



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

March 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

37-11874
GARY MARIN
PAM BENHAMMARIN
PO BOX 4793
KETCHUM ID 83340

RE: Domestic and/or Stockwater Rights in Reporting Area 16, Basin 37
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basin 37 (the Big Wood River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basin 37 will be recommended in a later process.

Note that you have 180 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in Hailey, Fairfield, Gooding, Shoshone, Mountain Home, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed as recommended after the 180-day objection period. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

AJ5855NP
3468

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: March 3, 1999
PAGE: 1

RIGHT NUMBER: 37-11874

NAME AND ADDRESS: GARY MARIN
PAM BENHAMMARIN
PO BOX 4793
KETCHUM ID 83340

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY-DATE: 05/10/1986

POINT OF DIVERSION T03N R18E S29 SWNESE Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within BLAINE County
	T03N R18E S29	NESE
	DOMESTIC	Within BLAINE County
	T03N R18E S29	NESE

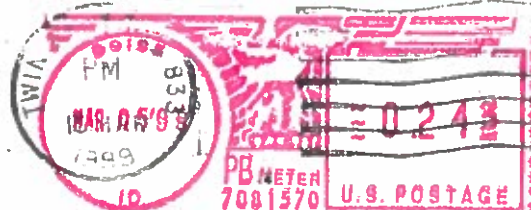
OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP03N18029584CT
STOCKWATER, 40 LLAMAS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED



~~RETURN SERVICE REQUESTED~~

IMPORTANT WATER RIGHT INFORMATION



UNDELIV-
ABLE
AS -

FOR

NOT AT
THIS ADDRESS

UNDELIVERABLE
AS ADDRESSED
FORWARDING
ORDER EXPIRED

to
Sender

RECEIVED
MAR 19 1998
Department of Water Resources

NOTICE OF DIRECTOR'S REPORT REPORTING AREA 16, BASIN 37 FOR SMALL DOMESTIC AND STOCK WATER RIGHTS

INTRODUCTION

This is the Idaho Department of Water Resources' (IDWR) Director's Report for your small domestic and/or stock water right claimed in the Snake River Basin Adjudication (SRBA). The quantity allowed for each small domestic or stock water right is up to 13,000 gallons per day. An additional Director's Report for irrigation and all other state law based claims in your reporting area will be filed with the court at a later date.

IDWR is providing individual reports like this one to all claimants of small domestic and stock water rights in your area. A complete copy of the Director's Report, listing all of these small domestic and stock water rights claimed under both state and federal law, is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

The following instructions and definitions are designed to help you understand this report.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The description of your right which is enclosed is only the Director's recommendation to the SRBA Court on your water right. The Court will decide how it will decree your water right. You are free to agree or disagree with the Director's recommendation. If you agree with the Director's recommendation you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The complete Director's Report contains recommendations to the SRBA Court on your water right and all other small domestic and stock water rights in your area. The Court will decide how it will decree all water rights. The Director's recommendations in the full report are listed in two sections of the report:

- 1) **List of Recommended Water Rights** -- Water right recommendations are listed alphabetically by source and then chronologically by priority date within each source.
- 2) **List of Claims Recommended to Be Disallowed** -- Water rights recommended to be disallowed are listed numerically by water right number. A short statement of the reason for IDWR's recommendation for disallowance is provided.

Also included in the complete Director's Report are descriptions of the United States' claims for domestic and stockwater under federal law. The Director does not investigate these claims and

makes no recommendation whether they should be granted or not. Sometimes the United States claims one right under both federal and state law. These are called "dual based" claims.

If you want to review someone else's water right you need to look at the complete Director's Report, which is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

INSTRUCTIONS FOR TAKING A WATER RIGHT CLAIM TO COURT

What do I do if I disagree with a recommendation or a federal water right claim?

If you disagree with any element of the recommendation for your water right or anyone else's water right and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form available from any IDWR office or from the SRBA Court.

Your objection must be received by the SRBA Court on or before **September 10, 1999**.

What do I do if someone else objects to my water right recommendation?

If someone files an objection to your water right, or anyone else's water right, you may file a response to that objection. Responses to objections must be made on the standard response form available from any IDWR office or from the SRBA Court.

