

Emails sent re: allotment
of acres under 74-1025
MVB 11/6/2009

Van Bussum, Monica

From: Van Bussum, Monica
Sent: Friday, November 06, 2009 3:31 PM
To: 'Annette Daskalos'
Cc: 'M.A.(Jock) Slavin'; Bromley, Chris; Kelly, Vicki
Subject: RE: 74-1025 maps

74-1025B
1025C
1025D
1025E
1025F
15888

Hi Annette,

Thanks for your quick response and your fax, and all of the other information you've sent today. Chris and I spoke with Jock this afternoon about IDWR's decisions concerning the water rights and I anticipate Jock will be contacting you before our next hearing. Thanks!

Monica

From: Annette Daskalos [mailto:a.daskalos@earthlink.net]
Sent: Friday, November 06, 2009 1:56 PM
To: Van Bussum, Monica
Subject: RE: 74-1025 maps

Hello Monica,
No No pardon my ignorance, the 49 acres must cover Parcel A, B, and C. See fax machine.
Thanks very much for looking into everything. Really you have been great along with Chris.
When you get time to catch your breath give me a call and we can finalize the plan for the 9th.

Regards,
Annette

-----Original Message-----

From: "Van Bussum, Monica"
Sent: Nov 6, 2009 2:54 PM
To: Annette Daskalos
Cc: "M.A.(Jock) Slavin" , "Bromley, Chris" , "Kelly, Vicki"
Subject: RE: 74-1025 maps

Hi Annette,

Pardon my ignorance, but whose property is Parcel B and whose is Parcel C? The taxlot data does not identify them as parcels B or C. That will help me answer your question. Thanks!

Monica

From: Annette Daskalos [mailto:a.daskalos@earthlink.net]
Sent: Friday, November 06, 2009 12:50 PM
To: Van Bussum, Monica
Subject: RE: 74-1025 maps

SCANNED
NOV - 6 2009

Hi Monica,

Well..... Yes, i think so. What do think? I mean the 49 acres that had the water rights are in Parcel B....And why should they be taken away and given to property upriver in Parcel C....? I dont get it ? Am I way off base here...?

Much Thanks
Annette

-----Original Message-----

From: "Van Bussum, Monica"

Sent: Nov 6, 2009 12:26 PM

To: Annette Daskalos

Cc: "Bromley, Chris", "M.A.(Jock) Slavin", "Kelly, Vicki"

Subject: RE: 74-1025 maps

Hi Annette,

Thanks for your response, and all the faxes. I will spend some time over the next days going through them.

Are you saying the outlines (blue, red and pink) that IDWR put together based on the Lemhi Adjudication maps are incorrect, and the 49 acres originally decreed should have been allotted differently?

Thanks!

Monica

From: Annette Daskalos [mailto:a.daskalos@earthlink.net]

Sent: Friday, November 06, 2009 12:24 PM

To: Van Bussum, Monica

Subject: Re: 74-1025 maps

Hi Monica,

I received the maps.... And you'll have to excuse my delirious sense of humor...off the record.. what idiot did this split of a decreed senior water right on a property down river to a property that is clearly upriver. And after so many years of everything fine and seemingly intact. Just seems strange, not logical.

Anyways, I kind of laughed...hope you atleast smiled. Maybe Not..I know Im being a pain and i really dont mean to but, to us it is important.

Thanks so Much

Call me or email whenever you get a chance to go over things I sent

Annette

-----Original Message-----

From: "Van Bussum, Monica"

Sent: Nov 6, 2009 9:46 AM

To: a.daskalos@earthlink.net

SCANNED

NOV -6 2009

Cc: "M.A.(Jock) Slavin" , "Bromley, Chris" , "Kelly, Vicki"
Subject: 74-1025 maps

Hi Annette,

Pardon my tardiness in getting these maps to you; I have had numerous interruptions this morning.

I am including two maps.

The first page is a map where I've shown the aerial photos from 1987 and, on top of those photos, I've put the old Lemhi Adjudication maps. You can see the fields called out under 74-1025 in the decree.

The second page is the exact same map, only without the Lemhi Adjudication maps.

Your 62.5-acre Place of Use (POU), which is your base right and your enlargement put together, is shown in blue. The Henry right is shown in red. The remaining McCullough right, which was decreed to what is now the Charlie Brown place, is shown in pink at the far south. The map legend on the lower left can tell you this, as well.

As you can see, the part that now belongs to the Charlie Brown place (but is still in the name McCullough) never belonged to the property you currently own, so would not have been conveyed in the land sale.

I have not seen your fax of the deeds yet, but I have put our receptionist on alert for it.

Please call me at the number below if you have any questions, and I know you have Chris's number, as well.

Monica <<img-Y06103455.pdf>>

Monica Van Bussum

Sr. Water Resource Agent

Water Management Division

Idaho Department of Water Resources

322 E. Front St.

PO Box 83720

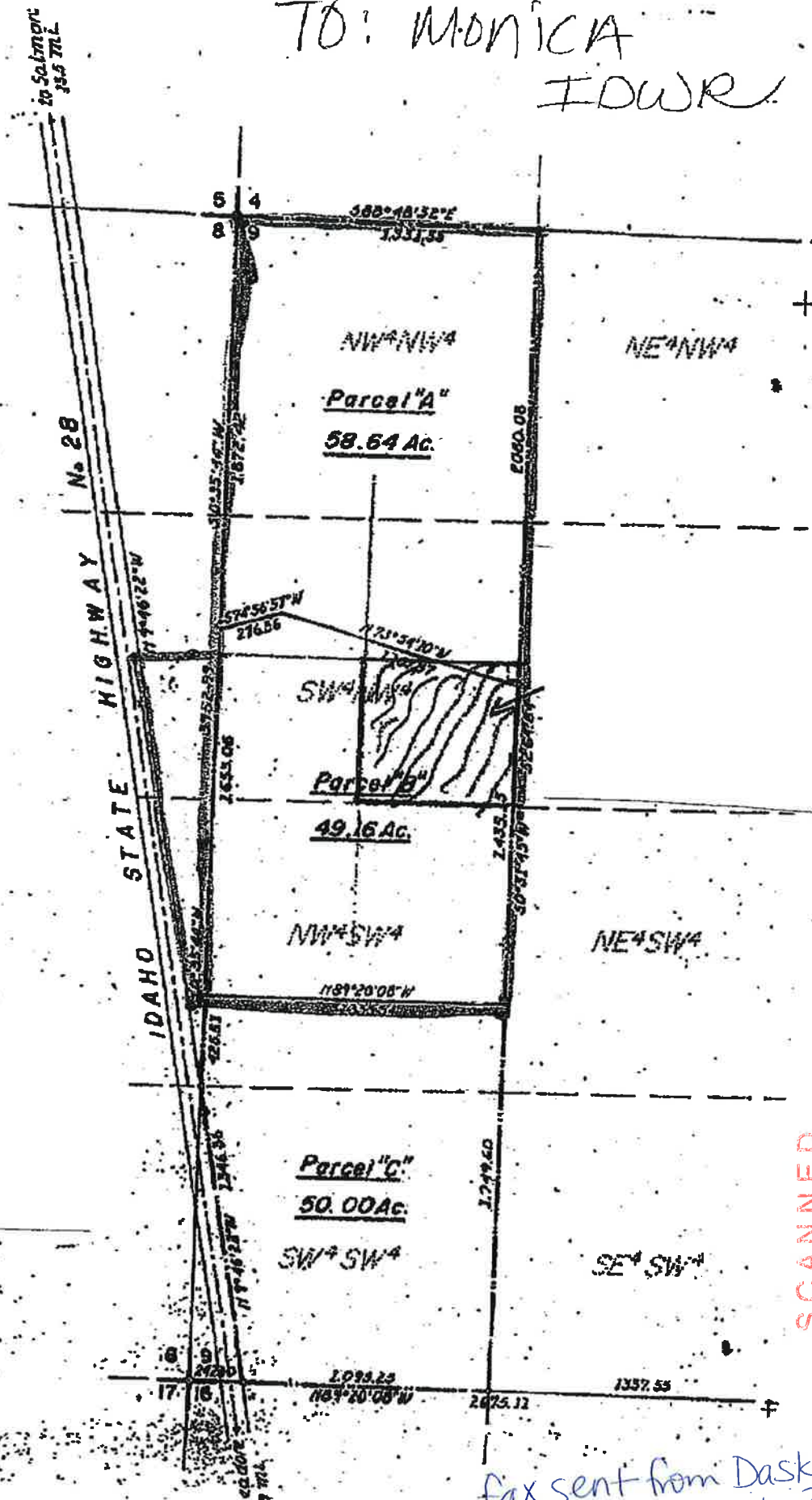
Boise, ID 83720

(208) 287-4907

SCANNED

NOV - 6 2009

TO: MONICA
FDWR



SCANNED

NOV - 6 2009

fax sent from Daskalos
re email sent 2:54pm
11/6/2009 MIB 11/6/2009

74-1025B
1025C
1025D
1025E
1025F
15888

NOVEMBER 6, 2009

TO : IDWR

ATTN: MONICA

FROM: ANNETTE DASKALOS

RE: 74-1025B

*Faxes received from Annette
Daskalos re: allotment
of acres under 74-1025.
MVB 11/6/2009*

**THE FOLLOWING IS OUR SETTLEMENT STATEMENT FROM OUR
CLOSING, SHOWING MCCULLOUGH PAYOFF OF PRIVATE MONEY
CARRY BACK.**

ALSO WARRENTY DEEDS ALL USE LEGAL DESCRIPTION EXHIBIT A.

**ALTHOUGH THESE ARE NOT SIGNED, I CAN PRODUCE GIVEN MORE
TIME THE SIGNED ONES. BUT THESE ARE CORRECT.**

**THAT WOULD BRING US TO 41 ACRES.... AND I STILL THINK HENRY
WHICH DOESN'T HAVE 7.8 ACRES THERE, HAD A RIGHT TO WATER
THAT BELONGED TO US.**

**I CAN HAVE WADE SURVEYING STATE HOW MANY ACRES WE
IRRIGATE NOW AND PRODUCE SURVEYS FROM THEN AND
COMPARE. ???**

BROWN PROPERTY NOW HENRY TOO FAR SOUTH.

**PLEASE ADVISE
702 896-4465**

SCANNED

NOV - 6 2009

A. Settlement Statement

U.S. Department of Housing
and Urban Development

OMB No. 2502-0465 (Exp. 12-31-00)

B. Type of Loan		6. File Number	7. Loan Number	8. Mortgage Insurance Case Number
1. ☐ FHA 2. ☐ FmHA 3. ☐ Conv. Unins.		1031-1640		
4. ☐ VA 5. ☐ Conv. Ins.				

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. Name and Address of Borrower SPIRO DASKALOS & ANNETTE DASKALOS HUSBAND & WIFE, GEORGE DASKALOS & KATERINA DASKALOS, HUSBAND & WIFE, & DONALD SABATTE & MARYANN SABATTE, HUSBAND & WIFE. 4535 WEST RUSSELL RD., SUITE 16 LAS VEGAS, NEVADA 89118	E. Name and Address of Seller PIONEER 1031 COMPANY, AS THE QUALIFIED INTERMEDIARY FOR HENRY L. BOSWELL, JR., AND MELYANDA L. BOSWELL, HUSBAND AND WIFE. 1651 WEST JARVIS COURT BOISE, IDAHO 83642	F. Name and Address of Seller MARK TRAIL AND RONDA TRAIL, HUSBAND AND WIFE POST OFFICE BOX 611 GRAYLAND, WASHINGTON 98547
---	--	--

G. Property Location PARCEL #'S RP18N24E092401 A AND RP18N24E092403 A LEMHI COUNTY, IDAHO	H. Settlement Agent LEMHI TITLE & ABSTRACT CO., INC. Place of Settlement SALMON, IDAHO 83467	I. Settlement Date 9/12/97
---	---	-------------------------------

J. SUMMARY OF BORROWER'S TRANSACTION:		K. SUMMARY OF SELLER'S TRANSACTION:	
100. GROSS AMOUNT DUE FROM BORROWER		400. GROSS AMOUNT DUE TO SELLER	
101. Contract sales price	192,000.00	401. Contract sales price	192,000.00
102. Personal property		402. Personal property	
103. Settlement charges to borrower (line 1400)	331.00	403. Settlement charges to seller (line 1400)	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City/town taxes	to	406. City/town taxes	to
107. County taxes	to	407. County taxes	to
108. Assessments	to	408. Assessments	to
109.		409.	
110.		410.	
111.		411.	
112.		412.	
120. GROSS AMOUNT DUE FROM BORROWER	192,331.00	420. GROSS AMOUNT DUE TO SELLER	192,000.00
200. AMOUNTS PAID BY OR IN BEHALF OF BORROWER		500. REDUCTIONS IN AMOUNT DUE TO SELLER	
201. Deposit or earnest money	1,000.00	501. Excess deposit (see instructions)	
202. Principal amount of new loan(s)		502. Settlement charges to seller (line 1400)	106,866.14
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204.		504. Payoff of first mortgage loan	
205.		505. Payoff of second mortgage loan	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City/town taxes	to	510. City/town taxes	to
211. County taxes 1/1/97 to 9/12/97	109.65	511. County taxes 1/1/97 to 9/12/97	109.65
212. Assessments	to	512. Assessments	to
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. TOTAL PAID BY/FOR BORROWER	1,109.65	520. TOTAL REDUCTION AMOUNT DUE SELLER	106,975.79
300. CASH AT SETTLEMENT FROM/TO BORROWER		600. CASH AT SETTLEMENT TO/FROM SELLER	
301. Gross amount due from borrower (line 120)	192,331.00	601. Gross amount due to seller (line 420)	192,000.00
302. Less amounts paid by/for borrower (line 220)	(1,109.65)	602. Less reductions in amount due seller (line 520)	(106,975.79)
303. CASH () FROM () TO BORROWER	191,221.35	603. CASH () FROM () TO SELLER	42,662.11

SPIRO DASKALOS ANNETTE DASKALOS

GEORGE DASKALOS KATERINA DASKALOS

DONALD SABATTE MARYANN SABATTE

LEMHI TITLE & ABSTRACT CO., INC.

READ & APPROVED BY HENRY L. BOSWELL, JR. AND
MELYANDA L. BOSWELL

PIONEER 1031 COMPANY, AS INTERMEDIARY

MARK TRAIL RONDA TRAIL

DATE

SCANNED
NOV - 6 2009

L. Settlement Charges

700. Total Sales/Broker's Commission based on price \$ 192,000. @ 6 % = 11,520.00			Paid From	Paid From
Division of Commission (line 700) as follows:			Borrower's	Seller's
701. \$ 11,520.00	to	SALMON REAL ESTATE	Funds at	Funds at
702. \$	to		Settlement	Settlement
703. Commission paid at Settlement				
704.				11,520.00
800. Items Payable in Connection With Loan				
801. Loan Origination Fee	%			
802. Loan Discount	%			
803. Appraisal Fee	to			
804. Credit Report	to			
805. Lender's Inspection Fee				
806. Mortgage Insurance Application Fee to				
807. Assumption Fee				
808. PIONEER 1031 COMPANY (BOSWELL'S INTERMEDIARY)				300.00
809.				
810.				
811.				
900. Items Required By Lender To Be Paid in Advance				
901. Interest from	to	@ \$ /day		
902. Mortgage Insurance Premium for		months to		
903. Hazard Insurance Premium for		years to		
904.		years to		
905.				
1000. Reserves Deposited With Lender				
1001. Hazard Insurance	months @ \$	per month		
1002. Mortgage Insurance	months @ \$	per month		
1003. City property taxes	months @ \$	per month		
1004. County property taxes	months @ \$	per month		
1005. Annual assessments	months @ \$	per month		
1006.	months @ \$	per month		
1007.	months @ \$	per month		
1008.	months @ \$	per month		
1100. Title Charges				
1101. Settlement or closing fee	to	LEMHI TITLE CO.	300.00	300.00
1102. Abstract or title search	to			
1103. Title examination	to			
1104. Title Insurance binder	to			
1105. Document preparation	to	LEMHI TITLE CO.	25.00	50.00
1106. Notary fees	to			
1107. Attorney's fees	to			
(includes above items numbers:)				
1108. Title Insurance	to			
(includes above items numbers:)				
1109. Lender's coverage	\$			
1110. Owner's coverage	\$ 192,000.00			866.00
1111.				
1112.				
1113.				
1200. Government Recording and Transfer Charges				
1201. Recording fees: Deed \$ 18.00 ; Mortgage \$; Releases \$			6.00	12.00
1202. City/county tax/stamps: Deed \$; Mortgage \$				
1203. State tax/stamps: Deed \$; Mortgage \$				
1204. PAYOFF CHESTER F. MCCULLOUGH AND JUDITH J. MCCULLOUGH				92,203.14
1205.				
1300. Additional Settlement Charges				
1301. Survey	to	WADE SURVEYING		1,615.00
1302. Pest Inspection	to			
1303.				
1304.				
1305.				
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)			331.00	106,866.14

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of HUD-1 Settlement Statement.

SPIRO DASKALOS ANNETTE DASKALOS

READ & APPROVED BY HENRY L. BOSWELL, JR. AND
MELYANDA L. BOSWELL

GEORGE DASKALOS KATERINA DASKALOS

PIONEER 1031 COMPANY., AS INTERMEDIARY

DONALD SABATTE MARYANN SABATTE

MARK TRAIL RONDA TRAIL

LEMHI TITLE & ABSTRACT CO., INC.

DATE

SCANNED
NOV - 6 2009

WARRANTY DEED

For Value Received ALBERT TRAIL AND VENITA R. TRAIL, HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto HENRY L. BOSWELL, JR. AND MELYANDA L. BOSWELL, HUSBAND AND WIFE.

the grantee, the following described premises, in LEMHI County Idaho, to wit:

"ALL OF OUR RIGHT, TITLE AND INTEREST IN THE FOLLOWING DESCRIBED PARCEL OF LAND"

SEE ATTACHED EXHIBIT "A"

COPY

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

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

Dated: SEPTEMBER 2, 1997

ALBERT TRAIL

VENITA R. TRAIL

STATE OF IDAHO, COUNTY OF

On this _____ day of _____, 19____, before me, a notary public in and for said State, personally appeared _____

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

Notary Public

Residing at _____, Idaho
Comm. Expires _____

STATE OF IDAHO, COUNTY OF

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

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

Ex-Officio Recorder

By _____ Deputy.

