

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: A37-12216

Date Received: 11/22/1988

Receipt No: C003521

Received By: CF: OWNER CHANGE

~~REDACTED~~ NOTICE OF CLAIM TO A WATER RIGHT
~~REDACTED~~ ACQUIRED UNDER STATE LAW

~~REDACTED~~ FOR
~~REDACTED~~ FILES

1. Name: WARD W WOODS 208-788-4156
Address: 18433 US HWY 20
BELLEVUE ID 83313
AND/OR
Name: MARK T GATES
Address: BESSEMER SECURITIES CORP
630 FIFTH AVE
NEW YORK NY 10111
AND/OR
Name: JOHN B FERY 208-788-4156
Address: 18433 US HWY 20
BELLEVUE ID 83313
AND/OR
Name: PRISCILLA B WOODS 208-788-4156
Address: 18433 US HWY 20
BELLEVUE ID 83313
AND/OR
Name: ELIZABETH W GATES
Address: BESSEMER SECURITIES CORP
630 FIFTH AVE
NEW YORK NY 10111
AND/OR
Name: DELORES L FERY 208-788-4156
Address: 18433 US HWY 20
BELLEVUE ID 83313

2. Date of Priority: DEC 31, 1938

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	24	NW	NW	NW		BLAINE

5. Description of diverting works:
WELL AND PUMP

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOME

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	24	NW NW		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:

ORIGIONAL WELL HAND DUG AT LEAST 50 YEARS AGO WHEN HOUSE WAS BUILT.
T.
CONFORMED MAILING ADDRESSES DMS
TRANS. 2482.
RT. DECREEED FROM BUTTE CR. BUT DELIVERED FROM LOVING CR.
ORIGIONAL DECREE TO CHARLES C. SMITH IN S.C. FROST ET AL V. ALTUR
US WATER CO. ET UX..
CONFORMED MAILING ADDRESSES DMS

06/21/99, CHANGED OWNERSHIP: MAGUIRES SOLD THEIR SHARE TO
FERYS AND WOODS, AS PER FORM 1409(6) AND WARRANTY DEED RECEIVED
04/16/99. ALSO CHANGED ADDRESSES AS PER SAME FORM. C.T.

15. Basis of Claim: BENEFICIAL USE

AJ0749NP
No. A37-12216

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WARD W WOODS 18433 US HWY 20 BELLEVUE ID 83313 (208) 788-4156	12/31/1938	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

C MARK T GATES
BESSEMER SECURITIES CORP
630 FIFTH AVE
NEW YORK NY 10111

C JOHN B FERY
C PRISCILLA B WOODS
18433 US HWY 20
BELLEVUE ID 83313
(208) 788-4156

C ELIZABETH W GATES
BESSEMER SECURITIES CORP
630 FIFTH AVE
NEW YORK NY 10111

C DELORES L FERY
18433 US HWY 20
BELLEVUE ID 83313
(208) 788-4156

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T01S R19E S24 NWNWNW

BLAINE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
01S	19E	24	:							D										:

POU County: BLAINE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

AJ5809NP
No. A37-12216

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/04/99
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT F MAGUIRE III	12/31/1938	DOMESTIC	01-01 12-31	0.04 CFS	
C	SUSAN R MAGUIRE					
C	JOHN B FERY					
C	ELIZABETH W GATES					
C	DELORES L FERY					
	BESSEMER SECURITIES CORP			TOTAL DIVERSION:	0.04 CFS	
	630 FIFTH AVE					
	NEW YORK NY 10111					

C WARD W WOODS
C PRISCILLA B WOODS
BESSEMER SECURITIES CORP
630 FIFTH AVE
NEW YORK NY 10111
(212) 373-4486

C MARK T GATES
BESSEMER SECURITIES CORP
630 FIFTH AVE
NEW YORK NY 10111

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T01S R19E S24 NWNWNW

BLAINE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE													
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
01S	19E	24	:																										

POU County: BLAINE

Non-Irrigation Uses: ~~D/ ONE HOUSEHOLD~~

1 Home

Other Rights: NONE

Remarks: GEN ORIGINAL WELL HAND DUG AT LEAST 50 YEARS AGO WHEN HOUSE WAS BUILT.
T.
CONFORMED MAILING ADDRESSES DMS

Comm

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Exp: RP01S19024162C

DATA ENTERED BY SW
DATE 2-4-99

AJ0749NP
No. R37-12216

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/04/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT F MAGUIRE III	12/31/1938	DOMESTIC	01-01 12-31	0.04 CFS	
C	SUSAN R MAGUIRE					
C	JOHN B FERY					
C	ELIZABETH W GATES					
C	DELORES L FERY					
C	WARD W WOODS					
C	PRISCILLA B WOODS					
C	MARK T GATES					
	BESSEMER SECURITIES CORP					
	630 FIFTH AVE					
	NEW YORK NY 10111					
	(212) 373-4486					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T01S R19E S24