Your response must be received by the SRBA Court on or before **January 10, 2000**.

What do I do if I want to participate in the court case on someone else's water right?

If you want to be involved in the court case on any water right in the Director's Report, you must file either an objection or a response by the dates listed above.

What happens if there are no objections to a water right?

After the deadline for filing objections, IDWR will file a list of all water right recommendations with no objections. The SRBA Court will hear the uncontested recommendations on **November 12, 1999, at 10:00 A.M.** at the SRBA Courthouse. Partial decrees will be issued following this hearing.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations. Additional information regarding domestic and stockwater claims in your area can be found on the SRBA Web Site at www.srba.state.id.us.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA. The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are available at the IDWR southern region office in Twin Falls. You are also welcome to call IDWR at any of its offices or the SRBA Court. You may also want to consider contacting an attorney to assist you.

**Snake River Basin Adjudication
District Court**
253 Third Avenue North.
P.O Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011

Idaho Department of Water Resources
1301 North Orchard
Box 83720
Boise, Idaho 83720-0098
(208) 327-7906
(800) 451-4129

**Idaho Department of Water Resources
Western Region**
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

**Idaho Department of Water Resources
Northern Region**
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 765-1450

**Idaho Department of Water Resources
Southern Region**
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380
(208) 736-3033

**Idaho Department of Water Resources
Eastern Region**
900 North Skyline, Suite A
Idaho Falls, Idaho 83402-3653
(208) 525-7161

Blaine County Courthouse
1st & Croy St.
Hailey, ID 83333
(208) 788-5525

Camas County Courthouse
501 Solider Rd.
Fairfield, ID 83327
(208) 764-2242

Gooding County Courthouse
624 Main St.
Gooding, ID 83330
(208) 934-4221

Lincoln County Courthouse
111 W. B St.
Shoshone, ID 83352
(208) 886-7641

Elmore County Courthouse
150 S. 4th E.
Mountain Home, ID 83647
(208) 587-2131

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 37.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in their records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "groundwater," "unnamed spring," "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY). Each of these small domestic and/or stock water claims is not to exceed 13,000 gallons per day.

PRIORITY DATE: The date used to determine the priority of your right in relation to other rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

Legal locations for instream flow claims are marked with a beginning point and an ending point.

PURPOSE OF USE: This report only deals with claims for small domestic and/or stock water uses, such as yours.

"Domestic right" means a right to the use of water for homes, organization camps, public campgrounds, livestock, and for any other purpose in connection with these uses, including irrigation of up to one-half acre of land.

"Stock water right" means a right to the use of water solely for livestock or wildlife.

PERIOD OF USE: The period of time during the year when you can use the water for your right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, permit.

DUAL BASED CLAIMS: In some cases, the federal government has claimed one right under two theories: a state basis and a federal law basis. Both theories will be reported on one form for that single water right. In most cases, the priority dates are different and will be listed separately. The federal law basis is separately indicated in a box such as this:

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*****
*                                     *
*                                     *
*****
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IDWR does not investigate or make recommendations regarding federal law based claims.

AJ5856NP

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

DATE: OCT-24-1997

PAGE: A-993

RIGHT NUMBER: 37-11874

NAME & ADDRESS: GARY MARIN
PAM BENHAM MARIN
PO BOX 4793
KETCHUM ID 83340

data entry standards ✓ Ct 12/98

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/10/1986

POINT OF DIVERSION: T03N R18E S29 SWNESE Within BLAINE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within BLAINE County
T03N R18E S29 NESE

DOMESTIC Within BLAINE County
T03N R18E S29 NESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP03N18029584CT
STOCKWATER, 40 LLAMAS

Claim proofread by: K T
Date: 11-04

D
7-29-98

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

April 30, 1997

DATE

April 30, 1997 4:00pm

CUSTOMER

Marin, Cary

SUBJECT: A37-11874

phone call (x) walk-in (.)

Wanted to know about the above claim. The claim has domestic and stockwater. Wanted to know what/how much irrigation he is allowed. I explained the 1/2 acre for domestic...another option is buying surface rights, referred him to Lee Peterson.

