

RECEIVED

JAN 25 2007

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

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
37-12560					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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) Wilbur W. Bolton Jr.
% Laura Gance
4. New Owner/Claimant(s) Whiting Family Living Trust Dated 10/12/05
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
Trustees
 New Mailing Address 340 Purissima Street
 City, State and ZIP Code Half Moon Bay, CA 94019
 New Telephone Number (650) 726-0759

5. Date you acquired the property

Forest Service Permit - 12/22/05

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Jen Whiting, Trustee (title if applicable)
Mary Whiting, Trustee (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

1/23/7

Idaho Dept. of Water Resources,

I spoke with Jackie Richter today with the Forest Service. I noticed there was a difference in the description from our permit and your water right description. She acknowledged that they had made a typo in our permit. She has changed it on her computer. Yours is correct.

Thanks,

Nancy Whiting
(650) 726-0759

01/12/2007

NOTICE OF ERROR
REPLY

RECEIVED

JAN 25 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: January 23, 2007

Water right number: 37-12560

WILBUR W BOLTON JR
C/O LAURA GANCE
12550 S MACKSBURG RD
CANBY OR 97013

Whiting Family Living Trust dated 10/12/05
Jerry & Nancy Whiting, Trustees

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

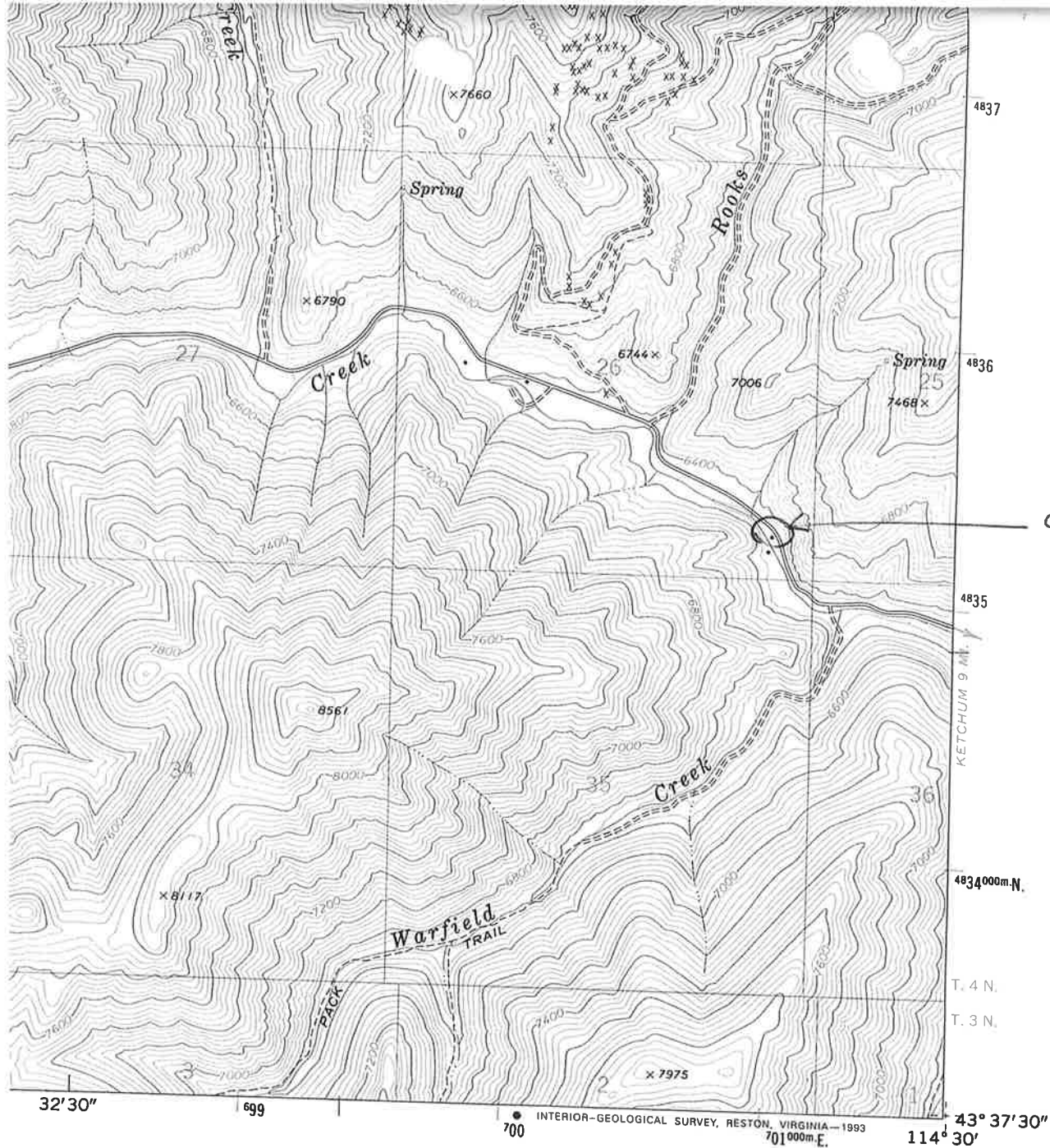
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made. other than the name.

