

07/28/2006

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

RIGHT NUMBER: 75-28G

NAME AND ADDRESS: JONATHAN C SWERSEY
PO BOX 1006
SALMON ID 83467

MARY K WRIGHT
PO BOX 1006
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION:

T20N R22E S5 NWSWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.040 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T21N R22E S18 NWNE 1.00

1 ACRES TOTAL

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

75-28G





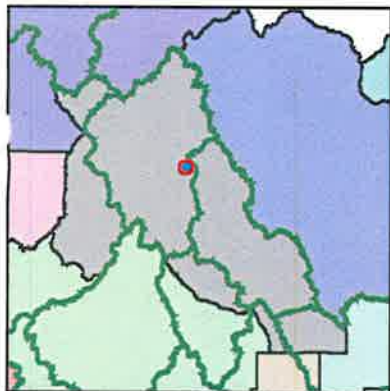
Idaho Department of Water Resources

SRBA Claim:

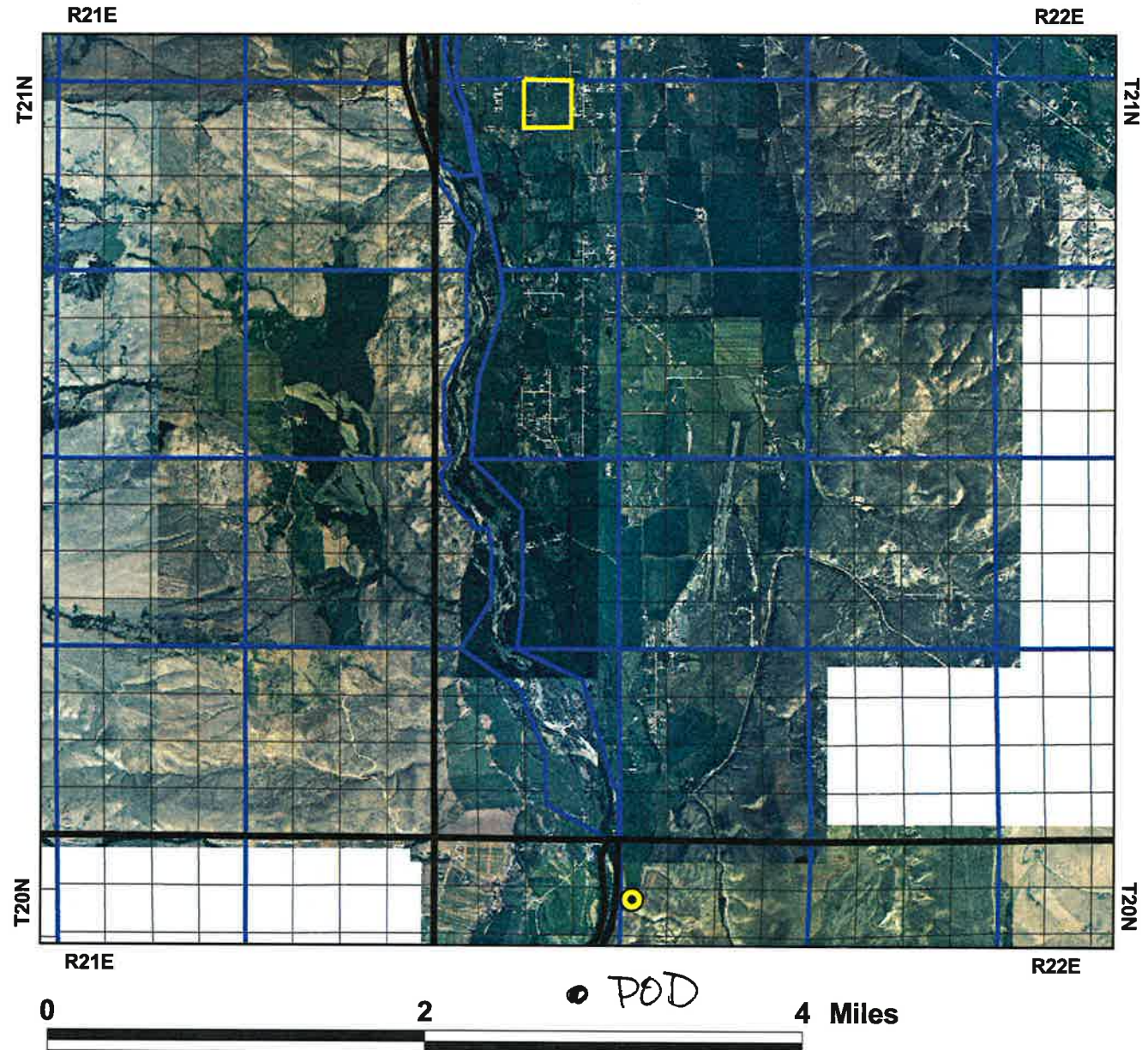
75-28G

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



Prepared by D. Favreau
On Tuesday, May 2, 2006
1987/88 Aerial Photography

03/27/2008

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

RIGHT NUMBER: 75-28G

NAME AND ADDRESS: JONATHAN C SWERSEY
PO BOX 1006
SALMON ID 83467

MARY K WRIGHT
PO BOX 1006
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

Prior to the diversion and use of water under transfer 74169, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 0.040 CFS

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/01/1894

POINT OF
DIVERSION:

T20N R22E S6 SESE Lot 14 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.040 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S18 NWNE 1.00

1 ACRES TOTAL

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.

PROFILED

SCANNED
APR 02 2008

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.

Water is delivered through the Minzer-Runsten Ditch.

Failure of the right holder to comply with the conditions of transfer 74169 is cause for the Director to rescind approval of the transfer.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

The right holder shall accomplish the change authorized by transfer 74169 by March 20, 2009.

This right does not grant any right-of-way or easement across the land of another.

PROFILED

**SCANNED
APR 02 2008**



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 27, 2008

Jonathan C Swersey
Mary K Wright
PO Box 1006
Salmon, Idaho 83467

RE: Transfer #74169 for water right(s) 75-00028G and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Swersey:

On March 20, 2008, the Idaho Department of Water Resources (IDWR) approved Transfer #74169, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Denise Kidman
Water Resource Agent

PROFILED

SCANNED
APR 02 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 SRBA

)

Water Rights: 75-00028G

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer

☒ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 27, 2008

Ernest Calhoun

Signature of IDWR Representative

PROFILED

SCANNED

APR 02 2008

CERTIFICATE OF MAILING

