

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 37-4151
Date Received: 11/24/1992
Receipt No: C026097
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

IDAHO FOUNDATION FOR PARKS & LANDS INC Phone: (208)344-7141
5657 WARM SPRINGS AVE
BOISE ID 83712

2. Date of Priority: 01/01/1939

3. Source: SPRING Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	18E	30	SE NE	BLAINE	

5. Description of diverting works:

SPRING LEADS TO APPROX. 600' OF DITCH FLOWING TO A NATURAL LAKE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
WILDLIFE	1/01	12/31	1.84	
WILDLIFE STORAGE	1/01	12/31		0.1

7. Total Quantity Appropriated is:
1.84 C.F.S. and/or 0.1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	18E	30	SE	NE	WILDLIFE STORAGE	
			SE	NE	WILDLIFE	

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:

THIS APPLICATION IS BASED ON ADJUCICATION CLAIM 37-04151.

15. Basis of Claim: Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2002

IDAHO FOUNDATION FOR PARKS & LANDS INC
5657 WARM SPRINGS AVE
BOISE ID 83712

Re: SRBA Claim(s) 37-81, 37-82, 37-4151

Dear Claimants:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over a horizontal line.

Trish Fawcett
Technical Records Specialist

Enc.

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

RECEIVED
DEC 14 1998
Department of Water Resources
Southern Region

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

1. Water Right Number(s) _____
Adjudication Claim Number(s) A37-04151
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 Thomas Hormel
411 East 6th, Ketchum, Idaho 83340
4. New Owner/Claimant(s) Idaho Foundation For Parks and Lands, Inc.
Name connector (check one): [] AND, [] OR, [] AND/OR
New Mailing Address 5657 Warm Springs Avenue
City, State and ZIP Code Boise, Idaho 83712-8752
New Telephone Number (208) 344 - 7141
5. Date you acquired the property October 23, 1998
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) [Signature] Date 12/2 98
Date _____
(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.

21995
10-6-81

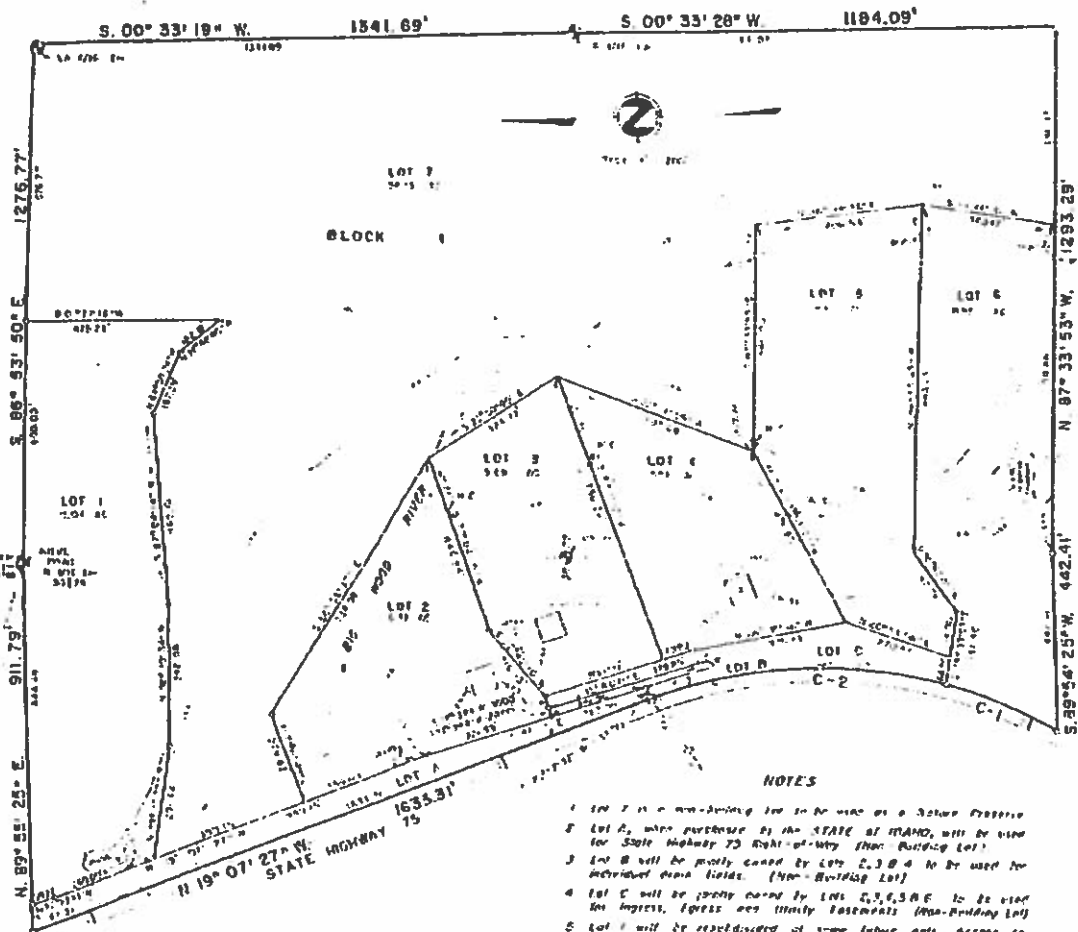
21995

LANE COMPANY

RIVER'S EDGE RANCH

LOCATED IN

SE 1/4 NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30,
SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29,
T. 4 N., R. 18 E., B.M.
BLAINE COUNTY, IDAHO
1981



NOTES

1. Lot 1 is a non-building lot to be used as a future pasture.
2. Lot 2, when purchased by the STATE of IDAHO, will be used for State Highway 75 Right-of-Way (Non-Building Lot).
3. Lot 3 will be jointly owned by Lots 2, 3 & 4 to be used for individual dairy fields (Non-Building Lot).
4. Lot 4 will be jointly owned by Lots 2, 3, 4 & 5 to be used for livestock, horses and family pastures (Non-Building Lot).
5. Lot 5 will be subdivided at some future date. Access to Lot 1 will be only through Private Road at the North end of the Ranch. The future owner/purchaser of Lot 5 requests that no residential building permits or right-of-way permits for access will be considered by Blaine County until such time as an easement access is obtained through the lots.
6. Machine and living easement shall extend 10 feet above the river high water mark along each side of the Big Wood River.
7. All fences to be constructed within the Machine and Living Easement.
8. The lot location of the center of the building privileges are as follows: Lot 2-268915'; Lot 3-268703'; Lot 4-268703'; Lot 5-268703'; Lot 6-268703'; Lot 7-268703'; Lot 8-268703'; Lot 9-268703'; Lot 10-268703'.
9. No building is to be constructed East of the West Bank of the Big Wood River on Lots 5 or 6.
10. There shall be a ten (10) foot Public Utility Easement centered on each side and rear Lot Lines.
11. All building privileges may expire around their expiration.
12. A 50' Approach to State Highway 75 Right-of-Way.
13. Accesses for Lots 2, 3, 4, 5, 6, 7, 8, 9, 10 are as follows: Lot 2 - 268915'; Lot 3 - 268703'; Lot 4 - 268703'; Lot 5 - 268703'; Lot 6 - 268703'; Lot 7 - 268703'; Lot 8 - 268703'; Lot 9 - 268703'; Lot 10 - 268703'.
14. All building privileges shall be subject to the original survey of State Highway 75 as shown and changed by the shown on Lot 2.

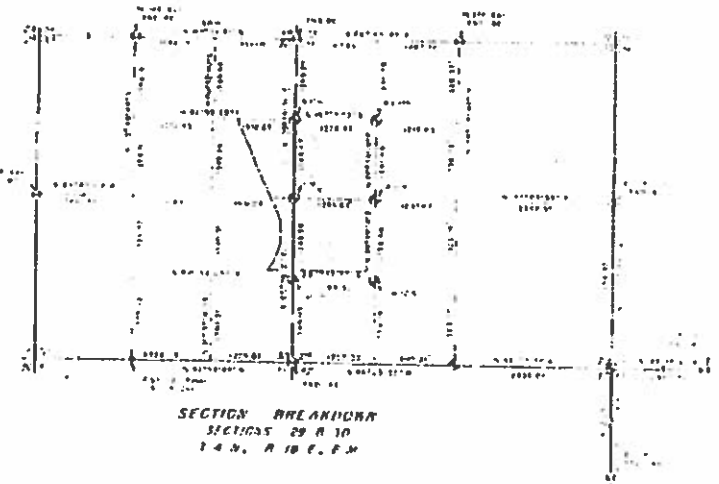
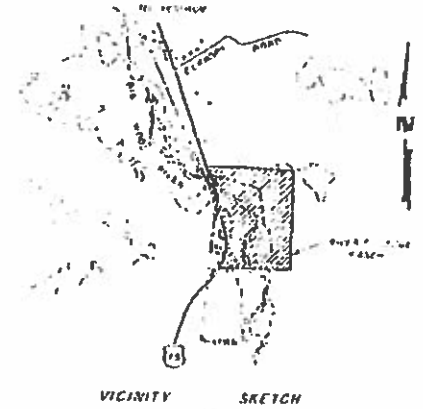
LEGEND

- 1. 1/4 Section 30, NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30, SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29, T. 4 N., R. 18 E., B.M.
- 2. 1/4 Section 30, NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30, SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29, T. 4 N., R. 18 E., B.M.
- 3. 1/4 Section 30, NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30, SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29, T. 4 N., R. 18 E., B.M.
- 4. 1/4 Section 30, NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30, SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29, T. 4 N., R. 18 E., B.M.
- 5. 1/4 Section 30, NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30, SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29, T. 4 N., R. 18 E., B.M.
- 6. 1/4 Section 30, NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30, SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29, T. 4 N., R. 18 E., B.M.
- 7. 1/4 Section 30, NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30, SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29, T. 4 N., R. 18 E., B.M.
- 8. 1/4 Section 30, NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30, SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29, T. 4 N., R. 18 E., B.M.
- 9. 1/4 Section 30, NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30, SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29, T. 4 N., R. 18 E., B.M.
- 10. 1/4 Section 30, NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30, SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29, T. 4 N., R. 18 E., B.M.

This map is a photographic reproduction of that on file in either the Recorder or Surveyor's Office. The company assumes no liability for variations, many with another or to survey.

