 1/4, S 1/2 of SE
1/4 and SE 1/4 of SW 1/4 of Sec. 7, NE 1/4 of
Sec. 18 and E 1/2 of NW 1/4 of Sec. 18, and NW
1/4 of NW 1/4 of Sec. 17, T. 3 N., R. 18 E.

NE 1/4 of SE 1/4 of Sec. 16, and W 1/2 of NW 1/4
of SW 1/4 of Sec. 15, T. 2 N., R. 18 E., con-
taining 60 acres.

SW 1/4 of Sec. 10, T. 2 S., R. 21 E., containing
160 acres.

Part of the W 1/2 of NW 1/4 of Sec. 9, T. 2 N.,
R. 18 E., adjoining and Westerly of the Village
of Hailey, containing 80 acres, more or less.

SE 1/4 of SE 1/4, N 1/2 of SE 1/4, SE 1/2 of NE
1/4, NE 1/4 of NW 1/4 and NW 1/4 of NE 1/4 of
Sec. 20, SW 1/4 of SE 1/4 and E 1/2 of SW 1/4
of Sec. 17, T. 3 N., R. 18 E., -- 400 acres.

SW 1/4 of NE 1/4 and W 1/2 of SE 1/4 of Sec. 6,
and NW 1/4 of NE 1/4 of Sec. 7, T. 2 S., R. 18
E., containing 160 acres.

NE 1/4 of NE 1/4 of Sec. 28, and NW 1/4 of NW 1/4
of Sec. 27, T. 5 S., R. 14 E.

N 1/2 of SE 1/4, SW 1/4 of NE 1/4, and Lot 2, of
Sec. 3, T. 4 S., R. 18 E., -- 160-1/2 acres.

JUN 04 1996

Clark, H. L.	15 inches.	June 1, 1881.	Corral Creek.
" " "	135 "	June 1, 1883.	" "
" " "	35 "	June 1, 1886.	" "
" " "	160 "	Apr. 16, 1888.	" "
Clark, Sarah	285 "	May 1, 1888.	" "
Clark, William W.	160 "	Apr. 27, 1894.	Little Wood River.
Coates, George	30 "	Apr. 1, 1882	" " "
" "	97-1/2 "	Apr. 1, 1883.	" " "
" "			(Also shares in Little Wood River Canal Co.)

Coit, Henry A., Estate of	160 "	Apr. 1, 1893.	Little Wood River.
Comstock, M. A.	300 "	Sept. 1, 1885.	Greenhorn Creek.
" " "	500 "	Dec. 13, 1887.	Big Wood River.
Cook, John W.	80 "	Apr. 12, 1883.	" " "
" " "	40 "	May 1, 1887.	" " "
Cooper, Joseph	160 "	Dec. 1, 1892.	Little Wood River.
Cramer, E.	100 "	July 1, 1881.	Big Wood River.
Cramer, Hugh	800 "	July 30, 1888.	East Fork of Big Wood River.
Crebbin, Alfred	160 "	Nov. 2, 1885.	Big Wood River.
Gronin, Daniel L.	65 "	May 10, 1909.	" " "
Crothers, Albert D.	160 "	Dec. 12, 1901.	" " "
Darrah, Ben.	65 "	June 1, 1890.	" " "
" "	145 "	June 1, 1891.	" " "
" "	75 "	June 1, 1891.	" " "
" "	70 "	Oct. 20, 1902.	" " "
" "	145 "	Oct. 20, 1902.	" " "
Darrah, Hattie B.	280 "	Oct. 20, 1902.	" " "
Darrah, J. S.	136 "	May 1, 1883.	" " "
" " "	81 "	June 1, 1903.	" " "