Fees \$ _____
Mail to: _____

INSTRUMENT NO.

SCANNED
NOV - 6 2009

EXHIBIT "A"

THE WEST HALF OF THE WEST HALF OF SECTION NINE (9), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWENTY-FOUR (24), E., B.M., LEMHI COUNTY, IDAHO.

EXCEPTING ALL OF SAID PORTION THAT LIES SOUTH OF STATE HIGHWAY NO. 28.

ALSO EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN THE W1/2SW1/4, SECTION 9, T. 18 N., R. 24 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 9, A DISTANCE OF 242.31 FEET ON A BEARING OF S. 89 DEGREES 20' 08" E. ALONG THE SOUTH BOUNDARY OF SECTION 9 TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF STATE HIGHWAY NO. 28 AND THE REAL POINT OF BEGINNING. FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 1346.36 FEET ON A BEARING OF N. 9 DEGREES 46' 22" W. ALONG THE EASTERLY RIGHT-OF-WAY OF STATE HIGHWAY NO. 28 TO A POINT ON THE WESTERLY BOUNDARY OF SECTION 9;
THENCE N. 0 DEGREES 35' 44" E., 425.51 FEET ALONG SAID BOUNDARY;
THENCE S. 89 DEGREES 20' 08" E., 1335.54 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE W1/2SW1/4 OF SECTION 9;
THENCE S. 0 DEGREES 31' 45" W., 1749.60 FEET ALONG SAID EASTERLY BOUNDARY TO A POINT ON THE SOUTH BOUNDARY OF SECTION 9;
THENCE N. 89 DEGREES 20' 08" W., 1095.25 FEET TO THE REAL POINT OF BEGINNING.

TOGETHER WITH A COMMON EASEMENT FOR GRANTOR AND GRANTEE FOR VEHICULAR INGRESS AND EGRESS TO THE ABOVE-DESCRIBED PROPERTY AND TO PROPERTY RETAINED BY THE SELLER LYING ADJACENT TO SAID PROPERTY, OVER PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE W1/2NW1/4, SECTION 9, T. 18 N., R. 24 E., B.M., LEMHI COUNTY, IDAHO, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST SECTION CORNER OF SAID SECTION 9, A DISTANCE OF 1863.67 FEET ON A BEARING OF S. 0 DEGREES 35' 44" W., ALONG THE WEST BOUNDARY OF SECTION 9 THE THE REAL POINT OF BEGINNING.
THENCE S. 0 DEGREES 35' 44" W., 17.85 FEET;
THENCE N. 74 DEGREES 56' 57" E., 30.00 FEET;
THENCE N. 0 DEGREES 35' 44" E., 17.85 FEET;
THENCE S. 74 DEGREES 56' 57" W., 30.00 FEET TO THE REAL POINT OF BEGINNING.

NOV - 6 2009

WARRANTY DEED

For Value Received CHESTER F. MCCULLOUGH AND JUDITH J. MCCULLOUGH,
HUSBAND AND WIFE.

the grantor^S, do hereby grant, bargain, sell and convey unto ALBERT TRAIL AND VENITA R.
TRAIL, HUSBAND AND WIFE, AND MARK TRAIL AND RONNIE TRAIL, HUSBAND AND WIFE.

the grantee^S, the following described premises, in LEMHI County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

COPY

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

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

Dated: SEPTEMBER 2, 1997

CHESTER F. MCCULLOUGH

JUDITH J. MCCULLOUGH

STATE OF IDAHO, COUNTY OF

On this _____ day of _____, 19____,
before me, a notary public in and for said State, personal-
ly appeared

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

Notary Public

Residing at _____,
Comm. Expires _____, Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for re-
cord at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____

19____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____

Deputy.

Fees \$ _____

Mail to: _____

INSTRUMENT NO.

WARRANTY DEED

For Value Received MARK TRAIL AND RONNIE TRAIL, HUSBAND AND WIFE, AND
HENRY L. BOSWELL, JR., AND MELYANDA L. BOSWELL, HUSBAND AND WIFE

the grantor s, do hereby grant, bargain, sell and convey unto SPIRO DASKALOS AND ANNETTE
DASKALOS, HUSBAND AND WIFE, GEORGE DASKALOS AND KATERINA DASKALOS, HUSBAND AND WIFE,
AND DONALD SABATTE AND MARYANN SABATTE, HUSBAND AND WIFE.

the grantee s, the following described premises, in LEMHI County Idaho, towit:

SEE ATTACHED EXHIBIT "A"

COPY

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

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

Dated: SEPTEMBER 2, 1997

STATE OF IDAHO, COUNTY OF

On this _____ day of _____, 19____,
before me, a notary public in and for said State, personal-
ly appeared _____

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

Notary Public
Residing at _____, Idaho
Comm. Expires _____

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for re-
cord at the request of _____

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

Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to: _____

INSTRUMENT NO.

SCANNED
NOV - 6 2009

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EXCEPTING ALL OF SAID PORTION THAT LIES SOUTH OF STATE HIGHWAY NO. 28.

ALSO EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN THE W1/2SW1/4, SECTION 9, T. 18 N., R. 24 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 9, A DISTANCE OF 242.31 FEET ON A BEARING OF S. 89 DEGREES 20' 08" E. ALONG THE SOUTH BOUNDARY OF SECTION 9 TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF STATE HIGHWAY NO. 28 AND THE REAL POINT OF BEGINNING. FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 1346.36 FEET ON A BEARING OF N. 9 DEGREES 46' 22" W. ALONG THE EASTERLY RIGHT-OF-WAY OF STATE HIGHWAY NO. 28 TO A POINT ON THE WESTERLY BOUNDARY OF SECTION 9;
THENCE N. 0 DEGREES 35' 44" E., 425.51 FEET ALONG SAID BOUNDARY;
THENCE S. 89 DEGREES 20' 08" E., 1335.54 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE W1/2SW1/4 OF SECTION 9;
THENCE S. 0 DEGREES 31' 45" W., 1749.60 FEET ALONG SAID EASTERLY BOUNDARY TO A POINT ON THE SOUTH BOUNDARY OF SECTION 9;
THENCE N. 89 DEGREES 20' 08" W., 1095.25 FEET TO THE REAL POINT OF BEGINNING.

TOGETHER WITH A COMMON EASEMENT FOR GRANTOR AND GRANTEE FOR VEHICULAR INGRESS AND EGRESS TO THE ABOVE-DESCRIBED PROPERTY AND TO PROPERTY RETAINED BY THE SELLER LYING ADJACENT TO SAID PROPERTY, OVER PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE W1/2NW1/4, SECTION 9, T. 18 N., R. 24 E., B.M., LEMHI COUNTY, IDAHO, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST SECTION CORNER OF SAID SECTION 9, A DISTANCE OF 1863.67 FEET ON A BEARING OF S. 0 DEGREES 35' 44" W., ALONG THE WEST BOUNDARY OF SECTION 9 THE THE REAL POINT OF BEGINNING.
THENCE S. 0 DEGREES 35' 44" W., 17.85 FEET;
THENCE N. 74 DEGREES 56' 57" E., 30.00 FEET;
THENCE N. 0 DEGREES 35' 44" E., 17.85 FEET;
THENCE S. 74 DEGREES 56' 57" W., 30.00 FEET TO THE REAL POINT OF BEGINNING.

WE OWN THIS PARCEL

SCANNED
NOV - 6 2009

IS FULLY COMPLETED AND YOU COMPLETELY UNDERSTAND BOTH THE FRONT AND BACK OF IT.

IDAHO LAW PROHIBITS ANYONE OTHER THAN A LICENSED ATTORNEY FROM GIVING LEGAL ADVICE. THIS TRANSACTION WILL AFFECT YOUR LEGAL RIGHTS AND OBLIGATIONS. CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS.

AGREEMENT. The undersigned buyer(s) agree to buy, and the undersigned seller(s) agree to sell, the property described below at the price and terms described herein.

Buyer's
Signature: _____ Date: _____
Buyer's
Signature: _____ Date: _____

Seller's
Signature: George Daskalos Annette Daskalos 7-16-97
Seller's
Signature: Katerina Daskalos 7-16-97
Seller's
Signature: MaryAnn Sabatte 7-16-97

State of _____

County of _____

On this _____ day of _____, 199____, before the undersigned, a Notary Public, personally appeared _____, known to me to be the person(s) who signed this agreement 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 _____ Residing at _____ My bond expires _____, 199____.

SPECIFIC TERMS AND DETAILS OF AGREEMENT:

[1] Legal
Description: T-2932 and T-2931 being approx.
107.9 acres +/- belonging to Boswell-Trail
Legal to be attached

[2] Property
Address: Hwy 28 SE
Tendoy (City), Lenhi (County), ID (State).

[3] Amount of
Earnest Money: One Thousand Dollars
(\$ 1,000.00) Receipt Acknowledged by: [Signature]

[4] Form of
Earnest Money: ☒ Personal Check ☐ Cashiers Check ☐ Cash
☐ Promissory Note ☐ Other (Describe in "Additional Terms of Purchase").

[5] Total Price
of Property: One Hundred Ninety Two Thousand
(\$ 192,000.00)

[6] Financing: ☒ Cash ☐ FHA ☐ VA ☐ IHA
☐ Conventional ☐ Assume Seller's Loan
☐ Seller Financing (Describe in "Additional Financing Terms", below)

[7] Down
Payment: N/A
(\$ N/A)

[8] Additional
Financing Terms:

[9] Contingencies: ☐ None (No Contingencies Apply)
Contingent on Financing: ☐ Yes ☒ No
Contingent on sale of buyer's home: ☐ Yes ☒ No
Other Contingency (Describe in "Additional Financing Terms"):
☒ Yes ☐ No
Maximum interest rate for Buyer's loan: N/A %
Maximum number of units: N/A
Seller is obligated to pay: N/A
Maximum cost of lender/code repairs to be paid by Seller: \$ N/A
Property to remain on market: ☐ Yes ☒ No

[10] Date
of Closing: 9-16-97 Date of Possession: At closing

[11] Closing to
be performed by: Lenhi Title and Escrow

[12] Title Insurance to be
provided by (Title Company): Lenhi Title and Escrow

[13] Property Specifically
INCLUDED in Sale: All Deeded Water Rights, also
all mineral, grazing and hunting rights.
Miscellaneous items of old farm implements
and equipment presently discarded on acreage.

[14] Property Specifically
EXCLUDED from Sale: N/A

[15] Offer subject to
Acceptance by (Date): 7-18-97 (Time): 5:00p.m.

[16] Listing
Broker: Salmon Real Estate Selling Broker: Salmon Real Estate

[17] Responsible
Broker: Steve Sayer Amount of Commission: \$,520.00

[18] AGENCY DISCLOSURE: At the time of signing this agreement the age working with the buyer represented Seller and the age

working with the seller represented Seller. Each party signing this document confirms that prior written disclosure of agency was provided to him/her in this transaction. Each party to this transaction has read and understands the contents of the agency disclosure brochure previously received.

[19] Parties to Transaction:
Buyer's Name(s): Spiro & Annette Daskalos

Name(s): George & Katerina Daskalos

Address: Donald & MaryAnn Sabatte
1853 Bogey Way

City, State, Zip: Henderson, NV 89014

Seller's Name(s): Henry & Melinda Boswell

Name(s): Mark & Ronda Trail

Address:

City, State, Zip:

[20] Additional This offer is subject to:

Terms of Purchase: Satisfactory survey at sellers
expense. Satisfactory review of Deeded Water

Rights. Septic approval by Dist. 7 Health Dep.

Any fees associated with preparing a 1031

exchange for sellers to be paid by sellers.

Park test for septic approval paid by Buyers.

Buyer hereby receives for a copy of this agreement with the seller's signature showing seller's acceptance of offer OR agent certifies that the buyer's copy with seller's acceptance was sent to buyer via certified mail.

Signature: _____ Date: _____

The provisions on the BACK of this form are also a part of this agreement. Buyer's Initials: NOV Seller's Initials: AB

NOVEMBER 6, 2009

TO : IDWR

ATTN: MONICA

FROM: ANNETTE DASKALOS

RE: 74-1025B

LOOK WHAT I FOUND

**PLEASE ADVISE
702 896-4465**

**SCANNED
NOV - 6 2009**

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

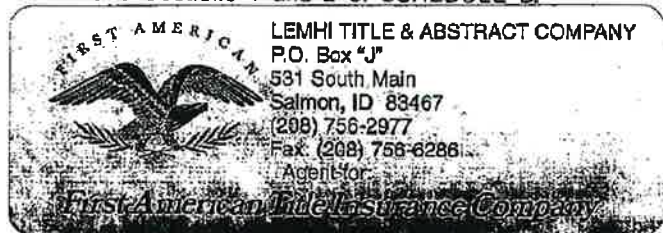
We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-1.
- The Exceptions in Schedule B-2.
- The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark D. Anderson* SECRETARY

BY *[Signature]* COUNTERSIGNED

SCANNED
NOV - 6 2009



The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

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AGREEMENT TO ISSUE POLICY	1
SCHEDULE A	
1. Commitment Date	2
2. Policies to be Issued, Amounts and Proposed Insureds	2
3. Interest in the Land and Owner	2
4. Description of the Land	2
SCHEDULE B-1 — Requirements	3
SCHEDULE B-2 — Exceptions	4
CONDITIONS	other side of 1

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, please contact the issuing office.

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NOV - 6 2009

SCHEDULE A

1. **Commitment Date:** JULY 22, 1997

Commitment No. 344

2. **Policy or Policies to be issued:**

Policy Amount

(a) **Owners Policy**

\$ 192,000.00

Proposed Insured: SPIRO DASKALOS AND ANNETTE DASKALOS, HUSBAND AND WIFE,
GEORGE DASKALOS AND KATERINA DASKALOS, HUSBAND AND WIFE, AND DONALD SABATTE AND
MARYANN SABATTE, HUSBAND AND WIFE.

(b) **Loan Policy**

\$

Proposed Insured

(c) **Proposed Insured:**

\$

3. The fee simple interest in the land described in this Commitment is owned, at the Commitment Date
by CHESTER F. MCCULLOUGH AND JUDITH J. MCCULLOUGH, HUSBAND AND WIFE.

4. The land referred to in this Commitment is described on Schedule C.

SEE ATTACHED EXHIBIT "A"

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EXHIBIT "A"

THE WEST HALF OF THE WEST HALF OF SECTION NINE (9), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWENTY-FOUR (24), E., B.M., LEMHI COUNTY, IDAHO.

EXCEPTING ALL OF SAID PORTION THAT LIES SOUTH OF STATE HIGHWAY NO. 28.

ALSO EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN THE W1/2SW1/4, SECTION 9, T. 18 N., R. 24 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 9, A DISTANCE OF 242.31 FEET ON A BEARING OF S. 89 DEGREES 20' 08" E. ALONG THE SOUTH BOUNDARY OF SECTION 9 TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF STATE HIGHWAY NO. 28 AND THE REAL POINT OF BEGINNING. FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 1346.36 FEET ON A BEARING OF N. 9 DEGREES 46' 22" W. ALONG THE EASTERLY RIGHT-OF-WAY OF STATE HIGHWAY NO. 28 TO A POINT ON THE WESTERLY BOUNDARY OF SECTION 9;
THENCE N. 0 DEGREES 35' 44" E., 425.51 FEET ALONG SAID BOUNDARY;
THENCE S. 89 DEGREES 20' 08" E., 1335.54 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE W1/2SW1/4 OF SECTION 9;
THENCE S. 0 DEGREES 31' 45" W., 1749.60 FEET ALONG SAID EASTERLY BOUNDARY TO A POINT ON THE SOUTH BOUNDARY OF SECTION 9;
THENCE N. 89 DEGREES 20' 08" W., 1095.25 FEET TO THE REAL POINT OF BEGINNING.

TOGETHER WITH A COMMON EASEMENT FOR GRANTOR AND GRANTEE FOR VEHICULAR INGRESS AND EGRESS TO THE ABOVE-DESCRIBED PROPERTY AND TO PROPERTY RETAINED BY THE SELLER LYING ADJACENT TO SAID PROPERTY, OVER PROPERTY DESCRIBED AS FOLLOWS: *See yellow line on UPLAT*

A PARCEL OF LAND LOCATED IN THE W1/2NW1/4, SECTION 9, T. 18 N., R. 24 E., B.M., LEMHI COUNTY, IDAHO, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST SECTION CORNER OF SAID SECTION 9, A DISTANCE OF 1863.67 FEET ON A BEARING OF S. 0 DEGREES 35' 44" W., ALONG THE WEST BOUNDARY OF SECTION 9 THE THE REAL POINT OF BEGINNING.
THENCE S. 0 DEGREES 35' 44" W., 17.85 FEET;
THENCE N. 74 DEGREES 56' 57" E., 30.00 FEET;
THENCE N. 0 DEGREES 35' 44" E., 17.85 FEET;
THENCE S. 74 DEGREES 56' 57" W., 30.00 FEET TO THE REAL POINT OF BEGINNING.