NWNWNW

BLAINE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01S	19E	24	:																	:
			:																	:

POU County: BLAINE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP RP01S19024162C

Dates: Exam Made Date:

Verified Date: 02/04/1999

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:



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

November 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BESSEMBER SECURITIES CORP
18433 US HIGHWAY 20
BELLEVUE ID 83313

Re: Snake River Basin Adjudication (SNRA)
Water Right No. 37-12216

Dear Water Right Holder:

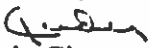
IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right records.

Sincerely,


Judy Givens
Clerical Specialist

The address is correct as shown above or as otherwise changed.

Signature of Water Right Holder

AJ5856NP

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

DATE: SEP-19-1997
PAGE: A-147

RIGHT NUMBER: 37-12216

NAME & ADDRESS: ROBERT F MAGUIRE III
SUSAN R MAGUIRE
JOHN B FERY
ELIZABETH W GATES
DELORES L FERY
WARD W WOODS
PRISCILLA B WOODS
MARK T GATES
BESSEMER SECURITIES CORP
630 FIFTH AVE
NEW YORK NY 10111

AKA + Address
18433 US Highway 20
Bellevue ID 83313

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/31/1938

POINT OF DIVERSION: T01S R19E S24 NWNWNW Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC D/ ONE HOUSEHOLD	✓	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T01S R19E S24 NWNW ✓

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

ORIGINAL WELL HAND DUG AT LEAST 50 YEARS AGO WHEN HOUSE WAS BUILT.

CONFORMED MAILING ADDRESSES DMS

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP01S19024162C

verified by *Duf* Date: *10/9/98*
Verification Source: *City Parcel Map + map*

AJ0749NP
No. A37-12216

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/21/99
PAGE: 2

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Remarks: GEN ORIGINAL WELL HAND DUG AT LEAST 50 YEARS AGO WHEN HOUSE WAS BUILT
T.
CONFORMED MAILING ADDRESSES DMS
TRANS. 2482.
RT. DECREED FROM BUTTE CR. BUT DELIVERED FROM LOVING CR.
ORIGINAL DECREE TO CHARLES C. SMITH IN S.C. FROST ET AL V. ALTUR
US WATER CO. ET UX..
CONFORMED MAILING ADDRESSES DMS

✓ 06/21/99, CHANGED OWNERSHIP: MAGUIRES SOLD THEIR SHARE TO
FERYS AND WOODS, AS PER FORM 1409(6) AND WARRANTY DEED RECEIVED
04/16/99. ALSO CHANGED ADDRESSES AS PER SAME FORM. C.T.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:



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

August 27, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**MARK T GATES
ELIZABETH W GATES
BESSEMER SECURITIES CORP
630 FIFTH AVE
NEW YORK NY 10111**

**RE: CHANGE OF OWNERSHIP SRBA Claim(s) A37-00629,
A37-00630A, A37-00631, A37-02686C, A37-07598C, A37-07799,
A37-07853, A37-12216**

Dear Claimant(s):

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership of the above referenced claims to you.

Please find the enclosed copies of the computer record of the claims noting the change in claimant. Review these records and if there is an error, please contact this office.

Sincerely,

**Cheryl E. Timm
Records Clerk, SRBA**

CET:cet

Enclosures

Cc: James P Speck, John B. and Delores L. Fery and Priscilla Woods



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

August 27, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**WARD W WOODS
PRISCILLA B WOODS
DELORES L FERY
JOHN B FERY
18433 US HWY 20
BELLEVUE ID 83313**

**RE: CHANGE OF OWNERSHIP SRBA Claim(s) A37-00629,
A37-00630A, A37-00631, A37-02686C, A37-07598C, A37-07799,
A37-07853, A37-12216**

Dear Claimant(s):

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership of the above referenced claims to you.

Please find the enclosed copies of the computer record of the claims noting the change in claimant. Review these records and if there is an error, please contact this office.