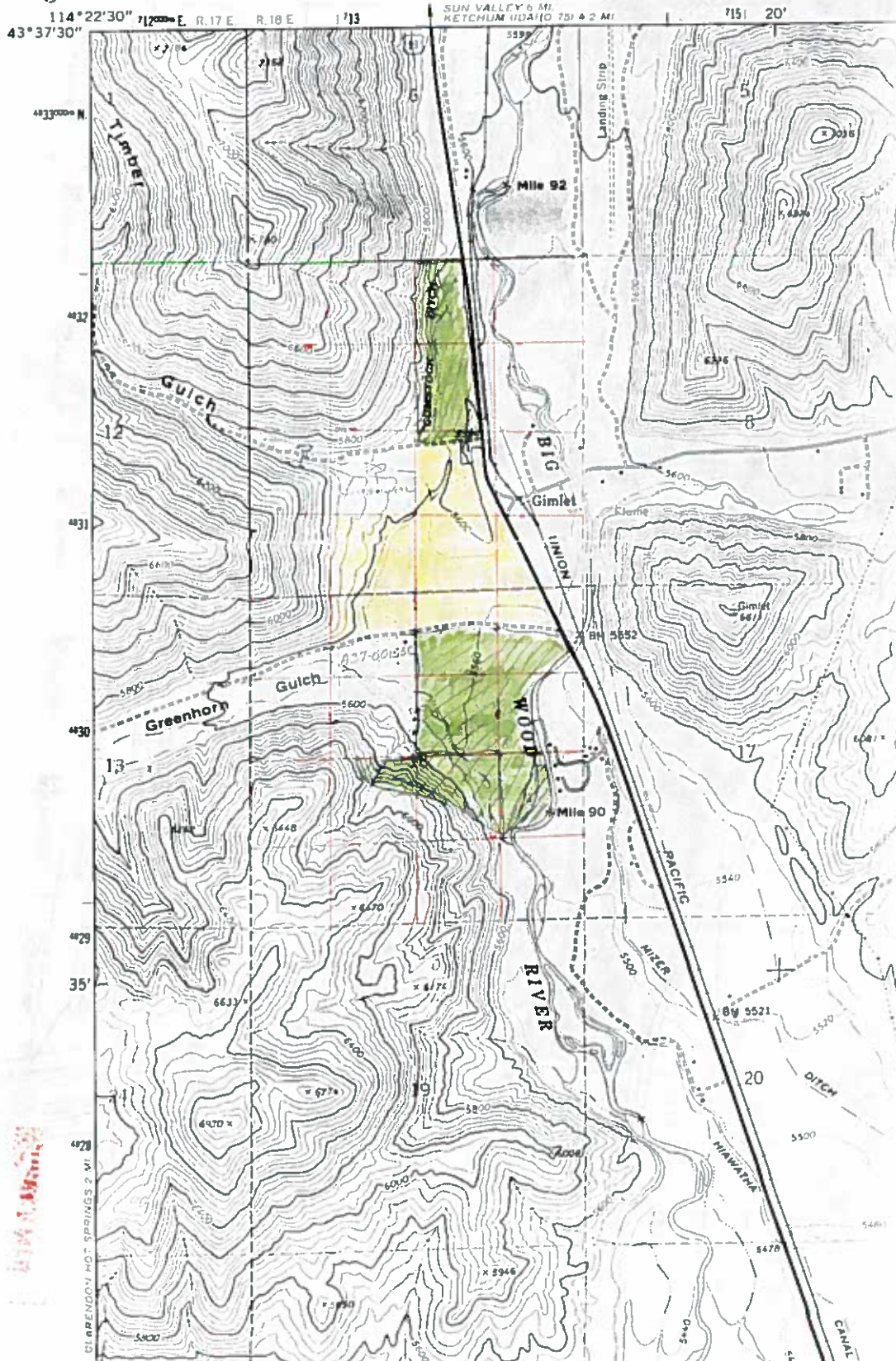
Davis, Arthur, and T. S. Eastwood	50 "	July 1, 1886.	Rock Creek.
Do.	40 "	Aug. 25, 1885.	Certain springs trib- utary to Rock Creek.

JUN 04 1996

3121" NW
(GRIFIN BUTTE)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Bound to Rumber Deed 12-31-1990
Gould to Rumber Deed 7-1-1985