Courtesy Of:
First American Title Co.
Box 126
Heister, Idaho 83403

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Order No. 24832

WARRANTY DEED

FOR VALUE RECEIVED

THOMAS D. HORMEL AND RAMPA ROBINSON HORMEL, CO-TRUSTEES OF THE THOMAS D. HORMEL TRUST DATED AUGUST 20, 1992

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

IDAHO FOUNDATION FOR PARKS AND LANDS, INC., an Idaho non-profit corporation

GRANTEE(s) whose address is: 6657 Warm Springs Avenue, Boise, ID 83712-8752

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

Lot 1 of RIVER'S EDGE RANCH, according to the official plat thereof, recorded as Instrument No. 219955, records of Blaine County, Idaho.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO

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

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

Dated: October 22, 1998

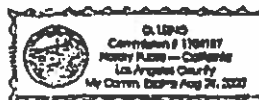
Thomas D. Hormel
THOMAS D. HORMEL, CO-TRUSTEE
Rampa Robinson Hormel
RAMPA ROBINSON HORMEL, CO-TRUSTEE

State of California }
County of L.A. } ss.

On this 23 day of October, in the year 1998, before me, the undersigned, personally appeared THOMAS D. HORMEL AND RAMPA ROBINSON HORMEL, CO-TRUSTEES, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as Co-trustee(s) of THE THOMAS D. HORMEL TRUST DATED AUGUST 20, 1992, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

[Signature]
Notary Public
Commission Expires:



J:\ccr\mform\y-98

QUITCLAIM DEED

For Value Received, JAY CHRISTOPHER HORMEL, TRUSTEE OF THE THOMAS D. HORMEL TRUST,

does (do) hereby convey, release, remise and forever quit claim unto THOMAS D. HORMEL AND RAMPA ROBINSON HORMEL, CO-TRUSTEES OF THE THOMAS D. HORMEL TRUST

whose address is: P. O. Box 2224, Ketchum, ID 83340

the following described premises, to-wit:

Lot 1 of RIVER'S EDGE RANCH, BLAINE COUNTY, IDAHO, according to the official plat thereof on file in the office of the County Recorder, recorded October 6, 1981, as Instrument No. 219995, records of Blaine County, Idaho.

together with their appurtenances.

DATED: 10/23/98

JCH
JAY CHRISTOPHER HORMEL, TRUSTEE
OF THE THOMAS D. HORMEL TRUST

STATE OF IDAHO, COUNTY OF BLAINE

On this day of October, 1998, before me, a notary public in and for said State, personally appeared JAY CHRISTOPHER HORMEL, TRUSTEE OF THE THOMAS D. HORMEL TRUST

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same

Notary Public
Idaho

BELLEVUE
12/14/99

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for at the request of _____ at _____ minutes past _____ o'clock _____ m. this _____ day of _____ 19____ in my office, and duly recorded in Book of Deeds at page _____

EX-Officio Recorder

By _____

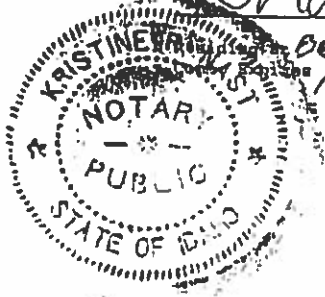
Deputy.

Fees \$
Mail to:

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

98 OCT 26 PM 1 44
MARY GREEN, CLERK
FEES \$3.00
SAWTOOTH TITLE
BLAINE CO. REQUEST
Deal

420192



QUITCLAIM DEED

For Value Received,

THOMAS D. HORMEL and RAMPA R. HORMEL, husband and wife,

does (do) hereby convey, release, remise and forever quit claim
unto✓
THOMAS D. HORMEL TRUST OF AUGUST 20th, 1992, Jay
CHRISTOPHER HORMEL, TRUSTEEPO Box 5463
KETCHUM, ID 83340

whose address is:

the following described premises, to-wit:

Lot 1 of RIVERS EDGE RANCH, Blaine County, Idaho,
according to the official plat thereof on file in the
office of the County Recorder, recorded October 6, 1981,
as Instrument No. 219995, records of Blaine County,
Idaho.

together with their appurtenances.

DATED: 8 June 1995

Thomas D. Hormel
THOMAS D. HORMELRampa R. Hormel June 8, 1995
RAMPA R. HORMEL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

On this day of 1995,
before me, a Notary Public in and for said State,
personally appeared
THOMAS D. HORMEL and RAMPA R. HORMEL,
husband and wife.known to me to be the persons whose names are
subscribed to the within instrument, and
acknowledged to me that they executed the
same.Residing at _____
Comm. Expires _____
Notary Public
California

STATE OF IDAHO, COUNTY OF BLAINE

I hereby certify that this instrument was filed for
at the request of _____
at _____ minutes past _____ o'clock _____
this _____ day of _____
19 _____, in my office, and duly recorded in Book of
Deeds at page _____

In-officio Recorder

By _____
Fees \$ _____
Mail to _____

Recd

BLAINE CO. REQUEST
6:12
Mary Green Clerk
Fees \$ 6.00
95 JUN 12 PM 2 36
Hormel

379149

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

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

RECEIVED

DEC 09 1998

Department of Water Resources
 Southern Region

1. Water Right Number(s) _____
 Adjudication Claim Number(s) A37-04151

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 Thomas Hormel
411 East 6th, Ketchum, Idaho 83340

4. New Owner/Claimant(s) Idaho Foundation For Parks and Lands, Inc.
 Name connector (check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address 5657 Warm Springs Avenue
 City, State and ZIP Code Boise, Idaho 83712-8752
 New Telephone Number (208) 344 - 7141

5. Date you acquired the property October 23, 1998

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) [Signature] Date 12/2 98
 Date _____
 (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.

Order No. 24832

WARRANTY DEED

FOR VALUE RECEIVED

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

IDAHO FOUNDATION FOR PARKS AND LANDS, INC., an Idaho non-profit corporation

GRANTEE(s) whose address is: 6657 Warm Springs Avenue, Boise, ID 83712-8752

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

Lot 1 of RIVER'S EDGE RANCH, according to the official plat thereof, recorded as Instrument No. 219995, records of Blaine County, Idaho.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO

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

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

Dated: October 22, 1998

Thomas D. Hormel
THOMAS D. HORMEL, CO-TRUSTEE

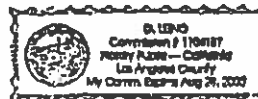
Rampa Robinson Hormel
RAMPA ROBINSON HORMEL, CO-TRUSTEE

State of California }
County of L.A. } ss.

On this 22 day of October, in the year 1998, before me, the undersigned, personally appeared THOMAS D. HORMEL AND RAMPA ROBINSON HORMEL, CO-TRUSTEES, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as Co-trustee(s) of THE THOMAS D. HORMEL TRUST DATED AUGUST 20, 1992, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

[Signature]
Notary Public
Commission Expires:



[Illegible]

QUITCLAIM DEED

For Value Received, JAY CHRISTOPHER HORMEL, TRUSTEE OF THE THOMAS
D. HORMEL TRUST,

does (do) hereby convey, release, remise and forever quit claim unto THOMAS D.
HORMEL AND RAMPA ROBINSON HORMEL, CO-TRUSTEES OF THE THOMAS D.
HORMEL TRUST

whose address is: P. O. Box 2224, Ketchum, ID 83340

the following described premises, to-wit:

Lot 1 of RIVER'S EDGE RANCH, BLAINE COUNTY, IDAHO,
according to the official plat thereof on file in
the office of the County Recorder, recorded
October 6, 1981, as Instrument No. 219995, records
of Blaine County, Idaho.

together with their appurtenances.

DATED: 10/23/98

JAY CHRISTOPHER HORMEL, TRUSTEE
OF THE THOMAS D. HORMEL TRUST

STATE OF IDAHO, COUNTY OF BLAINE

On this day of October, 1998,
before me, a notary public in and for said State,
personally appeared
JAY CHRISTOPHER HORMEL, TRUSTEE OF THE THOMAS
D. HORMEL TRUST

known to me to be the person whose name is
subscribed to the within instrument, and
acknowledged to me that he executed the
same

Notary Public
BLAINE Idaho

BELLEVE
12/14/99



BLAINE CO. REQUEST
SAWTOOTH TITLE
98 OCT 26 PM 1 44
MARY GREEN, CLERK
FEES \$3.00

420192

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for
at the request of
at minutes past o'clock m.
this day of
19, in my office, and duly recorded in Book of
Deeds at page

Ex-Officio Recorder

By

Deputy.

Fees \$
Mail to:

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

QUITCLAIM DEED

For Value Received,

THOMAS D. HORMEL and RAMPA R. HORMEL, husband and wife,

does (do) hereby convey, release, remise and forever quit claim
unto✓
THOMAS D. HORMEL TRUST OF AUGUST 20th, 1992, Jay
CHRISTOPHER HORMEL, TRUSTEEPO Box 5463
KETCHUM, ID 83340

whose address is:

the following described premises, to-wit:

Lot 1 of RIVERS EDGE RANCH, Blaine County, Idaho,
according to the official plat thereof on file in the
office of the County Recorder, recorded October 6, 1981,
as Instrument No. 219995, records of Blaine County,
Idaho.

together with their appurtenances.

DATED: 8 June 1995

Thomas D. Hormel
THOMAS D. HORMELRampa R. Hormel June 8, 1995
RAMPA R. HORMEL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

On this _____ day of _____, 1995,
before me, a notary public in and for said State,
personally appeared
THOMAS D. HORMEL and RAMPA R. HORMEL,
husband and wife,known to me to be the persons whose names are
subscribed to the within instrument, and
acknowledged to me that they executed the
same.Residing at _____
Comm. Expires _____
Notary Public
California

STATE OF IDAHO, COUNTY OF BLAINE

I hereby certify that this instrument was filed for
at the request of _____
at _____ minutes past _____ o'clock _____ a.
this _____ day of _____
19 _____ in my office, and duly recorded in Book of _____
Deeds at page _____

