

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

02/07/2001

RIGHT NUMBER: 37-12765

NAME AND ADDRESS: ANNA J BILLGER
BRADLEY D BILLGER
PO BOX 1126
HAILEY, ID 83333

SOURCE: GROUND WATER

QUANTITY: 0.11 CFS

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

PRIORITY DATE: 07/07/1968

POINT OF DIVERSION: T02N R18E S15 SWSWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.03 CFS
DOMESTIC	1-01 12-31	0.08 CFS

PLACE OF USE:

STOCKWATER Within BLAINE County
T02N R18E S15 SWNW
DOMESTIC Within BLAINE County
T02N R18E S15 SWNW

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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

S/2HORSES



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

February 7, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BRADLEY BILLGER
ANNA BILLGER
PO BOX 1126
HAILEY ID 83333

RE: Decreed Water Right 37-12765

Dear Mr. and Mrs. Billger:

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

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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

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

RECEIVED
FEB 06 2001
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-12765					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) KEVIN E DONOHUE · WILLIAM B. DONOHUE
P.O. Box 2406 · KETCHUM, IDAHO 83340
4. New Owner/Claimant(s) BRADLEY and ANNA BULLER
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 1126
- City, State and ZIP Code HAILEY, IDAHO 83333
- New Telephone Number 208 788-3564
5. Date you acquired the property JULY 14, 1999

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	<u>.03 CFS</u>	_____
Domestic	<u>.08 CFS</u>	_____
Other _____	_____	_____
Total	<u>.11 CFS</u>	<u>Not to EXCEED 13,000 G.P.D.</u>

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Bnably Bidger / Anna Bidger
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by [Signature] Date 2/16/01 Fee 25.00
 Received by [Signature] Date 2/16/01 Receipt No. 5023607
 Processed by [Signature] AJ Date _____ WR _____ Date _____

25/Fee

2001 JAN 12 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-12765

Chain of Title:
Title Policy.

NAME AND ADDRESS: KEVIN E DONOHUE
WILLIAM B DONOHUE
P O BOX 2406
KETCHUM, ID 83340

SOURCE: GROUNDWATER

QUANTITY: 0.11 CFS

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

PRIORITY DATE: 07/07/1968

POINT OF DIVERSION: T02N R18E S15 SWSNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOUSE	01-01 TO 12-31	0.08 CFS
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE:	Stockwater		Within Blaine County
	T02N R18E S15	SWNW	
	Domestic		Within Blaine County
	T02N R18E S15	SWNW	

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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

Order No. 22951

429521

WARRANTY DEED

For Value Received

Michael W. Riedel and Vicki C. Riedel, husband and wife

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

Brad Billger and Anna Billger, husband and wife

whose address is: P.O. Box 1126, Bailey, ID 83331

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

See Attached Exhibit "A"

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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: July 1, 1999.

Michael W. Riedel

Vicki C. Riedel

State of Idaho

County of Blaine

On July 1st, 1999, before me, the undersigned, a Notary public, in and for said state, personally Riedel and Vicki C. Riedel, known to me (or proved to me on the basis of satisfactory evidence) to be the same(s) as were subscribed to the within instrument and acknowledged to me that said instrument executed the

WITNESS my hand and official seal.

Signature

Residing

Commission Expires: 2-21-2003



We purchased the property from Mike & Vicki Riedel, who did not (apparently) change the water right from the prior owners (Donahoe's) to their names.

RECEIVED
FEB 06 2001
Department of Water Resources
Southern Region

DEED
FIRST AMENDMENT
TITLE

DEED IS
FEB 06 2001
FEE \$ 6.00

Order No. 21551
Legal Description

Exhibit "A"

TOWNSHIP 2 NORTH RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO.

Section 15: A parcel of land in the NW1/4 more particularly
described as follows:

STARTING at the corner common to Section 9, 10, 15, and 16,
Township 2 North, Range 18 E., B.M., which is a 7 1/2-inch pipe
with a brass cap properly marked; thence
South 12° 49' East 1,077.51 feet to a 7/8-inch by 30-inch hex drill
steel in concrete, which is the TRUE POINT OF BEGINNING; thence
South 60° 41' 30" West 208.00 feet to a 7/8-inch by 30-inch hex
drill steel in concrete; thence
South 49° 32' 30" East 256.08 feet to a 7/8-inch by 30-inch hex
drill steel in concrete; thence
North 60° 41' 30" East 105.60 feet to a 7/8-inch by 30-inch hex
drill steel in concrete; thence
North 29° 18' 30" West 277.81 feet to the TRUE POINT OF BEGINNING.