Sincerely,

**Cheryl E. Timm
Records Clerk, SRBA**

CET:cet

Enclosures

Cc: James P Speck, Mark T. and Elizabeth Gates



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

August 27, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**WARD W WOODS
PRISCILLA B WOODS
DELORES L FERY
JOHN B FERY
18433 US HWY 20
BELLEVUE ID 83313**

**RE: CHANGE OF OWNERSHIP SRBA Claim(s) A37-00629,
A37-00630A, A37-00631, A37-02686C, A37-07598C, A37-07799,
A37-07853, A37-12216**

Dear Claimant(s):

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership of the above referenced claims to you.

Please find the enclosed copies of the computer record of the claims noting the change in claimant. Review these records and if there is an error, please contact this office.

Sincerely,

**Cheryl E. Timm
Records Clerk, SRBA**

CET:cet

Enclosures

Cc: James P Speck, Mark T. and Elizabeth Gates



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

August 27, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: Change of ownership SRBA claims A37-00629,
A37-00630A, A37-00631, A37-02686C, A37-07598C, A37-07799,
A37-07853, A37-12216

Dear Mr. Speck:

Enclosed you will find computer printouts of the SRBA claims referenced above reflecting the current ownership.

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership of the above referenced claims to John B. and Delores L. Fery and Ward W. and Priscilla Woods. Mr. and Mrs. Gates remained as current owners of the above referenced claims.

Sincerely,

Cheryl E. Timm
Records Clerk, SRBA

CET:cet

Enclosures

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

RECEIVED
APR 16 1999
 Department of Water Resources
 Southern Region

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

1. Water Right Number(s) _____
 Adjudication Claim Number(s) A37-00630A, A37-00631, A37-02686C, A37-07598C, A37-07799, A37-07853, A37-12216, A37-00629

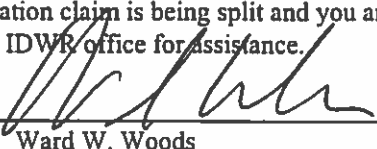
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF 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 acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Robert F. and Susan R. Maguire, III
 Owner/Claimants
355 South Grand Ave., Suite 4500, Los Angeles, California 90071

4. New Owner/Claimant(s) John B. and Delores L. Fery and Ward W. and Priscilla Woods
 Name connector (check one): [] AND, [] OR, ☒ AND/OR
 New Mailing Address 18433 U.S. Highway 20
 City, State and ZIP Code Bellevue, ID 83313
 New Telephone Number (208) 788-4156

5. Date you acquired the property 1/12/98

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  Date 3/1/99
 Owner/Claimant(s) Ward W. Woods

(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.

o/c 6/21/99 ct
 ✓ JET

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

April 14, 1999

RECEIVED

APR 16 1999

Department of Water Resources
Southern Region

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

**RE: John B. and Delores L. Fery and Ward W. and Priscilla Woods
Notice of Change of Water Right Ownership**

Dear Allen:

Enclosed you will find a Notice of Change of Water Right Ownership whereby John B. and Delores L. Fery and Ward W. and Priscilla Woods have acquired all the right, title and interest of Robert F. and Susan R. Maguire, III in and to the referenced water rights. You will also find in your records that Mark T. Gates and Elizabeth W. Gates, trustees, are identified as owners of this water right. Mr. and Mrs. Gates did not acquire any of the interest owned by Mr. and Mrs. Maguire. Therefore, they are not reflected in this Notice of Change of Water Right Ownership.

Please call me if you have any questions about this request. If not, kindly send me computer printouts of the SRBA claims reflecting the current ownership and a printout of the amended recommendation for 37-12216.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS:rsd
enclosures
cc: Ward Woods

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James P. Speck
HOGUE, SPECK & AANESTAD, P.A.
120 East Avenue
Post Office Box 987
Ketchum, Idaho 83340
(208) 726-4421

RECEIVED

JAN 14 1998

SPECK & AANESTAD

409719

Deed

BLAINE CO. REQUEST

OF: Speck & Aanestad

'98 JAN 12 AM 11 04

MARY GREEN, CLERK

FEE \$ 2.00

(Space above line for Recorder's use)

WARRANTY DEED

FOR VALUE RECEIVED, ROBERT F. MAGUIRE, III, a married man dealing in his sole and separate property, whose address is c/o Maguire Thomas Partners, 355 South Grand Avenue, Suite 4500, Los Angeles, CA 90071 ("Grantor", whether one or more), hereby grants, bargains, sells and conveys unto JOHN FERY and DELORES L. FERY, husband and wife, and WARD W. WOODS, JR., also known of record as WARD W. WOODS, and PRISCILLA B. WOODS, husband and wife, whose address is c/o Ward W. Woods, Jr., Bessemer Securities, 630 5th Avenue, 39th Floor, New York, NY 10111 ("Grantee", whether one or more), any and all of Grantor's interest as a tenant in common, in and to certain real property, with all improvements thereon and any water rights appurtenant thereto, situated in the County of Blaine, State of Idaho, and described in Exhibit A attached hereto and incorporated herein by this reference;