Ex-Officio Recorder

By _____
Fees \$ _____
Mail to: _____

Dodd

MARY GREEK CLERK
FEES \$6.00
4/11/95

JUN 12 PM 2 36

BLAINE CO. REQUEST
G. Hormel
Hormel

379149

219995
10-6-81

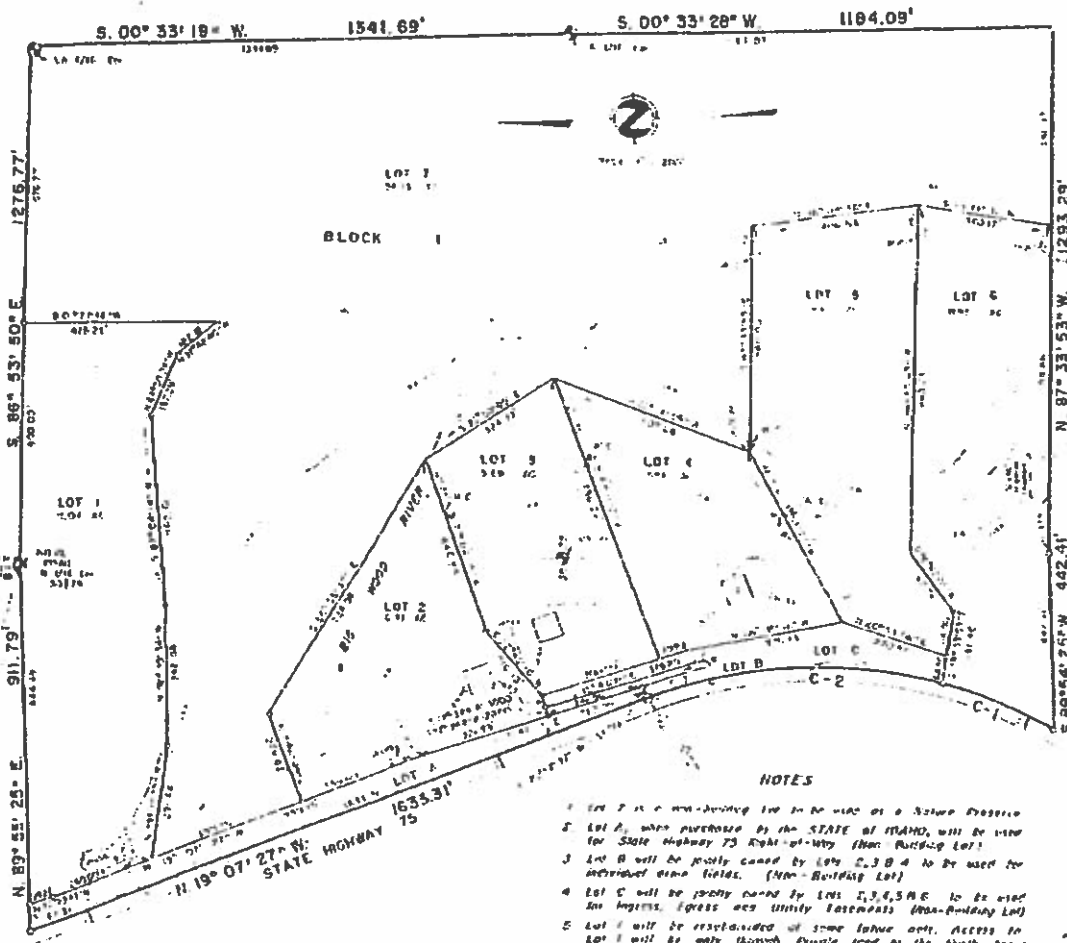
219995

LANE COMPANY

RIVER'S EDGE RANCH

LOCATED IN

SE 1/4 NE 1/4, SECTION 30, NE 1/4 SE 1/4, SECTION 30,
SW 1/4 NW 1/4, SECTION 29, NW 1/4 SW 1/4, SECTION 29,
T. 4 N., R. 18 E., B.M.
BLAINE COUNTY, IDAHO
1981



NOTES

1. Lot 1 is a non-building lot in the area of a future proposed road.
2. Lot 2, when purchased by the STATE of IDAHO, will be used for State Highway 75 Right-of-Way (Non-Building Lot).
3. Lot 3 will be jointly owned by Lots 2, 3 & 4 to be used for individual vine fields. (Non-Building Lot)
4. Lot 5 will be jointly owned by Lots 2, 3, 4, 5 & 6 to be used for vineyards, grapes and utility easements. (Non-Building Lot)
5. Lot 6 will be subdivided at some future date. Access to Lot 6 will be only through Private Road at the North end of the Lot 6 Ranch. The owner and/or purchaser of Lot 6 recognizes that no residential building permits or right-of-way permits for access will be authorized by Blaine County until such time as an approved access is obtained through the State.
6. Hunting and fishing easements shall extend 10 feet above the mean high water mark along each side of Lot 6, Big Wood River.
7. All fences to be constructed within the Hunting and Fishing Easement.
8. The 100' width of the center of the boundary easements are as follows: Lot 2: 200' 00\"/>

LEGEND

Private Building Lot
Non-Building Lot
State Highway 75 Right-of-Way
Hunting and Fishing Easement
Access Easement
Utility Easement
Boundary Easement
Survey Line
Survey Point
Survey Station
Survey Monument
Survey Marker

This map is a photographic reproduction of that on file in either the Recorder's or Surveyor's Office. The company assumes no liability for variation, many, with another or to survey.

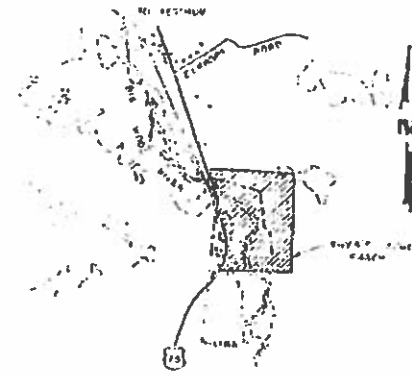
Courtesy of:
First American Title Co.
Box 150
Ketchikan, Idaho 83343

C-1
200' 00\"/>

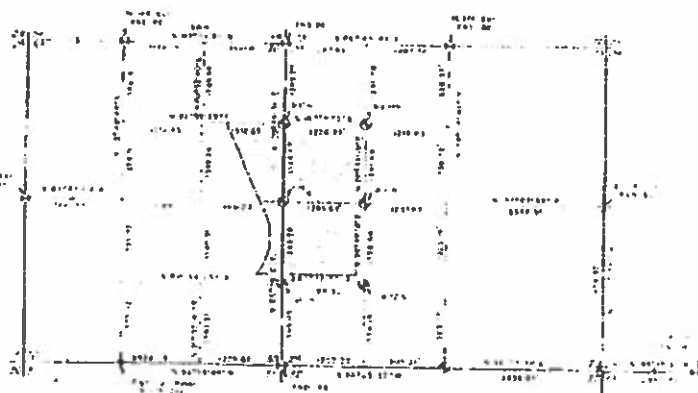
C-2
200' 00\"/>

C-3
200' 00\"/>

C-4
200' 00\"/>



VICINITY SKETCH
LANE COMPANY



SECTION BREAKDOWN
SECTIONS 29 & 30
T. 4 N., R. 18 E., B.M.

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: A37-04151
Date Received: 11/24/1992
Receipt No: C026097
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS HORMEL 208-726-1023
Address: 411 E 6TH
KETCHUM ID 83340

2. Date of Priority: JAN 1, 1939

3. Source: SPRING Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	30		SE	NE		BLAINE

5. Description of diverting works:
SPRING LEADS TO APPROX. 600' OF DITCH FLOWING TO A NATURAL LAKE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
WILDLIFE	01/01	12/31	1.840		
WILDLIFE STORAGE	01/01	12/31			0.10

7. Total Quantity Appropriated is:
1.840 C.F.S. (and/or) 0.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FOR ENVIRONMENT PURPOSES - ANIMAL HABITAT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	30	SE	NE		WILDLF	
			SE	NE		WILD	

MICROFILMED
FEB 23 1993

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:
37-04150 AND 37-04265.

14. Remarks:

THIS APPLICATION IS BASED ON ADJUCICATION CLAIM 37-04151.

15. Basis of Claim: BENEFICIAL USE

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 _____

MICROFILMED
FEB 23 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

JAN 26 1993

DATE OF CLOSING: AUG 4, 1989Department of Water Resources
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township 4N Range 18E
 Section 30, 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A37 - 4151
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): ROBERT H. SHEERWOOD
Box 273
SUN VALLEY ID 83353
- ☐ New Owner/Claimant (Purchaser): THOMAS HORMEL
- ☐ New Mailing Address: 411 EAST 6TH
KETCHUM, IDAHO 83340
- ☐ New Telephone Number: (208) 726 1023
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☒ Signature of New Owner/Claimant(s): Thomas D. Hormel Date Jan 11, 1993
- ☐ Signature of Former Owner/Claimant(s): Robert H. Sheerwood Date Dec 29, 1992

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

Further Action Needed:

Further Action Taken
Date: _____ By: _____Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED
FEB 23 1993

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

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: A37-04151
Date Received: 11/30/1992
Receipt No: C026097
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT H SHERWOOD 208-726-3300
Address: RIVERS EDGE RANCH
PO BOX 273
SUN VALLEY ID 83353

2. Date of Priority: JAN 1, 1939

3. Source: SPRING Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	30	SE	NE			BLAINE

5. Description of diverting works:
SPRING LEADS TO APPROX. 600' OF DITCH FLOWING TO A NATURAL LAKE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
WILDLIFE	01/01	12/31	1.840		
WILDLIFE STORAGE	01/01	12/31			0.10

7. Total Quantity Appropriated is:
1.840 C.F.S. (and/or) 0.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FOR ENVIRONMENT PURPOSES - ANIMAL HABITAT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	30	SE	NE		WILDLF	
			SE	NE		WILD S	

MICROFILMED
FEB 23 1993

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:
37-04150 AND 37-04265.

14. Remarks:

THIS APPLICATION IS BASED ON ADJUCICATION CLAIM 37-04151.

15. Basis of Claim: BENEFICIAL USE

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 _____

MICROFILMED
FEB 23 1993

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

A37-4151

Date Received

11-30-92

Receipt Number

C026097

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s)

ROBERT H. SHERWOOD

Phone

208, 726-3300

Mailing Address

RIVERS EDGE CANYON
BOX 2073 SUN VALLEY

Zip

83353

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

JAN 1, 1939

3. Source of water supply (a)

SPRING 100 FT W OF N END OF Hwy 30. 2 mi SOUTHWEST

which is tributary to (b)

4. a. Location of existing point of diversion is: Township

4N

Range

18E

Section

30SE 1/4 of NE 1/4 of NE 1/4, Govt. Lot,

B.M., County of

BLAINE

Additional points of diversion if any:

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

Township

Range

Section

1/4 of

1/4 of

1/4,

Govt. Lot

B.M., County of

ending point is: Township

Range

Section

1/4 of

1/4 of

1/4 of

1/4, Govt. Lot

B.M., County of

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

SPRING LEADS TO A SMALL
RANDSIDE POND AND THEN DISCHARGES TO WOOD
RIVER

COPY

MICROFILMED
FEB 23 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DIVERSION TO STOCK purposes from _____ to _____ amount 1.84 or _____

For WILDLIFE STOCK purposes from _____ to _____ amount _____ or 0.1 AF

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.84 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

a. If water is for Irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
<u>AN</u>	<u>18E</u>	<u>30</u>				<u>WILDLIFE</u>													<u>B</u>

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes ✓ No (1987)

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks: THIS APPLICATION IS BASED ON ADJUDICATION
CHAM. 37-4151.