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: A37-11874
Date Received: 10/20/1988
Receipt No: M001671
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY MARIN 208-343-2523
Address: P.O. BOX 4793
KETCHUM, ID 83340

AND/OR

Name: PAM BENHAM-MARIN 208-343-2523
Address: P.O. BOX 4793
KETCHUM, ID 83340

2. Date of Priority: MAY 10, 1986

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	29	SW	NE	SE		BLAINE

5. Description of diverting works:
138' DEEP 8" WELL, 1 HP. SUBMERSIBLE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/1 HOME, STOCKWATER/40 HEAD LLAMAS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	29	NE	SE		STOCK	
			NE	SE		DOMEST	

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:

OWNERSHIP CHANGE 1/24/90 ADM

OWNERSHIP CHANGE 7/19/90 JG CORRECTION 2/11/91 BY JG.

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

12-Feb-1991 12:19

Gary Marin
Pam Benham-Marin
P.O. 4793
Ketchum, ID 83340

Adjudication Claim(s) No. A37-11874- Timothy O. Kohl, Ownership Change
to Gary Marin & Pam Benham-Marin - Corrected Copy

Dear Mr. & Mrs. Marin:

We have changed the name of the ownership on the above-listed Adjudication Claim(s) to a water right, as you have requested. Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry.

We appologize for the delay on the change of ownership and hope it has not caused you any inconvenience. If you have any questions or objections regarding the computer record, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures

CC:
Carolyn Baird/Sun Valley Title

MICROFILMED

FEB 26 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: A37-11874
Date Received: 10/20/1988
Receipt No: M001671
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TIMOTHY O. KOHL 208-788-3270
Address: P.O. BOX 2745
SUN VALLEY, ID 83353

2. Date of Priority: MAY 10, 1986

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	29	SW	NE	SE		BLAINE

5. Description of diverting works:
138' DEEP 8" WELL, 1 HP. SUBMERSIBLE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/1 HOME, STOCKWATER/40 HEAD LLAMAS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	29	NE	SE		DOMEST	
			NE	SE		STOCK	

A37-11874

Page 1

Date: 07/19/90

MICROFILMED
FEB 26 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:
NONE.

14. Remarks:

OWNERSHIP CHANGE 1/24/90 ADM

OWNERSHIP CHANGE 7/19/90 JG

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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

19-Jul-1990 14:35

Timothy O. Kohl
P.O. Box 2745
Sun Valley, ID 83353

Re: Claim No(s). A37-11874✓

Dear Claimant(s):

Pursuant to the notification that you presently own the property in which the above referenced adjudication claim(s) is appurtenant, the Department has changed the record(s) of the current owner as you requested. Please find enclosed copy(s) of the computer record of the claim(s) noting the change in claimant. Please review the record(s) and if you have any corrections, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy Givens', written over a horizontal line.

Judy Givens
Adjudication Secretary

Encls:

c.c. Carolyn Baird
Sun Valley Title Co.
Box 2365
Ketchum, ID 83340

MICROFILMED
FEB 26 1993

RECEIVED

JUL - 3 1990

Department of Water Resources
Southern Region Office

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): Id. No. (A37-11876) A37-11874

[] Name and Address of
Former Claimant(s): Timothy O. Kohl

P.O. Box 2745

Sun Valley, Idaho 83353

[] New Claimant(s): Cary Marin and Pam Benham,
husband and wife

[] New Mailing Address: P.O. Box 4793
Ketchum, Idaho 83340

New Telephone Number: (208) 343 - 2523

[] Does the change in ownership result in a splitting of the
water right claimed? yes XX no
If yes, then describe the portion of the water right that is
now 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 claimant.)

[] Signature of New Claimant(s): Cary E. Marin

Date: 6-25-90

RECEIVED

JUL - 3 1990

Department of Water Resources
Southern Region Office
CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s):



Date:

6/21/90

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7/19/90

By: AG

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 7/19/90

By: AG

Claim Numbers of Split, if any:

MICROFILMED

FEB 26 1993

WARRANTY DEED

22-9964

For Value Received TIMOTHY D. KOHL, an unmarried man

the grantor, do hereby grant, bargain, sell and convey unto
CARY MARIN and PAMELA BENHAM-MARIN, husband and wife; ALFRED A. MARIN, an
unmarried man

the grantee, whose current address is BOX 4793 Ketchum, ID 83340

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

Lot 2, Block 1, LLAMA RANCH SUBDIVISION, BLAINE COUNTY, IDAHO, according
to the official plat thereof, on file in the office of the County Recorder,
recorded June 18, 1990, as Instrument No. 320791, records of Blaine County,
Idaho.