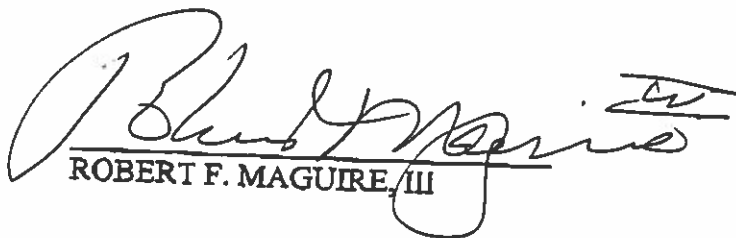
SUBJECT TO taxes and assessments for the current year, easements and rights-of-way of public record, any liens or encumbrances affecting or created by Grantee or any other person having an ownership interest in such real property.

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

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed as of the dates set forth below.

"GRANTOR"

DATE: 1/3/98


ROBERT F. MAGUIRE, III

STATE OF CALIFORNIA)

County of Los Angeles)

ss.

On this 3rd day of January 1998, before me the undersigned notary public in and for said state, personally appeared ROBERT F. MAGUIRE, III, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

Danielle Armstrong
Notary Public for California
Residing at: Los Angeles, CA
Commission Expires: 1/26/01

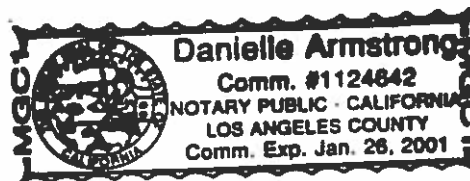


EXHIBIT A

PARCEL I:

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho

Section 24: N $\frac{1}{2}$ NW $\frac{1}{4}$, EXCEPTING that portion thereof conveyed to State of Idaho for highway right of way described in Warranty Deed recorded February 5, 1969, as Instrument No. 131958, records of Blaine County, Idaho;

SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ EXCEPT the W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

PARCEL II:

Lot 1, WORTHINGTON SUBDIVISION, Blaine County, Idaho, according to the official plat thereof recorded August 15, 1979, as Instrument No. 195880, records of Blaine County, Idaho, EXCEPT the following two parcels of land:

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho Section 24: A parcel of land located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ more particularly described as follows:

COMMENCING at a brass cap marking the North one-quarter corner of said Section 24; THENCE South 39°46'43" East, 43.37 feet to an iron pin which point is on the South boundary of Idaho State Highway No. 20, and which point is the REAL POINT OF BEGINNING; THENCE South 87°11'48" East, 200.26 feet along said South boundary Highway No. 20 to a highway right-of-way monument; THENCE North 88°35'19" East, 438.76 feet to a highway right-of-way monument on said South boundary Highway No. 20; THENCE South 89°54'31" West 638.64 feet along what was erroneously platted as Worthington Subdivision's North boundary to the POINT OF BEGINNING;

AND

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho Section 24: A parcel of land located within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ more particularly described as follows: COMMENCING at the East one-quarter corner of said Section 24, which is witnessed by a brass cap 15.84 feet West; THENCE North 0°37'29" West, 1124.24 feet along the East side of said Section 24 to an iron pin, which point is on the Southwesterly boundary of Idaho State Highway No. 20 and which point is the REAL POINT OF BEGINNING; THENCE continuing North 0°37'29" West, 83.33 feet to the Northeast corner of Lot 1, Worthington Subdivision as erroneously platted; THENCE North 37°15'59" West, 146.20 feet along said Northeasterly boundary of Lot 1, Worthington Subdivision as erroneously platted, to a 5/8" rebar by James A. Patterson, P.E.; THENCE North 89°39'24" West, 62.77 feet along the North boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24 to an iron pin on the Southwesterly boundary of said Highway No. 20; THENCE South 37°15'59" East, 251.37 feet along said Southwesterly boundary of said Highway No. 20 to the POINT OF BEGINNING.