DATE: 1/23/07 SIGNATURE: Nancy Ann Whiting

Please print your name: Nancy Ann Whiting

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033



cabin location

KETCHUM 9 MI.

4834000m.N.

T. 4 N.
T. 3 N.

32°30'

699

700

INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA-1993
701000m.E.

114°30'

43°37'30"

1 MILE

ROAD CLASSIFICATION

- Primary highway, hard surface
- Secondary highway, hard surface
- Light-duty road, hard or improved surface
- Unimproved road
- Interstate Route
- U. S. Route
- State Route



BOYLE MOUNTAIN, IDAHO 43114-F5-TF-024

1970

DMA 3074 II NE-SERIES V893

(MAHONEY BUTTE)
3171 III SW



United States
Department of
Agriculture

Forest
Service

Sawtooth National Forest
Ketchum Ranger District

P.O. Box 2356
Ketchum, ID. 83340
208-622-5371
Fax: 208-622-3923

File Code: 2720

Date: December 23, 2005

Whiting Family Living Trust
Jerry and Nancy Whiting, Trustees
340 Purissima
Half Moon Bay, CA 94019

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JAN 25 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Dear Mr. and Mrs. Whiting:

Enclosed is your fully signed recreation residence permit for the Warm Springs summer home area. Changes to the outside of the cabin or the lot must be approved in writing.

Please contact me at (208) 622-5371 if you have questions.

Sincerely,

KURT J. NELSON
Ketchum District Ranger

cc: Jackie S Richter ✓

(208) 737-3247



Auth ID: KET622101
Contact ID: WHITING FAMILY LIVING TRUST
Expiration Date: 12/31/2008
Use Code: 123

FS-2, 5a (05/03)
OMB No. 0596-0082

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JAN 25 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

U.S. DEPARTMENT OF AGRICULTURE
Forest Service
TERM SPECIAL USE PERMIT
For Recreation Residences
AUTHORITY:
OCCUPANCY PERMITS, AS AMENDED March 4, 1915

WHITING FAMILY LIVING TRUST, JERRY AND NANCY WHITING, TRUSTEES, 340 PURISSIMA, HALF MOON BAY, CA 94019 (hereafter called the holder) is hereby authorized to use National Forest lands, for a recreation residence for personal recreational use on the Sawtooth National Forest, subject to the provisions of this permit including items I.A through XI.F., on page(s) 1 through 8. This permit covers .38 acres.

Described as: (1) Lot 2A of the WARM SPRINGS/ROOKS CREEK summer home tract.
(A plat of which is on file in the office of the Forest Supervisor.)
OR

(2) Sec. 26, T. 4 N., R. 16 ^{W.}_{E.}, B.M., as shown on the attached map.

The following improvements, whether on or off the lot, are authorized in addition to the residence structure:

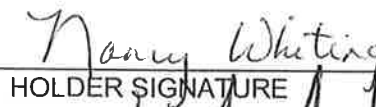
Residence
Deck
Well/Spring #37-13557
Outhouse

This use shall be exercised at least 15 days each year, unless otherwise authorized in writing. It shall not be used as a full-time residence to the exclusion of a home elsewhere.

THIS PERMIT IS NOT TRANSFERABLE
PURCHASERS OF IMPROVEMENTS ON SITES AUTHORIZED BY THIS PERMIT MUST SECURE A NEW PERMIT
FROM THE FOREST SERVICE.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL OF ITS TERMS AND CONDITIONS.

ACCEPTED:  Jerry Whiting 11/22/05
HOLDER SIGNATURE HOLDER NAME DATE

ACCEPTED:  Nancy Whiting 11/22/05
HOLDER SIGNATURE HOLDER NAME DATE

APPROVED:  District Ranger
SIGNATURE AUTHORIZED OFFICER NAME AND TITLE 12/22/05
DATE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

January 25, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

WHITING FAMILY LIVING TRUST
340 PURISSIMA ST
HALF MOON BAY CA 94019

RE: SRBA No. #37-12560

Dear Trustees,

The Department has received the *Notice of Change of Water Right Ownership* you recently submitted referenced above. We have changed the record of current ownerships to you. Please find the enclosed copy of the water right claim noting the change in owners. Review this record and if there is an error, or you have any questions, please contact this office.