SVTL Order No. 96-15305

427552

BLAINE CO REQUEST

Deed

WARRANTY DEED

SUN VALLEY TITLE

FOR VALUE RECEIVED

1999 MAY 24 PM 3 42

KEVIN E. DONOHUE, a married man as his sole and separate property

CLERK

the grantor, does hereby grant, bargain, sell, and convey unto

FEES \$

60

mPP

MICHAEL W. RIEDEL and VICKI C. RIEDEL, husband and wife

the grantees, whose current address is PO Box 765

Pocatello, ID 83448

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

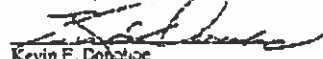
Please See Attached Exhibit A

SUBJECT TO: Taxes, encumbrances, restrictions, reservations, assessments and circumstances as shown of record, if any.

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

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

Date: May 18, 1999


Kevin E. Donohue

State of Idaho
County of Blaine

On this 20 day of May, 1999, Before me a Notary Public in and for said State, personally appeared Kevin E. Donohue 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 Hailey, ID
Comm. Expires 3/31/04



EXHIBIT "A"

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 15: A parcel of land NW¼, more particularly described as follows:

Starting at the corner common to Sections 9, 10, 15 and 16, Township 2 North, Range 18 East, Boise Meridian, which is a 2½ inch pipe with a brass cap properly marked; thence

South 12° 49' E., 1,977.51 feet to the TRUE POINT OF BEGINNING; thence

South 60° 41' 30" W., 208.00 feet; thence

South 40° 32' 30" E., 296.08 feet; thence

North 60° 41' 30" E., 105.60 feet; thence

North 24° 18' 30" W., 277.81 feet to the TRUE POINT OF BEGINNING.

RECEIVED

MAY 17 1993

Department of Water Resources
Fifth Judicial District Office

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: A37-12765
Date Received: 9/21/1988
Receipt No: S002429
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEVIN E DONOHUE 208-726-2200
Address: P O BOX 2406
KETCHUM ID 83340
OR
Name: WILLIAM B DONOHUE 208-726-2200
Address: P O BOX 2406
KETCHUM ID 83340
OR
Name: KAREN S DONOHUE 208-726-2200
Address: P O BOX 2406
KETCHUM ID 83340

2. Date of Priority: JUL 7, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	15		SW	NW		BLAINE

5. Description of diverting works:
60' WELL & 1 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum

9. Non-irrigation uses:
D/1 HOUSEHOLD, S/2 HORSES.

MICROFILMED
OCT 26 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	15	SW	NW		DOMEST	
			SW	NW		STOCK	

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:
IRRIG. OF 3/4 ACRE HORSE PASTURE

14. Remarks:
LOT IS AT 43 BROADFORD LN., HAILEY, ID. HAS BEEN USED AS A
RESIDENCE/ IRRIG. PASTURE FOR OVER 20 YEARS.
OWNERSHIP CHANGED: CLOSED 4/28/1993. NOTICE OF CHANGE RECEIVED
5/13/1993. COPY OF WARRANTY DEED ON FILE. RVW 5/13/1993

15. Basis of Claim: BENEFICIAL USE

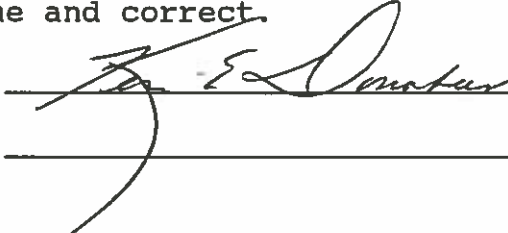
16. Signature(s)

(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: 5/14/93

Date: _____

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OCT 26 1994

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of May 19 93

Ellen H. Bennett
Notary Public

Seal



Residing at Ketchum

My Commission Expires 5-2-97

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OCT 26 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **R37-12765**
Date Received: 9/21/1988
Receipt No: F000000
Received By: _____

*Change of
Owner*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEVIN E DONOHOE 208-726-2200
Address: P O BOX 2406
KETCHUM ID 83340

OR

Name: WILLIAM B DONOHOE 208-726-2200
Address: P O BOX 2406
KETCHUM ID 83340

2. Date of Priority: JUL 7, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	15	SW	SW	NW		BLAINE

5. Description of diverting works:
60' WELL & 1 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE S/2 HORSES

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OCT 26 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	15	SW	NW		DOMEST	
			SW	NW		STOCK	

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:

LOT IS AT 43 BROADFORD LN., HAILEY, ID. HAS BEEN USED AS A
RESIDENCE IRRIG. PASTURE FOR OVER 20 YEARS.

IRRIGATE 3/4 AC. PASTURE.