BLAINE CO. REQUEST
Sun Valley Title Co.
90 JUN 29 AM 11 54
MAY GREEN, CLERK
FEES \$ 3.00

321182

SUBJECT TO: Taxes, Easements, Restrictions, Reservations, Assessments and
Encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he the
owner in fee simple of said premises; that they are free from all incumbrances

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

Dated: June 21, 1990

TIMOTHY D. KOHL

STATE OF IDAHO

COUNTY OF BLAINE

On this 21st day of June, 1990, in the
year 1990, before me, a Notary Public, personally appeared
Timothy D. Kohl,
known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that he executed the same.

Notary Public

Residing at

Comm Expires 12-1-94

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the
request of

at this minutes past o'clock M.,
19, in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

Fees \$
Mail to:

INSTRUMENT NO.

SD-33	LAST NAME: KOHL				STATE	
S	O					
E	FIRST	W	WATER	PRIORITY	TOTAL	USE
L	NAME	N	RIGHT NO.	DATE	DIVERSION	CODE DESC
KOHL						
TIMOTHY O.	C A37-11874	05/10/1986	GROUNDWATER	0.060	43 DOMEST	04 STOCK

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

MICROFILMED
FEB 26 1993



RECEIVED

JUL - 3 1990

Department of Water Resources
Southern Region Office

Sun Valley Title Co.

Drawer 2365
Ketchum, Idaho 83340

271 1st Avenue North
(208) 726-9341 FAX 726-7495

June 29, 1990

TO: Water Resources Board
222 Shoshone St. E.
Twin Falls, Idaho 83301

Re: Our Order No. 22-9964
Marin/Kohl

788-4319
K. S. S. S.
Box 2265
83340

Please find enclosed the following documents relative to the above referenced order:

- | | |
|---|---|
| ☐ Original Note | ☐ Commitment for Title Insurance |
| ☐ Copy of Note | ☐ Date Down Endorsement |
| ☐ Original Deed of Trust | ☐ Policy of Title Insurance |
| ☐ Copy of Deed of Trust | ☐ TG or LG Guarantee |
| ☐ Original Warranty Deed | ☐ Notice of Default |
| ☐ Copy of Warranty Deed | ☐ Affidavit of Posting/Service by Mail |
| ☐ Original Quitclaim Deed | ☐ Affidavit of Posting/Service |
| ☐ Copy of Quitclaim Deed | ☐ Affidavit of Publication |
| ☐ HUD Statement | ☐ Original Trustee's Deed |
| ☐ Closing Statement | ☐ Lot Book Report |
| ☐ Tax Notice | ☐ Billing Invoice |
| ☐ Escrow Instructions | ☐ Original Assignment/Deed of Trust |
| ☐ Commission Order | ☐ Copy of Restrictions |
| ☐ Hazard Insurance | ☐ Copy of Plat |
| ☐ Check No. _____ for \$ _____ | ☐ Deed of Reconveyance |
| ☐ Loan Closing Package | |
| ☒ Change in Ownership | |

Very truly yours,

SUN VALLEY TITLE COMPANY

BY

Carolyn Baird
Carolyn Baird

MICROFILMED

FEB 20 1993

Chicago Title Insurance
Company of Idaho

Issuing Agent for





Sun Valley Title Co.