I certify that on April 2, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Jonathan C. Swersey
Mary K. Wright
PO Box 1006
Salmon, Idaho 83467

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

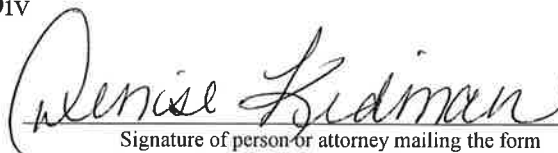
Each party in the subcase, or attorney of record

5. One copy each to:

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

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

FILED

SCANNED

APR 02 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74169

This is to certify that: JONATHAN C SWERSEY And/Or
 MARY K WRIGHT
 PO BOX 1006
 SALMON ID 83467
 (208) 756-6215

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
75-28G	AJC/Decreed	04/01/1894	0.04 cfs	N/A	N/A	1.0	SALMON RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-28G	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
75-28G	75-28G	0.04 cfs	N/A	N/A	1.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.04 cfs	N/A	N/A	1.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of March, 2008

 Chief, Water Allocation Bureau

WATER RIGHT NO. 75-28G
As Modified by Transfer No. 74169

In accordance with the approval of Transfer No. 74169, Water Right No. 75-28G is now described as follows.

Right Holder: JONATHAN C SWERSEY And/Or
 MARY K WRIGHT
 PO BOX 1006
 SALMON ID 83467

Priority Date: April 01, 1894

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	0.04 CFS	
			0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER L14 (SESE) Sec. 6 Twp 20N Rge 22E LEMHI County

PLACE OF USE:

IRRIGATION		NE				NW				SW				SE				Totals
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
21N	22E	18			1.0											1.0		

Total Acres: 1

CONDITIONS OF APPROVAL

1. Water is delivered through the Runsten Mintzer Ditch. 74169
2. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval. *by March 20, 2009.*
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. 74169
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 75-28G
As Modified by Transfer No. 74169

CONDITIONS OF APPROVAL

- Exp 064
Source 029
18. This right does not grant any right-of-way or easement across the land of another.
19. Prior to the diversion and use of water under ^{transfer 74169} this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 20th day of March, 20 08



Chief, Water Allocation Bureau

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-286

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0015026

Township 20 N Range 22 E Section 16 1/4 NW 1/4 SE 1/4 SE
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

Concrete structure w/ adjustable headgate

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

~~Changes~~ Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

Water Delivered through the Minzer - Runsten
Ditch (S14).