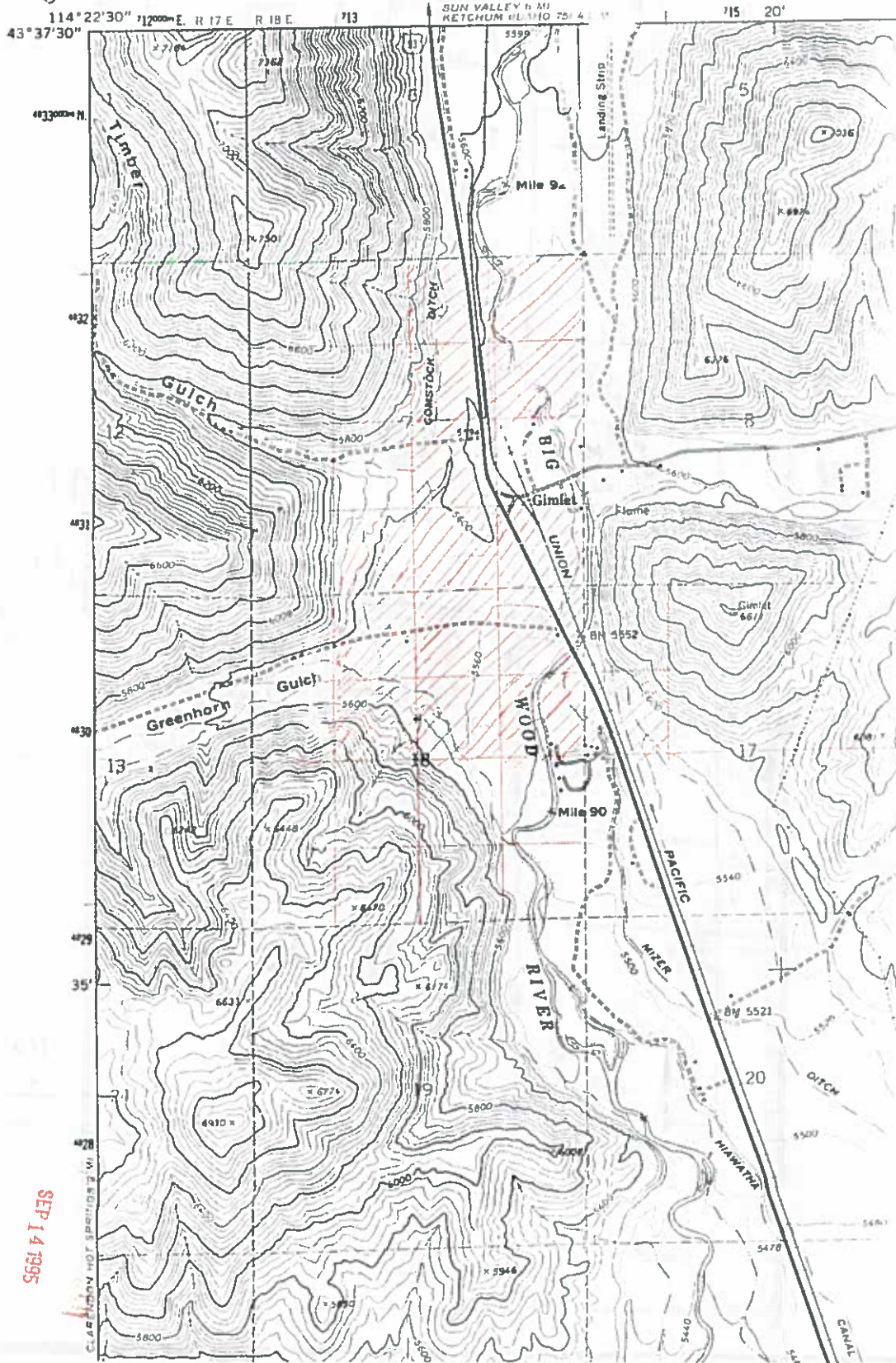


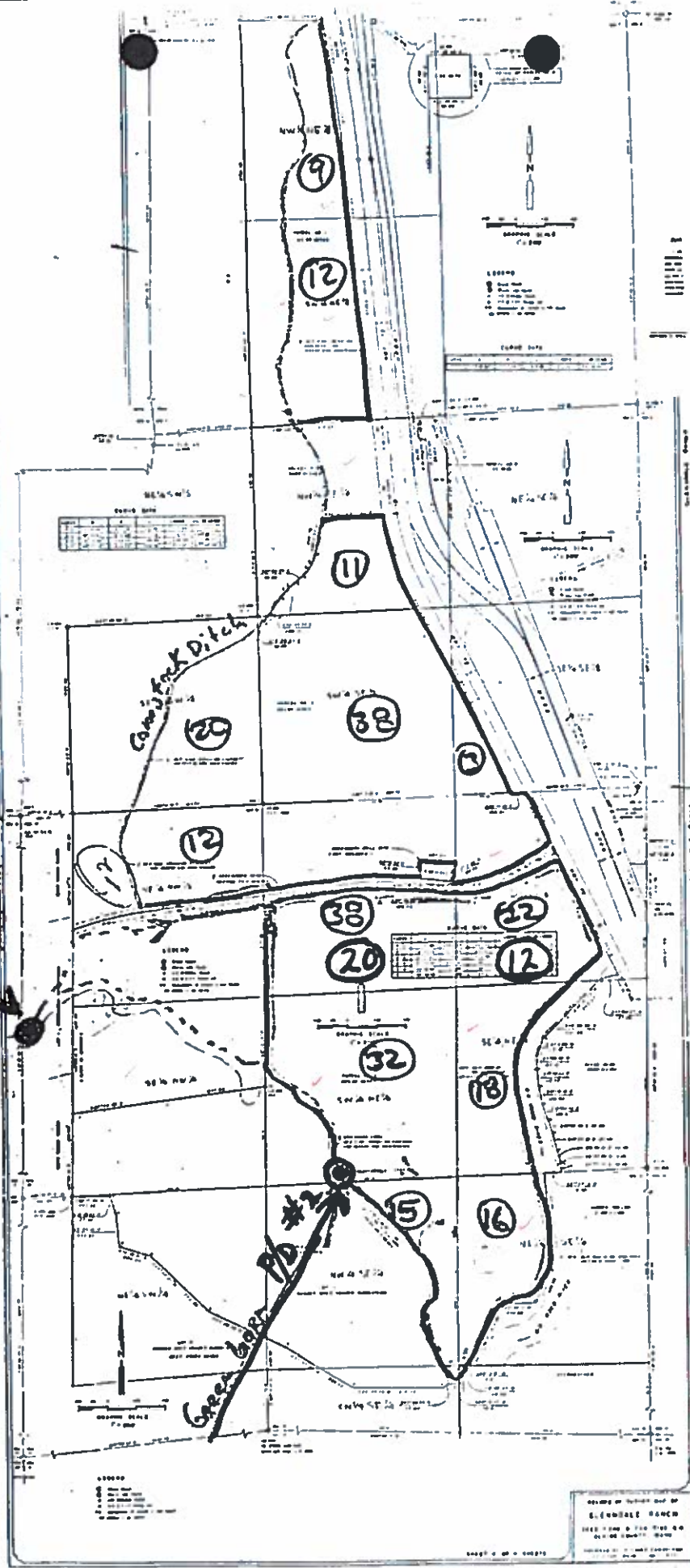
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3121 1/4 NW
(GRIFFIN BUTTE)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