Drawer 2365
Ketchum, Idaho 83340

271 1st Avenue North
(208) 726-9341 FAX 726-7495

7/17/90

TO: Water Resources Board
Attn: Judy
222 Shoshone East
Twin Falls, Idaho 83301

RECEIVED

JUL 18 1990

Re: Our Order No. 22-9964
Marin/Kohl

Department of Water Resources
Southern Region Office

Please find enclosed the following documents relative to the above referenced order:

- | | |
|---|---|
| ☐ Original Note | ☐ Commitment for Title Insurance |
| ☐ Copy of Note | ☐ Date Down Endorsement |
| ☐ Original Deed of Trust | ☐ Policy of Title Insurance |
| ☐ Copy of Deed of Trust | ☐ TG or LG Guarantee |
| ☐ Original Warranty Deed | ☐ Notice of Default |
| ☒ Copy of Warranty Deed #321182 | ☐ Affidavit of Posting/Service by Mail |
| ☐ Original Quitclaim Deed | ☐ Affidavit of Posting/Service |
| ☐ Copy of Quitclaim Deed | ☐ Affidavit of Publication |
| ☐ HUD Statement | ☐ Original Trustee's Deed |
| ☐ Closing Statement | ☐ Lot Book Report |
| ☐ Tax Notice | ☐ Billing Invoice |
| ☐ Escrow Instructions | ☐ Original Assignment/Deed of Trust |
| ☐ Commission Order | ☐ Copy of Restrictions |
| ☐ Hazard Insurance | ☐ Copy of Plat |
| ☐ Check No. _____ for \$ _____ | ☐ Deed of Reconveyance |
| ☐ Loan Closing Package | |

Judy, I talked to Brian Barsotti and the numbers that you show are the correct numbers. Thanks for your help.

Very truly yours,

SUN VALLEY TITLE COMPANY

BY Carolyn Baird
Carolyn Baird



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: A37-11874
Date Received: 10/20/1988
Receipt No: M001671
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TIMOTHY O. KOHL 208-788-3270
Address: P.O. BOX 2745
SUN VALLEY, ID 83353

2. Date of Priority: MAY 10, 1986

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	18E	29	SW	NE	SE		BLAINE

5. Description of diverting works:
138' DEEP 8" WELL, 1 HP. SUBMERSIBLE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE, 40 HD. LLAMAS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	18E	29	NE	SE		DOMEST	
			NE	SE		STOCK	

A37-11874

Page 1

Date: 01/24/90

MICROFILMED
FEB 26 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:
NONE.

14. Remarks:

OWNERSHIP CHANGE 1/24/90 ADM

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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

24-Jan-1990 15:24

Timothy O. Kohl
P.O. Box 2745
Sun Valley, ID 83353

RE: SRBA Claim A37-11874

Dear Claimant:

Pursuant to the notification that you presently own the property inwhich the above referenced adjudication claim is appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of the claim noting the change in claimant. Please review the record and if you have any corrections please contact this office.

Sincerely,


Allen Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED
FEB 26 1993



SAWTOOTH TITLE CO. INC.

January 23, 1990

RECEIVED

JAN 24 1990

Idaho Dept. of Water Resources
2148 Fourth Avenue East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Gentlemen:

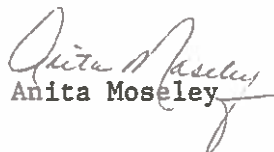
RE: Our Order No. 16093
KOHL - SWARTZ

Enclosed are an Assignment of Permit, Change in Ownership of
Notice of Claim, and copy of Warranty Deed recorded as Blaine
County Instrument No. 315271.

If anything further is required, please let us know.

Very truly yours,

SAWTOOTH TITLE CO., INC.


Anita Moseley

Encls. 3

RECEIVED

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

JAN 17 1990

[] Water Right Number(s): 33-5846 ~~XXXXXXXXXXXX~~ A37-11874 Department of Water Resources

Southern Region Office

[] Name and Address of Former Claimant:

BETTE DEE SWARTZ

P. O. Box 1819

Hailey, Idaho 83333

RECEIVED

JAN 24 1990

[] New Claimant(s): TIMOTHY O. KOHL

Department of Water Resources
Southern Region Office

P. O. Box 2745

[] New Mailing Address: Sun Valley, Idaho 83353

New Telephone Number: (208) 788-3270

[] Does the change in ownership result in a splitting of the water right claimed? _____ yes ☒ no

If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership Warranty Deed recorded in Blaine County, Idaho, Describe proof attached: as Instrument No. 315271

[X] Signature of New Claimant(s):

Timothy O. Kohl
TIMOTHY O. KOHL

Date:

1/15/90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1/24/90 By: AD

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 1/24/90 By: AD

Claim Numbers of Split, if any:

MICROFILMED

FEB 26 1993

WARRANTY DEED

COPY

For Value Received

BETTE DEE SWARTZ, an unmarried woman

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

TIMOTHY O. KOHL, an unmarried man

whose address is: P. O. Box 2745; Sun Valley, Idaho 83353

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

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO covenants, conditions, restrictions, reservations, and easements of record in the office of the County Recorder of Blaine County, Idaho.