COPY

MICROFILMED
FEB 23 1993

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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

Decree ☐

If applicable provide IDWR Water Right Number 37-4151

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 142

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 Nov 30, '92

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th day of November 19 92

SEAL

Notary Public [Signature]

Residing at Kimberly Rd

My Commission Expires 3-2-98

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

COPY



Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

12/29/88
15:55:28

FASSETT

ADJUDICATION FEE	0410162 9337 6490	\$75.00
PARTIAL PAYMENT FOR A37-08278	0410162 9337 6490	\$75.00

\$150.00

CHECK 410

WR/NO: A37-12363 A37-12366 A37-12367

Idaho Department of Water Resources

Region: STATE

Signature: _____

MICROFILMED
FEB 23 1993

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: A37-04151
Date Received:
Receipt No:
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HELEN M. FASSETT
Address: RIVERS EDGE RANCH
P.O. BOX 273
SUN VALLEY, ID 83353
208-726-3300

2. Date of Priority: JUL 19, 1893

3. Source: SPRING Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	30	SE	NE			BLAINE

5. Description of diverting works:
SPRING LEADS TO APPROX. 600' OF DITCH FLOWING TO A NATURAL LAKE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
WILDLIFE	01/01	12/31	1.840		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FOR ENVIRONMENT PURPOSES - ANIMAL HABITAT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	30	SE	NE		WILDLF	

11. Place of use in counties: BLAINE

A37-04151

Page 1

Date: 6/03/89

MICROFILMED
FEB 23 1993

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
37-04151

14. Remarks:

ALL WATER IS GROUND WATER RECHARGE FLOWING BACK TO BIG WOOD RIVER

15. Basis of Claim: STATUTORY CLAIM

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 _____

07/23/2010

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

RIGHT NUMBER: 37-4151

NAME AND ADDRESS: IDAHO FOUNDATION FOR PARKS & LANDS INC
5657 WARM SPRINGS AVE
BOISE ID 83716-8700

SOURCE: ELKHORN CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 2.000 AFY

PRIORITY DATE: 01/01/1964

POINT OF DIVERSION:

T04N R18E S29 NWSWN Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

WILDLIFE STORAGE

01/01 12/31

2.00 AFY

Use is for a 1 acre by 2 feet avg depth pond.

PLACE OF USE: WILDLIFE STORAGE in BLAINE County

T04N R18E S29

SWNW

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



37-4151
Amended Director's Report

MEMORANDUM

TO: Charles McDevitt
FROM: Douglas Jones
DATE: 5-11-2010
RE: IFPL SRBA claim for 37-4151

In looking back through my notes and the draft claim you forwarded to me I have a few items to bring to your attention and consideration. Attached are a map and your draft amendment – both with annotations regarding elements of the system. Circled areas indicate issues to be resolved. Your cover letter indicates that you intend that the amended claim is for SETTLEMENT purposes. I believe that the appropriate process is that IDWR will review the amended claim and re-recommend the claim through an Amended Director's Report that is docketed on the court calendar and that is subject to objection by other parties. Please feel free to contact Vicki Kelly, paralegal for the Deputy Attorney General's office, at IDWR 287-4816 to get in touch with the assigned DAG.

With respect to Point of Diversion (Item 4a). It was my understanding that Elkhorn Creek leaves Lane Ranch and stays in a channel that curves around the hill and enters the pond area (see map). This channel has also functioned as a flood overflow (slough) to the Big Wood River. I further understood from the reports your clients submitted a few years ago and our more recent discussions that the pond, while partially natural is augmented by a gate that has historically only allowed management of the pond level of a couple of feet. At the time of our settlement discussions I believe that it was understood that the dam WAS the diversion and therefore the legal description of this point is the SWNW Sec 29 T4N R18E. Since this is a natural channel that routes whatever flow is in Elkhorn Creek then instream flow beginning and end points (Item 4b) are not appropriate – the flow is what it is. This section of the claim form is for non-diverted stock water rights and Idaho Water Resource Board minimum instream flow rights. However, if the assumption that the channel that the pond is on is NOT Elkhorn Creek then the claimant needs to mark on the map where their controlled diversion (as of 1987) is and be sure the legal description is entered correctly on the claim form.

Item 6. Provided my assumption that the appropriation consists of a man-made, on-stream pond is correct, then the water use will be Wildlife Storage and will have an acre foot appropriation without a flow rate component. I have suggested that if the outlet gate is set at 2 feet deep then a 1 acre pond would have a volume of 2 acre feet -- accurate values may be substituted and documentation needs to be submitted for review. If this assumption is incorrect then the claimant should contact me to share details so that I can suggest a proper description such as Diversion to Storage or some other particular appropriation element.

Item 9. The pond is located in Section 29 in the SWNW.

Item 14. The appropriation is based on beneficial use, as indicated by my annotations. I have reviewed the files and there is no Evidence of Priority establishing use in 1939 on record. The earliest I can tell that the pond was in place is 1964. If an earlier date is sought then documentation of when the headgate was installed to control the pond level is required.

I hope this helps and if you have questions please contact me (208)736-3033.





SRBA Form No.42-1409-1 (Internet 2/09)

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 _____

Date Received: _____

Receipt No: _____

Received By: _____

Amended
**NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) Idaho Foundation for Parks and Lands Phone (208) 344-7141Mailing Address 5657 Warm Springs Avenue Boise ID ZIP 83716
Street or Box City State2. Date of Priority (Only one (1) per claim) 01-01-1939
Month Day Year (YYY)3. Source of water supply (Check one) Ground Water or Other (X) (a) Elkhorn Creekwhich is tributary to (b) Bigwood River4. a. Location of Point of Diversion is: Township 04N, Range 18E, Section 29
SW 1/4 of NE 1/4 Govt. Lot _____, BM., County of Blaine

Parcel (PIN) no. _____

Additional points of diversion if any: Pond thence returns to Bigwood River. See Exhibit A Appended hereto.If available, GPS Coordinates IDEAT # 37-4151

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

Township 04N, Range 18E, Section 30, 1/4 of _____, 1/4Govt. Lot _____, BM., County of Blaineending point is: Township 04N, Range 18E, Section 30, 1/4 of _____, 1/4Govt. Lot _____, BM., County of Blaine

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Pond is approximately 7.5' to 9' deep. See pond and dimensions on
Exhibit A appended hereto. Outlet of pond returns flow to Big River.

*where dam
is?*

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)

For Wildlife Habitat Storage purposes from 01/01 to 12/31 amount .975 or ?

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

*has x down here
~ 2 acres*

7. Total quantity claimed (a) .975 (cfs) and/or (b) ? (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) _____

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>4N</u>	<u>18E</u>	<u>30A</u>						<u>W</u>							<u>W</u>				

Parcel (PIN) no(s). _____

Total number of acres irrigated _____

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

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

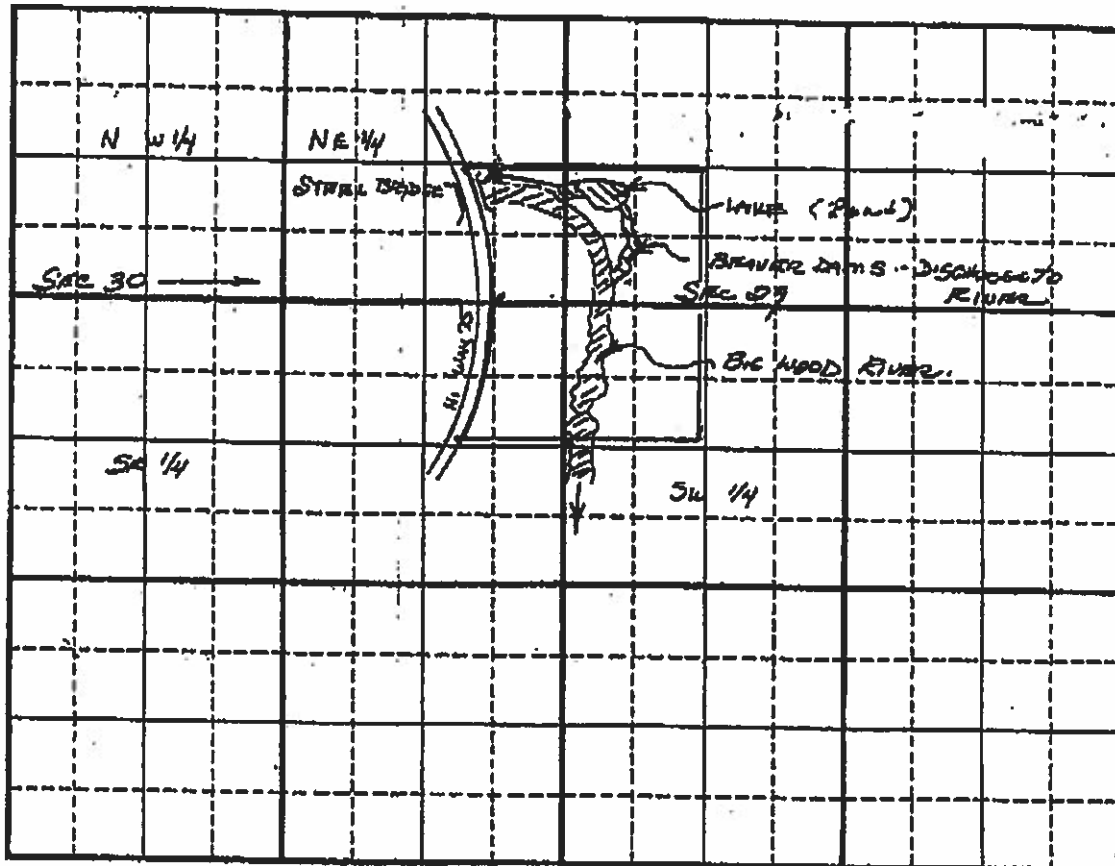
Wildlife Habitat-Water source for elk, deer, moose and various birds _____ or None (✓)

13. Remarks: This is an amended claim to water right 37-04151

Last Name _____ Identification No. _____

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

14. Basis of Claim (Check One) Beneficial Use ☒ Posted Notice () License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 37-04151

15. Signature(s)

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

Number of attachments: 1

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____,
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____,
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