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 06-30-06

FIELD EXAMINER:

Asher Barton

Print Name

Asher Barton

Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 15, 2003

JONATHAN C SWERSEY
MARY K WRIGHT
PO BOX 1006
SALMON ID 83467

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 75-28G

Dear Mr. Swersey & Mrs. Wright:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

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

Department of Water Resources
 Eastern Region

OK JC 12-15-03

RECEIVED

DEC 11 2003

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	75-286				

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Stephen F +/or Merry C Haydon
Salmon ID 83467
4. New Owner/Claimant(s) Jonathan C Siversen +/or Mary K. Wright
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 1006
- City, State and ZIP Code Salmon ID 83467
- New Telephone Number (208) 756-6215
5. Date you acquired the property 11/21/2003

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

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

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

7. Signature of New Owner(s) or Claimant(s) 
(include title if applicable) _____

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by AJ Date _____ WR _____ Date _____

WARRANTY DEED

Order No.:307032000L-G

FOR VALUE RECEIVED

Wayne Unruh, an unmarried person, Deborah Unruh Stoddard, an unmarried person, who acquired title as Deborah Unruh

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Jonathan C. Swersey and Mary K. Wright, Husband and Wife

whose current address is

PO BOX 1006
SALMON ID 83467

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

A PARCEL OF LAND LOCATED IN THE NW1/4NW1/4NE1/4, SECTION 18, T. 21 N., R. 22 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18, A DISTANCE OF 660.69 FEET ON A BEARING OF S. 89° 58' 41" E., ALONG THE SECTION LINE; THENCE S. 0° 00' 40" E., 53.00 FEET TO A POINT ON THE SOUTH SIDE OF A COUTY ROAD AND BEING THE REAL POINT OF BEGINNING;

THENCE S. 0° 00' 40" E., 207.64 FEET;

THENCE N. 89° 58' 41" W., 300.0 FEET;

THENCE N. 0° 00' 40" W., 207.64 FEET;

THENCE S. 89° 58' 41" E., 300.00 FEET TO THE REAL POINT OF BEGINNING.

TO HAVE, AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 11/13/2003

Deborah Unruh Stoddard
Deborah Unruh Stoddard

Wayne Unruh
Wayne Unruh

State of Idaho

County of Lemhi

On this November 21, 2003, before me, a Notary Public in and for said state, personally appeared Deborah Unruh Stoddard and Wayne Unruh

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

State of Idaho
County of Lemhi

SS No.

256682

This instrument was filed for record at the request

of Alliance Title

at 2:30 o'clock P.M. on 11-21 2003

and duly filed and indexed in the records of Lemhi County

Terri J. Morton
Ex-Officio Recorder



Laurie M. Santee
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 6-19-2007

WARRANTY DEED

For Value Received, CENDANT MOBILITY SERVICES CORPORATION, A DELAWARE CORPORATION
the grantors, do hereby grant, bargain, sell and convey unto

WAYNE UNRUH and DEBORAH UNRUH, husband and wife,

the grantees, whose current address is 1305 Taft Avenue, Salmon, Idaho 83467

the following described premises, to wit:

A PARCEL OF LAND LOCATED IN THE NW1/4 NW1/4 NE1/4, SECTION 18, T. 21 N., R. 22 E., B.M.,
LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18, A DISTANCE OF 660.69
FEET ON A BEARING OF S. 89°58'41" E., ALONG THE SECTION LINE; THENCE S. 0°00'40" E., 53.00
FEET TO A POINT ON THE SOUTH SIDE OF A COUNTY ROAD AND BEING THE REAL POINT OF
BEGINNING;

THENCE S. 0°00'40" E., 207.64 FEET;

THENCE N. 89°58'41" W., 300.0 FEET;

THENCE N. 0°00'40" W., 207.64 FEET;

THENCE S. 89°58'41" E., 300.00 FEET TO THE REAL POINT OF BEGINNING...