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NOV - 6 2009

SCHEDULE B - Section 1

Requirements

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
 - (b) Pay us the premiums, fees and charges for the policy.
 - (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
 - (d) You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
 - (e) Release(s) or Reconveyance(s) of item(s) _____
 - (f) Other
-
- (g) You must give us the following information:
 - 1. Any off record leases, surveys, etc.
 - 2. Statement(s) of identity, all parties.
 - 3. Other

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NOV - 6 2009

SCHEDULE B - Section 2

Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART I:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. GENERAL TAXES AND ASSESSMENTS FOR THE YEAR 1996 ARE PAID IN FULL; GENERAL TAXES AND ASSESSMENTS FOR THE YEAR 1997 ARE AN ACCRUING LIEN.
8. THE RIGHT, TITLE AND INTEREST OF THE PUBLIC IN AND TO THOSE PORTIONS OF THE ABOVE DESCRIBED PREMISES FALLING WITHIN THE BOUNDS OF ROADS OR HIGHWAYS, DEDICATED AND OR OTHERWISE USED BY THE PUBLIC, AND SUBJECT TO ALL EASEMENTS AND RESTRICTIONS ATTENDANT AND PERTINENT TO SAID HIGHWAYS.
9. POWER LINE EASEMENT FROM JOHN GANSKE AND DELLA H. GANSKE, HUSBAND AND WIFE, TO IDAHO POWER COMPANY, DATED AUGUST 17, 1946 AND RECORDED MARCH 24, 1947, IN BOOK C OF AGREEMENTS AT PAGE 626, RECORDS OF LEMHI COUNTY, IDAHO.
10. THE EFFECT OF INSTALLATION PERMIT FROM GEORGE HEYER TO LEMHI COUNTY, DATED JANUARY 16, 1976 AND RECORDED FEBRUARY 9, 1976, UNDER INSTRUMENT NO. 132002, RECORDS OF LEMHI COUNTY, IDAHO. (COPY ATTACHED)
11. NOTICE OF REAL ESTATE CONTRACT, FROM CHESTER MCCULLOUGH AND JUDITH J. MCCULLOUGH, HUSBAND AND WIFE, SELLERS AND ALBERT TRAIL AND VENITA R. TRAIL, HUSBAND AND WIFE, AND MARK TRAIL AND RONNIE TRAIL, HUSBAND AND WIFE, AS PURCHASERS, RECORDED DECEMBER 7, 1993, UNDER INSTRUMENT NO. 220832, RECORDS OF LEMHI COUNTY, IDAHO. (COPY ATTACHED)
12. ASSIGNMENT OF INTEREST, WHEREIN ALBERT TRAIL AND VENITA R. TRAIL, HUSBAND AND WIFE, ASSIGN AND CONVEY TO HENRY L. BOSWELL, JR. AND MELYANDA L. BOSWELL, HUSBAND AND WIFE, ALL THEIR RIGHT TITLE AND INTEREST IN THE ABOVE DESCRIBED PROPERTY, DATED JANUARY 9, 1995 AND RECORDED OCTOBER 17, 1995, UNDER INSTRUMENT NO. 227766, RECORDS OF LEMHI COUNTY, IDAHO. (COPY ATTACHED)

The following numbered exceptions _____ will be eliminated in an ALTA Extended Coverage Policy.

SCANNED

NOV - 6 2009

SCHEDULE B-SECTION 2

EXCEPTIONS CONTINUED

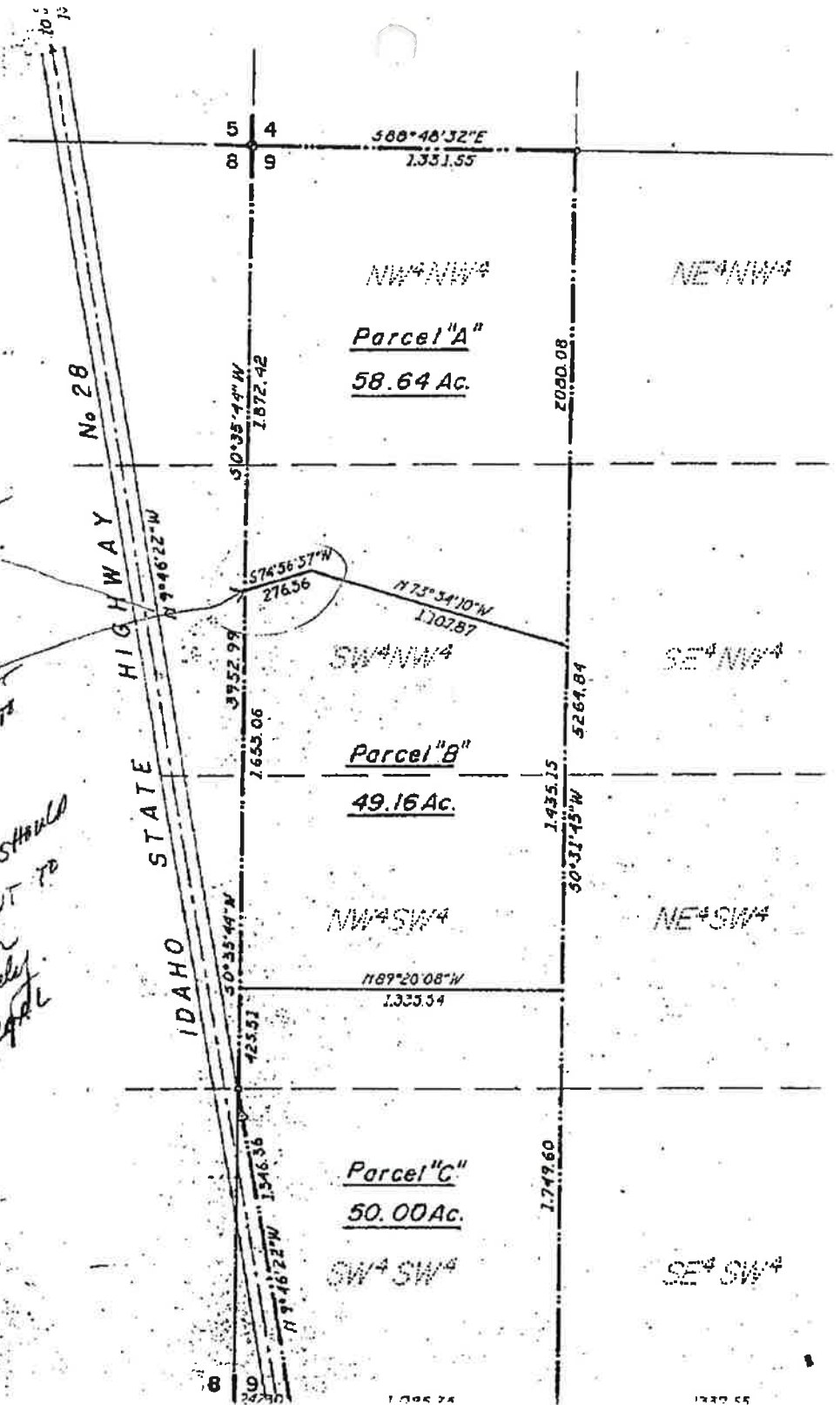
13. SUBJECT TO RESTRICTIONS AND RESERVATIONS CONTAINED IN THE UNITED STATES PATENT, RECORDED OCTOBER 20, 1919, IN BOOK Z OF DEEDS AT PAGE 166, RECORDS OF LEMHI COUNTY, IDAHO. (COPY ATTACHED)

SCANNED

NOV - 6 2009

RECORDED EASEMENT
 NO LEGAL DESCRIP.
 FOR WIDTH & LENGTH

THIS 30 FT. WIDE
 17 FT. LONG EASEMENT
 WAS DESIGNED TO
 ALLOW ACCESS TO
 PARCEL A AND
 PARCEL B SHOULD
 OWNERS WANT TO
 SELL THEM
 SEPARATELY.
 SEE LEGAL



SCANNED
 NOV - 6 2009

INSTALLATION PERMIT

The undersigned hereby grants permission to Lemhi County, permittee, for the installation of the following works of improvement: riprap, gravel bar removal, dikes, and/or clearing and snagging on the following described lands:

Reyer, George
Salmon, Idaho

15th

Sec. 9

T18N

E24E BM

SCANNED
NOV - 6 2009

subject to the following conditions; (1) the installation of said works of improvement shall be commenced within 12 months from the date of this permit; (2) this permit shall include the right of ingress and egress at any time over and upon said lands and any adjoining lands owned by the undersigned. Operation and maintenance of the described works of improvement will be performed by the undersigned in accordance with appropriate agreement with the permittee (Lemhi County).

1-16-76
Date of Permit

Signature of Landowner

George Reyer

15th Nov 1976

15th Nov 1976

8700000

No. 132002
State of Idaho) ss.
County of Lemhi)
This instrument was filed for
record at the request of
Soil Conservation Service
at 10:02
February 9
and duly filed and indexed in the
Records of Lemhi County, Idaho
Eleanor Aldous
Ex-Officio Recorder
Deputy.

NOTICE OF REAL ESTATE CONTRACT

NOTICE IS HEREBY GIVEN THAT CHESTER F. MCCULLOUGH and JUDITH J. MCCULLOUGH, husband and wife, of Vancouver, Washington, as SELLERS, are selling to ALBERT TRAIL and VENITA R. TRAIL, husband and wife, of Driggs, Idaho, and MARK TRAIL and RONNIE TRAIL, husband and wife, of Los Banos, CA, as Purchasers, under a Real Estate Contract dated the 9th day of November, 1993, certain real property and improvements thereon, situated in Lemhi, County, Idaho, more particularly described as:

The West half of the West half of Section nine (9), Township eighteen (18) North, Range twenty-four (24), E., B.M., Lemhi County, Idaho.

Excepting all of said portion that lies South of State Highway No. 28.

ALSO EXCEPTING THEREFROM:

A parcel of land located in the W1/2SW1/4, Section 9, T. 18 N., R. 24 E., B.M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 9, a distance of 242.31 feet on a bearing of S. 89 degrees 20' 08" E. along the South boundary of Section 9 to a point on the Easterly right-of-way of State Highway No. 28 and the real point of beginning. From this real point of beginning, a distance of 1346.36 feet on a bearing of N. 9 degrees 46' 22" W. along the Easterly right-of-way of State Highway No. 28 to a point on the Westerly boundary of Section 9;

Thence N. 0 degrees 35' 44" E., 425.51 feet along said boundary;

Thence S. 89 degrees 20' 08" E., 1335.54 feet to a point on the Easterly boundary of the W1/2SW1/4 of Section 9;

Thence S. 0 degrees 31' 45" W., 1749.60 feet along said Easterly boundary to a point on the South boundary of Section 9;

Thence N. 89 degrees 20' 08" W., 1095.25 feet to the real point of beginning.

NOTICE OF REAL ESTATE
CONTRACT

SCANNED
NOV - 6 2009

Together with a common easement for Grantor and Grantee for vehicular ingress and egress to the above-described property and to property retained by the seller lying adjacent to said property, over property described as follows:

A parcel of land located in the W1/2NW1/4, Section 9, T. 18 N., R. 24 E., B.M., Lemhi County, Idaho, more specifically described as follows:

Commencing at the Northwest Section corner of said Section 9, a distance of 1863.67 feet on a bearing of S. 0 degrees 35' 44" W., along the west boundary of Section 9 the real point of beginning.

Thence S. 0 degrees 35' 44" W., 17.85 feet;

Thence N. 74 Degrees 56' 57" E., 30.00 feet;

Thence N. 0 degrees 35' 44" E., 17.85 feet;

Thence S. 74 degrees 56' 57" W., 30.00 feet to the real point beginning.

State of Idaho
County of Lemhi

220832

This instrument was recorded as
the request of *American Land Title*
at 2:47 p.m. on *Dec 2 1922*
and duly filed and entered in the
records of Lemhi County.

By *Sharon L. Thompson*
Fee *15.00*

NOTICE OF REAL ESTATE
CONTRACT

2

SCANNED
NOV - 6 2009

DATED this 9th day of November, 1993.

SELLERS:
Chester F. McCullough by Judith J. McCullough
as his Attorney-in-Fact
CHESTER F. MCCULLOUGH, by
Judith J. McCullough, his attorney in
fact

Judith J. McCullough
JUDITH J. MCCULLOUGH

BUYERS:

Albert Trail
ALBERT TRAIL

Venita R. Trail
VENITA R. TRAIL

Mark Trail
MARK TRAIL

Ronnie Trail
RONNIE TRAIL

STATE OF ~~OREGON~~ OREGON)
County of Multnomah) ss

On this 9th day of November, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared ~~CHESTER F. MCCULLOUGH~~ and JUDITH J. MCCULLOUGH, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they

FORM No. 159—ACKNOWLEDGMENT BY ATTORNEY-IN-FACT

STATE OF OREGON,)
County of Multnomah) ss.

On this the 9th day of November, 1993 personally appeared Judith J. McCullough who, being duly sworn (or affirmed), did say that she is the attorney in fact for Chester F. McCullough and that she executed the foregoing instrument by authority of and in behalf of said principal; and she acknowledged said instrument to be the act and deed of said principal.

Before me:

[Signature]
(Signature)

Notary for the State of Oregon
(Title of Office)

SCANNED
NOV - 6 2009

STATE OF IDAHO)
County of BLAINE) ss

On this 26th day of November, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared ALBERT TRAIL and VENITA R. TRAIL, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

My comn exprs: My Commission Expires Jan. 31, 1995

[Signature]
Notary Public in and for the
State of Idaho, residing at
BLAINE, ID therein

STATE OF IDAHO) ss.
County of BLAINE)

On this 26th day of November, 1993, before me personally appeared MARK TRAIL and RONNIE TRAIL, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

My comn exprs: My Commission Expires Jan. 31, 1995

[Signature]
NOTARY PUBLIC in and for the
State of IDAHO, residing at
BLAINE, ID therein

NOTICE OF REAL ESTATE
CONTRACT

4

SCANNED
NOV - 6 2009

Nov 06 09 09:35a
Annette C. De...
los

ASSIGNMENT OF INTEREST

The undersigned ALBERT TRAIL and VENITA R. TRAIL, husband and wife, do hereby assign and convey to HENRY L. BOSWELL, JR. and MELYANDA L. BOSWELL, all of their right, title and interest in and to that certain real property located in [redacted] County, State of Idaho, as more fully described in Exhibit "A" attached hereto and made a part hereof by this reference, together with all benefits and burdens of ownership including but not limited to the payment of that certain Secured Promissory Note dated November 29, 1993 in the original principal amount of \$105,000.00 in favor of Chester F. and Judith J. McCullough (the "Note").

Dated: 1-9, 1995

Albert Trail
Albert Trail

Venita R. Trail
Venita R. Trail

Correction on County from Bingham County to Lemhi County.

ACCEPTANCE OF ASSIGNMENT

The undersigned HENRY L. BOSWELL, JR. and MELYANDA L. BOSWELL do hereby jointly and severally accept the foregoing assignment of interest and agree to fully assume all benefits and burdens in connection therewith, including but not limited full assumption of the liabilities under the Note.

Dated: 1-20, 1995

Henry L. Boswell, Jr.
Henry L. Boswell, Jr.

Melyanda L. Boswell
Melyanda L. Boswell

CONSENT TO ASSUMPTION AND RELEASE OF ASSIGNORS

The undersigned CHESTER F. MCCULLOUGH and JUDITH J. MCCULLOUGH, husband and wife, do hereby jointly and severally consent to the foregoing assignment of interest and to the formal assumption of all duties and liabilities together with benefits in connection with the Note and that certain Real Estate Contract dated November 9, 1993 between Chester F. McCullough and Judith J. McCullough as Sellers and Albert Trail and Venita R. Trail, husband and wife, and Mark Trail and Romie Trail, husband and wife, as buyers. As a part of said consent to assumption the undersigned, together with all assignees, successors in interest, and all others claiming by or through the undersigned, do hereby jointly and severally release ALBERT TRAIL and VENITA R. TRAIL from any and all liability and responsibility in connection therewith and agree to the complete transfer of liability from Albert and Venita R. Trail to Henry L. and Melyanda L. Boswell.

Dated: 2-5, 1995

Chester F. McCullough
Chester F. McCullough
Judith J. McCullough
Judith J. McCullough

227766

SCHEDULE A CONTINUED

THE WEST HALF OF THE WEST EIGHTEEN (18) NORTH, R. COUNTY, IDAHO.

EXCEPTING ALL OF SAID P. NO. 28.

ALSO EXCEPTING THEREFROM

A PARCEL OF LAND LOCATED N., R. 24 E., S.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE S. DISTANCE OF 242.31 FEET E. ALONG THE SOUTH EASTERLY RIGHT-OF-WAY POINT OF BEGINNING. DISTANCE OF 1346.36 FEET W. ALONG THE EASTERLY A POINT ON THE WESTERLY THENCE N. 0 DEGREES BOUNDARY; THENCE S. 89 DEGREES THE EASTERLY BOUNDARY THENCE S. 0 DEGREE EASTERLY BOUNDARY TO 9; THENCE N. 89 DEGREE POINT OF BEGINNING.

TOGETHER WITH A COMMERCIAL VEHICULAR INGRESS AND TO PROPERTY RETAINED PROPERTY, OVER PROPER

A PARCEL OF LAND LOCATED N., R. 24 E., S.M. DESCRIBED AS FOLLOWS

SCHEDULE A CONTINUED

THE WEST HALF OF THE WEST HALF OF SECTION NINE (9), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWENTY-FOUR (24), E., B.M., LEMHI COUNTY, IDAHO.

EXCEPTING ALL OF SAID PORTION THAT LIES SOUTH OF STATE HIGHWAY NO. 28.

ALSO EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN THE W1/2SW1/4, SECTION 9, T. 18 N., R. 24 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 9, A DISTANCE OF 242.31 FEET ON A BEARING OF S. 89 DEGREES 20' 08" E. ALONG THE SOUTH BOUNDARY OF SECTION 9 TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF STATE HIGHWAY NO. 28 AND THE REAL POINT OF BEGINNING. FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 1346.36 FEET ON A BEARING OF N. 9 DEGREES 46' 22" W. ALONG THE EASTERLY RIGHT-OF-WAY OF STATE HIGHWAY NO. 28 TO A POINT ON THE WESTERLY BOUNDARY OF SECTION 9;
THENCE N. 0 DEGREES 35' 44" E., 425.51 FEET ALONG SAID BOUNDARY;
THENCE S. 89 DEGREES 20' 08" E., 1335.54 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE W1/2SW1/4 OF SECTION 9;
THENCE S. 0 DEGREES 31' 45" W., 1749.60 FEET ALONG SAID EASTERLY BOUNDARY TO A POINT ON THE SOUTH BOUNDARY OF SECTION 9;
THENCE N. 89 DEGREES 20' 08" W., 1095.25 FEET TO THE REAL POINT OF BEGINNING.