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

Signature _____ Date _____

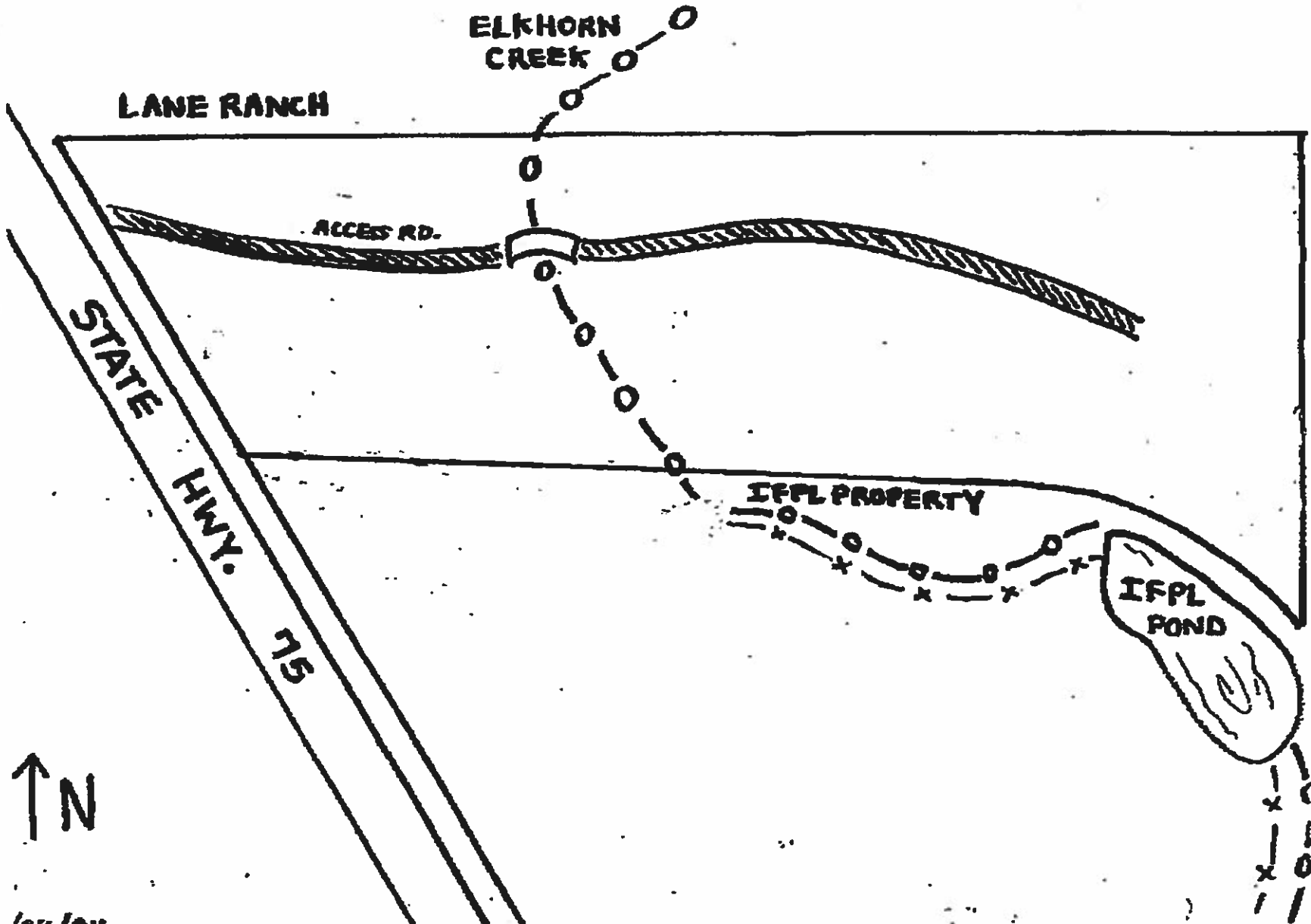
Address _____

Last Name _____ Identification No. _____

P1/17/2007 15:29 2083343741

PARKS & REC

PAGE 85



**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 	)))))	A. Subcase <u>37-04151</u> (Insert water right number) MOTION TO FILE AMENDED CLAIM TO WATER RIGHT NO. 37-04151
--	-----------------------	---

COMES NOW the Idaho Foundation for Parks and Lands Inc., a corporation, by and through its counsel of record, Chas F. McDevitt, of the firm of McDevitt and Miller, LLP., and moves this honorable Court pursuant to Idaho Rules of Civil Procedure 7(b)(1) for an order allowing the Idaho Foundation for Parks and Lands to file an Amended Claim to a water right.

This Motion is made due to negotiations in settlement conferences by and between the Idaho Foundation for Parks and Lands Inc and the Idaho Department of Water Resources who had objected to the existing claim to water right of the Idaho Foundation for Parks and Lands Claim No. 37-04151.

As amended, the claim for water right is acceptable to the IDWR and will settle that issue.

Dated this ____ day of May, 2010.

MCDEVITT & MILLER LLP

Chas. F. McDevitt

CERTIFICATE OF MAILING

I certify that on May ____, 2010, I mailed the original and copies of this Motion to File an Amended Claim to Water Right No. 37-04151, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Idaho Foundation for Parks and Lands Inc.
Address: 5657 Warm Springs Ave.
Boise, ID 83716

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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

PEPIN CORSO-HARRIS
Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PETE VAN DER MEULEN
TOM O. GARA
Represented by:
BARKER ROSHOLT & SIMPSON LLP
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BIG WOOD CANAL COMPANY
Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330
Phone: 208-934-4429

McDEVITT & MILLER LLP

2/2 Lane Ranch

- Separate Source

McDevitt still looking into possible
alt.

37-81, -82

, 71, CFS 23,3 69.9 AF
Transfer Conditions apply
37-2635 GW

37-4/51 Am Claim to
increase stor. volume
area =

30

29

04M105E

1992



1964
N

30

29

04N78E

1969

30

29

04N18E

1987

01/04/2007

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

RIGHT NUMBER: 37-4151

NAME AND ADDRESS: IDAHO FOUNDATION FOR PARKS & LANDS INC
5657 WARM SPRINGS AVE
BOISE ID 83716-8700

SOURCE: SPRING

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.840 CFS
0.100 AFY

PRIORITY DATE: 01/01/1939

POINT OF DIVERSION:

T04N R18E S30 SENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
WILDLIFE STORAGE	01/01 12/31	0.10 AFY
WILDLIFE	01/01 12/31	1.840 CFS

PLACE OF USE: WILDLIFE in BLAINE County

T04N R18E S30 SENE

WILDLIFE STORAGE in BLAINE County

T04N R18E S30 SENE

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4151 V1

WATER RIGHT NUMBER: 37-4151 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	THOMAS HORMEL 411 E 6TH KETCHUM, ID 83340 (208)726-1023
Current Owner	IDAHO FOUNDATION FOR PARKS & LANDS INC 5657 WARM SPRINGS AVE BOISE, ID 83716-8700 (208)344-7141
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Original Owner	ROBERT H SHERWOOD BOX 273 SUN VALLEY, ID 83353 (208)726-3300

Priority Date: 01/01/1939

Basis: Beneficial Use

Status: Disallowed

<u>Source</u>	<u>Tributary</u>
SPRING	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
WILDLIFE STORAGE	01/01 to 12/31		0.10 AF
WILDLIFE	01/01 to 12/31	1.840 CFS	
	<u>Total Diversion:</u>	1.840 CFS	0.10 AF

Location of Point(s) of Diversion

SPRING	SE1/4NE1/4	Sec. 30, Twp 04N, Rge 18E, B.M.
BLAINE County		

Place of UseWILDLIFE STORAGE Within BLAINE County

T04N R18E S30 SENE

WILDLIFE Within BLAINE County

T04N R18E S30 SENE

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4151 V1

1. P03 No beneficial use found.
2. P13 No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

Remarks:Comments:

1. CHRISTEN 1/27/1993 OWNERSHIP CHANGE

Comment: CHANGE BASED UPON FORM SIGNED BY PREVIOUS OWNER. KKC.

2. Vmusic 1/4/2007 BASIS FOR DISALLOWAL

Comment: 1980 MEMO IN BACKFILE FROM J STANTON TO SON OF CLAIMANT STATES THERE WAS NO DIVERSION AND NO BENEFICIAL USE OF THIS CLAIM. CLAIMED TO RETAIN A FUTURE RIGHT FOR DOMESTIC DEVELOPMENT AND USE. JIM EXPLAINED THAT THAT WOULD REQUIRE A PERMIT. NO BENEFICIAL USE FOUND.

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>
Contacts	1/4/2007 3:12:29 PM	Vmusic			Disallowed
Priority Date	1/4/2007 3:12:58 PM	Vmusic			Disallowed
POD	1/4/2007 3:13:05 PM	Vmusic			Disallowed
POD	1/4/2007 3:13:23 PM	Vmusic			Disallowed
Source	1/4/2007 3:13:37 PM	Vmusic			Disallowed
POU	1/4/2007 3:13:52 PM	Vmusic			Disallowed
Use	1/4/2007 3:14:09 PM	Vmusic			Disallowed
Season	1/4/2007 3:14:19 PM	Vmusic			Disallowed
Quantity	1/4/2007 3:14:31 PM	Vmusic			Disallowed
Summary			01/04/2007	Vmusic	Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/4/2007 3:12:29 PM	Vmusic	(No) 1. Do you want to schedule an appointment?
			Comment for 1: DESKTOP REVIEW

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4151 V1

General	1/4/2007 3:12:58 PM	Vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (No) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 13. Has additional evidence of priority date been submitted? (No) 14. Can any portion of the claim be recommended as a valid water right?
POD	1/4/2007 3:13:05 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License?
POD	1/4/2007 3:13:23 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (No) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	1/4/2007 3:13:37 PM	Vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (No) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	1/4/2007 3:13:52 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (No) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
Use	1/4/2007 3:14:09 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4151 V1

Season	1/4/2007 3:14:19 PM	Vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit?
Quantity	1/4/2007 3:14:31 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice?
Summary	1/4/2007 3:16:16 PM	Vmusic	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

RECEIVED

DEC 09 1998

Department of Water Resources
Southern Region

Claimants Name:

Idaho Foundation for Parks and Lands, Inc.

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

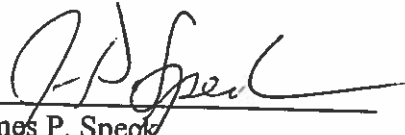
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Idaho Foundation for Parks and Lands, Inc., for the following water rights which are not the subject of any subcases: A37-00081, A37-00082 and A37-04151.