*44 is covered by decree
for 37-00153*





7th
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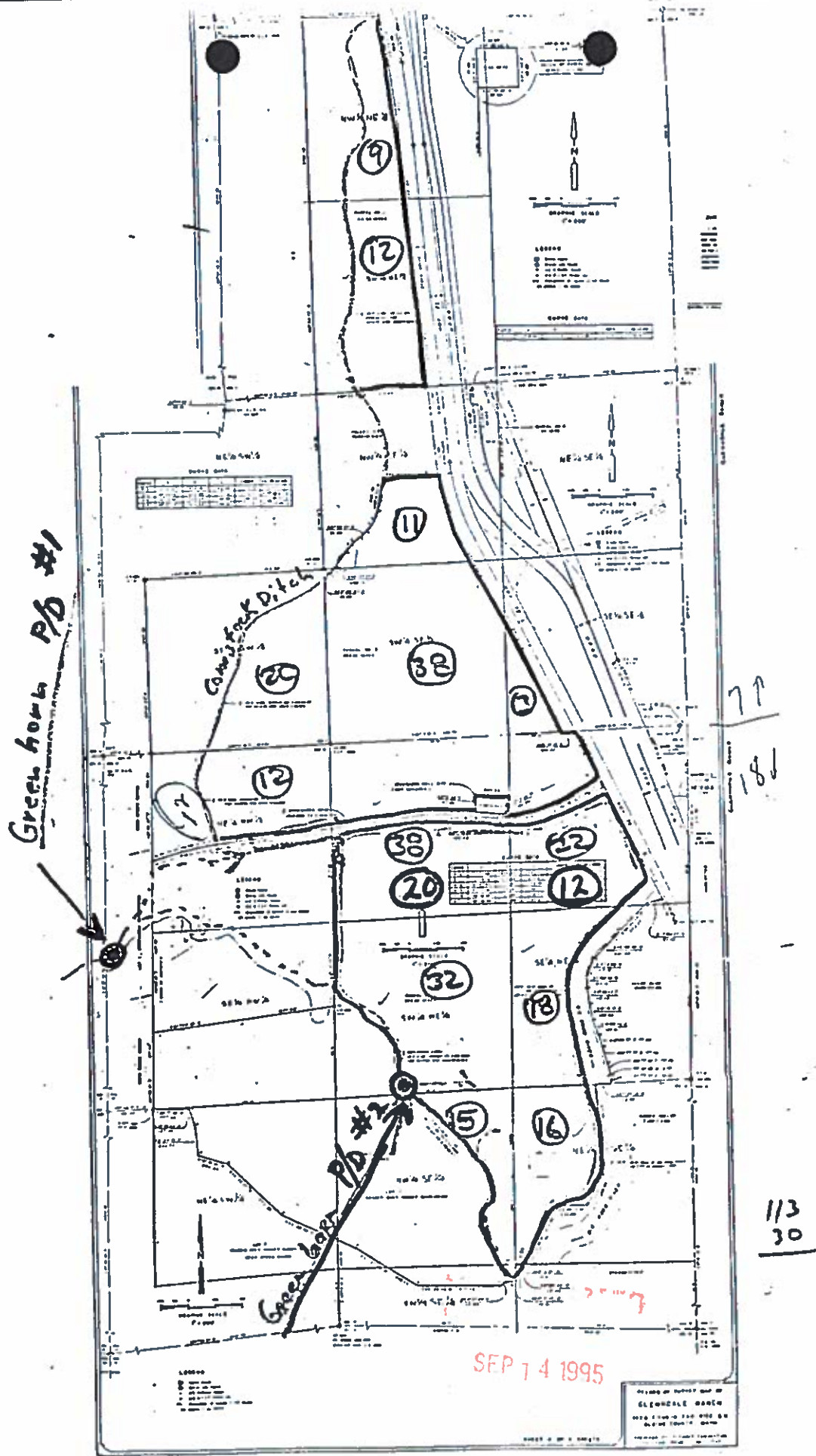
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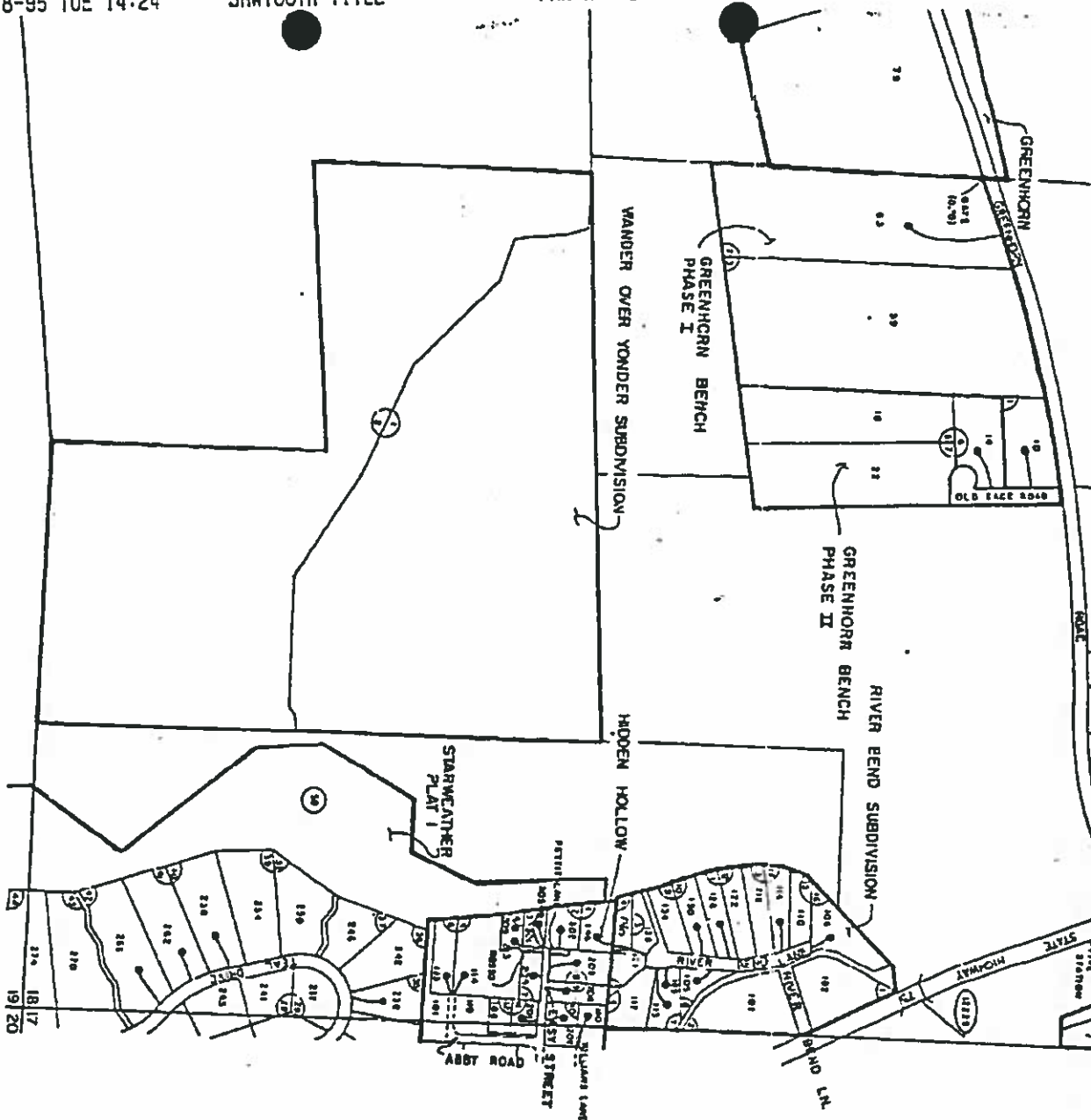
SEC. 18, T. 3 N., R. 18 E