TOGETHER WITH A COMMON EASEMENT FOR GRANTOR AND GRANTEE FOR VEHICULAR INGRESS AND EGRESS TO THE ABOVE-DESCRIBED PROPERTY AND TO PROPERTY RETAINED BY THE SELLER LYING ADJACENT TO SAID PROPERTY, OVER PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE W1/2NW1/4, SECTION 9, T. 18 N., R. 24 E., B.M., LEMHI COUNTY, IDAHO, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

SCHEDULE A CONTINUED

COMMENCING AT THE NORTHWEST
A DISTANCE OF 1863.67 FEET
44" W., ALONG THE WEST B
POINT OF BEGINNING.
THENCE S. 0 DEGREES 35' 44"
THENCE N. 74 DEGREES 56' 57"
THENCE N. 0 DEGREES 35' 44"
THENCE S. 74 DEGREES 56' 5
OF BEGINNING.

SCANNED
NOV - 6 2009

SCHEDULE A CONTINUED

COMMENCING AT THE NORTHWEST SECTION CORNER OF SAID SECTION 9,
A DISTANCE OF 1863.67 FEET ON A BEARING OF S. 0 DEGREES 35'
44" W., ALONG THE WEST BOUNDARY OF SECTION 9 THE REAL
POINT OF BEGINNING.
THENCE S. 0 DEGREES 35' 44" W., 17.85 FEET;
THENCE N. 74 DEGREES 56' 57" E., 30.00 FEET;
THENCE N. 0 DEGREES 35' 44" E., 17.85 FEET;
THENCE S. 74 DEGREES 56' 57" W., 30.00 FEET TO THE REAL POINT
OF BEGINNING.

SCANNED
NOV - 6 2009

CONTINUATION
Reorder Form No. 3631 (Rev. 3/89)

Office of the
County of Lemhi) 227766
This instrument was filed for record at the request of
Henry Baswell
11:20 o'clock A.M. 10-17-95
I duly filed and indexed in the records of Lemhi
County
Alberta Wladarick
Ex-Officio Recorder
Ernest J. Martin Deputy
211 E. 39th Street
Boise, Id. 83714

No. 13 0034 060 00677

THIS INDENTURE, made this 16
between ~~Barbara~~ NKA S. Shalmon Owens
of Idaho Falls County of Idaho
the party of the first part and Barbara
Idaho Falls, Id. 83404
of Idaho Falls County of Idaho
the party of the second part.

WITNESSETH, that said party of the fi

lawful money of the United States of America
to party of the first part in hand paid by the pa
has granted, bargained, sold, and by these pre
party of the second part, and to party of the se
real estate situated in Idaho
State of Idaho, to-wit:

C 10 - See Exhibit

TOGETHER with all and singular the
or in anywise appertaining, and the reversions
and all estate, right, title and interest in and to
first part.

TO HAVE AND TO HOLD, all and sing
appurtenances unto the party of the second part
said party of the first part, and said party of
forever defend the said premises in the quiet an
of the second part's heirs and assigns, against th
against all and every person and persons whom

In construing this deed and where the c
IN WITNESS WHEREOF, the said pa
Shalmon Owens
I Shalmon Owens

STATE OF IDAHO,
County of Bonneville
On this 16th
A.D. 1995

WAI
Nov 06 09 09:36a
Annette C. De
los

896-9702

p.17

Instrument No. 22343

Hailey 06489

4-1006

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of EDITH M. WOOLDRIDGE, formerly EDITH M. ELLIOTT has been established and duly consummated, in conformity to law, for the

West half of the northwest quarter and the west half of the southwest quarter of Section nine in Township eighteen north of Range twenty-four east of the Boise Meridian, Idaho, containing one hundred sixty acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-EIGHTH day of FEBRUARY in the year of our Lord one thousand nine hundred and FOURTEEN and of the Independence of the United States the one hundred and THIRTY-EIGHTH.

SEAL

By the President: Woodrow Wilson

By M. P. LeRoy, Secretary,

L. Q. C. Lamar

RECORDED: Patent Number 389224

Recorder of the General Land Office

The southwest quarter of the southwest quarter of Section nine of the lands above described is subject to all rights under an application by the Gilmore and Pittsburgh Railroad Company, approved June 8, 1909, under the Act of March 3, 1875, being an application for right of way for railroad.

Recorded at the request of Joseph Proksch Oct. 20th, 1919, at -- minutes past 3 o'clock P. M., in Book 2 of Deeds page 166, Records of Lemhi County, Idaho.

BY

Deputy

County Recorder.

SCANNED
NOV - 6 2009

NOVEMBER 6, 2009

TO : IDWR

ATTN: MONICA

FROM: ANNETTE DASKALOS

RE: 74-1025B

I WONT SEND YA ANYTHING THING ELSE...

THANKS!

**PLEASE ADVISE
702 896-4465**

SCANNED
NOV - 6 2009

AJ5800NP
(0D-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

01/25/95 11:11:35
Page 1

Water Right Number - A74-01025B

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
CONY

VIRGINIA

1 - P.O. BOX 45

2 -

3 -

City- TENDON

State- ID Zip- 83468

Phone - 208-756-2856

*** O - ORIGINAL OWNER ***
MAESTRETTI

BARBARA

1 - P.O. BOX 43

2 -

3 - KITSALT, B.C.,

City- CANADA

State- ID Zip- 0

Phone - 208-000-0000

MAESTRETTI

THEODORE R.

1 - P.O. BOX 43

2 -

3 - KITSALT, B.C.,

City- CANADA

State- ID Zip- 0

Phone - 208-000-0000

+ - - Priority Date - - +
04/01/1980

+ - - - Region - - - +
15 EASTERN

+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - +
LEMMI RIVER

+ - - - - Tributary - - - - +
SALMON RIVER

+ - - - - Point of Diversion - - - - +
Twn Rng Sec Tract Lot Rflg County Diversion Name

18N 24E 9 SW SW (59) LEMMI

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

01 - IRRIGATION 03/15 11/15 1.460

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.460 0.0

+ - - - - Place of Use - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

18N	24E	9	NW NW		8.0	01	IRRIGATION	(59) LEMMI
18N	24E	9	SW NW		19.0	01	IRRIGATION	(59) LEMMI
18N	24E	9	NW SW		16.0	01	IRRIGATION	(59) LEMMI
18N	24E	9	SW SW		6.0	01	IRRIGATION	(59) LEMMI

Total Acres: 49.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

SCANNED
NOV - 6 2009

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

01/25/95 11:11:51
Page 2

Water right number - A74-01025B

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
AC. IRR. #48.8.
DIV. L-37.
THIS CLAIM IS FOR ALL THE IRRIGATED ACRES LOCATED IN SECTION 9
WHICH WERE DECREED TO THE MASSTRETTI'S IN THE LEMHI ADJUDICATION

+ - - - - - Old Water Right Numbers - - - - - +
A7401025

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

+ - - Audit Fields - 05/02/90 BAUMHOFF

+ - - - - - Comments - - - - - +
No Comments Found

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/01/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X999999	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

SCANNED
NOV -6 2009

F.V.I.

C/O RICK S.

AJ0749NP
No. A74-01025B

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

DATE: 01/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SPIRO DASKALOS	04/01/1880	IRRIGATION	03-15 11-15	1.46 CFS	
C	ANNETTE DASKALOS 1853 BOGEY WAY HENDERSON NV 89014					
TOTAL DIVERSION:					1.46 CFS	

Water Source: LEMHI RIVER

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T18N R24E S09

SWSW

LEMHI County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
18N	24E	9	:							08	19					16	06			:	49.0
TOTAL ACRES																				49.0	

POU County: LEMHI

Other Rights: NONE

Remarks: GEN AC. IRR.=48.8.
DIV. L-37.

THIS CLAIM IS FOR ALL THE IRRIGATED ACRES LOCATED IN SECTION 9
WHICH WERE DECREED TO THE MAESTRETTI'S IN THE LEMHI ADJUDICATION
CHANGE OF OWNERSHIP 1-21-99 SVH

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

SCANNED
NOV - 6 2009

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

Renumbered A74-01025B

Ident. Number: ~~A74-01025A~~

Date Received: 5/01/1990

Receipt No: X999999

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIRGINIA CORY
Address: P.O. BOX 45
TENDON, ID 83468 208-756-2856

2. Date of Priority: APR 01, 1880

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	24E	9	SW	SW			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.460		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	24E	9	NW	NW		IRR	8.0
			SW	NW		IRR	19.0
			NW	SW		IRR	16.0
			SW	SW		IRR	6.0

Section Acres 49.0

A74-01025A

Page 1

Date: 05/01/90

SCANNED

NOV -6 2009

MICROFILMED

DEC 14 1992

10. Place of Use: Continued

Total Acres 49.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

AC. IRR.=48.8.

DIV. L-37.

THIS CLAIM IS FOR ALL THE IRRIGATED ACRES LOCATED IN SECTION 9
WHICH WERE DECREED TO THE MAESTRETTI'S IN THE LEMHI ADJUDICATION

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

A74-01025A

Page 2

Date: 05/01/90

SCANNED

NOV - 6 2009

MICROFILMED

DEC 14 1992

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): Virginia E. Cory Date: 5-1-90

Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of May 19 90

Seal

Anna Baumhoff
Notary Public

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

A74-01025A

Page 3

Date: 05/01/90

SCANNED

NOV - 6 2009

MICROFILMED

DEC 14 1992

Van Bussum, Monica

From: Van Bussum, Monica
Sent: Friday, November 06, 2009 9:47 AM
To: 'a.daskalos@earthlink.net'
Cc: 'M.A.(Jock) Slavin'; Bromley, Chris; Kelly, Vicki
Subject: 74-1025 maps

74-1025B
1025C
1025D
1025E
1025F
15888

Hi Annette,

Pardon my tardiness in getting these maps to you; I have had numerous interruptions this morning.

I am including two maps.

The first page is a map where I've shown the aerial photos from 1987 and, on top of those photos, I've put the old Lemhi Adjudication maps. You can see the fields called out under 74-1025 in the decree.

The second page is the exact same map, only without the Lemhi Adjudication maps.

Your 62.5-acre Place of Use (POU), which is your base right and your enlargement put together, is shown in blue. The Henry right is shown in red. The remaining McCullough right, which was decreed to what is now the Charlie Brown place, is shown in pink at the far south. The map legend on the lower left can tell you this, as well.

As you can see, the part that now belongs to the Charlie Brown place (but is still in the name McCullough) never belonged to the property you currently own, so would not have been conveyed in the land sale.

I have not seen your fax of the deeds yet, but I have put our receptionist on alert for it.

Please call me at the number below if you have any questions, and I know you have Chris's number, as well.



img-Y06103455.pdf

Monica

Monica Van Bussum
Sr. Water Resource Agent
Water Management Division
Idaho Department of Water Resources
322 E. Front St.
PO Box 83720
Boise, ID 83720

(208) 287-4907

SCANNED
NOV - 6 2009



74-1025 review



0 60 120 240 360 480 Meters

Prepared by Monica Van Bussum

On November 6, 2009

1987 Aerial Imagery; Lemhi Adjudication map overlain

NOV - 6 2009



74-1025 review



0 60 120 240 360 480 Meters

Prepared by Monica Van Bussum
On November 6, 2009
1987 Aerial Imagery

SCANNED
NOV - 6 2009

MEMORANDUM

TO: File

FROM: Monica Van Bussum

RE: 74-1025B, 74-1025E, 74-1025F and 74-15888 recommendations and merging

DATE: November 5, 2009

Chris Bromley, Deputy Attorney General, and I spoke at length with Annette Daskalos today regarding the above-mentioned recommendations. Annette file an objection to 74-1025B, but it will also influence 74-1025E and 74-15888. This memorandum reflects my understanding of the resolution discussed during our phone conversation.

Currently, 74-1025E is in the names of Boswell and Trail. We have processed a change of ownership and will be filing an NCAP with the SRBA Court to change the claimant name from Boswell/Trail to Daskalos. That should be filed in the coming days.

After this NCAP is processed, 74-1025B and 74-1025E will both be in the name of Daskalos. In the interest of keeping things simple, we will be combining 74-1025B and 74-1025E into 74-1025F in the name of Daskalos. 74-1025F will constitute the "base" right, or decreed right, appurtenant to the Daskalos lands. 74-15888 will be the enlargement of 74-1025F.

I have prepared recommendations for 74-1025F and 74-15888 and attached them to this memorandum.

SCANNED
NOV - 5 2009

11/05/2009

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

RIGHT NUMBER: 74-1025F

NAME AND ADDRESS: SPIRO DASKALOS
1560 FOOTHILLS VILLAGE DR
HENDERSON NV 89012

ANNETTE DASKALOS
1560 FOOTHILLS VILLAGE DR
HENDERSON NV 89012

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.150 CFS

The rights listed below are limited to a total combined diversion rate of 1.15 cfs. Combined Right Nos.: 74-1025F & 74-15888.

PRIORITY DATE: 04/01/1880

POINT OF DIVERSION:

T18N R24E S9 SWSW Within LEMHI County

The following rights are diverted through point(s) of diversion described above: 74-1025F & 74-15888.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.150 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T18N R24E S09	NWNW	27.50	T18N R24E S09	SWNW	19.00
T18N R24E S09	NWSW	16.00			
62.5 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 62.5 acres in a single irrigation season. Combined Right Nos.: 74-1025F & 74-15888.

This right is limited to the irrigation of 38.3 acres within the place of use described above in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right No. 74-15888 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

This right is a combination of old Right Nos. 74-1025B and 74-1025E.

SCANNED
NOV - 5 2009

11/05/2009

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

RIGHT NUMBER: 74-15888

NAME AND ADDRESS: ANNETTE DASKALOS
1560 FOOTHILLS VILLAGE DR
HENDERSON NV 89012

SPIRO DASKALOS
1560 FOOTHILLS VILLAGE DR
HENDERSON NV 89012

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.310 CFS

The rights listed below are limited to a total combined diversion rate of 1.15 cfs. Combined Right Nos.: 74-1025F & 74-15888

PRIORITY DATE: 03/15/1983

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T18N R24E S9 SWSW Within LEMHI County

The following rights are diverted through point(s) of diversion described above: 74-1025F & 74-15888.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.310 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T18N R24E S09	NWNW	27.50	T18N R24E S09	SWNW	19.00
T18N R24E S09	NWSW	16.00			
62.5 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 62.5 acres in a single irrigation season. Combined Right Nos.: 74-1025F & 74-15888.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right is based upon an enlargement of Right No. 74-1025F pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 24.2 acres within the place of use described for this right.

SCANNED
NOV - 5 2009

STATE OF IOWA
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

INDICATES TOTAL

SOURCE: LEMHI RIVER

TRIBUTARY TO: SALMON RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
74-0834	DIV. L-4. CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER COURT-AUTHORIZED STIPULATION.							
							* 119 ACRES*	
74-4005A	JOLLEY, ELDON JOLLEY, EDNA Z. P.O. BOX 712 SALMON ID 83467 REMARKS: AC. IRR.=233.0. DIV. L-10. P/U: T21N R22E S25 SWNE(04) P/U: T21N R23E S31 NWNE(36) S30 NESW(25) LT02 (SWNW)(09)	04-20-1878	IRRIGATION	03-15 11-15	7.02 CFS	NWSE S33 T21N R23E		DECREE
							LT03 (NWSW)(32) LT04 (SWSW)(20)	
							* 234 ACRES*	
74-0960	BROWN, IRA D. BROWN, BENITA A. P.O. BOX 17 LEMHI ID 83465 REMARKS: AC. IRR.= 37.7. DIV. L-45D.	04-01-1880	IRRIGATION	03-15 11-15	1.14 CFS	SWNE S14 T17N R24E	NWNE(21) SWNE(04) SENE(12) S10 T17N R24E	DECREE
							* 37 ACRES*	
-1025	MAESTRETTI, IHEDDURE R. MAESTRETTI, BARBARA P.O. BOX 43 KITSULT, B.C., CANADA REMARKS: AC. IRR.=40.8. AC. IRR.=30.9. DIV. L-37. DIV. L-33. P/U: T19N R24E S29 NESW(08) P/U: T18N R24E S09 NWSW(08) P/U: T19N R24E S29 NESW(08) P/U: T18N R24E S09 NWSW(08)	04-01-1880	IRRIGATION	03-15 11-15	1.46 CFS	SWSW S09 T18N R24E SENE S05 T18N R24E		DECREE
							* 158 ACRES*	
74-0738	REESE, E. P. REESE, ELEANOR RT. 1 SALMON ID 83467	06-01-1880	IRRIGATION	03-15 11-15	11.46 CFS	SENE S03 T20N R23E		DECREE

RECEIVED

JUL 31 2009

DEPARTMENT OF
WATER RESOURCES

July 30, 2009

IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front Street
Boise Idaho 83720-0098

Re: Case # 39576 SRBA

RECEIVED

OCT 08 2009

Department of Water Resources
Eastern Region

To whom it may concern,

This letter is in response to the document sent to me June 8, 2009.

I do not accept the recommended water right # 74-15888. At our last meeting i thought we were all on the same page with a 10 acre enlargement.

Water Right 74-1025B is a senior water right and has a priority date of 4-1-1880. (And has been 49 acres @ 1.46 cfs always) In 2006 it was split up for a reason nobody understands or can fully explain... the land hasnt changed nor ownership... NO Notice was ever given of this change and its wrong. This started all the problems. But that is another story...

Anyways, we were all under the impression that right would be protected....Idaho code 42-1417 Chapter 6 Title 42.

What was sent to us is a new water right 74-15888 encompassing 2 of the older water rights 74-1025B - 74-1025E and has added additional 10 acre enlargement all dated priority date of 3-15-1983.

Clarifacation is needed to determine that the older rights do not go away and with thier final degreed priority dates.