DATED this 8th day of December, 1998.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of December, 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

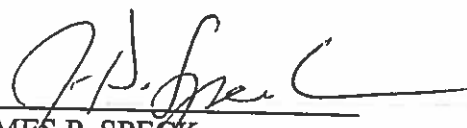
- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

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

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

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

December 7, 1998

RECEIVED

DEC 09 1998

Department of Water Resources
Southern Region

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

RE: SRBA Claims A37-00081, A37-00082 and A37-04151

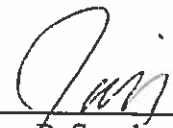
Dear Allen:

Enclosed you will find Notices of Change of Water Right Ownership for the above-referenced water right claims filed in the SRBA together with a Notice of Appearance by my firm for these claims and a list of directors for Idaho Foundation for Parks and Lands, Inc., the new claimant. Please note that claims A37-00081 and A37-00082 were jointly owned by Cascea Associates, Inc. and Mr. Hormel. Idaho Foundation for Parks and Lands, Inc. is only acquiring the interest of Mr. Hormel in these claims and, therefore, will continue as the co-owner with Cascea Associates, Inc.

Please call me if you have any questions about these filings. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd

cc: client, w/encl.
Marc Reinemann, w/encl.
Evan Robertson, w/encl.

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent Georgia Satterlee

DATE

November 10, 1998 11:35am

CUSTOMER

Randi @ Speck's Office

SUBJECT: 37-08560 Permit A37-04151,-00081,-00082

phone call (x) walk-in (.)

She wanted to know if Hormel (Claimant) needed a C/O for the permit. I said no, but they do for the AJ claims. Sent the three AJ claims to her to fax 726-0752

Jan 25, 93

Dear Mr. Christensen,

Enclosed is Transfer of Ownership
from me to Tam Hoerner, Lot 1
River's Edge Ranch Sub Division.

This will be the only transfer
that I wish send. - I retain
ownership of all other shares.

Best Regards
Bob H. Hoerner

Bob

726-3300

Box 273
Sun Valley ID 83353

RECEIVED

JAN 26 1993

Department of Water Resources
Southern Region Office

RECEIVED
FEB 23 1993



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

27-Jan-1993

THOMAS HORMEL
411 E 6TH
KETCHUM ID 83340

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A37-04151

Dear Mr Hormel

Pursuant to the notification that you presently own the property in which the above-referenced adjudication claim is appurtenant, the department has changed the ownership of that claim to show you as the current owner.

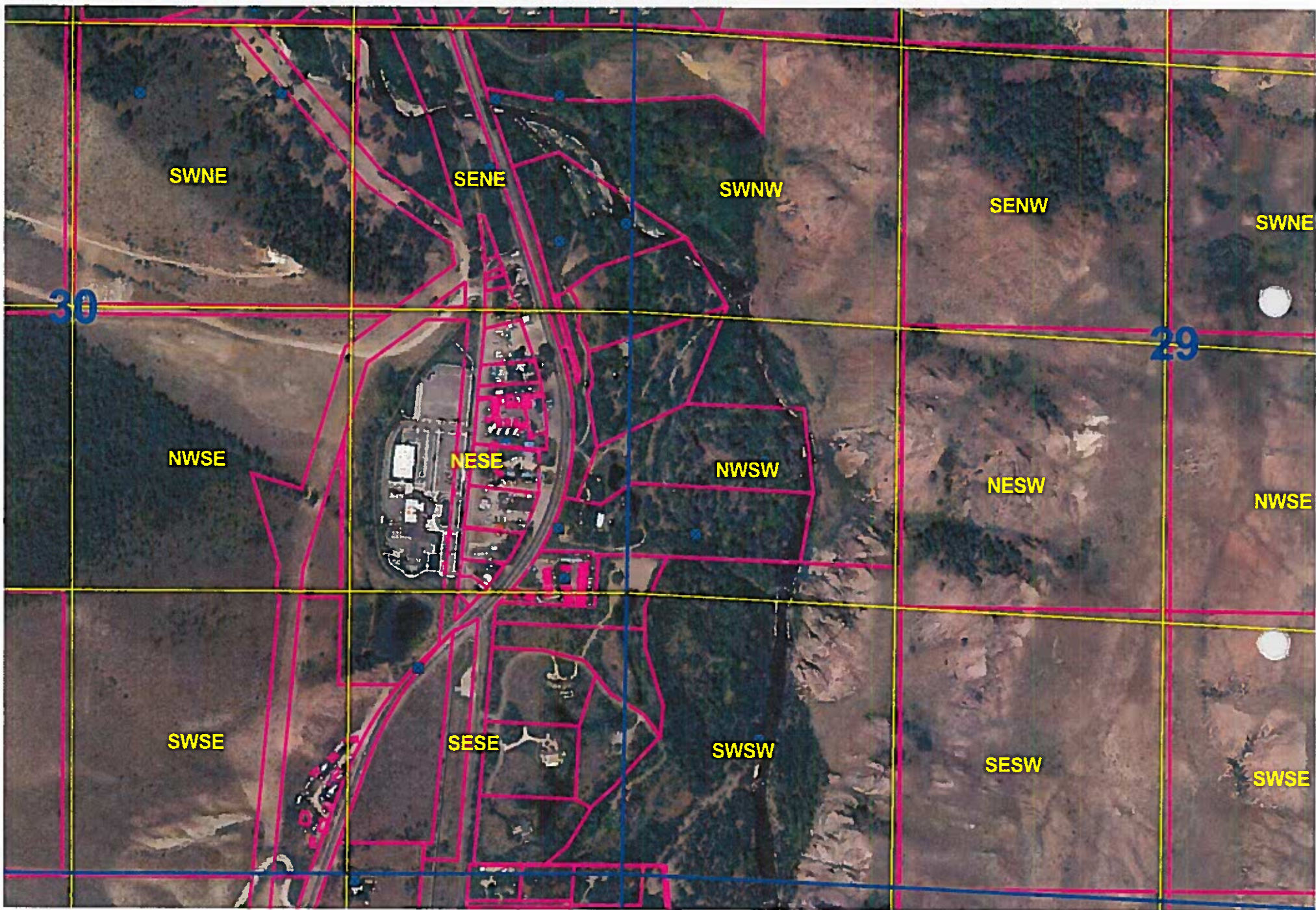
Enclosed is a copy of the computer record changed. Please review the record and if you have any questions or corrections, contact this office and someone here will assist you.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

MICROFILMED
FEB 23 1993



2004 AERIAL RE 37-4150, 37-4151, 37-4265, 37-8278

Water Right Number - 37-04151

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
FASSETT

HELEN MURDOCH

1 - P. O. BOX 273

2 -

3 -

City- SUN VALLEY

State- ID Zip- 83353

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
07/19/1893 17 S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SPRING+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

04N 18E 30 SE NW (13) BLAINE 272.0 386.0 38.0 0.1

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
16 - WILDLIFE 01/01 12/31 1.800
43 - DOMESTIC 01/01 12/31 0.040+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.840+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
04N 18E 29 SW NW 16 WILDLIFE (13) BLAINE
04N 18E 30 SE NE 16 WILDLIFE (13) BLAINE

Total Acres:

+ - - Diversion Means - NATURAL FLOW & DITCH TO LAKE & BEAVER PONDS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
P/U TAKEN FROM CLAIM MAP.
P/D DOES NOT AGREE WITH CLAIM MAP.
USE DESCRIPTION DOES NOT SHOW DOMESTIC USE.
PRIORITY DATE SHOWN IS DATE OF LAND PATENT.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.MICROFILMED
FEB 23 1993

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/21/1986	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED
 FEB 23 1993



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

28-Dec-1992

ROBERT SHERWOOD
RIVERS EDGE RANCH
PO BOX 273
SUN VALLEY ID 83353

RE: ADJUDICATION FILINGS AND FEES PAID FOR CLAIMS A37-12363,
A37-12366, A37-12367, A37-04150, A37-04151, AND A37-04265

Dear Mr Sherwood

I have reviewed your filings and fees paid for your adjudication claims and have found a few minor problems.

Claims A37-12363, A37-12366 and A37-12367 are in Helen Fassett's name. I believe that we discussed that these claims should now be in your name. If this is correct then you need to complete the enclosed change of ownership form and attach some type of documentation that shows that you have legal authority to conduct business for Helen Fassett.

I have also enclosed a change of ownership form for A37-04150 as you indicated that you had sold the property and right to that water. By you signing the change of ownership form for this claim and completing the other relevant portions of the form, evidence of ownership for the second party is not necessary.

During the review I found that the fees due were calculated incorrectly as listed in the letter to you from Helen Harrington-Thornton dated 11-16-92. Fees for A37-08278 which

MICROFILMED
FEB 23 1993

SHERWOOD
PAGE 2
28-Dec-1992

are identical to and applied to A37-04265 should have been a variable fee of \$400.00 and a flat fee of \$50.00 for a total of \$450.00. Following is again a summary of fees paid and applied.

CLAIM NO.	FEES DUE	RECEIPT #	AMOUNT PAID
A37-12363	\$25.00	C004845	\$150.00
A37-12366	25.00	C026097	<u>713.00</u>
A37-12367	25.00	TOTAL FEES PAID	\$863.00
A37-04150	154.00		
A37-04151	234.00		
A37-04265	<u>450.00</u>		
TOTAL FEES DUE	\$913.00		
LESS FEES PAID	<u>863.00</u>		
BALANCE DUE	<u>\$ 50.00 (the flat fee for A37-04265)</u>		

Please indicate on your payment that the fees are to apply to A37-04265. If you have any further questions please call this office and I will discuss them with you.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

enclosures

MICROFILMED
FEB 23 1993

Nov.23,1992

Copy R.H.S.

Helen Harrington-Thornton
Senior Water Adjudication Agent
Adjudication Bureau Dept. of Water Resources
1301 N. Orchard Statehouse Mail
Boise, ID. 83720

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to Water Right

Dear Ms Harrington-Thornton

Received your letter of Nov 16th on the 18th. I had to wait until Sunday Nov 22 to answer to be able to work on its voluminous requests. We devoted the day to the work.

A37-04150 Claim Permit approved 12/30/86
Measuring device installed and approved.
Water is for non-consumptive use in the River's Edge Ranch Sub. Said water is passed to other water users to the South. In case their water rights do not allow the water for irrigation, there is provision for returning said water back to Big Wood River. Both River's Edge Ranch and adjacent Cliffside have environmental non consumptive rights for 4 cfs.

All of the above has been inspected and approved by IDWR in the person of Terry Blau and others.

In an effort to reduce unnecessary water loss the 1400 ft. ditch on River's Edge Ranch and the water passage through Cliffside have all been lined with sealant ,or impervious diaphragm .Small evaporative loss is made up from a well. All of the work has been done by professionals in the field.