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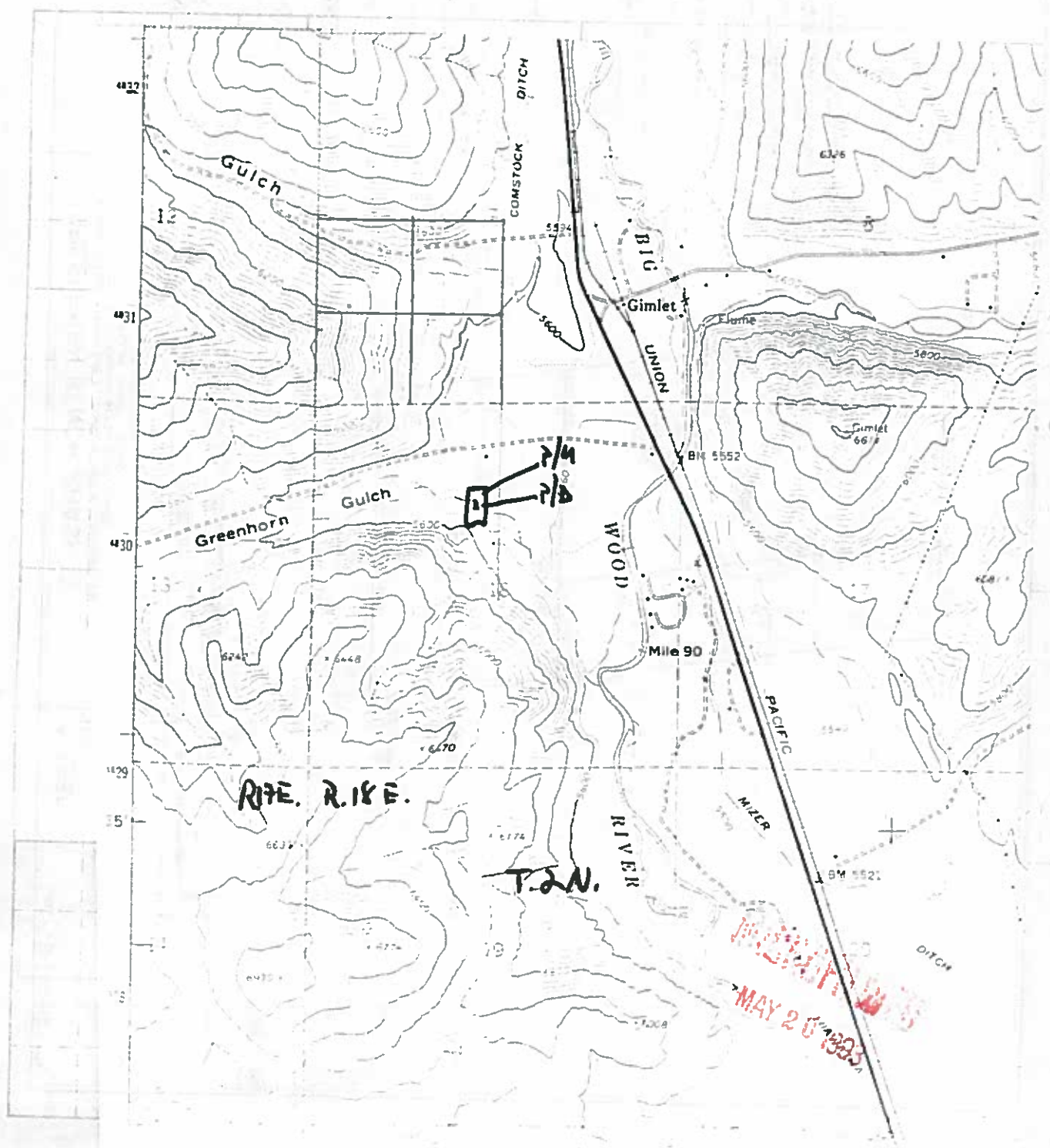
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SEP 14 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