Since this claim has not been decreed in the Snake River Basin Adjudication, no fees are due at this time. I am herein returning your check #106 for twenty-five dollars (\$25.00)

Should you have any questions please call me at (208) 736-3033.

Sincerely,

Carrie Hahn
Clerk

Enc.

D+S 37-12560

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: A37-12560
Date Received: 10/20/1988
Receipt No: C004616
Received By: /s/

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILBUR W. BOLTON, JR. 415-322-0178
Address: 101 ALMA STREET #202
PALO ALTO, CA 94301

2. Date of Priority: JUN 16, 1921

3. Source: WARM SPRINGS CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	16E	26	SE	SE	SE		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	06/16	10/14	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/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	16E	26	SE	SE		DOMEST	

11. Place of use in counties: BLAINE

A37-12560

Page 1

Date: 07/25/89

MICROFILMED
FEB 26 1993

12. Do you own the property listed above as place of use? **No**

13. Other Water Rights Used:
NONE

14. Remarks:
FOREST SERVICE SPECIAL USE PERMIT RECREATION RESIDENCE.
LOT 2 ROOKS CREEK, SUMMER HOME AREA.
DWR NOTE
P/D TAKEN FROM ITEM #10.
SOURCE AND TYPE OF DIVERSION DO NOT AGREE.
PERIOD OF USE INCOMPLETE.

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

SP

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

A37-13560

Date Received

Receipt Number

0004614

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

OCT 20 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

- Name of Claimant (s) Wilbur W. Bolton Jr. Phone 415 322-0178
Mailing Address 101 Alma St. Apt 202 Palo Alto CA 94301 Zip 94301
- Date of Priority (Only one (1) per claim) June 16, 1921
- Source of water supply (a) Warm Springs Creek
which is tributary to (b) Big Wood River + Snake River
- Location of point of diversion is: Township 4 N Range R16 E
Section 26, 1/4 of 1/4 of 1/4, Govt. Lot 11.3 miles upstream from Junction of Warm Springs Creek with Big Wood River, B.M.,
County of Blairstown
Additional points of diversion if any: Big Wood River
- 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. diversion by p211 from 6/16/21
until 10/27/83 when well drilled and 2nd pump
installed
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive)
For domestic purposes from 6/16/21 to 10/14/88 amount 0.04 (cfs)
For 1,000 gals purposes from each summer to amount
- Total quantity claimed 0.04 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) one domestic - summer cabin use only

MICROFILMED
Copies: White-State, Yellow-Claimant
FEB 7 6 1993

Wilbur W. Bolton Claim

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
4N	16E	26																X

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 _____ No X
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.

14. Remarks: Forest Service Special Use Permit Recreation
Residence Lot 2 Rooks Creek, Summer Home Area.

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 _____ 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) Wilbur W. Bolton Jr Date 14 Oct 1988

Date _____

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

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

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 CALIFORNIA)

SS.

County of SANTA CLARA)

Subscribed and sworn (or affirmed) before me this

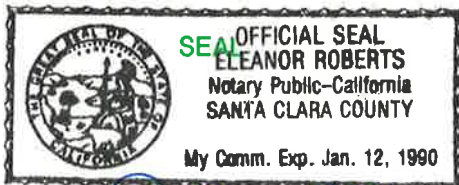
14th

day of

October

19

88



Notary Public Eleanor Roberts

Residing at Palo Alto, CA

My Commission Expires 1-12-1990

Last Name Roberts

Ident No. _____

Copies White State, Yellow-Claimant

AJ5856NP

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

DATE: SEP-19-1997

PAGE: A-213

RIGHT NUMBER: 37-12560

NAME & ADDRESS: WILBUR W BOLTON JR
101 ALMA STREET #202
PALO ALTO CA 94301

SOURCE: WARM SPRINGS CREEK ✓ TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 06/16/1921

POINT OF DIVERSION: T04N R16E S26 SESE Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC D/1 HOUSE	06-16 10-14	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T04N R16E S26 SESE

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

FOREST SERVICE SPECIAL USE PERMIT RECREATION RESIDENCE
LOT 2 ROOKS CREEK, SUMMER HOME AREA.

DWR NOTE

P/D TAKEN FROM ITEM #10.

SOURCE AND TYPE OF DIVERSION DO NOT AGREE.

PERIOD OF USE INCOMPLETE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Verified by _____ Date: _____

Verification Sources: _____

18032
2463
3690
4118
7832