All of the above water courses are devoted to providing habitat for nesting ducks, trout fry, elk,deer,foxes,coyotes,black bear. Their presence further protected by a 55 Acre Nature Preserve gifted by my family some 7 years ago. All of the Above has been inspected by IDWR officials like Mr.Funderberg.

As evidence of our satisfactory compliance with conditions specified by L. Glenn Saxon, Chief, Operations Bureau IDWR, the Water Master for Dist. 37 & 37 M has allow 4 cfs flow thorough the system as of Oct 3rd.

MICROFILMED
FEB 23 1993

Copy R.H.S.

P.2

Dates of priority for the springs was taken from the deed given by Price to Fassett Apr. 18, 1939. I had used a later deed which was Fassett to Fassett. I think it best to use April 18, 1939.

Location of the 1.04 cfs spring is NESE Sec 30 as you suggest.

A37-04151 Spring, 100 ft W of N end Hi Way 75 bridge crossing Big Wood River taken from the time spring was made to flow in a 600 ft channel going E to a Lake and then returning to the river. The course has been changed recently so that it flows into an old small pond alongside Hi Way 75 and discharges directly into Wood River. Despite adjacency to traffic, pond is frequented by wild ducks. Brook trout grow there.

37-08278 Headgate and Intake for 1400 ft ditch feeding lake. Permit application was approved Dec 30, 1986 Claim 37-4265 (See letter from IDWR's Alan Merritt saying claim had been advertised and that no further action was required.)

Priority taken from date of Deed, April 18, 1939 as 1400 ft ditch was in place as well as headgates. Would rather use this date above instead of 9/25/86.

The tributary (ditch) has been sealed and is working well . The purpose has always been environmental habitat for both the ditch and the water it transports.

A claim summary was filed in SRBA and received by them Oct 25, 1988. I see in the summary sheet that you sent to me that it shows the water flowing out the Malad River Trib. It should be Snake River . Maybe claim is misfiled because of that ?

I have to be in Twin Nov. 30th and would be free by 3:30 or 4:00 . If I can help at that time let me know. If it must be Boise I will have to be represented. Can't travel that far.

Enclosed please find my check for fees of \$ 788 less \$75 you now have, or a balance due of \$713.

Thank you for your help.

Sincerely

Call after 11:00 726-3300

Enclosures

1. Claim 37-0457

- ① APPROVED PERMIT For Claim 37-4265
- ② BUREAU PERMIT 37-8278
- ③ STATE SUMMARY MALAD DRAINAGE, ERRA

4 MICROFILMED
FEB 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 16, 1992

Robert Sherwood
Rivers Edge Ranch
P.O. Box 273
Sun Valley, ID 83353

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right, Blaine County

Dear Mr. Sherwood:

In October, 1988, six Notices of Claim were filed by Ms. Helen Fassett. Three of those claims, nos. A37-12363, A37-12366 and A37-12367 were reviewed and processed. Copies of those claims are enclosed for you to retain in your files. Three additional claims were reviewed and found incomplete and were not processed at that time.

We are returning the three unprocessed claims to you in order to allow you the opportunity to change or withdraw these claims. Although the claims were incomplete, documents in IDWR files may supply some of the information necessary to complete these claims. Enclosed are summaries of the records on file with IDWR. Although I would like you to review the entire claim, the following items should specifically be reviewed and completed or changed if necessary:

A37-04150: #2 - Discrepancy in Priority Date *JAN 29 02*
#3 - Tributary needs to be completed
#6 - Discrepancy in Purposes
#10- Based on the map, the place of use is *APR 15, 1939*
#14- Clarify the purposes for which the water right is claimed

*SOUTH OF BRIDGE
SPRING
600 FT S OF
BRIDGE
1.04 cfs*

A37-04151: #2 - Discrepancy in Priority Date *APR 26, 80*
#3 - Tributary needs to be completed
#10- Based on the map, place of use is *SENE, Sec. 30*
#14- Clarify the purposes for which the water right is claimed

NORMAL SP.

*MICROFILMED
FEB 23 1993*

Regarding the third claim, item #2 identifies an IDWR record of 37-04265; however, the basis of claim shown in item 15 is permit 37-08278. There does not appear to be a claim for 37-04265. As you are aware, the permit had a field examination

*MR FINDER BEEL
IDWR*

ENCLOSING. APPROVED CLAIM, DEC 29, 82 COPY ENCLOSED. CLAIM, HARBAT APPROV
APPROVED PERMIT

Page 1 of 3

WMS

*37-
WAS SHOWN CLAIM 4265
T 2 SEC NE 1/4 SE 1/4
9N 18E 30
SE 1/4 NE 1/4*

*NORTH END BRIDGE
SPRING FURTHER EAST 600 TO 400
NOW DISCHARGES 6-10"
FIRST FORD SMALL FORD
DOWN HARBAT*

15278

Page 2065

WATSON 75
FIVE
Doris Chambers

Robert Sherwood
Rivers Edge Ranch
November 16, 1992
Blaine County - Page 2

MR FUNDRAZING

by IDWR in 1989. That permit is in the process of being licensed. I understand from the office which processes those documents that the license should probably be issued within six months. However, a claim should be filed in the SRBA and we are unable to process this claim without clarification of the basis for the claim. I have enclosed summaries of both IDWR records to assist you in completing this claim. The information on the claim should correspond to the IDWR record as shown on the summary (i.e., Date of Priority, Purposes, Diversion Rates among other items).

However, the correct fees must be paid in order for processing to continue.

The filing fees are as follows:

Fees Due Fees Applied

3 WELLS. { A37-12363 \$25 \$25
A37-12366 \$25 \$25
A37-12367 \$25 \$25

LOT 2 A37-04150 \$154 SPRING SOLD TO WATSON 750 FT S OF BRIDGE CK 154
LOT 1 A37-04151 \$234 SPRING SOLD TO FARMER CK 234
A37-08278 \$400 INTAKE - 1400 DITCH - LAKE LOT 6 CK 400

The fees for the latter three claims are calculated at \$50 per claim flat fee plus a variable fee of \$100 per cfs for the wildlife use. Receipt C004845 is for \$150. Therefore, there is an outstanding balance of \$75 which can be applied to the balance due. Upon receipt of the completed claims, the available balance will be applied. The above fees are calculated based on a purpose of wildlife; however, if groundwater recharge is the purpose (as described in Remarks), there would not be a variable fee, although the flat fee is due.

788
(75)
\$ 713
DUE
ISSUE 1 CK
#

ADVISE I have located a Power of Attorney dated November 17, 1969, signed by Helen Murdoch Fassett and have put a copy of it in each of the claim files. We will contact you regarding any questions on these claims unless we are made aware of any changes.

If we do not hear from you by December 31, 1992, we will initiate a refund of the outstanding \$75 and consider the claims

FRS NOV 23, 92

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FEB 23 1993

Robert Sherwood
Rivers Edge Ranch
November 16, 1992
Blaine County - Page 3

withdrawn. If you would like to discuss these matters or have any questions, please do not hesitate to contact me. I would be happy to arrange an appointment if that would be more convenient. Please contact me in Boise at (208) 327-7935 or our Southern Region Office in Twin Falls, 222 Shoshone St. East, (208) 736-3033.

Sincerely,

Helen Harrington Thornton
Helen Harrington-Thornton
Sr. Water Resource Agent
Adjudication Bureau

HHT:sf:state:south
Enclosures:

Processed Notices of Claim Nos. A37-12367,
A37-12366 & A37-12363
Unprocessed Notices of Claim No. A37-04150,
A37-04151 & A37-08278
Water Right Profile Reports for Notices of Claim
Nos. 37-04150, 37-04151, 37-04265 & 37-08278

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FEB 23 1993

SOUTHERN REGION CLAIMS IN STAX AS OF 2/25/91

(This List FAXed to Region with copy to Anna Baumhoff 2/25/91)

BLAINE COUNTY: BLAINE CO....
 BALDWIN, CLYDE, A37-00433A
 DURKHEIMER, ALAN, A37-12829
Woodbury, Lyle D.
 All signed/notarized, d-e not completed.
 A37-00198A, A37-00197D, A37-11910, A37-01135, A37-01026A

The Nature Conservancy
 All signed/notarized; no d-e
 Two unnumbered claims plus A37-00351B, A37-00352A, A37-
 12410 through A37-12413, A37- 02580, A37-02609, A37-02609C

Fassett, Helen M.
 All signed/notarized, d-e not completed. Problems per note
 from Carter Fritschle attached.
 A37-08278, A37-0425D, A37-04151, A37-12363, A37-12366 and
 A37-12367

Sorenson, Milton J. - A37-12439

Gibson, Jean/Lindstrom, Mary/Babin, Doris/Mathews, Donna
 A37-10023 data entered w/o rec't #; some consumptive use
 probs.

Bitton, Jeff/Debra
 One claim only; checklist not complete; need add'l \$10.00;
 based on decrees.

GOODING COUNTY:

Idaho State Bank
 A37-00856, A37-02780, A37-02778, A37-07754, A37-11480. A
 real mess. Don Shaff has done some work on these four
 claims, for Bray Lake Ranch. His notes are all attached,
 with the comment, "Quick Review".

TWIN FALLS CO....
 STANLEY/ORR, A47-11863

MICROFILMED
FEB 23 1993

To Dena
From Carter

4-3-89

RE: Helen M. Fasset claims

A37-08278, A37-04151

A37-04151

A37-08278

legals on permit do not match
legals on map furnished with
claim.

10/26/92

checking w/ Jeanie for original
claims A37-12363
12366
12367 } at Southern

claim 37-04265 is referenced
Rights" in Adj. claim

O. However, no adjudication
as filed on this water

1) Why did the unpaid claims
get data entered?

claims have been data entered
to the info. she supplied
it was available in our

2) Where are originals on the
domestics (these are paid
for)? Southern

the statutory claims have
problems as well as these

3) Has the "attorney in fact"
issue been addressed?
(i.e., is there a power of
attorney floating around?)

No

12-19-91

Anna

would not

to take

wishes to change her claims
"environmental purposes" (wildlife
and water recharge the
ld be \$50⁰⁰ each. (Note:

~~no real evidence that it~~
likely that these claims could
or ground water recharge.