315271
 BLAINE CO. REQUEST
 OF Sawtooth Title Co., Inc.
 '90 JAN 15 PM 4 16
 Mary Green Clerk
 FEES \$ 6.00

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

Dated: January 4, 1990

Bette Dee Swartz
 BETTE DEE SWARTZ

STATE OF IDAHO, COUNTY OF BLAINE
 On this 15th day of January, 1990,
 before me, a notary public in and for said State, personally appeared

ALVIN FLOYD
 BETTE DEE SWARTZ, an unmarried woman

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

Alvin Floyd
 Notary Public

Residing at Tw. Fall, Idaho
 Comm. Expires 8-1-94

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at minutes past o'clock m.,
 this day of
 19, in my office, and duly recorded in Book 1283
 of Deeds at page

WICHOITWED

Ex-Officio Recorder

By Deputy.

Fees \$
 Mail to:

EXHIBIT "A"

Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho.

A portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, more particularly described as follows: Beginning at a brass cap marking the Southeast corner of the said Section 29, thence

North 89°35'58" West 176.55 feet along the Southerly boundary of the said SE $\frac{1}{4}$ of Section 29 to a point on the Westerly right of way line of the Union Pacific Railroad; thence

North 18°40'40" West 1,401.29 feet along the said Westerly right of way line of the Union Pacific Railroad to an iron pin on the Southerly boundary of the said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, also said point being the Real Point of Beginning; thence continuing

North 18°40'40" West 343.41 feet along the said Westerly right of way line of the Union Pacific Railroad to an iron pin; thence

North 89°39'35" West 516.28 feet along a line Northerly of and parallel to the said Southerly boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 to an iron pin on the Easterly right of way line of State Highway 75; thence

South 1°07'15" West 324.70 feet along the said Easterly right of way of State Highway 75 to an iron pin on the said Southerly boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29; thence

South 89°39'35" East 632.61 feet along the said Southerly boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 to the Point of Beginning.

AND

A portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, more particularly described as follows: Beginning at a brass cap marking the Southeast corner of the said Section 29; thence

North 89°35'58" West 176.55 feet along the Southerly boundary of the said SE $\frac{1}{4}$ of Section 29 to a point on the Westerly right of way line of the Union Pacific Railroad; thence

North 18°40'40" West 1,744.70 feet along the said Westerly right of way line of the Union Pacific Railroad to an iron pin, also said point being the real point of beginning; thence continuing

North 18°40'40" West 447.91 feet along the said Westerly right of way line of the Union Pacific Railroad to an iron pin; thence

North 89°39'35" West 364.56 feet along a line Northerly of and parallel to the Southerly boundary of the said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 to an iron pin on the Easterly right of way line of State Highway 75; thence

South 1°07'15" West 423.50 feet along the said Easterly right of way line of State Highway 75 to an iron pin; thence

South 89°39'35" East 516.28 feet along a line Northerly of and parallel to the said Southerly boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 to the Point of Beginning.