TAX LOT 3913

***OWNERSHIP CHANGED; CLOSED 4/28/1993 - NOTICE OF CHANGE

RECEIVED 5/13/1993. COPY OF WARRANTY DEED ON FILE. RVW-5/13/93

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: _____

MICROFILMED
OCT 26 1994

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 _____

MICROFILMED
OCT 26 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

13-May-1993

KEVIN E DONOHOE
P O BOX 2406
KETCHUM ID 83340

Re: Ownership change for Adjudication Claim No. A37-12765

Dear Claimant:

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owners as you requested. Enclosed is a copy of the computer record of the claim with the change in the claimant.

Please review the record and if you have any corrections or questions, please feel free to call this office.

Sincerely,

A handwritten signature in cursive script that reads "Robert Worstell".

Robert Worstell
Sr Adjudication Agent

1 Enclosure

MICROFILMED
OCT 26 1994

SIMON & DONOHUE

ATTORNEYS AT LAW
FIRST STREET BUILDING
180 FIRST STREET WEST
SUITE 201
P.O. BOX 540
KETCHUM, IDAHO 83340

EDWARD SIMON
KEVIN E. DONOHUE

TELEPHONE: (208) 726-2200
FACSIMILE: (208) 726-5025

May 12, 1993

Idaho Department of Water
Resources
222 Shoshone Street, E.
Twin Falls, ID 83303

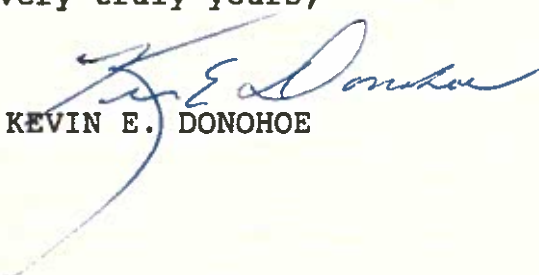
ATTN: Robert V. Worstell

Re: 43 Broadford Road

Dear Mr. Worstell:

Thank you for having kindly provided me with all the necessary paperwork to complete Change of Water Right Ownership. Enclosed please find the completed form together with a copy of the Warranty Deed and Description of Property. Thank you again for your courtesy.

Very truly yours,


KEVIN E. DONOHUE

KED/eb
encl.

RECEIVED

MAY 13 1993

Department of Water Resources
Southern Region Office

MICROFILMED

OCT 26 1994

RECEIVED

(see instructions on back of page)

MAY 13 1993

Department of Water Resources
B.M. Southern Region Office

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

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

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

MICROFILMED

OCT 26 1994

#1909-32280

POOR ORIGINAL

WARRANTY DEFECT

CORPORATE FORM

RECEIVED

MAY 13 1993

Department of Water Resources
Southern Region Office

PHH HOMEQUITY, a Delaware Corporation, with its

Principal office at 171855 Gateway Blvd., #950, Concord

The grantors, hereby conveys or grants and warrants to

Kevin E. Donohoe, a married man as his sole and separate property and
William B. Donohoe and Karen S. Donohoe, husband and wife, as their joint and

The grantee, whose current address is P.O. Box 2406, Ketchum, ID

The following described tract(s) of land in Blaine County, State of Idaho:

AS ATTACHED HERETO ON EXHIBIT "A" AND BY THIS REFERENCE INCORPORATED HEREIN.

Location of above described property: 43 Broadford Road
(house no. - 8)

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this _____ day of _____, A.D. 19____.

PHH HOMEQUITY

BLAINE CO. REQUEST
OF FIRST AMERICAN TITLE CO.

1993 APR 28 P 3: 53

PLANT GREEN, CLERICO

352099

STATE OF California
COUNTY OF Contra Costa

On this 4th day of November, in the year 1992,
before me, Samuel W. Theriault, a Notary Public
known or identified to me to be the persons who executed the
Instrument on behalf of said corporation, and acknowledged to me
that such corporation executed the same.

 Notary Public of California
 Residing at: La Jolla, Calif.
 Commission Expires: 3/1/78

OFFICIAL SEAL
JANET W. THORNTON
NOTARY PUBLIC - DISTRICT OF COLUMBIA
CONYRA COSTA GOJNYS
NY COMM. EXP. MAR. 15, 1992

Order No. 16365
Legal Description

RECEIVED

MAY 13 1993

Department of Water Resources
Southern Region Office

Exhibit "A"

TOWNSHIP 2 NORTH RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO.