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

Dated this 27 day of May 1999

CENDANT MOBILITY SERVICES CORPORATION, A DELAWARE CORPORATION

Cei J. Berube

BY:

Assistant Secretary

ITS:

IDWDEED.DOC/December 2, 1998

240751

State of Idaho
County of Lemhi)

SS No.

This instrument was filed for record at the request

of Lemhi Title

at 4:05 o'clock P.m. 5-27 1999

and duly filed and indexed in the records of

County

Terri J. Morton
Ex-Officio Recorder

By [Signature] Deputy

Fee

6.00

Return to

Lemhi Title

240751

FILE # 6200-30369
NOTARY ACKNOWLEDGEMENT
ATTACHED TO _____
DATED 12/4/98

STATE OF Connecticut)
COUNTY OF Fairfield) SS

I certify that I know or have satisfactory evidence that Corinne L. Bernbe
is/are the person(s) who appeared

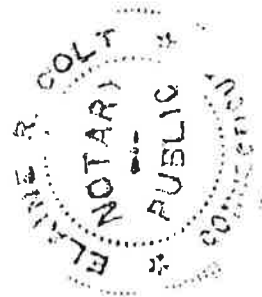
(Names of person(s))
before me, and said person(s) acknowledged that (he/she/they) signed this instrument and
on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the
Assistant Secretary of CENDANT MOBILITY SERVICES
CORPORATION, A DELAWARE CORPORATION to be the free and voluntary act of such
party for the uses and purposes mentioned in the instrument.

Dated: November 4, 1998

Elaine R. Colt
Notary Public in and for the State of
Connecticut
Residing at New Milford
(City)

(Seal)

My appointment expires _____
ELAINE R. COLT
NOTARY PUBLIC
MY COMMISSION EXPIRES MAY 31, 2003



WARRANTY DEED

For Value Received

LEONA LEE, a single person

the grantor, do^{es} hereby grant, bargain, sell and convey unto

STEPHEN F. HAYDON and MERRY L. HAYDON, husband and wife

whose current address is

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

A parcel of land located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NL $\frac{1}{4}$, Section 18, T. 21 N., R. 22 E., B.M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the North Quarter Corner of said Section 18, a distance of 660.69 feet on a bearing of S. 89°58'41" E., along the Section line; thence S. 00°00'40" E., 53.00 feet to a point on the South side of a County road and being the REAL POINT OF BEGINNING;

Thence S. 00°00'40" E., 207.64 feet;

Thence N. 89°58'41" W., 300 feet;

Thence N. 0°00'40" W., 207.64 feet;

Thence S. 89°58'41" E., 300.00 feet to the REAL POINT OF BEGINNING . . .

* * Together with all water, water rights, ditches, ditch rights, appurtenant to said land. * *

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

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

Dated: August 4, 1988

LEONA LEE

STATE OF IDAHO, COUNTY OF Lemhi
On this 4th day of August, 1988,
before me, a notary public in and for said State, personally
appeared

LEONA LEE, a single person

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

Salmon Notary Public
Residing at Salmon, Idaho
Comm. Expires 12/14/1991

State of Idaho } ss No. 191497
County of Lemhi }

This instrument was filed for record day
the request of American Land Title
at 2:15 o'clock P.M. 55 1988
and duly filed and indexed in the
records of Lemhi County

Alberta Fiederriok
Ex-Officio Recorder

By Merry L. Haydon Deputy
Per: S. F. Haydon

File #6200-30369

WARRANTY DEED

For Value Received Stephen F. Haydon and Merry L. Haydon, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto CENDANT MOBILITY SERVICES CORPORATION, A DELAWARE CORPORATION

the grantees, whose current address is 2221 CAMDEN COURT, OAK BROOK, IL 60521

the following described premises, to wit:

A Parcel of Land Located in the NW1/4 NW1/4 NE1/4, Section 18, T. 21 N., R. 22 E., B.M., Lemhi County, Idaho, More particularly described as follows:

Commencing at the North Quarter Corner of said Section 18, a distance of 660.69 Feet on a bearing of S. 89°58'41" E., Along the Section Line; Thence S. 0°00'40" E., 53.00 Feet to a point on the South side of a County road and being the real Point of Beginning;

THENCE S. 0°00'40" E., 207.64 Feet;

THENCE N. 89°58'41" W., 300.00 Feet;

THENCE N. 0°00'40" W., 207.64 Feet;

THENCE S. 89°58'41" E., 200.00 Feet to the real point of Beginning.