Also my attorney's office (Slavin Law Offices) was never notified and or didnt receive a copy of this most recent letter.

Sincerely,



Annette C. Daskalos
1560 Foothills Village Drive
Henderson NV 89012
702 496-8503

cc: Slavin Law Offices, SRBA, IDWR, Water District 74

SCANNED

AUG 03 2009

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 74 - 1075 B ; should be 1.46 CFS
- 49 acres
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☒ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** _____

due to the adjudication - we feel
we must object - due to our records
show 74-0175 B should be 1.46 CFS
@ 49 acres.

F.V.I.

C/O Rick S.

AJ0749NP
No. A74-01025B

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

DATE: 01/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SPIRO DASKALOS	04/01/1880	IRRIGATION	03-15 11-15	1.46 CFS	
C	ANNETTE DASKALOS 1853 BOGEY WAY HENDERSON NV 89014					
TOTAL DIVERSION:					1.46 CFS	

Water Source: LEMHI RIVER

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T18N R24E S09 SWSW

LEMHI County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
18N	24E	9	:									08	19			16	06			:	49.0
TOTAL ACRES																				49.0	

POU County: LEMHI

Other Rights: NONE

Remarks: GEN AC. IRR.=48.8.
DIV. L-37.

THIS CLAIM IS FOR ALL THE IRRIGATED ACRES LOCATED IN SECTION 9
WHICH WERE DECREED TO THE MAESTRETTI'S IN THE LEMHI ADJUDICATION
CHANGE OF OWNERSHIP 1-21-99 SVH

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

SCANNED

AUG 03 2009

Water Right Number - A74-01025B

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***

CORY

VIRGINIA

1 - P.O. BOX 45

2 -

3 -

City- TENDON

State- ID Zip- 83468

Phone - 208-756-2856

*** O - ORIGINAL OWNER ***

MAESTRETTI

BARBARA

1 - P.O. BOX 43

2 -

3 - KITSALT, B.C.,

City- CANADA

State- ID Zip- 0

Phone - 208-000-0000

MAESTRETTI

THEODORE R.

1 - P.O. BOX 43

2 -

3 - KITSALT, B.C.,

City- CANADA

State- ID Zip- 0

Phone - 208-000-0000

+ - - Priority Date - - +

04/01/1880

+ - - Region - - - +

15 EASTERN

+ - - Stage - - - +

D - DECREED

+ - - Status - - - +

+ - - - - Source - - - - - +

LEMHI RIVER

+ - - - - Tributary - - - - - +

SALMON RIVER

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
-----	-----	-----	-------	-----	------	--------	----------------

18N	24E	9	SW SW			(59) LEMHI	
-----	-----	---	-------	--	--	------------	--

+ - - - - Water Use - - - - - +

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

01 - IRRIGATION		03/15	11/15	1.460	
-----------------	--	-------	-------	-------	--

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

1.460

0.0

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
18N	24E	9	NW NW		8.0	01	IRRIGATION	(59) LEMHI
18N	24E	9	SW NW		19.0	01	IRRIGATION	(59) LEMHI
18N	24E	9	NW SW		16.0	01	IRRIGATION	(59) LEMHI
18N	24E	9	SW SW		6.0	01	IRRIGATION	(59) LEMHI

Total Acres: 49.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

SCANNED
AUG 03 2009

Water right number - A74-01025B

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
AC. IRR.=48.8.
DIV. L-37.
THIS CLAIM IS FOR ALL THE IRRIGATED ACRES LOCATED IN SECTION 9
WHICH WERE DECREEED TO THE MAESTRETTI'S IN THE LEMHI ADJUDICATION

+ - - - - - Old Water Right Numbers - - - - - +
A7401025

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

+ - - Audit Fields - 05/02/90 BAUMHOFF

+ - - - - - Comments - - - - - +
No Comments Found

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/01/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X999999	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

SCANNED
AUG 03 2009

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

Renumbered A74-01025B

Ident. Number: ~~A74-01025A~~

Date Received: 5/01/1990

Receipt No: X999999

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIRGINIA CORY
Address: P.O. BOX 45
TENDROY, ID

208-756-2856

83468

2. Date of Priority: APR 01, 1880

3. Source: LEMHI RIVER

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	24E	9	SW	SW			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.460		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	24E	9	NW	NW		IRR	8.0
			SW	NW		IRR	19.0
			NW	SW		IRR	16.0
			SW	SW		IRR	6.0

Section Acres 49.0

A74-01025A

Page 1

Date: 05/01/90

A7401025B



SCANNED
AUG 03 2009

MICROFILMED
DEC 14 1992

10. Place of Use: Continued

Total Acres 49.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

AC. IRR.=48.8.

DIV. L-37.

THIS CLAIM IS FOR ALL THE IRRIGATED ACRES LOCATED IN SECTION 9
WHICH WERE DECREED TO THE MAESTRETTI'S IN THE LEMHI ADJUDICATION

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Virginia E Cory Date: 5-1-90

Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of May 19 90

Seal

Anna Baumhoff
Notary Public

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

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

RIGHT NUMBER: 74-15888

NAME AND ADDRESS: ANNETTE DASKALOS
1560 FOOTHILLS VILLAGE DR
HENDERSON NV 89012

SPIRO DASKALOS
1560 FOOTHILLS VILLAGE DR
HENDERSON NV 89012

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.310 CFS

The rights listed below are limited to a total combined diversion rate of 1.15 cfs.
Combined Right Nos.: 74-1025B, 74-1025E & 74-15888

PRIORITY DATE: 03/15/1983

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T18N R24E S9 SWSW Within LEMHI County

The following rights are diverted through point(s) of diversion described above: 74-1025B, 74-1025E & 74-15888

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.310 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T18N R24E S09	NWNW	27.50	T18N R24E S09	SWNW	19.00
T18N R24E S09	NWSW	16.00			

62.5 ACRES TOTAL

62.5

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 74-1025B, 74-1025E & 74-15888

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right is based upon an enlargement of Right Nos. 74-1025B & 74-1025E pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 24.2 acres within the place of use described for this right.

SCANNED
AUG 03 2009

WATER DISTRICT 74
LEMHI RIVER

03/05/2003

SPIRO DASKALOS

Water Right No.: A74-01025B

Source: LEMHI RIVER
Diversion: L-37
Quantity CFS: 1.460

2003 Water Assessment:\$ 67.16

Please add \$5.00 per water user to your assessment.
This clerical charge was enacted by vote at the Annual Meeting.
If you have more than one water right DO NOT pay
\$5 for each. You need only pay the \$5 clerical charge once.
If you have any questions regarding your bill please feel
free to call Donna Barsalou, Secretary, at 756-2824 or 756-8344.

Please make all checks payable to: Water District 74
P.O. Box 744, Salmon, ID 83467
Water Assessments are Delinquent after May 1, 2003
1% Interest per month will be charged on delinquent accounts.

SCANNED

AUG 03 2009

WATER DISTRICT 74
LEMHI RIVER

03/16/2004

SPIRO DASKALOS

Water Right No.: A74-01025B

Source: LEMHI RIVER
Diversion: L-37
Quantity CFS: 1.460

2004 Water Assessment:\$ 75.41

Please add \$5.00 per water user to your assessment.
This clerical charge was enacted by vote at the Annual Meeting.
If you have more than one water right DO NOT pay
\$5 for each. You need only pay the \$5 clerical charge once.
If you have any questions regarding your bill please feel
free to call Vicki Armstrong, Secretary, at 756-7209 or 756-2182.

paid
check 2976
4/15/04

Please make all checks payable to: Water District 74
P.O. Box 744, Salmon, ID 83467
Water Assessments are Delinquent after May 1, 2004
1% Interest per month will be charged on delinquent accounts.

SCANNED

AUG 03 2009

WATER DISTRICT #7**Invoice**

PO BOX 744
SALMON, ID 83467

Date

3/20/2005

SPIRO DASKALOS
1853 BOGEY WAY
HENDERSON, NV 89014

paid

<i>WATER RIGHT #</i>	<i>SOURCE</i>	<i>DIVERSION</i>	<i>Qty CFS</i>	<i>AMOUNT</i>
A74-01025B	LEMHI RIVER	L-37	1.46	77.09
A74-01061	LEMHI RIVER	L-42	0.5	26.40
A74-01841	HAYDEN CREEK	HC-01	0.56	29.57
A74-01842	LEMHI RIVER	L-40	1.67	88.18
A74-02146	HAYDEN CREEK	HC-01	0.2	10.56
CLERICAL				5.00

Balance Due

\$236.80

Water Assessments are due by May 1, 2005. 1% interest per month will be charged on delinquent accounts.

Phone #

(208) 756-7209

E-mail

varmstrong_02@yahoo.com

SCANNED

AUG 03 2009

c/o Rick S. sent 4/21/06

WATER DISTRICT #74

Invoice

PO BOX 744
SALMON, ID 83467

Public Base
Data

Date

4/1/2006

DASKALOS & SABATTE
1894 WOODHAVEN DRIVE
HENDERSON, NV 89174

Missing Water Rights

* A 74 01025 E Bozwell Trail - .4
01025 C 74 0125 C McKullick - Chester, Judy .08
74 0125 D Roger Henry - NO
74 15497 USA Forest Service
1 Hayden Creek Please Advise
Annette Daskalos
702 896-4465

18W 24E 9section A
NW 4acres SW A
3.8 SW of SW

WATER RIGHT #	SOURCE	DIVERSION	Qty CFS	AMOUNT	Mx
A74-01025B	LEMHI RIVER - BHR	L-37	1.46	81.40	
A74-0125C	"	"	0.07	3.90	
A74-01025E	"	"	0.4	22.30	
A74-01061	"	L-42	0.5	27.88	
A74-01841	HAYDEN CREEK	HC-01	0.56	31.22	
A74-01842	LEMHI RIVER	L-40	1.67	93.10	
A74-02146	HAYDEN CREEK	HC-01	0.2	11.15	
ADMINISTRATIVE FEES				5.00	

PLEASE CHECK THIS BILLING AGAINST YOUR RECORDS. IF THERE ARE ANY MISTAKES, PLEASE NOTIFY RICK OR VICKI AT "PO BOX 744" WITHIN 30 DAYS AND WE WILL TRY TO HELP YOU MAKE CORRECTIONS WHILE THESE RECORDS ARE STILL IN THE COURTS.

paid
ch #
4067
4/25/06

Balance Due

\$275.95

Water Assessments are due by May 1, 2006. 1% interest per month will be charged on delinquent accounts.

Phone #

(208) 993-0403 OR 303-7449

E-mail

varmstrong_02@yahoo.com

SCANNED

AUG 03 2009

WATER DISTRICT #74**Invoice**

PO BOX 744
SALMON, ID 83467

Date

4/1/2007

JS & SABATTE
JGEY WAY
PERSON, NV 89074

WATER RIGHT #**Qty CFS****AMOUNT**

A74-00951	0.18	10.04
A74-01025B •	0.75	41.83
A74-01025C •	0.07	3.90
A74-01025E •	0.4	22.31
A74-01061	0.5	27.89
A74-01777	0.3	16.73
A74-01781	0.78	43.50
A74-01841	0.56	31.23
A74-01842	1.67	93.14
A74-02146	0.2	11.15
ADMINISTRATIVE FEES		5.00

*paid 4/17/07
ck # 4439*

★

IF UNPAID BY JULY 1, 2007 YOUR WATER WILL BE
CURTAILED BY THE WATER MASTER.

Balance Due

\$306.72

Water Assessments are due by May 1, 2007. 1% interest
per month will be charged on delinquent accounts.

Phone #

E-mail

(208) 756-2182 OR 303-7449

varmstrong_02@yahoo.com

SCANNED

AUG 03 2009

WATER DISTRICT #74**Invoice**

PO BOX 744
SALMON, ID 83467

Date

4/1/2008

DASKALOS & SABATTE
1560 FOOTHILLS VILLAGE DRIVE
HENDERSON, NV 89012

<i>WATER RIGHT #</i>	<i>Qty CFS</i>	<i>AMOUNT</i>
74-02146	0.2	11.00
74-01841	0.56	30.80
74-00951	0.18	9.90
74-01781	0.78	42.90
74-01777	0.3	16.50
74-01025E •	0.4	22.00
74-01025B	0.75	41.25
74-01025C •	0.08	4.40
74-01842	1.67	91.85
74-01061	0.5	27.50
CLERICAL FEES		5.00

IF UNPAID BY JULY 1, 2008 YOUR WATER WILL BE
CURTAILED BY THE WATER MASTER.

OK# paid 4/17/08

Balance Due \$303.10

Water Assessments are due by May 1, 2008. 1% interest
per month will be charged on delinquent accounts.

Phone #

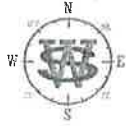
(208) 303-7449 (WATER MASTER)

E-mail

varmstrong_02@yahoo.com

SCANNED

AUG 03 2009



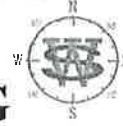
WADE SURVEYING

Global Positioning Service

Land Surveying and Planning

402 Van Dreff Street

Salmon, Idaho 83467



Phone: (208)-756-3070

October 6, 2008

Don Sabatte
P.O. Box 118
Tendoy, ID 83468

Dear Don,

Enclosed is a copy of your survey over an aerial photograph. Jock Slavin received two copies of this as well on Friday, October 3rd. One of those copies was an 18" x 24", and the other a duplicate of the one I have sent you.

This aerial will more clearly show your property and hopefully clear up any confusion as to the irrigated and non-irrigated ground.

If you have any questions or need any additional information from us please don't hesitate to give us a call at the number listed above.

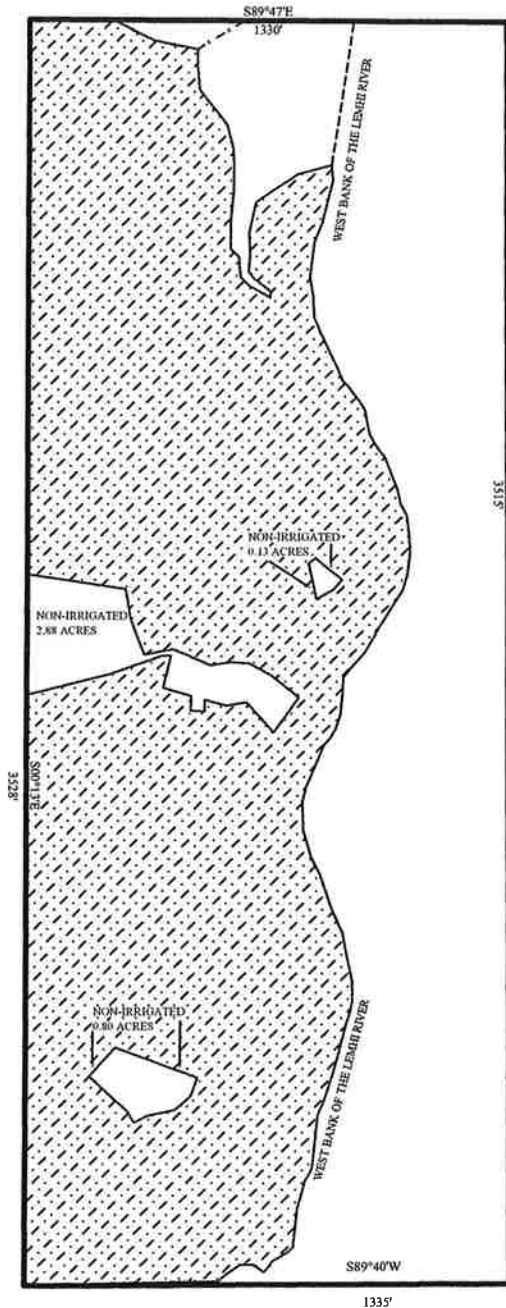
It has been a pleasure working for you and hope to again be of service if you have any future surveying needs. We thank you for your business!

Sincerely,

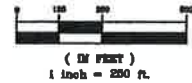
Kristin Hayden
Wade Surveying

74-1025 B
Actual irrigated ground
61.77 acres

INFORMATIONAL DRAWING
LOCATED IN SECTION 9, T. 18 N., R. 24 E.,
BOISE MERIDIAN, LEMHI COUNTY, IDAHO



GRAPHIC SCALE



LEGEND

- - - - - EXISTING FENCE
- IRRIGATED ACRES
- NON-IRRIGATED ACRES
- PROPERTY BOUNDARY ESTABLISHED FROM RECORDS TAKEN FROM LEMHI COUNTY COURTHOUSE, SALMON, IDAHO

SURVEYOR'S NOTES:

THE PURPOSE OF THIS SURVEY WAS TO SHOW THE IRRIGATED ACRES OF THE BUCKHORN RANCH.

THE BOUNDARY WAS COMPILED FROM RECORD USING TAX #2931 & #2932 AND THE PINS FOUND IN THE FIELD WERE WITHIN POSITIONAL TOLERANCE.

THE TOTAL ACREAGE FOR IRRIGATED GROUND IS 61.77 ACRES.

SCANNED

AUG 03 2009

1/4	SEC	T	R
☒	9	18N	24E



FOR BUCKHORN RANCH	
DATE: 09/2008	DRAWN/CHK BY: EMBL/JW
PROJECT: T18N24E/BUCKHORN RANCH	
DWG NAME: BUCKHORN RANCH.DWG	
SURVEY: BOSWELL/ZAK	
WADE SURVEYING GLOBAL POSITIONING SERVICE LAND SURVEYING & PLANNING 405 VAN HOUTEN ST. SALT LAKE CITY, UT 84143 801-588-8070	

RECEIVED
AUG 04 2009
DEPARTMENT OF
WATER RESOURCES

July 30, 2009

IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front Street
Boise Idaho 83720-0098

Re: Case # 39576 SRBA

RECEIVED

OCT 08 2009

Department of Water Resources
Eastern Region

To whom it may concern,

This letter is in response to the document sent to me June 8, 2009.

I do not accept the recommended water right # 74-15888. At our last meeting i thought we were all on the same page with a 10 acre enlargement.