RECORDING REQUESTED BY

FIRST AMERICAN TITLE
INSURANCE COMPANY

WHEN RECORDED MAIL TO

NAME

MAILING
ADDRESS

CITY, STATE
ZIP CODE

COX, CASTLE & NICHOLSON LLP
2049 CENTURY PARK EAST,
SUITE 2800
LOS ANGELES, CA 90067
Attn: Robin Bennett

RECEIVED

JAN 14 1998

SPECK & AANESTAD

FEE \$ 6.00

MARI GREEN, CLERK

'98 JAN 12 AM 11 03

BLAINE CO. REQUEST
OF: *Speck & Aanstad*

409718

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

QUITCLAIM DEED

(Loving Creek Ranch)

This is an interspousal transfer involving a transfer to a spouse in connection with a property settlement agreement or decree of dissolution of a marriage and not a change in ownership.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SUSAN R. MAGUIRE ("Grantor"), does hereby convey, release, remise and forever quitclaim unto ROBERT F. MAGUIRE III, whose address is 355 South Grand Ave., Suite 4500, Los Angeles, CA 90071 ("Grantee"), any and all right, title and interest in and to that certain real estate, situated in Blaine County, State of Idaho, described in Exhibit "A" attached hereto and by this reference incorporated herein, together with all after acquired title of the Grantor therein.

December 30th 1997


SUSAN R. MAGUIRE

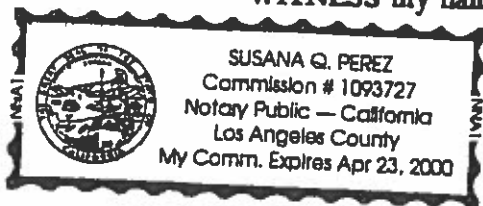
STATE OF CALIFORNIA)

COUNTY OF Los Angeles)

) ss.

On December 30th 1997, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Susan R. Maguire, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity(ies), and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the within instrument.

WITNESS my hand and official seal.



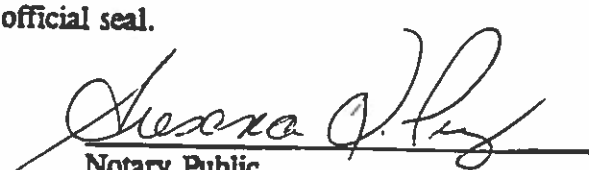

Notary Public

EXHIBIT A

LOVING CREEK RANCH

LEGAL DESCRIPTION

**THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF IDAHO,
COUNTY OF BLAINE AND IS DESCRIBED AS FOLLOWS:**

PARCEL 1:

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, Section 24:

N1/2NW1/4, Excepting that portion thereof conveyed to State of Idaho for highway right-of-way described in Warranty Deed recorded February 5, 1969, as Instrument No. 131958, records of Blaine County, Idaho;

SW1/4NW1/4, NW1/4SE1/4, NE1/4SW1/4, and all of the NW1/4SW1/4 except W1/2SW1/4NW1/4SW1/4.

PARCEL 2:

Lot 1, Worthington Subdivision, Blaine County, Idaho. According to the official plat thereof recorded August 15, 1979, as Instrument No. 195880, records of Blaine County, Idaho.

Together with any and all water rights appurtenant to either of the above-described parcels.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

Water Right Number - 37-12216

Prefix Translation:

WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

FERY

JOHN B

1 - 18433 US HWY 20

2 -

3 -

City- BELLEVUE

State- ID Zip- 83313

Phone - 208-788-4156

GATES

ELIZABETH W

1 - BESSEMER SECURITIES CORP

2 - 630 FIFTH AVE

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 212-373-4486

FERY

DELORES L

1 - 18433 US HWY 20

2 -

3 -

City- BELLEVUE

State- ID Zip- 83313

Phone - 208-788-4156

WOODS

WARD W

1 - 18433 US HWY 20

2 -

3 -

City- BELLEVUE

State- ID Zip- 83313

Phone - 208-788-4156

WOODS

PRISCILLA B

1 - 18433 US HWY 20

2 -

3 -

City- BELLEVUE

State- ID Zip- 83313

Phone - 298-788-4156

GATES

MARK T

1 - BESSEMER SECURITIES CORP

2 - 630 FIFTH AVE

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 212-373-4486

*** O - ORIGINAL OWNER ***

MAGUIRE III

ROBERT F

1 - BESSEMER SECURITIES CORP

2 - 630 FIFTH AVE

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 212-373-4486

MAGUIRE

SUSAN R

1 - BESSEMER SECURITIES CORP

2 - 630 FIFTH AVE

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 212-373-4486

+ - - Priority Date - - +
12/31/1938+ - - Region - - - +
ERROR IN REGION+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