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

Dated: December 1, 1998

Stephen F. Haydon
STEPHEN F. HAYDON

Merry L. Haydon
MERRY L. HAYDON

STATE OF Idaho)
) ss.
COUNTY OF Lemhi)

On this 9th day of November in the year 1998, before me, a Notary Public in and for said State, personally appeared STEPHEN F. HAYDON and MERRY L. HAYDON known or identified to me to be the person(s) whose names(s) are subscribed to the within Instrument, and acknowledged to me that he / she / they executed the same.



Melissa J. Cole
Notary Public in and for the State of Idaho
residing at Salmon, Idaho
My appointment expires: 11/18/2000

238991

State of Idaho)
County of Lemhi

SS No. _____

This instrument was filed for record at the request
of Debra L. Little
at 8:43 o'clock A.M. 12-8 19 78
and duly filmed and indexed in the records of Lemhi

County

Albarta Wiederick
Ex-Officio Recorder

O.A.P.U.Y.

By Debra L. Little

Fee 1.00

Return to Debra L. Little

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 75-28G
Date Received: 5/4/1990
Receipt No: E014181
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

JONATHAN C SWERSEY Phone: (208) 756-6215
PO BOX 1006
SALMON ID USA 83467

MARY K WRIGHT Phone: (208) 756-6215
PO BOX 1006
SALMON ID USA 83467

2. Date of Priority: 04/01/1894

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
20N	22E	5	NW SW NW	LEMHI	

5. Description of diverting works:

ROCK WING TO CONCRETE HEADGATE/ DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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21N

22E 18

NW NE

IRRIGATION 1

Section Acres 1

Total Acres 1

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:

FLows CARRIED BY MINZER - RUNSTEN DITCH.

15. Basis of Claim: Decreed

OCT 0 - 2001

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: A75-00028G

Date Received: 5/04/1990

Receipt No: E014181

Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEPHEN F. HAYDON
Address: PO BOX 335
SALMON, ID

208-756-4802

OR

Name: MERRY L. HAYDON
Address: PO BOX 335
SALMON, ID

83467

208-756-4802

83467

2. Date of Priority: APR 01, 1894

3. Source: SALMON RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
20N	22E	5	NW	SW	NW		LEMHI

5. Description of diverting works:
ROCK WING TO CONCRETE HEADGATE/ DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		

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

A.F.A.

8. Total consumptive use is 2.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A7500028G



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	22E	18	NW NE		IRR	1.0
Section Acres						1.0
Total Acres						1.0

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:
FLOWS CARRIED BY MINZER - RUNSTEN DITCH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

H. V. FERGUSON ET AL
Decree Plaintiff

vs T. FERGUSON ET AL
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): _____ Date: _____
_____ Date: _____

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

75000 286

Date Received

Receipt Number

E0141 81/90

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 5 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s)

MERRY L Haydon
Stephen F Haydon

Phone (208)

756-4802

Mailing Address

PO BOX 335 SALMON, ID

Zip

83467

2. Date of Priority (Only one (1) per claim)

April 1, 1894

3. Source of water supply (a)

SALMON RIVER

which is tributary to (b)

SNAKE RIVER

4. a. Location of existing point of diversion is:

Township

20N

Range

22E

Section

5

NW

1/4 of

SW

1/4 of

NW

1/4, Govt. Lot,

B.M., County of

LENAH

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township

Range

Section

1/4 of

1/4 of

1/4,

Govt. Lot

B.M., County of

ending point is: Township

Range

Section

1/4 of

1/4 of

1/4 of

1/4, Govt. Lot

B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Rock wing to concrete headgate

Ditch to Flood irrigation

MICROFILMED

DEC 15 1992

6. -Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from April 1 to Nov 1 amount .04 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>21N</u>	<u>22E</u>	<u>18</u>		<u>1</u>															