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MAY 20 1993

LEGEND

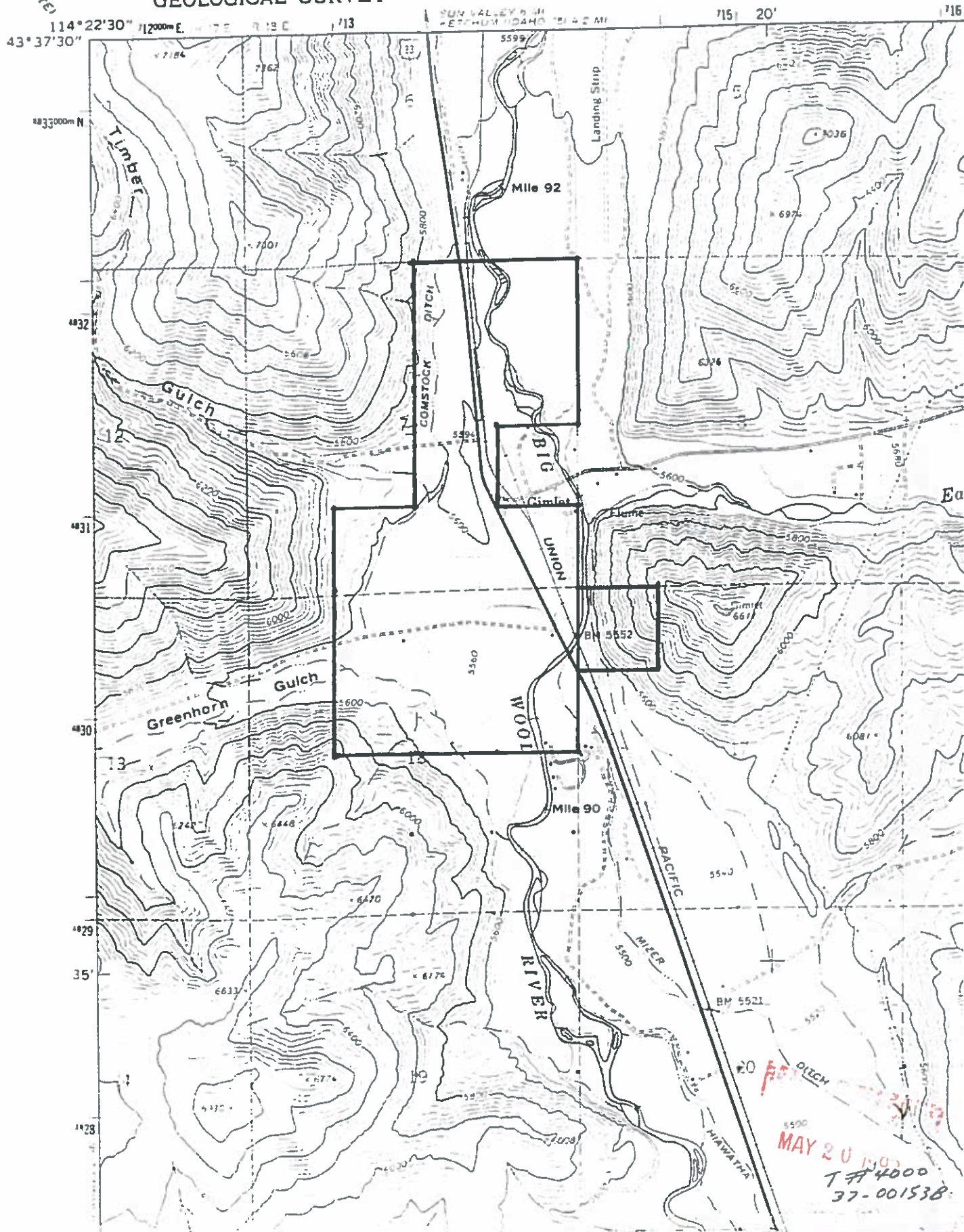
MD-75

CAUSE 1 OF 2 SUBJECTS



311 11 NW
(GRIFFIN BUTTE)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



ADDENDUM TO
APPLICATION FOR TRANSFER OF WATER RIGHT
BY
KARSTEN A. POSTVEDT &/OR TERI POSTVEDT

The following is an Addendum to the Application for Transfer of Water Right submitted by Karsten A. Postvedt &/or Teri Postvedt:

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

6. General Information.

d. Remarks: A portion (1.26 cfs) of Water Right No. 37-00153 was acquired by the developers of Greenhorn Bench Subdivision and claimed by them in the Adjudication (see Claim No. A37-00153B). In the Declaration of Covenants, Conditions and Restrictions of Greenhorn Bench Subdivision, this portion was allocated to three (3) of the Subdivision Lots (see copy attached - Article XI, Section 2). Lot 4 was later resubdivided into Lots 5 and 7, and the owners of these Lots have agreed to divide the share allocated to Lot 4 as follows: Lot 5 - 0.33 cfs, Lot 7 - 0.17 cfs. The 1.26 cfs historically irrigated 21 acres within the lands subdivided and the 0.33 cfs will be used to irrigate 5 acres within Lot 5, approximately the same amount per acre.

Applicant has Water Right No. 37-02644B (see Transfer No. 3514) to supplement the irrigation of 2 acres when the Greenhorn Creek right is not available.

PAGE 1

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7# 4000
37-001534

not be further subdivided at any time. Lot 4 may be further subdivided into three (3) separate lots, but the lot lines and building envelopes shall be located as shown on Exhibit A attached hereto and made a part hereof.

Section 19. HORSES AND OTHER ANIMALS. No animals may be kept on any Lot, except a reasonable number of cats and dogs and a maximum of four (4) horses or llamas, without the prior, written approval of the Association. All horse or other animal manure must be removed from a Lot before its accumulation or attraction of flies becomes a nuisance to any other Lot or Owner. Each Owner must provide on his Lot adequate pasture with cross-fencing and irrigation so that any such pasture for horses or other animals remains green and does not erode and unduly accumulate or produce dust.

Section 20. BUILDING ENVELOPES. The building envelopes for all of the Lots (including any Lots created in the future by further subdivision of Lot 4) shall not be moved from the locations depicted in Exhibit B attached hereto and made a part hereof without the unanimous written approval of the owners of all other Lots.

ARTICLE X

SEWAGE DISPOSAL

No owner shall install or maintain a septic tank or leaching field on any Lot without first obtaining the prior written approval of the Idaho State and Environmental Services and the owners of all adjacent Lots.

ARTICLE XI

WATER RIGHTS

Section 1. DOMESTIC WATER. Each Owner shall be responsible for providing the domestic water system, including a well and pump, necessary to service the single family residence which may be constructed on each Lot.

Section 2. IRRIGATION WATER. Declarant is the owner of the following-described irrigation water right appurtenant to the property: 1.26 c.f.s. of Idaho Water Right No. 37-0153, for the diversion of the waters of Greenhorn Creek with a priority date of September 1, 1885. This irrigation water right is allocated to the Lots as follows:

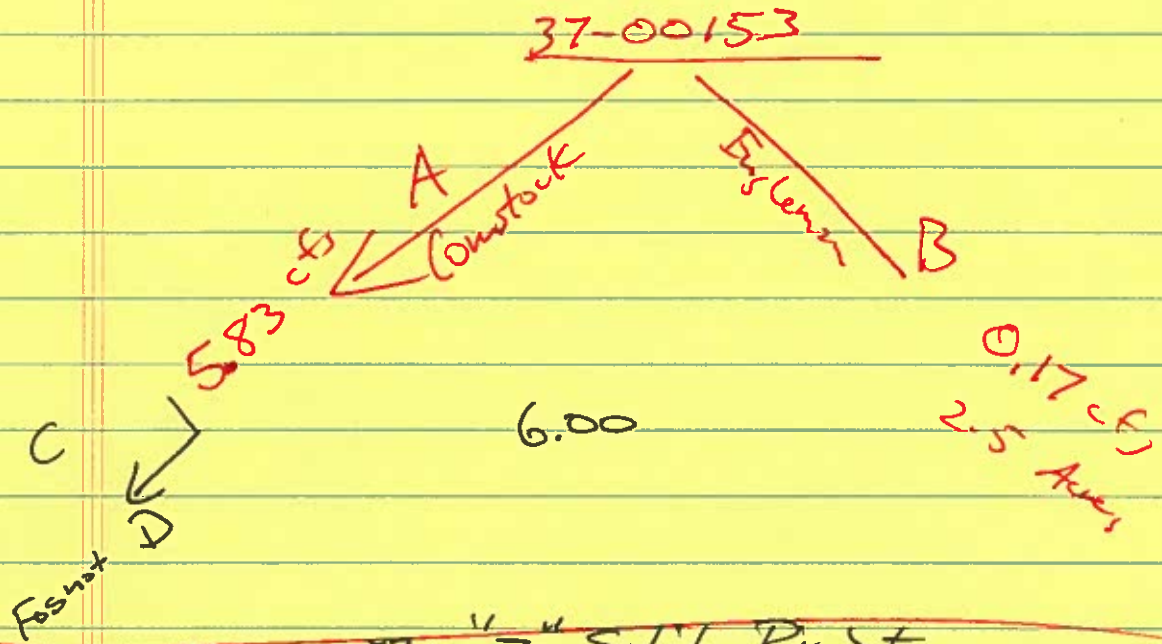
<u>LOT</u>	<u>AMOUNT</u>
2	0.38 c.f.s.
3	0.38 c.f.s.
4	0.50 c.f.s.
<u>TOTAL</u>	<u>1.26 c.f.s.</u>

DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS - 9

MAY 20 1993

~~2.~~
~~2.~~

WR



A37-00153 "Z" Split Right

A Remembered	<u>A37-00153</u>	Gould Family Part.	4.74
	A37-00153 B	Englemann / DeLisser	1.26
		— Split	6.00
A37—	~~B~~	B Englemann — 0.17	Lot 7 2.5 Ac
	~~C~~	C Englemann / DeLisser	0.76 13.5 Ac
	~~D~~	D Foster + 5 Ac	— 0.33 Lot 5

2.5 x Acres = C.U.

MICROFILMED
OCT 24 1994

A37-00153B

AJ3
copy

→ C
→ D

AJ2 Modify B
C
D

A37-00153

Copy
AT3

→ A

AJ2 "Z" 00153
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MICROFILMED
OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

03-Nov-1993

EARL ENGELMANN
PETER DE LISSER
MELISSA DE LISSER
PO BOX 781
KETCHUM ID 83340

RE: Amendment of SRBA Claim #A37-00153B & A37-00153C

Dear Claimant:

Pursuant to the approval of Transfer No. 3991, your above referenced Notice of Claim in the Snake River Basin Adjudication (Part B) has been amended to conform with the transfer. Please find enclosed a printout of the way the claim record has been modified. In addition, the original Part B with all three of your names on it has been changed to Part C, as a result of the splits caused by Transfers 3991 & 4000. Please look the modified record over carefully to be sure it correctly reflects your intended change. If you have questions please feel free to contact this office.

Sincerely,

Jeanie Robertson
Records Clerk

Encl:

MICROFILMED
OCT 24 1994

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

OCT 27 1988

Water Resources
Region Office

October 24, 1988

CERTIFIED MAIL

Idaho Dept. of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301
Attn: Jim Stanton

RE: Snake River Basin Adjudication
Notices of Claims to Water Rights
Earl Engelmann &/or Peter deLisser &/or
Melissa deLisser

Dear Jim:

Enclosed you will find the original Notices of Claims to Water Rights which we have prepared on behalf of EARL Engelmann for the following-described water rights:

1. 37-0153
2. Domestic Well

Also enclosed is a check in the sum of \$96.00 to cover the filing fees for thses claims.

Kindly call if you have any questions.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/rlk
encl.
cc: Earl Engelmann

MICROFILMED
FEB 22 1993

10/27/1988

P.M. 10-26-88

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Engelman, Hor De Lisser CLAIM NO. A37-001538

DATE RECEIVED 10-27-88 CK # 8672 AMOUNT \$ 96-2

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ |
| 2. Is a priority date entered? | ☒ | ☐ |

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

- | | | |
|--|-------------------------------------|--------------------------|
| 3. (a) Is a source entered? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) | N/A | ☐ |

- | | | |
|---|-------------------------------------|--------------------------|
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ |
|---|-------------------------------------|--------------------------|

- | | | |
|---|-------------------------------------|--------------------------|
| 5. Is there a description of the diverting works? | ☒ | ☐ |
|---|-------------------------------------|--------------------------|

- | | | |
|---|-------------------------------------|--------------------------|
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ |
|---|-------------------------------------|--------------------------|

Is the period of use included? ☒

Is a quantity claimed for each use? ☒

- | | | |
|---|-------------------------------------|--------------------------|
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
|---|-------------------------------------|--------------------------|

- | | | |
|--|-----|--------------------------|
| 8. If required is a consumptive use entered? | N/A | ☐ |
|--|-----|--------------------------|

Is the consumptive use correct? ☒ N/A

- | | | |
|--|-----|-------------------------------------|
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | N/A | ☒ |
|--|-----|-------------------------------------|

- | | | |
|--|-------------------------------------|--------------------------|
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ |
|--|-------------------------------------|--------------------------|

- | | | |
|---------------------------------------|-------------------------------------|--------------------------|
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
|---------------------------------------|-------------------------------------|--------------------------|

- | | | |
|---------------------------------------|-------------------------------------|--------------------------|
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
|---------------------------------------|-------------------------------------|--------------------------|

- | | | |
|--|-------------------------------------|--------------------------|
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ |
|--|-------------------------------------|--------------------------|

- | | | |
|---|-----|-------------------------------------|
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | N/A | ☒ |
|---|-----|-------------------------------------|

- | | | |
|--|-------------------------------------|--------------------------|
| 15. Is the basis of the claim indicated? | ☒ | ☐ |
|--|-------------------------------------|--------------------------|

- | | | |
|---|-------------------------------------|--------------------------|
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) | ☒ | ☐ |
|---|-------------------------------------|--------------------------|

Has the claim been signed, sealed, and dated by a notary? ☒

Was this claim filed on time, or was an extension granted? ☒

Is the fee enclosed correct? ☒ Exempt

If this claim is based on an existing water right, has the identification number been entered? ☒ N/A

Should this claim be receipted and data entered? ☒

Claim checked by: MICHAEL

Comments: _____

FEB 22 1993