+ - - Source - - - +
GROUNDWATER

+ - - Tributary - - - +

Water right number - 37-12216

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
01S	19E	24	NW NW NW			(13) BLAINE	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

43 - DOMESTIC		01/01	12/31		0.040	
---------------	--	-------	-------	--	-------	--

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.040		0.0	

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01S	19E	24	NW NW			43	DOMESTIC	(13) BLAINE

Total Acres:

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - NONE

Remarks
EXP RP01S19024162C

Old Water Right Numbers
No Old Water Right Numbers Found

Conditions of Approval
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A - DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 - GALLONS PER DAY.

+ - - - Decree Plaintiff - - - +	+ - - - Decree Defendant - - - +	+ - Decree Date - + 00/00/0000
----------------------------------	----------------------------------	-----------------------------------

Comments

Date: 02/04/1999 User Id: SCLELLAN Subject: COPIED FROM REMARKS
ORIGINAL WELL HAND DUG AT LEAST 50 YEARS AGO WHEN HOUSE WAS BUILT.
CONFORMED MAILING ADDRESSES DHS

Date: 02/04/1999 User Id: SCLELLAN Subject: REFORMAT
REFORMAT UPDATE.

Date: 06/21/1999 User Id: CTIMM Subject: OWNERSHIP CHANGE
06/21/99, CHANGED OWNERSHIP: MAGUIRES SOLD THEIR SHARE TO
04/16/99. ALSO CHANGED ADDRESS AS PER SAME FORM. C.T.

FERYS AND WOODS, AS PER FORM 1409(6) AND WARRANTY DEED RECEIVED

Water right number - 37-12216

Prefix Translation: WATER RIGHT

+ - - Audit Fields - - +

06/21/99 CTIMM

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 03/05/1999	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	- 11/22/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C003521	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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: A37-12216
Date Received: 11/22/1988
Receipt No: C003521
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN B. FERY
Address: NEW YORK, NY 10111
AND/OR
Name: WARD W. WOODS 212-373-4486
Address: BESSEMER SECURITIES CORP.
630 FIFTH AVE.
NEW YORK, NY 10111
AND/OR
Name: PRISCILLA B. WOODS 212-373-4486
Address: NEW YORK, NY 10111
AND/OR
Name: MARK T. GATES
Address: NEW YORK, NY 10111
AND/OR
Name: ELIZABETH W. GATES
Address: NEW YORK, NY 10111
AND/OR
Name: DELORES L. FERY
Address: NEW YORK, NY 10111
AND/OR
Name: ROBERT F. MAGUIRE III
Address: NEW YORK, NY 10111
AND/OR
Name: BUSAN R. MAGUIRE
Address: NEW YORK, NY 10111

2. Date of Priority: DEC 31, 1938

3. Source: GROUNDWATER Trib. to:

A37-12216

Page 1

Date: 08/08/89

MICROFILMED
FEB 26 1993

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	24	NW	NW	NW		BLAINE

5. Description of diverting works:
WELL AND PUMP

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	24	NW	NW		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:
ORIGIONAL WELL HAND DUG AT LEAST 50 YEARS AGO WHEN HOUSE WAS BUILT.

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 26 1993

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-9783
August 4, 1989

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

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

Mr. Loren Holmes
2148 4th Avenue East
Twin Falls, Idaho 83303

RE: Snake River Basin Adjudication
Claims Nos. A37-07853, A37-07799, A37-07598C,
A37-00629, A37-00630A, A37-00631, A37-02686C,
A37-12216 - Change of Claimants Address

Dear Loren:

The above-referenced Claims were filed by Ward W. Woods
et al. The mailing address for the Claimant has been changed
to the following:

Ward W. Woods
Bessemer Securities Corp.
630 Fifth Avenue
New York, New York 10111

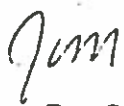
The Claimant's former address as set forth in all of the above-referenced
Claims is as follows:

c/o Ward W. Woods
Lazard, Freres & Co.
One Rockefeller Center
New York, New York 10020

Please call me if you have any questions about this
notice of change of address. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/rlk
cc: Mr. Ward W. Woods
Mr. Mark Gates
Mr. Robert F. Maguire, III
Mr. John B. Fery