Water Right 74-1025B is a senior water right and has a priority date of 4-1-1880. (And has been 49 acres @ 1.46 cfs always) In 2006 it was split up for a reason nobody understands or can fully explain... the land hasnt changed nor ownership... NO Notice was ever given of this change and its wrong. This started all the problems. But that is another story...

Anyways, we were all under the impression that right would be protected....Idaho code 42-1417 Chapter 6 Title 42.

What was sent to us is a new water right 74-15888 encompassing 2 of the older water rights 74-1025B - 74-1025E and has added additional 10 acre enlargement all dated priority date of 3-15-1983.

Clarifacation is needed to determine that the older rights do not go away and with thier final degreed priority dates.

Also my attorney's office (Slavin Law Offices) was never notified and or didnt receive a copy of this most recent letter.

Sincerely,



Annette C. Daskalos
1560 Foothills Village Drive
Henderson NV 89012
702 496-8503

cc: Slavin Law Offices, SRBA, IDWR, Water District 74

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 74-1075 B ; should be 1.46 CFS
- 49 acres
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☒ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** _____

due to the adjudication - we feel
we must object - due to our records
show 74-0175 B should be 1.46 CFS
@ 49 acres.

F.V.I.

C/O Rick S.

AJ0749NP
No. A74-01025B

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

DATE: 01/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SPIRO DASKALOS	04/01/1880	IRRIGATION	03-15 11-15	1.46 CFS	
C	ANNETTE DASKALOS 1853 BOGEY WAY HENDERSON NV 89014					
TOTAL DIVERSION:					1.46 CFS	

Water Source: LEMHI RIVER

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T18N R24E S09

SWSW

LEMHI County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
18N	24E	9	:									08	19			16	06			:	49.0
TOTAL ACRES																				49.0	

POU County: LEMHI

Other Rights: NONE

Remarks: GEN AC. IRR.=48.8.
DIV. L-37.
THIS CLAIM IS FOR ALL THE IRRIGATED ACRES LOCATED IN SECTION 9
WHICH WERE DECREED TO THE MAESTRETTI'S IN THE LEMHI ADJUDICATION
CHANGE OF OWNERSHIP 1-21-99 SVH

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROCF READING REPORT

01/25/95 11:11:35
Page 1

Water Right Number - A74-01025B

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***

CORY

VIRGINIA

1 - P.O. BOX 45

2 -

3 -

City- TENDON

State- ID Zip- 83468

Phone - 208-756-2856

*** O - ORIGINAL OWNER ***

MAESTRETTI

BARBARA

1 - P.O. BOX 43

2 -

3 - KITSALT, B.C.,

City- CANADA

State- ID Zip- 0

Phone - 208-000-0000

MAESTRETTI

THEODORE R.

1 - P.O. BOX 43

2 -

3 - KITSALT, B.C.,

City- CANADA

State- ID Zip- 0

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/01/1880 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
LEMHI RIVER SALMON RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name
18N 24E 9 SW SW (59) LEMHI

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.460

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.460 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
18N 24E 9 NW NW 8.0 01 IRRIGATION (59) LEMHI
18N 24E 9 SW NW 19.0 01 IRRIGATION (59) LEMHI
18N 24E 9 NW SW 16.0 01 IRRIGATION (59) LEMHI
18N 24E 9 SW SW 6.0 01 IRRIGATION (59) LEMHI
Total Acres: 49.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

Copy
1/2

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

01/25/95 11:11:51
Page 2

Water right number - A74-01025B

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
AC. IRR.=48.8.
DIV. L-37.
THIS CLAIM IS FOR ALL THE IRRIGATED ACRES LOCATED IN SECTION 9
WHICH WHERE DECREED TO THE MAESTRETTI'S IN THE LEMHI ADJUDICATION

+ - - - - - Old Water Right Numbers - - - - - +
A7401025

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

+ - - Audit Fields - 05/02/90 BAUMHOFF

+ - - - - - Comments - - - - - +
No Comments Found

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/01/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X999999	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-	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

Renumbered A74-01025B

Ident. Number: ~~A74-01025A~~

Date Received: 5/01/1990

Receipt No: X999999

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIRGINIA CORY
Address: P.O. BOX 45
TENDON, ID 83468 208-756-2856

2. Date of Priority: APR 01, 1880

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	24E	9	SW	SW			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.460		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	24E	9	NW	NW		IRR	8.0
			SW	NW		IRR	19.0
			NW	SW		IRR	16.0
			SW	SW		IRR	6.0

Section Acres 49.0

A74-01025A

Page 1

Date: 05/01/90

MICROFILMED

DEC 14 1992

10. Place of Use: Continued

Total Acres 49.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

AC. IRR.=48.8.

DIV. L-37.

THIS CLAIM IS FOR ALL THE IRRIGATED ACRES LOCATED IN SECTION 9
WHICH WERE DECREED TO THE MAESTRETTI'S IN THE LEMHI ADJUDICATION

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Virginia E Cory Date: 5-1-90
Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 1st day

of May 19 90

Seal

Anna Baumhoff
Notary Public

Residing at Anna Baumhoff, Notary Public

Residing at Boise, Idaho

My Commission Expires December 7, 1994

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

RIGHT NUMBER: 74-15888

NAME AND ADDRESS: ANNETTE DASKALOS
1560 FOOTHILLS VILLAGE DR
HENDERSON NV 89012

SPIRO DASKALOS
1560 FOOTHILLS VILLAGE DR
HENDERSON NV 89012

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.310 CFS

The rights listed below are limited to a total combined diversion rate of 1.15 cfs.

Combined Right Nos.: 74-1025B, 74-1025E & 74-15888

PRIORITY DATE: 03/15/1983

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T18N R24E S9 SWSW Within LEMHI County

The following rights are diverted through point(s) of diversion described above: 74-1025B, 74-1025E & 74-15888

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.310 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T18N R24E S09	NWNW	27.50	T18N R24E S09	SWNW	19.00
T18N R24E S09	NWSW	16.00			

62.5 ACRES TOTAL

62.5

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 74-1025B, 74-1025E & 74-15888

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right is based upon an enlargement of Right Nos. 74-1025B & 74-1025E pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 24.2 acres within the place of use described for this right.

WATER DISTRICT 74
LEMHI RIVER

03/05/2003

SPIRO DASKALOS

Water Right No.: A74-01025B

Source: LEMHI RIVER
Diversion: L-37
Quantity CFS: 1.460

2003 Water Assessment:\$ 67.16

Please add \$5.00 per water user to your assessment.
This clerical charge was enacted by vote at the Annual Meeting.
If you have more than one water right DO NOT pay
\$5 for each. You need only pay the \$5 clerical charge once.
If you have any questions regarding your bill please feel
free to call Donna Barsalou, Secretary, at 756-2824 or 756-8344.

Please make all checks payable to: Water District 74
P.O. Box 744, Salmon, ID 83467
Water Assessments are Delinquent after May 1, 2003
1% Interest per month will be charged on delinquent accounts.

WATER DISTRICT 74
LEMHI RIVER

03/16/2004

SPIRO DASKALOS

Water Right No.: A74-01025B

Source: LEMHI RIVER
Diversion: L-37
Quantity CFS: 1.460

2004 Water Assessment:\$ 75.41

Please add \$5.00 per water user to your assessment.
This clerical charge was enacted by vote at the Annual Meeting.
If you have more than one water right DO NOT pay
\$5 for each. You need only pay the \$5 clerical charge once.
If you have any questions regarding your bill please feel
free to call Vicki Armstrong, Secretary, at 756-7209 or 756-2182.

paid check 2976
4/15/04

Please make all checks payable to: Water District 74
P.O. Box 744, Salmon, ID 83467
Water Assessments are Delinquent after May 1, 2004
1% Interest per month will be charged on delinquent accounts.

WATER DISTRICT #74**Invoice**

PO BOX 744
SALMON, ID 83467

Date

3/20/2005

SPIRO DASKALOS
1853 BOGEY WAY
HENDERSON, NV 89014

paid

<i>WATER RIGHT #</i>	<i>SOURCE</i>	<i>DIVERSION</i>	<i>Qty CFS</i>	<i>AMOUNT</i>
A74-01025B	LEMHI RIVER	L-37	1.46	77.09
A74-01061	LEMHI RIVER	L-42	0.5	26.40
A74-01841	HAYDEN CREEK	HC-01	0.56	29.57
A74-01842	LEMHI RIVER	L-40	1.67	88.18
A74-02146	HAYDEN CREEK	HC-01	0.2	10.56
CLERICAL				5.00

Balance Due

\$236.80

Water Assessments are due by May 1, 2005. 1% interest
per month will be charged on delinquent accounts.

Phone #

(208) 756-7209

E-mail

varmstrong_02@yahoo.com

c/o Rick S. sent 4/22/06

WATER DISTRICT #74

Invoice

PO BOX 744
SALMON, ID 83467

Public Data Base

Date

4/1/2006

DASKALOS & SABATTE
1894 WOODHAVEN DRIVE
HENDERSON, NV 89174

Missing Water Rights

* A 74 01025E Boswell Trail - .4
01025CA 74 0125C McKullick - Chester, Judy .08
74 0125D Roger Henry - NO
74 15497 USA Forest Service
Hayden Creek Please Advise
Annette Daskalos
702 896-4465

18N 24E 9sectionA
NW 4acres SW A
3.8 SW of SW

WATER RIGHT #	SOURCE	DIVERSION	Qty CFS	AMOUNT	Mx
A74-01025B	LEMHI RIVER - BHR	L-37	1.46	81.40	
A74-0125C	"	"	0.07	3.90	
A74-01025E	"	"	0.4	22.30	
A74-01061	"	L-42	0.5	27.88	
A74-01841	HAYDEN CREEK	HC-01	0.56	31.22	
A74-01842	LEMHI RIVER	L-40	1.67	93.10	
A74-02146	HAYDEN CREEK	HC-01	0.2	11.15	
ADMINISTRATIVE FEES				5.00	

PLEASE CHECK THIS BILLING AGAINST YOUR RECORDS. IF THERE ARE ANY MISTAKES, PLEASE NOTIFY RICK OR VICKI AT "PO BOX 744" WITHIN 30 DAYS AND WE WILL TRY TO HELP YOU MAKE CORRECTIONS WHILE THESE RECORDS ARE STILL IN THE COURTS.

paid
ch #
4067
4/25/06

Balance Due

\$275.95

Water Assessments are due by May 1, 2006. 1% interest per month will be charged on delinquent accounts.

Phone #

(208) 993-0403 OR 303-7449

E-mail

varmstrong_02@yahoo.com

WATER DISTRICT #74**Invoice**

PO BOX 744
SALMON, ID 83467

Date

4/1/2007

JS & SABATTE
JGEY WAY
PERSON, NV 89074

WATER RIGHT #**Qty CFS****AMOUNT**

A74-00951	0.18	10.04
A74-01025B •	0.75	41.83
A74-01025C •	0.07	3.90
A74-01025E •	0.4	22.31
A74-01061	0.5	27.89
A74-01777	0.3	16.73
A74-01781	0.78	43.50
A74-01841	0.56	31.23
A74-01842	1.67	93.14
A74-02146	0.2	11.15
ADMINISTRATIVE FEES		5.00

*paid 4/17/07
ck # 4439*

★

IF UNPAID BY JULY 1, 2007 YOUR WATER WILL BE
CURTAILED BY THE WATER MASTER.

Balance Due

\$306.72

Water Assessments are due by May 1, 2007. 1% interest
per month will be charged on delinquent accounts.

Phone #

E-mail

(208) 756-2182 OR 303-7449

varmstrong_02@yahoo.com

WATER DISTRICT #74**Invoice**

PO BOX 744
SALMON, ID 83467

Date

4/1/2008

DASKALOS & SABATTE
1560 FOOTHILLS VILLAGE DRIVE
HENDERSON, NV 89012

WATER RIGHT #	Qty CFS	AMOUNT
74-02146	0.2	11.00
74-01841	0.56	30.80
74-00951	0.18	9.90
74-01781	0.78	42.90
74-01777	0.3	16.50
74-01025E •	0.4	22.00
74-01025B	0.75	41.25
74-01025C •	0.08	4.40
74-01842	1.67	91.85
74-01061	0.5	27.50
CLERICAL FEES		5.00

IF UNPAID BY JULY 1, 2008 YOUR WATER WILL BE
CURTAILED BY THE WATER MASTER.

Chk # paid 4/17/08

Balance Due \$303.10

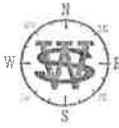
Water Assessments are due by May 1, 2008. 1% interest
per month will be charged on delinquent accounts.

Phone #

(208) 303-7449 (WATER MASTER)

E-mail

varmstrong_02@yahoo.com



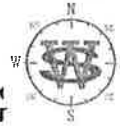
WADE SURVEYING

Global Positioning Service

Land Surveying and Planning

402 Van Dreff Street

Salmon, Idaho 83467



Phone: (208)-756-3070

October 6, 2008

Don Sabatte
P.O. Box 118
Tendoy, ID 83468

Dear Don,

Enclosed is a copy of your survey over an aerial photograph. Jock Slavin received two copies of this as well on Friday, October 3rd. One of those copies was an 18" x 24", and the other a duplicate of the one I have sent you.

This aerial will more clearly show your property and hopefully clear up any confusion as to the irrigated and non-irrigated ground.

If you have any questions or need any additional information from us please don't hesitate to give us a call at the number listed above.

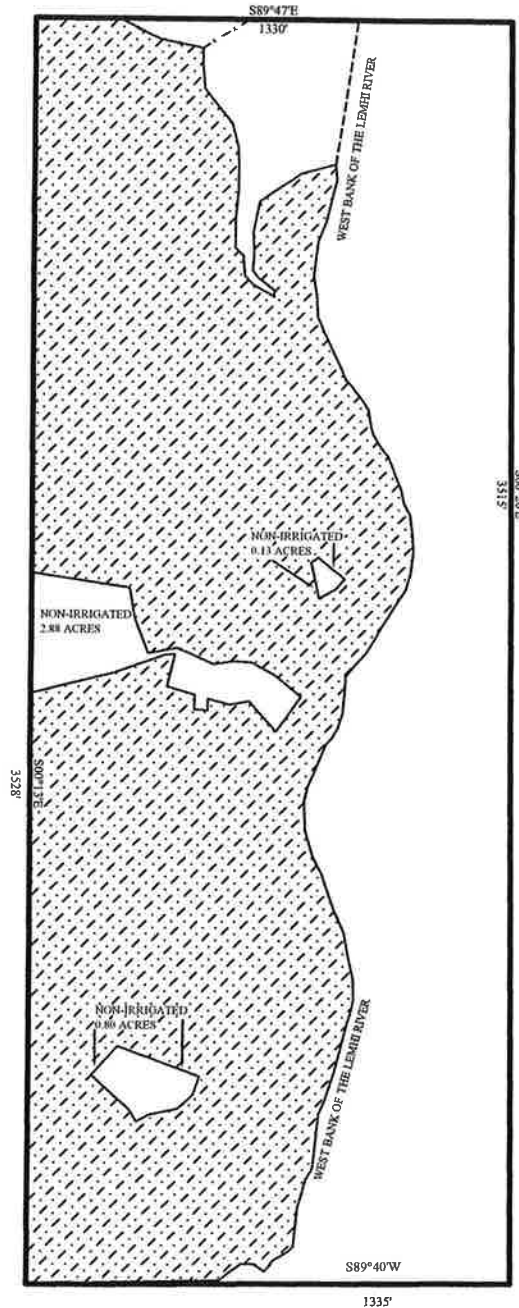
It has been a pleasure working for you and hope to again be of service if you have any future surveying needs. We thank you for your business!

Sincerely,

Kristin Hayden
Wade Surveying

74-1025 B
Actual irrigated ground
61.77 acres

INFORMATIONAL DRAWING
 LOCATED IN SECTION 9, T. 18 N., R. 24 E.,
 BOISE MERIDIAN, LEMHI COUNTY, IDAHO



GRAPHIC SCALE



LEGEND

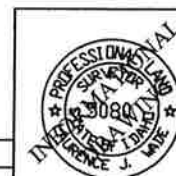
- - - - - EXISTING FENCE
- IRRIGATED ACRES
- NON-IRRIGATED ACRES
- PROPERTY BOUNDARY ESTABLISHED FROM RECORDS TAKEN FROM LEMHI COUNTY COURTHOUSE, SALMON, IDAHO

SURVEYOR'S NOTES:

THE PURPOSE OF THIS SURVEY WAS TO SHOW THE IRRIGATED ACRES OF THE BUCKHORN RANCH.