REC 5 2 1983
MICROFILMED

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: A37-11874
Date Received: 10/20/1988
Receipt No: M001671
Received By: J. De

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BETTE DEE SWARTZ 208-788-9331
Address: BOX 1819
HAILEY, ID 83333

2. Date of Priority: MAY 10, 1986

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	29	SW	NE	SE		BLAINE

5. Description of diverting works:
138' DEEP 8" WELL, 1 HP. SUBMERSIBLE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE, 40 HD. LLAMAS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	29	NE	SE		DOMEST	
			NE	SE		STOCK	

A37-11874

Page 1

Date: 10/20/88

MICROFILMED
FEB 26 1993



T3N
18E
Sec 29
NE SE

MICROFILMED
FEB 20 1994

3N



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

17-Jan-1990 14:57

Sawtooth Title Co. Inc.
Attn: Anita Moseley
P.O. Box 188
Ketchum, ID 83340

A37-11874

RE: Change in Ownership of Notice of Claim
Swartz to Kohl

Dear Ms. Moseley:

Please find enclosed the Change In Ownership Of Notice Of Claim form which you recently submitted to our office. I am returning the form to you with the explanation below. Please note that we have not at this point changed our records to reflect a change of ownership from Swartz to Kohl.

The form "Change in Ownership of Notice of Claim" is specifically used to change the ownership record of a Notice of Claim filed in the Snake River Basin Adjudication. All Notice of Claims in the SRBA have a prefix "A" at the beginning of the assigned number. In the situation of Bette Dee Swartz we have a record of a domestic and stock use from a well with a priority of 5/1/1986. This water right was claimed in the adjudication and the notice of claim filed for this right was assigned the number A37-11874. (Please find enclosed proof report for this claim) The Department considers a Notice of Claim as an appurtenance to the property. This is why we request copies of deeds, etc. for proof of ownership before we change the ownership record. (Please note that the copy of the deed you submitted for Swartz to Kohl lacked a copy of exhibit "A" referenced. Without this we could not tell if A37-11874 was part of this transaction.)

On the other hand we also have record of an approved permit 37-08426 for development of a water right in the name of Bette Dee Swartz. (Please find copy of proof report enclosed for this permit) The Department considers a permit as private property and is not an appurtenance to the property. If the permit holder wishes to assign the right to develop a water right it can be done by completing the enclosed assignment form.

MICROFILMED

FEB 26 1993

Page 2
17-Jan-1990

Please review the enclosed documents and if you have further questions
feel free to contact our office.

Sincerely



Allen Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED
FEB 20 1993

INTER-DEPARTMENT MEMO

TO: MR. GARY MARIN
 FROM: F. HITCHCOCK

SUBJECT: FUTURE SALE
 DATE: 07-18-95

Here's some additional material for your use.
 The wallet card w/ qualify you as an expert!
 Please call if you need further help -

☒ For your information

☐ Response required

Frank Hitchcock
 signature

MICROFILMED

NOV 27 1995

6/9/94

COMMUNICATION DOCUMENTATION

Claim No.A37-11874

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 Frank Hitchcock

```

*****
July 18, 1995 10:38am

```

NAME:
TF GARY MARIN-KETCHUM

RE:
A37-11874

TF/TCW-REVIEW STATUS OF DOM/STK USAGE-EXPLAINED DOM USE FOR IRRIG.
OF 1/2 ACRE ONLY. CLAIMANT PLANS TO SELL IN THE
FUTURE...INTERESTED IN HOW TO DESCRIBE THE USAGE.

MICROFILMED
NOV 27 1996



RECEIVED

JUL 20 1995

Department of Water Resources
Southern Region

For Not.

IDAHO DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208) 736-3033

H *SCBA*

To *MR. GARY MARIN*
PO BOX 4793
KETCHUM, ID

83340

RETURN TO
SENDER
NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD

MICROFILMED
NOV 27 1996

WATER RIGHT NUMBER - A37-11874

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - NON-IRRIGATION USE - DOMESTIC/1 HOME, STOCKWATER/40 HEAD LLAMAS

+ - - OTHER RIGHTS FOR SAME USE - NONE.

+ - - - - - REMARKS - - - - - +

OWNERSHIP CHANGE 1/24/90 ADM

OWNERSHIP CHANGE 7/19/90 JG_CORRECTION 2/11/91 BY JG.

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 10/20/88 CARLSON 10/03/89 REFUNDML 01/24/90 MERRITT 07/19/90 GIVENS 02/11/91 GIVENS
02/12/91 GIVENS

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 10/20/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- M001671	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

RP03N18029584CT

DATA ENTRY

ENTERED 12-28-93

CHECKED 4-9-94

"Verified By"
Type Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 27 1992

CERTIFIED
MAR 10 1992
WATER EXAMINER