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: 35576

Ident. Number: A37-12216
Date Received: 10/27/1988
Receipt No: 003521
Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WARD W. WOODS
Address: LAZARD, FRERES & CO.
ONE ROCKEFELLER PLAZA
NEW YORK, NY 10020 212-373-4486
- AND/OR
- Name: PRISCILLA B. WOODS
Address: LAZARD, FRERES & CO.
ONE ROCKEFELLER PLAZA
NEW YORK, NY 10020 212-373-4486
- AND/OR
- Name: MARK T. GATES
Address: NEW YORK, NY 10020
- AND/OR
- Name: ELIZABETH W. GATES
Address: NEW YORK, NY 10020
- AND/OR
- Name: JOHN B. FERY
Address: NEW YORK, NY 10020
- AND/OR
- Name: DELORES L. FERY
Address: NEW YORK, NY 10020
- AND/OR
- Name: ROBERT F. MAGUIRE III
Address: NEW YORK, NY 10020
- AND/OR
- Name: BUSAN R. MAGUIRE
Address: NEW YORK, NY 10020
2. Date of Priority: DEC 31, 1938

A37-12216

Page 1

Date: 11/22/88

MICROFILMED
FEB 26 1993

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	24	NW	NW	NW		BLAINE

5. Description of diverting works:
WELL AND PUMP

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		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	24	NW	NW		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:

ORIGIONAL WELL HAND DUG AT LEAST 50 YEARS AGO WHEN HOUSE WAS BUILT.

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 _____

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 A37-12216
Date Received _____
Receipt Number _____

RECEIVED

OCT 27 1988

NOTICE OF CLAIM
TO A

WATER RIGHT

Department of Water Resources
Southern Region Office

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

1. Name of Claimant(s): Ward W. Woods &/or Priscilla B. Woods &/or
Mark T. Gates, Jr. &/or Elizabeth W. Gates &/or
John B. Fery &/or Delores L. Fery &/or
Robert F. Maguire III &/or Susan R. Maguire

Phone: (212) 373-4486

Mailing Address: c/o Ward W. Woods
Lazard, Freres & Co.
One Rockefeller Plaza
New York, NY 10020

2. Date of Priority: 1938
3. Source of water supply: (a) Groundwater
which is tributary to: (b)
4. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
1S	19E	24	NW	NW	NW		Blaine

Additional points of diversion if any: None

5. Description of diversion works: Well and pump.
6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Domestic	January 1	December 31	0.04 cfs

MICROFILMED
FEB 26 1993

7. Total Quantity Claimed: 0.04 cfs
8. Total consumptive use claimed is de minimus
9. Non-irrigation uses: Domestic - one (1) household
10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>
1S	19E	24	NW	NW	D

11. Place of use is located in Blaine County.
12. Do you own the property listed above as place of use? Yes
13. Describe other water rights used? None.
14. Remarks: Original well hand dug at least 50 years ago when house built.
15. Basis of Claim: Beneficial use.
IDWR Water Right Number: N/A
Court: Case Number: Decree Date:
Plaintiff v. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

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

Signature of Claimant(s)

Ward W. Woods, by

Date

10/24/88

James P. Speck, his
attorney-in-fact

Date

State of Idaho)

County of Blaine) ss.

Subscribed and sworn before me this 24th day of October, 1988.

Notary Public

Residing at

Commission Expires

Betty Marie Becker
Sun Valley
11/7/93

Last Name: Woods
a:\lnngck8.clm

Ident No.:

MICROFILMED
FEB 26 1993

RECEIVED

OCT 27 1988

Department of Water Resources
Southern Region Office

SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)

I, WARD W. WOODS, of New York, New York, designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

MICROFILMED

FEB 26 1993

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, I have executed this Special Power of Attorney this _____ day of _____, 1988.


WARD W. WOODS

STATE OF IDAHO *ny*)
County of Blaine *ny*) ss.

On this 20 day of Dec, 1988, before me, the undersigned notary public in and for said state, personally appeared Ward Wood, Jr., known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

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


Notary Public for ~~Idaho~~ *ny*.
Residing at: _____

5 Peter Cooper Rd
N.Y., NY 10010

SPPWRATY.MIS

BETTY VAN ZANDT
Notary Public, State of New York
No. 31-4087485
Qualified in New York County
Commission Expires July 31, 1989

SPECIAL POWER OF ATTORNEY - 2

MICROFILMED
FEB 26 1989

Idaho Department of Water Resources
Adjudication Bureau
Statehouse
Boise, ID 83720