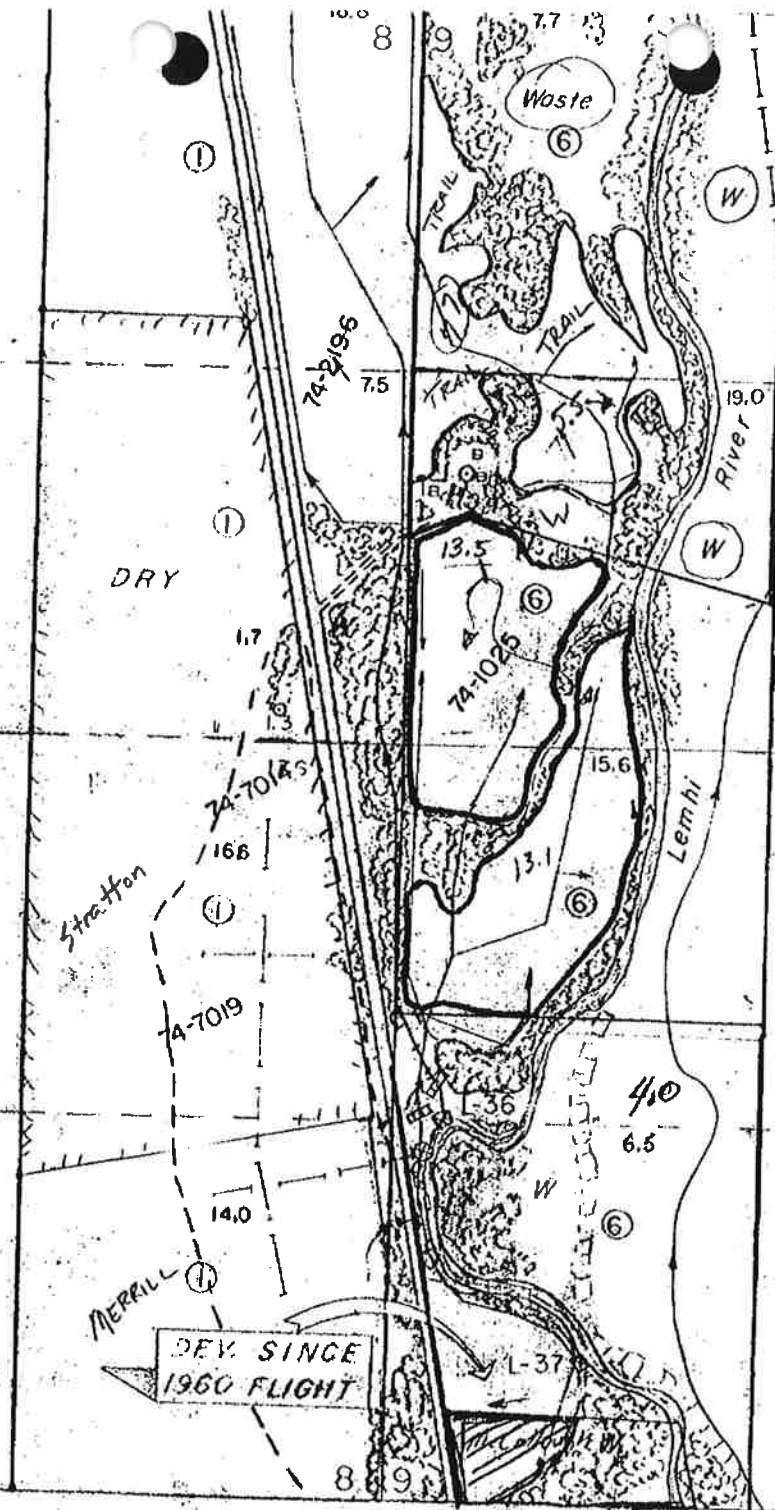
THE BOUNDARY WAS COMPILED FROM RECORD USING TAX #2931 & #2932 AND THE PINS FOUND IN THE FIELD WERE WITHIN POSITIONAL TOLERANCE.

THE TOTAL ACREAGE FOR IRRIGATED GROUND IS 61.77 ACRES.



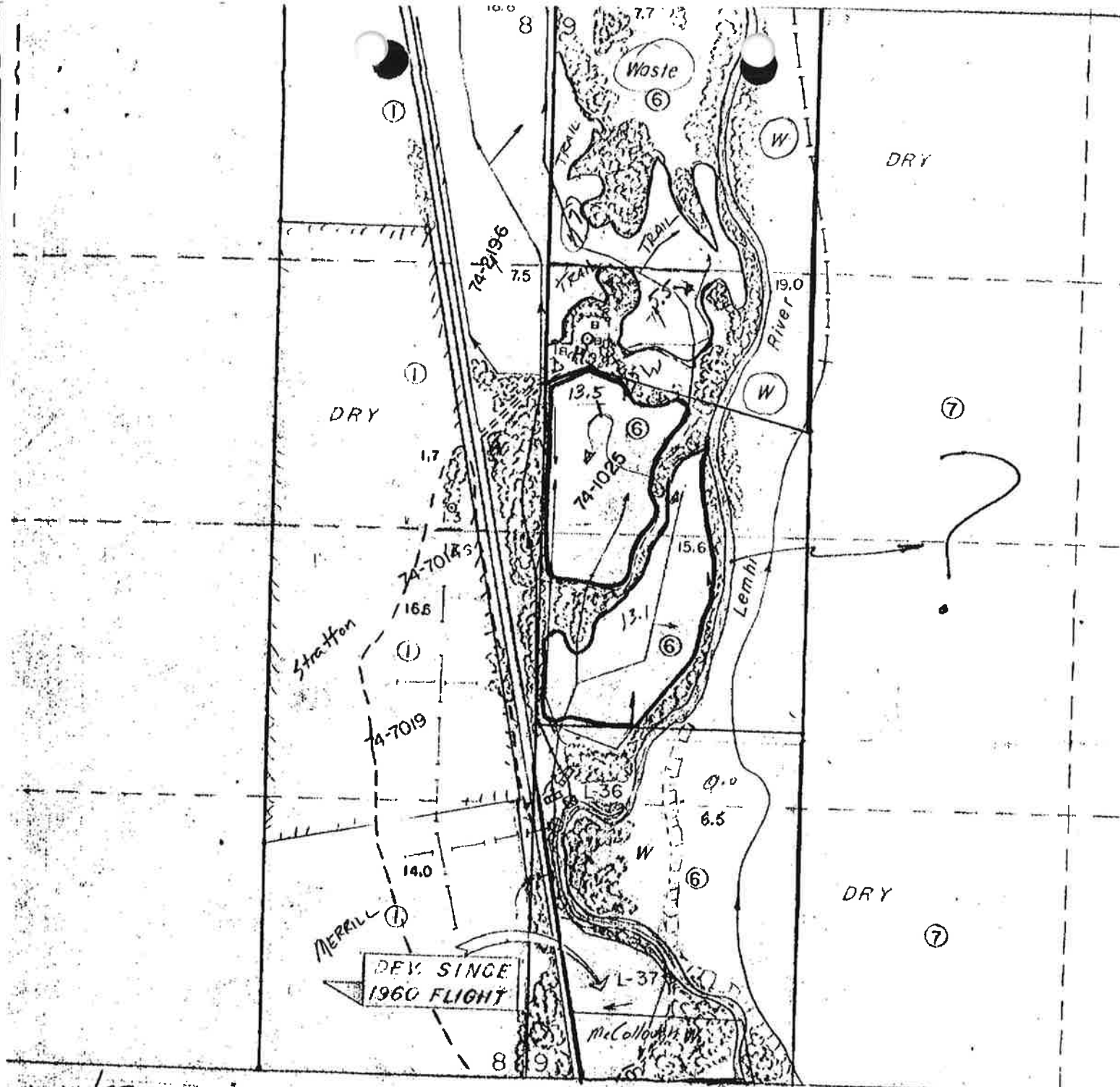
1/4	SEC	T	R
☒	9	18N	24E

FOR BUCKHORN RANCH	
DATE: 09/20/08	DRAWN/CHK BY: KMBLJW
PROJECT: T18N24EBUCKHORN RANCH	
DWG NAME: BUCKHORN RANCH DWG	
SURVEY: BOSWELL ZAK	
WADE SURVEYING GLOBAL POSITIONING SERVICE LAND SURVEYING & PLANNING 401 ANTWERP ST. SALT LAKE CITY, UT 84111 201-561-3070 FAX: 201-561-3071	



Merrill / STRATTON
 Estock, Inc.
 Lagley
 and Annie
 Estock Co.
 West M.
 n
 retti
 and Management

ENCLOSURE
 NOV 15 1996



Merrill / STRANON
 Stock, Inc.
 Tagley
 and Annie
 Stock Co.
 West M.
 in
 retti
 and Management

ELECTRONIC
 NOV 15 1956

REFERENCES

SA

5668

- VIRGINIA COKE STILL HAS A CLAIM ON FILE (A74-010258) 1077

RECOMMENDED (CARE 6774)

- WHEN RAINY IS FIELD EXHAUSTED THIS CAN BE FIGURED OUT AND

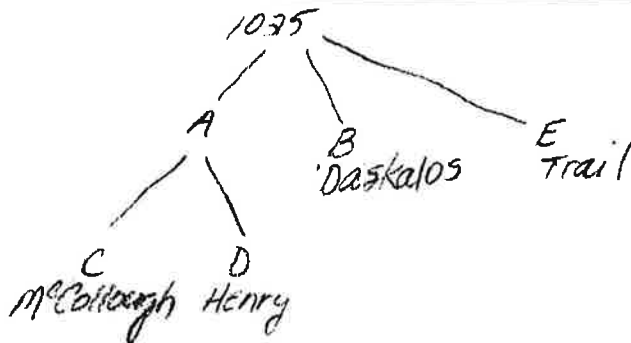
None of the splits are correct as of howcaveit trails forum.

[illegible]

Decided Right 74-01025 146.65 / 48.8 Acres = 0.029918

Split Analysis – Water Right No. 74-1035

Twp	Rng	Sec	Q-Q	Water Right Number					
				1035	B	C	D	E	
18N	34E	9	SWNW	19.0	13.5			5.5	
			NW5W	15.6	17.6		4.0		
			SW5W	6.5		2.7	3.8		
			NW6W	7.7				7.7	
				48.8	25.1	2.7	7.8	13.2	



Right No.	Rate of Diversion	Irrigated acres	Rec. Diversion (cfs)
74-1035	1.46	48.8	
B		25.1	0.75
C		2.7	0.08
D		7.8	0.23
E		13.2	0.40

Barg, Jonie

From: Holliday, Michael
Sent: Monday, February 09, 2009 11:20 AM
To: Barg, Jonie
Cc: Williams, Ray
Subject: RE: 27-49, 27-12039

hi jonie. could you take care of this? i think you were asking about this ownership change recently. let me know if you have any other questions. thanks, michael.

From: Williams, Ray
Sent: Monday, February 09, 2009 10:23 AM
To: Holliday, Michael
Subject: FW: 27-49, 27-12039

Hi, Michael. I think we might need an NCAP on these two. Can you help me out with that? Thanks, Ray

From: Janet Connell [mailto:jconnell@srba.state.id.us]
Sent: Monday, February 09, 2009 10:02 AM
To: Williams, Ray
Subject: 27-49, 27-12039

Hi Ray,

We received a letter from Chris Meyer saying that Frank Scarborough no longer owns these water rights and that Randy Budge's law firm filed a Notice of Change in Water Right Ownership on March 5, 2008. Mr. Meyer is still receiving Notice because the Court has never received an NCAP changing that ownership. Could you please check into that when you get a minute and let me know if in fact that is the case. Thanks!! Have a good day! Janet

RECEIVED

NOV 30 2009

Department of Water Resources
Eastern Region

2/9/2009

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 74-15888

Date Received:

Receipt No:

Received By:

0087926

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

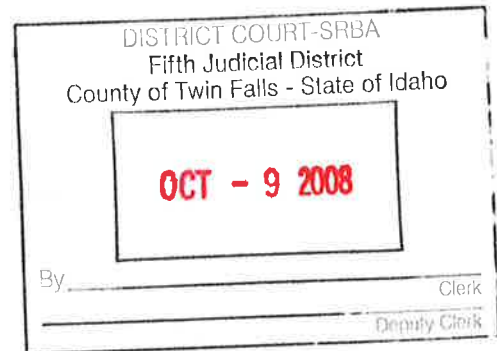
1. Name of Claimant(s)

ANNETTE DASKALOS Phone:

1560 FOOTHILLS VILLAGE DR
HENDERSON NV USA 89012

SPIRO DASKALOS Phone:

1560 FOOTHILLS VILLAGE DR
HENDERSON NV USA 89012



2. Date of Priority: 03/15/1983

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
18N	24E	9	SW	SW	LEMHI	

5. Description of diverting works:

head gate to ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.31	

7. Total Quantity Appropriated is:
0.31 C.F.S.

SCANNED
JAN 23 2009

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
18N	24E	9	NW	NW	IRRIGATION	17.5 + 10 = 27.5
			SW	NW	IRRIGATION	19
			NW	SW	IRRIGATION	16

Section Acres

Total Acres

~~52.5~~ 62.5
~~52.5~~ 62.5

See Attached
WADE SWAMPING
INFORMATIONS
DRAWING

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

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.

SCANNED

JAN 7 3 2009

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
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

SCANNED
JAN 23 2009

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):

Annette Sustalos
Annette Sustalos

Date: 10-23-08

Date: _____

State of Nevada Idaho

County of Clark

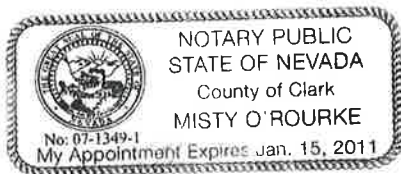
)
) SS.
)

Subscribed and sworn (or affirmed) before me this

of 23rd Oct 2008

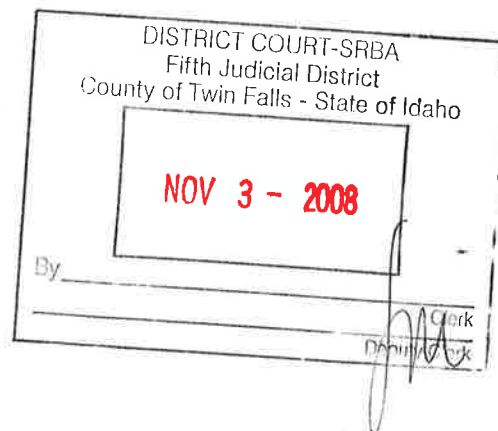
Misty O'Rourke

Notary Public



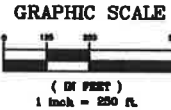
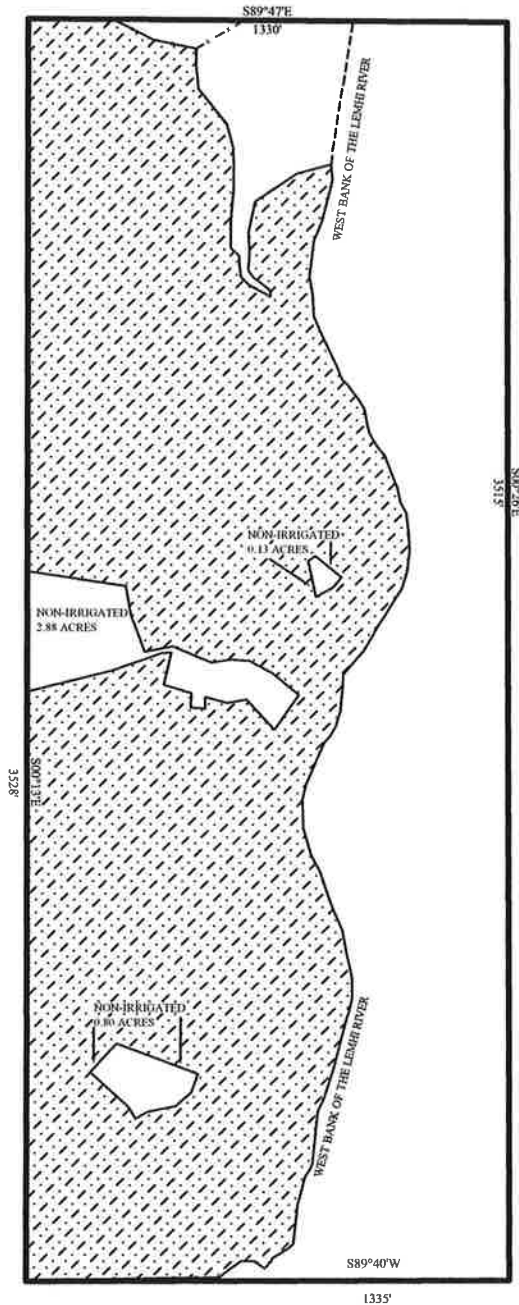
Residing at 3975 W. Dewey Dr. Las Vegas NV 89118

My commission Expires 1-15-2011



SCANNED
JAN 7 3 2009

INFORMATIONAL DRAWING
 LOCATED IN SECTION 9, T. 18 N., R. 24 E.,
 BOISE MERIDIAN, LEMHI COUNTY, IDAHO



LEGEND

- - - - - EXISTING FENCE
- IRRIGATED ACRES
- NON-IRRIGATED ACRES
- PROPERTY BOUNDARY ESTABLISHED FROM RECORDS TAKEN FROM LEMHI COUNTY COURTHOUSE, SALMON, IDAHO

SURVEYOR'S NOTES:

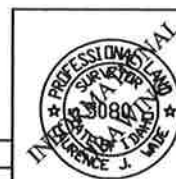
THE PURPOSE OF THIS SURVEY WAS TO SHOW THE IRRIGATED ACRES OF THE BUCKHORN RANCH.

THE BOUNDARY WAS COMPILED FROM RECORD USING TAX #2931 & #2932 AND THE PINS FOUND IN THE FIELD WERE WITHIN POSITIONAL TOLERANCE.

THE TOTAL ACREAGE FOR IRRIGATED GROUND IS 61.77 ACRES.