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FEB 23 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that HELEN MURDOCH FASSETT

Box 273 SUN VALLEY IDAHO 83353 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 726-3300

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) Prior to 1939 & 1873 DADS

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water.)
SPRING 100 FT. W OF N END OF HIGHWAY BRIDGE - 2 MI SOUTH OF KETCHUM CANTON

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
Quantity		Use		(Mo., Day)	(Mo., Day)
Quantity	<u>1.5 cfs</u>	Use	<u>WILDLIFE HABITAT</u>	Period of Use From	<u>ALL YEAR</u> To
Quantity	<u>.04</u>	Use	<u>DOMESTIC</u>	Period of Use From	<u>ALL YEAR</u> To
Quantity	_____	Use	_____	Period of Use From	_____ To
Quantity	_____	Use	_____	Period of Use From	_____ To
Quantity	_____	Use	_____	Period of Use From	_____ To

- (4) 1.84 TOTAL QUANTITY USED.

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 NW 1/4 Sec. 30 Twp. 4N Rge. 18E B.M., County of BLAINE

Additional points of diversion:

- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. NATURAL FLOW AND 400 FT OF DITCH TO LAKE OF 1 ACRE FT STORAGE
RUN OFF FROM LAKE THROUGH BEAVER DAMS RETURNING WATER TO BIG
NEED RIVER. ADDITIONAL STORAGE ABOUT 1 ACRE FT. IN BEAVER DAMS

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres _____

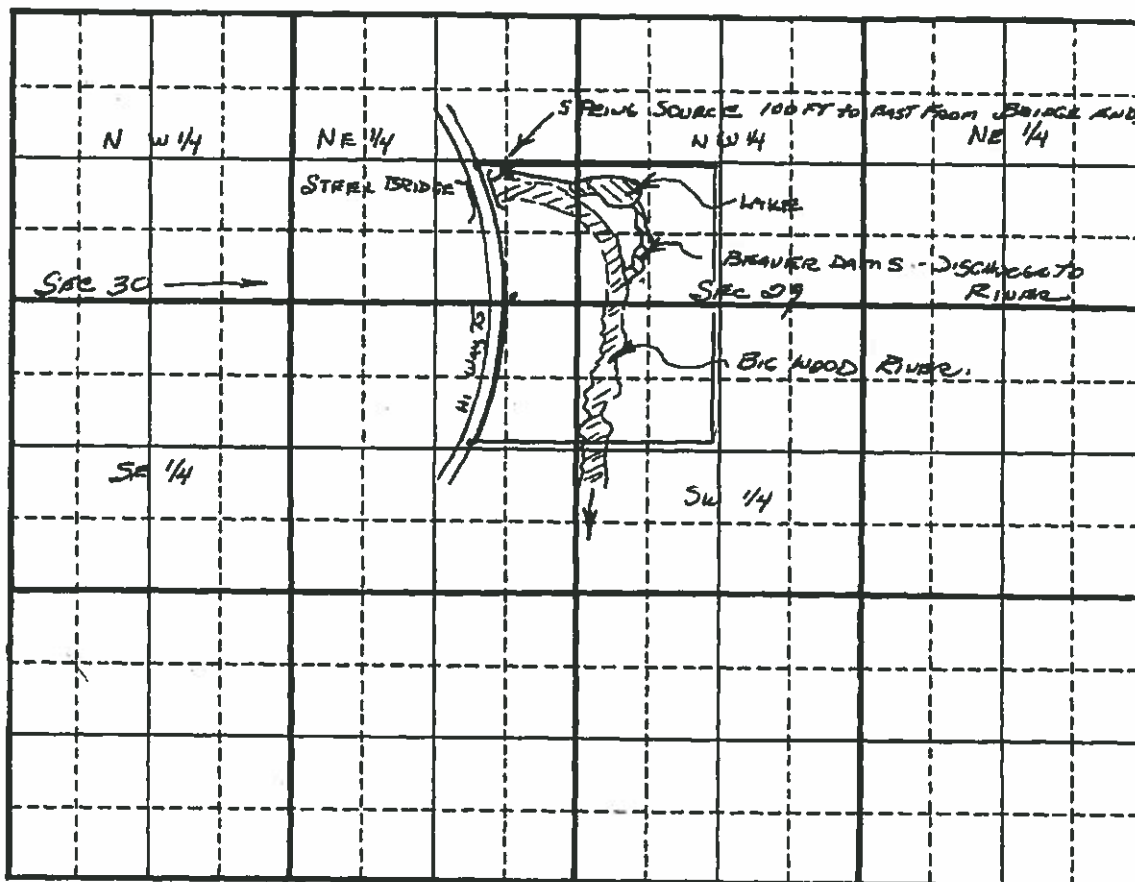
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: TO FILL NATURAL LAKE USED FOR WILDLIFE HABITAT FOR DUCKS, HERONS AND ALL BIRDS OF THE REGION - DRINKING WATER FOR DEER, ELK AND ALL SMALL ANIMALS - BROOK TROUT - TYPICAL FLOOA OF A WILD NATURAL POND.

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

מחירי המזון

(8) Remarks ALL WATER RIGHTS TO LAND CONVEYED IN TITLE ABSTRACT 4163
WHICH CITES U.S. PATENT DATED JULY 19, 1893 AND REENTRY PATENT # 79568
79116 DATED JUN 22, 1939 TO JAY FASSETT RECORDED IN G. & B. BLAINE
DEED BOOK NO. PAGE 39 AND PAGE 69



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
 County of Blaine) ss.

Helen Murdoch Fassett.
Plaintiff
vs.
John H. Fassett (Son)
Defendant

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17 day of July, 19 80.

Helen Murdoch Fassett,
 (Claimant)

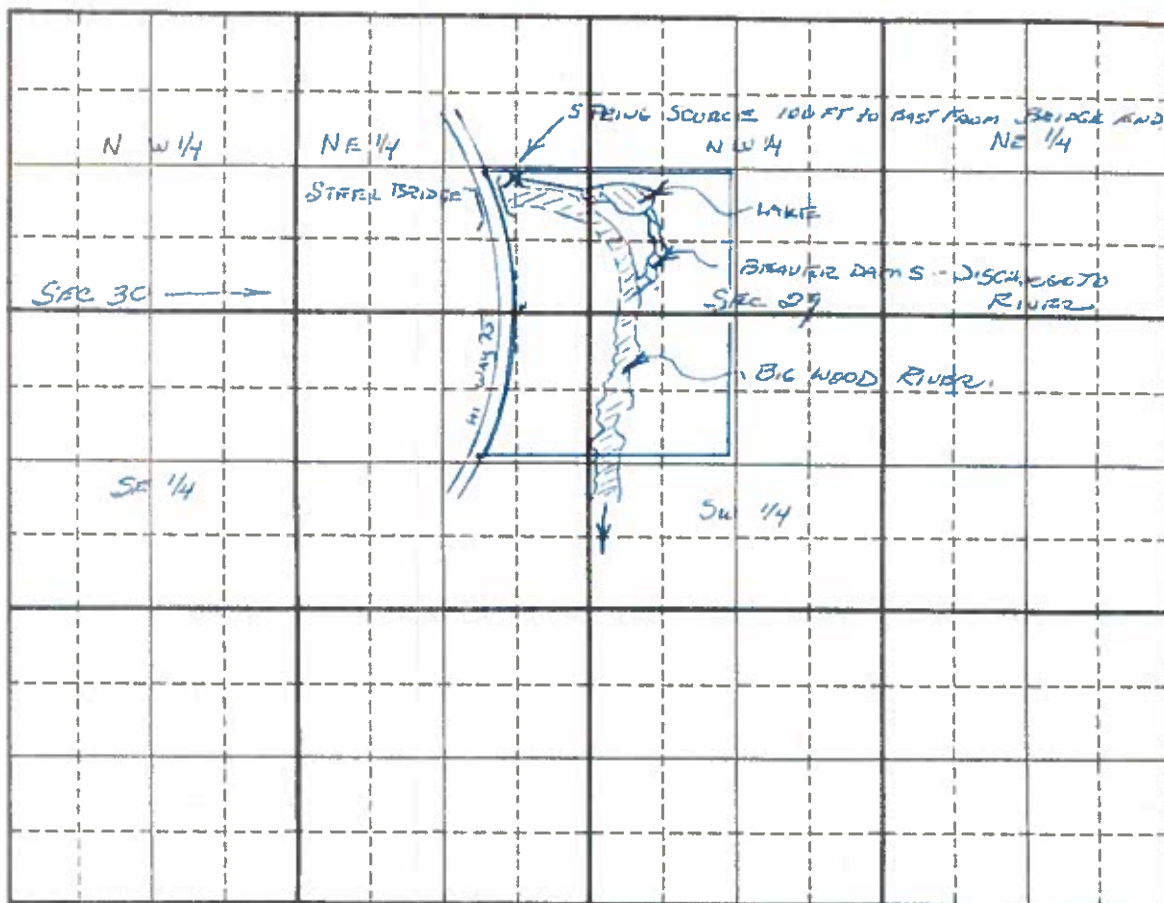
Notary Public
 Residing at Ketchikan

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>maury</u>	Date <u>7-18-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>maury</u>	Date <u>7-28-80</u>		claimant by:	
\$20.00 fee received by <u>maury</u>	Date <u>7-28-80</u>	<u># 16527</u>		
Published in <u>coast star journal</u>				
Dates <u>8/7 + 8/14/80</u>				

(8) Remarks ALL WATER RIGHTS TO LAND CONVEYED IN TITLE ABSTRACT 4163
WHICH CITES U.S. PATENT DATED JULY 19 1893 AND GRANTING IRIGOS # 74568
74 116 DATED JUN 22 1939 to JAY FASSETT RECORDED IN C. OF BLAINE
DEED BOOK 145 PAGE 39 AND PAGE 68



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Blaine

ss.

Helen Murdoch Fassett.
Plaintiff in Fact.
Plaintiff in Fact.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this

17

day of

July

19 80

Helen Murdoch Fassett,
 (Claimant)

Notary Public
 Residing at

Joann Hopkins
Ketchikan

My commission expires

FOR DEPARTMENT USE ONLY

Received by mape

Date 7-15-80

Exception filed by:

Forwarded to

Date

Prelim. check by mape

Date 2-22-80

claimant by:

\$20.00 Fee received by mape

Date 7/25/80 # 16527

Published in

Dates 8/2 + 8/2/80

INTER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 7-23-80

TO File

SUBJECT Claims To A Water Right Filed In The Name Of Helen Murdoch Fassett

On this date I had a telephone conversation with Robert Sherwood, son of the claimant. He stated that there was no actual diversion of water from the upper spring; the claimed water flowed through a natural water course from its start to its discharge into the Big Wood River. The lower spring is diverted at a dam which forms a small man-made lake. Although both claims show domestic use, Mr. Sherwood stated that neither spring had ever been used for this purpose. His intent was to reserve this flow for possible future development of domestic uses, according to him. I explained that such developments would require an application for permit instead of a claim, but he wished to show domestic use on the claims.

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