Presorted

U.S. Postage
Permit No.1
Boise, ID 83720
First Class



RECEIVED
OCT 13 1989

Department of Water Resources

IMPORTANT WATER RIGHTS INFORMATION

SPECIAL NOTICE TO CLAIMANTS OF SMALL DOMESTIC AND STOCKWATER RIGHTS IN THE SNAKE RIVER BASIN ADJUDICATION FOR MORE INFORMATION CALL (208) 334-2510

In the past, you filed a notice of claim to a water right for domestic and/or stockwater (D&S) use in the Snake River Basin Adjudication (SRBA). In response to concerns expressed by many members of the public as to the requirement to file a notice of claim for small D&S water rights in the SRBA, IDWR sought approval of a special procedure for the adjudication of such water rights. After lengthy negotiations with the U. S. Department of Justice, a special procedure was devised that will relieve small D&S users of the requirement to file a Notice of Claim for such water rights at this time. The District Court in the SRBA has approved this special procedure.

Since notices of claims may be filed, but are no longer required to be filed for small D&S water rights in the SRBA, persons who filed a claim for small D & S uses prior to the adoption of this special procedure may withdraw their notice of claim and obtain a refund of the filing fee. If you choose to withdraw your claim you will need the following information:

CLAIM NUMBER: A37-12216

CLAIM FEE:

\$25.00

RECEIPT NUMBER: C003521

WITHDRAWAL REQUEST MUST BE MAILED BEFORE 11/10/1989

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Please carefully read the following information to determine if your water right qualifies for the special procedure and if you wish to withdraw your notice of claim. If you do wish to withdraw your notice of claim, please complete the form on the last page of this notice and return it to the address shown on the back page by the date shown above.

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If you do NOT withdraw your notice of claim, it will remain on file with IDWR for investigation, inclusion in the Director's Report, and inclusion in the decree of water rights, in accordance with the adjudication procedures set forth by statute. It is IDWR's recommendation that the best (and cheapest) way to assure the security of your small D&S water right is to NOT withdraw the claim and allow the right to be adjudicated. If you do NOT wish to withdraw your notice of claim to a small D&S water right, you need do nothing in response to this notice and you will be notified when your right is recommended to the court.

THE SPECIAL PROCEDURE FOR SMALL DOMESTIC AND STOCKWATER RIGHTS

A notice of claim may, but is not required to be, filed for small D&S water rights in the SRBA at this time. The fee for filing a notice of claim to a small D&S water right at this time is \$25.00. If a notice of claim is filed at this time the claim will be reviewed as part of IDWR's investigation of water rights, included in the Director's Report which contains recommendations as to water rights to be decreed, and included in the district court's decree of water rights, in accordance with the adjudication procedures set forth by statute in Title 42, Chapter 14, of the Idaho Code.

A small D&S water right will not be forfeited and the priority date will not be lost if a notice of claim for the water right is not filed in the SRBA at this time. The owner of a small D&S water right may file a motion with the court to have the water right adjudicated when the need arises at a later date. ("Adjudicated" means determined by the district court and included in the district court's decree of water rights.) The procedure for adjudicating a small D&S water right at a later date is described in an order by the district court and is similar to the supplemental adjudication procedure set forth at Idaho Code 42-1405. If a motion to have a small D&S water right adjudicated is filed at a later date, the claimant will be required to bear the cost of filing the motion and serving notice of the motion and to pay IDWR's cost of investigating and preparing a report of the water right claimed. These costs are likely to be more than \$25.00.

Small D&S water rights will not be subject to distribution by a watermaster in a water district unless all of the small D&S water rights have been adjudicated, or unless the director of IDWR determines that distribution of small D&S water rights by the watermaster is necessary. ("Not subject to distribution by a watermaster" means that the watermaster will not shut off small D&S water rights to provide water for senior water rights, and will not shut off other water rights to provide water for a senior small D&S water right.)

If the director determines that distribution of small D&S water rights in a water district is necessary, then the owner of a small D&S water right that has not been adjudicated will be required to have the water right adjudicated in order to have it distributed by the watermaster. Also, the owner of a small D&S water right that has not been adjudicated will be required to agree to have it adjudicated before the owner can seek approval of a change of the water right (such as a change in point of diversion, change in place of use, change in nature of use, etc.)

There are two limitations that will apply when the owner of a small D&S water right files a motion with the district court in the SRBA to have the water right adjudicated at a later date. First, the water right owner will only be allowed to claim a water right that is within the definition of small D&S use, as defined by the adjudication statute. (The definition of small D&S use is discussed below.) Second, the extent of a small D&S water right is limited by actual beneficial use. There