SCANNED
 JAN 23 2009

1/4	SEC	T	R
	9	18N	24E



FOR BUCKHORN RANCH	
DATE: 09/2008	DRAWN/CHK BY: KMHLJW
PROJECT: T18N24E/BUCKHORN RANCH	
DWG NAME: BUCKHORN RANCH.DWG	
SURVEY: BOSWELL, ZAK	
WADE SURVEYING GLOBAL POSITIONING SERVICE LAND SURVEYING & PLANNING 402 VAN DERBEEK ST. (SALMON) (CLUB) (ID) 83441	

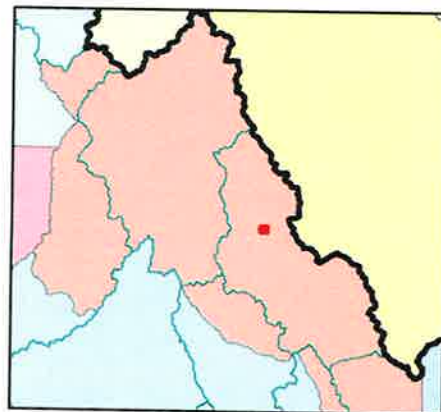


Idaho Department of Water Resources

SRBA Claim
74-15888
(IRRIGATION)

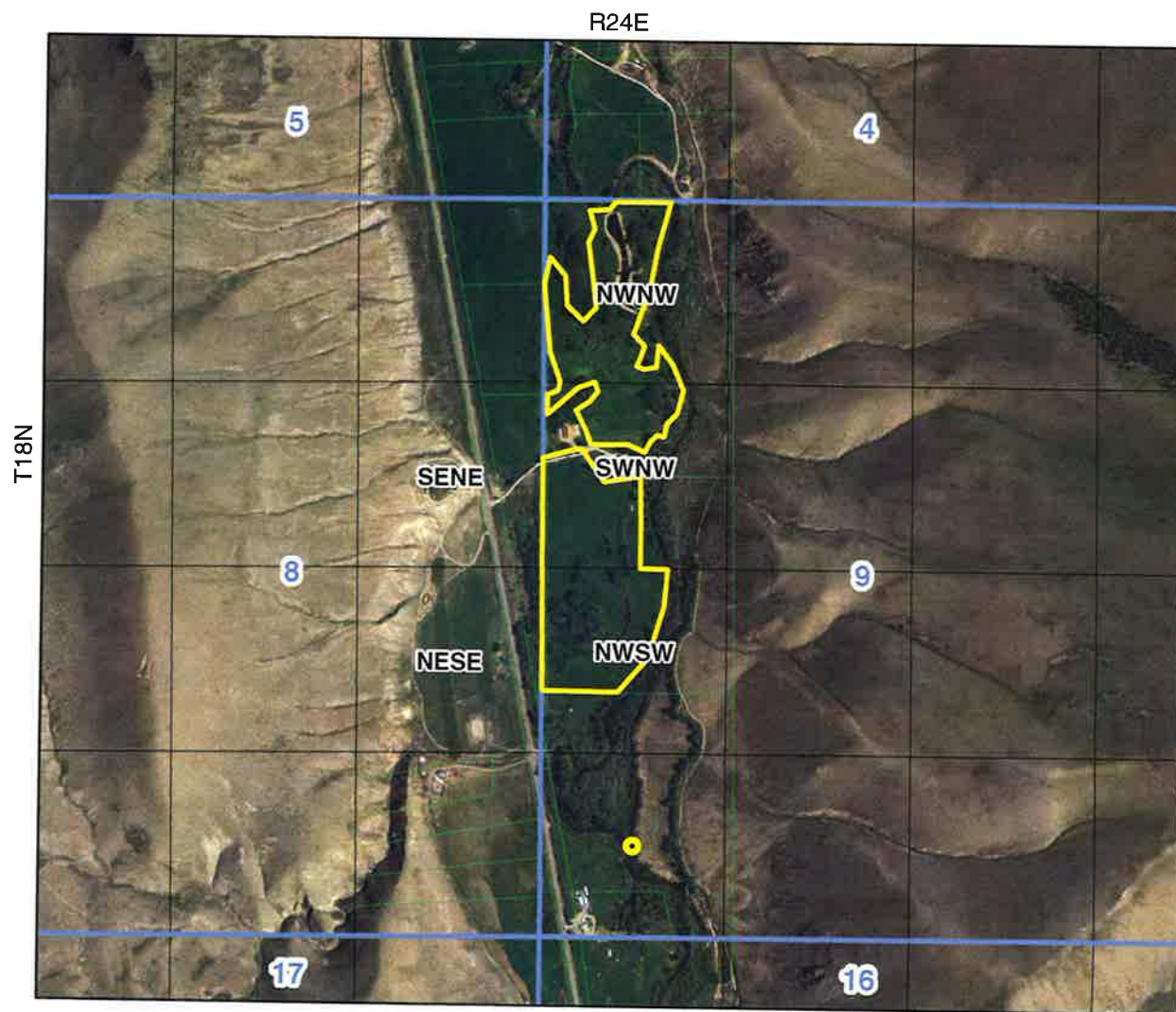
Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots



Lemhi County
IDWR Basin 74

Prepared by Nathaniel Arave
On September 23, 2008
2004 Aerial Photography



0 0.25 0.5 1 Miles

Owner: Annette Daskalos

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

SCANNED
JAN 23 2003

RECEIVED
JAN 22 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JAN 21 2009
By _____ Clerk Deputy Clerk

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

) Subcase: 74-15888

Case No. 39576

) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM
)
)
)

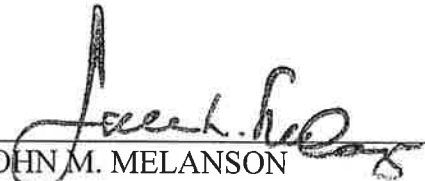
On October 9, 2008, Spiro and Annette Daskalos, by and through counsel, Milton A. Slavin, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on January 20, 2009. This *Motion* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated January 21, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

SCANNED
JAN 23 2009

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on January 21, 2009, with sufficient first-class postage to the following:

ANNETTE DASKALOS
SPIRO DASKALOS
Represented by:
MILTON A. SLAVIN
ATTORNEY AT LAW
116 N CENTER ST.
SALMON, ID 83467
Phone: 208-756-2030

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ORDER

Page 1 1/21/09

FILE COPY FOR 00912


Deputy Clerk

RECEIVED

OCT 10 2008

DEPARTMENT OF
WATER RESOURCES

Hearing: 1-20-09 *Note did Shiges.*

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 *Refund of \$1420*)
due if Approved)

Subcase *75-15888*
(insert water right number)

Case 39576)

STANDARD FORM 4

MOTION TO FILE:

☒ LATE NOTICE OF CLAIM

☐ AMENDED NOTICE OF CLAIM

claim is complete

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

SCANNED

OCT 10 2008

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is SPIRO DASKALOS

My address is 1560 Foothills Village Dr.
HENDERSON, NV 89012

My phone number is: Work _____ Home _____

I am an attorney representing SPIRO & ANNETTE DASKALOS

My name is MILTON A. (JOCK) SLAVIN

My address is 116 N. CENTER ST.
SALMON, ID

My phone number is 208 - 756 - 2030

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

SCANNED

OCT 1 11 2008

I have attached:

☒ A fully completed Notice of Claim (available from IDWR).

☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 114.20.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☐ I must amend my Notice of Claim to the use of water in the SRBA because:

SCANNED

OCT 1 11 2008

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).

- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of IDAHO

County of LEMMING

Spino Daskalos
(Insert name of person filing form)

, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

[Signature]
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on October 6, 2008
(Insert Date)



[Signature]
Notary Public for _____
Residing at: SALMON, ID
My Commission expires: 10/26/11

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

SCANNED

OCT 11 2008

CERTIFICATE OF MAILING

I certify that on October 7, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

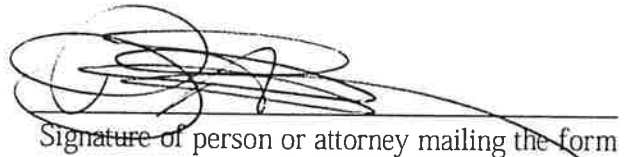
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)


Signature of person or attorney mailing the form

SCANNED

OCT 10 2008

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 74-15888

Date Received:

Receipt No:

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ANNETTE DASKALOS Phone:

1560 FOOTHILLS VILLAGE DR
HENDERSON NV USA 89012

SPIRO DASKALOS Phone:

1560 FOOTHILLS VILLAGE DR
HENDERSON NV USA 89012

2. Date of Priority: 03/15/1983

3. Source: LEMHI RIVER Trib.

4. Point of Diversion:

Township Range Section

18N 24E 9

type

5. Description of diverting works:

head gate to ditch

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
03/15 11/15 0.31

(or) A.F.A

7. Total Quantity Appropriated is:
0.31 C.F.S.

SCANNED

OCT 1 11 2008

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
18N	24E	9	NW	NW	IRRIGATION	17.5 + 10 = 27.5
			SW	NW	IRRIGATION	19
			NW	SW	IRRIGATION	16
					Section Acres	~~52.5~~ 62.5
					Total Acres	~~52.5~~ 62.5

See Attached
Wade Survey
Information
Drawing

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

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.

SCANNED

OCT 10 2008

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):

[Signature]
Annette Santalucia

Date: 10-23-08

Date: _____

State of Nevada
~~Idaho~~

County of Clark)
SS.

Subscribed and sworn (or affirmed) before me this

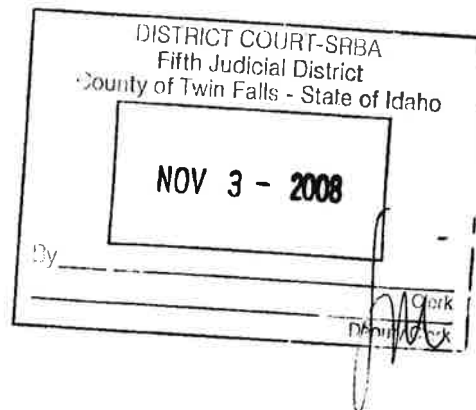
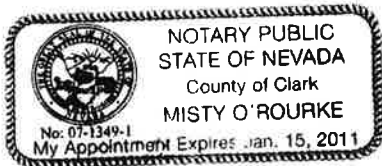
of 23rd Oct 2008

[Signature]

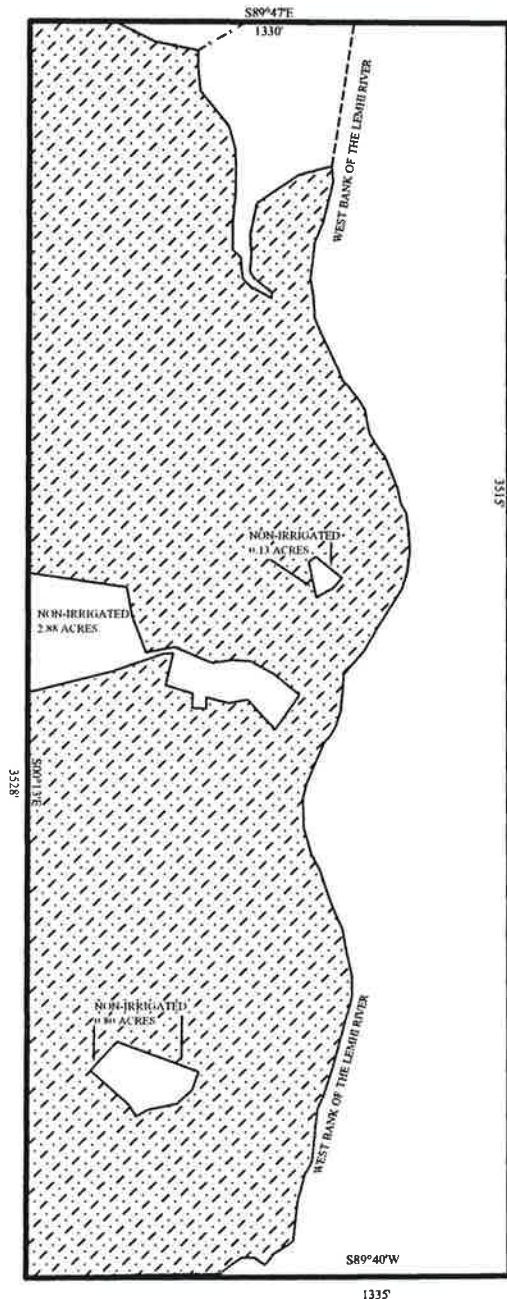
Notary Public

Residing at 3975 W. Dewey Dr. Las Vegas NV 89118

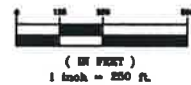
My commission Expires 1-15-2011



INFORMATIONAL DRAWING
LOCATED IN SECTION 9, T. 18 N., R. 24 E.,
BOISE MERIDIAN, LEMHI COUNTY, IDAHO



GRAPHIC SCALE



LEGEND

- - - - - EXISTING FENCE
- IRRIGATED ACRES
- NON-IRRIGATED ACRES
- PROPERTY BOUNDARY
ESTABLISHED FROM RECORDS
TAKEN FROM LEMHI COUNTY
COURTHOUSE, SALMON, IDAHO

SURVEYOR'S NOTES:

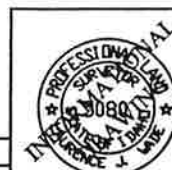
THE PURPOSE OF THIS SURVEY WAS TO SHOW THE IRRIGATED ACRES OF THE BUCKHORN RANCH.

THE BOUNDARY WAS COMPILED FROM RECORD USING TAX #2931 & #2932 AND THE PINS FOUND IN THE FIELD WERE WITHIN POSITIONAL TOLERANCE.

THE TOTAL ACREAGE FOR IRRIGATED GROUND IS 61.77 ACRES.

SCANLINE
OCT 1 11 2008

1/4	SEC	T	R
☒	9	18N	24E



FOR BUCKHORN RANCH	
DATE: 09/2008	DRAWN/CHK BY: KMH/LJA
PROJECT: T18N24E BUCKHORN RANCH	
DVG NAME: BUCKHORN RANCH DVG	
SURVEY: BOSWELL ZAK	
WADE SURVEYING GLOBAL POSITIONING SERVICE LAND SURVEYING & PLANNING 801 VAN DEUSEN ST. SALT LAKE CITY, UT 84143	

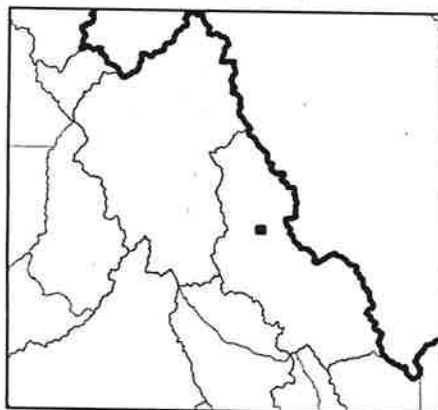


Idaho Department of Water Resources

SRBA Claim
74-15888
(IRRIGATION)

Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots



Lemhi County
IDWR Basin 74

Prepared by Nathaniel Arave
On September 23, 2008
2004 Aerial Photography



Owner: Annette Daskalos

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

SCANNED
OCT 10 2008

Claim No(s). 74-15888

Claim No(s). 74-15888

[illegible]

REFUND REQUEST

TO: S. Sherman to Log In
 FOR: C. Fritschle/D. Allen
 FROM: S. Sherman Date: 1-23-09
 SUBJ: Receipt No. C087926 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR Slavin Law Office Chtd.
 Address 116 N. Center St.
Salmon ID 83467

Claimant(s) if NOT Payor Daskalos
 Refund Amount \$14.20 Claim Location (Region/Claimant)
 Extension Filed? Y/N NA Copy Attached? Y/N NA
 Late Fees Paid? Y/N NA Late Fee Receipt # —
 S.O. Verified Ext. by — on — D.B. Query by —
 Refund Generated By () Agent () Claimant (✓) Sal
 Refund Category:
 insufficient fees / claim incomplete / withdrawn / a-pmt

Date of Last Correspondence (copy attached) yes 1-20-08

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>74-15888</u>	<u>01</u>	<u>\$14.20</u>	<u>100.00</u>	<u>C087926</u>
_____	_____	\$_____	_____	_____
_____	_____	\$_____	_____	_____
_____	_____	\$_____	_____	_____
_____	_____	\$_____	_____	_____
Total		<u>\$14.20</u>	<u>\$100.00</u>	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached (Y)N

see Craig's email.

Region AJ Spvsr. Approval n/a S.O. AJ Spvsr. Approval CS
 C. Fritschle Approval C. Fritschle Hold — To Fiscal 1-26-09
 Data Base Modified? Y/N NA A &/or R Records By — on 1-23-09



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

January 27, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MILTON A SLAVIN
116 N CENTER ST
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Late Notice of Claim #74-15888
Your Client: Annette and Spiro Daskalos

Dear Mr. Slavin:

The Notice of Claim to a Water Right you filed for your client referenced above was received from the SRBA Court recently. We have enclosed receipt #C087926 for the filing fees your firm paid. Please retain the receipt for your records.

The variable fees for this claim were paid under 74-1025B and 74-1025E, making fees for this claim only \$100. Therefore, your firm is due a refund of \$14.20.

The refund process has been initiated with the State Auditor's Office. Your firm should receive a check in the near future.

Your client's Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/287-4916 if you have any questions.

Sincerely,

Craig L. Saxton
Water Rights Supervisor
Adjudication Bureau

CLS:ss:region:ref
Enclosure:

Receipt Referenced Above

SCANNED
JAN 23 2009

Saxton, Craig

From: Saxton, Craig
Sent: Monday, October 20, 2008 1:19 PM
To: Bromley, Chris; Courtney, Andrea; Kelly, Vicki
Subject: Late Notice of Claim 74-15888 - Violation of the Mandatory Permit Statute

Hey,

A motion to file late notice of claim was received Oct 10, 2008.

A quick scan of the claim shows that the claimed priority date is in violation of the mandatory permit statute for surface water. There is no indication that this is an enlargement claim. I just thought this might be something you would want to bring up at the hearing.

Fees:

Filing fees show payment of \$114.20

The variable fees for this right were paid under 74-1025B and 74-1025E.

Filing fees should be:

\$ 50.00 claim fee (despite being from the Lemhi, this claim is based on B-use so there is a claim fee)

\$ 50.00 late fee

\$ 0.00 variable fee

Total = \$100.00

If this claim is accepted by the court, a refund of \$14.20 will need to be issued to the claimant.

Craig

SCANNED

JAN 23 2009

10/20/2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

October 20, 2008

SPIRO DASKALOS
ANNETTE DASKALOS
1560 FOOTHILLS VILLAGE DR
HENDERSON NV 89012

RE: Motion to File Late Notice of Claim 74-15888 – Signature Required

Dear Mr. and Ms. Daskalos,

The Idaho Department of Water Resources (IDWR) received a Motion to File Late Notice of Claim 74-15888 on October 10, 2008.

My initial review found that the claim was not signed. For your convenience, I am enclosing the original claim for your signature. Please sign the claim and return it to this office in the enclosed envelope as soon as possible.

Note: The signature page of the claim indicates that your signature needs to be notarized. That is not longer a requirement. Simply signing and dating your signature is sufficient.

Please feel free to contact me at 208-287-4916 if you have any questions.

Respectfully submitted,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosure(s)