Section 15: A parcel of land in the NW1/4 more particularly
described as follows:

STARTING at the corner common to Section 9, 10, 15, and 16,
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with a brass cap properly marked; thence
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steel in concrete, which is the TRUE POINT OF BEGINNING; thence
South 60° 41' 30" West 208.00 feet to a 7/8-inch by 30-inch hex
drill steel in concrete; thence
South 49° 32' 30" East 296.08 feet to a 7/8-inch by 30-inch hex
drill steel in concrete; thence
North 60° 41' 30" East 105.60 feet to a 7/8-inch by 30-inch hex
drill steel in concrete; thence
North 29° 18' 30" West 277.81 feet to the TRUE POINT OF BEGINNING.

MICROFILMED
OCT 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. A31 12765

1. Owner: F. Carl Pence Phone No. 208 788 2575

Current Address: Box 2348 Harley 83333

2. Accompanied by: _____ EXAM. DATE: 5-17-90

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ Copies Attached

2. Other water rights with same point of diversion: _____

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

Domestic
Stockwater - 2 horses

Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.)

☐ Aerial Photo Attached

(required for irrigation of 10 acres or more.)

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible					

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	NW	15	2N	10E	Bleine	TL3913 43 Bradford Rd

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	10E	15							X										

D. FLOW MEASUREMENT

1.

Meas

2. Meas

Calib.
Date

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

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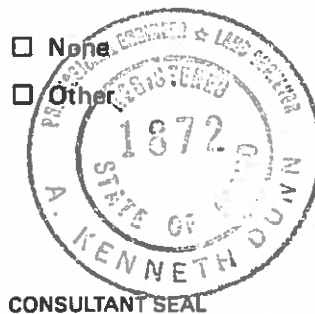
I. RECOMMENDATIONS

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Totals:				

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

Field Examiner's Name _____
Signature *A. D. Smith*
Certification Date 5-19-90
Field Report Preparation Date _____



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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: A37-12765
Date Received: 9/13/1988
Receipt No: S002429
Received By: SPV-54

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: F. CARL PENCE 208-788-2575
Address: P.O. BOX 2348
HAILEY, ID 83333

OR

Name: VICKI PENCE 208-788-2575
Address: P.O. BOX 2348
HAILEY, ID 83333

2. Date of Priority: JUL 07, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	15	SW	of	NW		BLAINE

5. Description of diverting works:
60' WELL & 1 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD, S/2 HORSES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	15	SW	NW		DOMEST	
			SW	NW		STOCK	

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:
IRRIG. OF 3/4 ACRE HORSE PASTURE

14. Remarks:
LOT IS AT 43 BROADFORD LN., HAILEY, ID. HAS BEEN USED AS A
RESIDENCE/ IRRIG. PASTURE FOR OVER 20 YEARS.

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 A 37-12765Date Received 09-13-88Receipt Number 5002429

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

RECEIVED

SEP 18 1988

Department of Water Resources
Twin Falls Office

Please type or print clearly

1. Name of Claimant (s) F. Carl Dr Vicki Pence Phone (208) 788-2575Mailing Address Po Box 2348 Hailey, Idaho Zip 833332. Date of Priority (Only one (1) per claim) ~~7/7/68~~ 7/7/683. Source of water supply (a) Groundwater
which is tributary to (b) _____4. Location of point of diversion is: Township 2 N Range 18 ESection 15, SW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____, B.M.,County of Blaine

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 1 horse power pump, 60 foot
well, installed 7/7/88 to replace 2.5 foot well and
1/2 horse power pump

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

(Both dates are inclusive) (cfs)
For Domestic purposes from Jan 1 to Dec 31 amount 0.08

For Stockwater purposes from Jan 1 to Dec 31 amount 0.03

7. Total quantity claimed 0.11 (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 1 house hold and 2 horses

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Copies: White-State, Yellow-Claimant

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
~~2N~~ 2N	~~18E~~ 18E	~~15~~ 15							D's									

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

12. Do you own the property listed above as place of use? Yes X No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

Irrigation of 1/4 acre Horse Pasture or None ()

14. Remarks: Lot address is 43 Broadford Ln., Nailey, Idaho. Has been used as residence / Irrigated Pasture for over 20 years

15. Basis of Claim (check one) Beneficial Use X Posted Notice License Permit
Decree

If applicable provide IDWR Water Right Number

Court Case Number Decree Date

Plaintiff vs Defendant

16. Signature (s)

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

Number of attachments

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) F. Carl Pence Date 9/10/88

Date

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

of Title
Organization , that I have signed the foregoing

document in the space below as of
Title Organization

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

Signature of Authorized Agent

Title and Organization Date

State of Idaho/or)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 12th day of September 19 88

SEAL

Notary Public Katherine D. Billington

Residing at Richfield, Idaho

My Commission Expires Lifetime

Last Name BILLINGTON Ident No.

Copies State Yellow Clannam

FEB 26 1993