Total number of acres irrigated 1

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

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

FLows CARRIED BY MINZER - RUNSTEN DITCH

MICROFILMED

DEC 15 1992

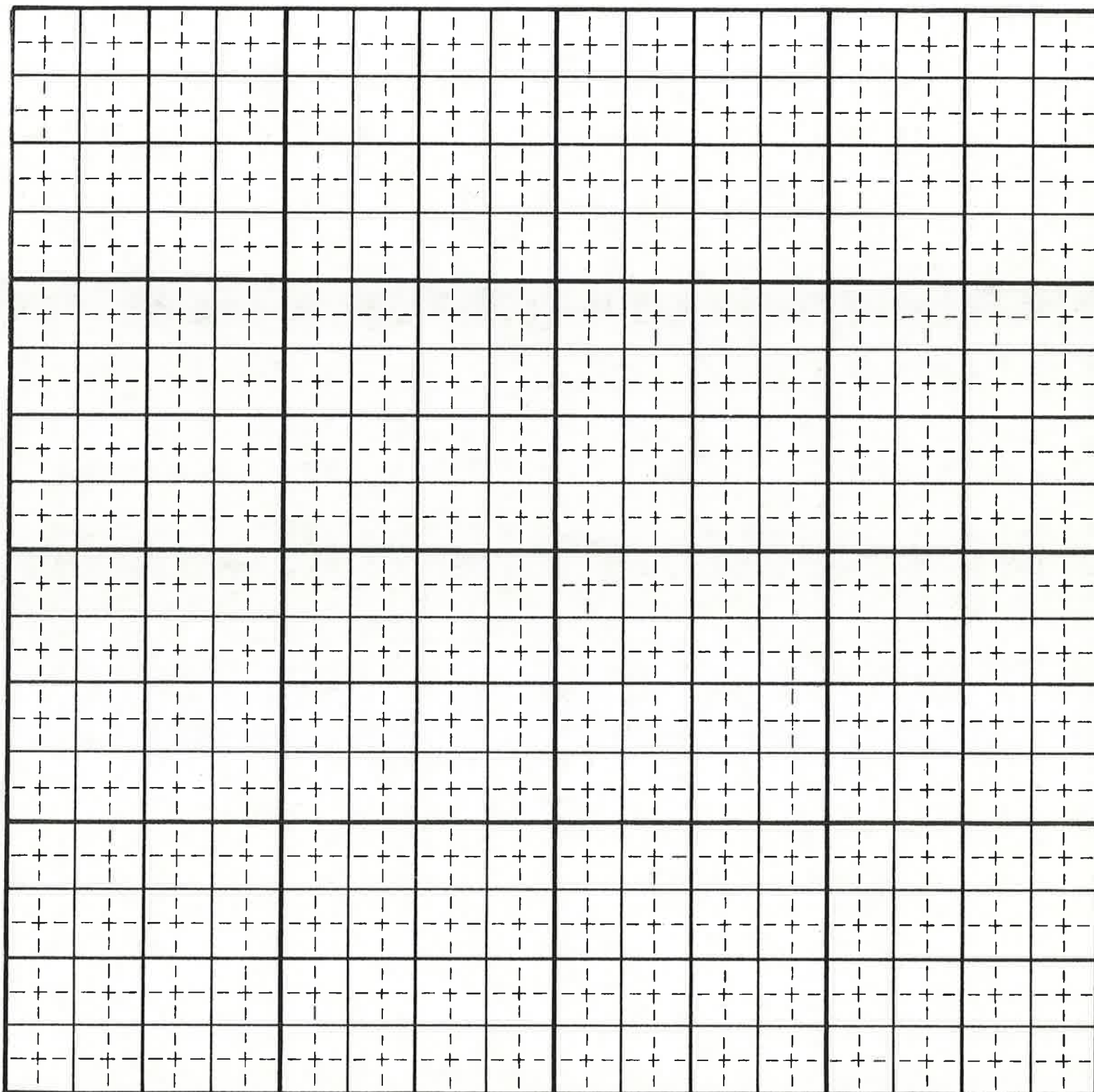
Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEE ATTACHMENT



Last Name _____ Ident No. _____

MICROFILMED
DEC 15 1992
Copies: White-State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date JUNE 24, 1915

Plaintiff vs Defendant AN FERGUSON ET AL VS T. FERGUSON ET AL

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 1 (MAP)

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

Signature of Claimant (s) Stephen F. Hayden Date 5-2-90

Merry A. Hayden Date 5-2-90

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

of _____ Organization _____, that I have signed the foregoing

document in the space below as _____ Title _____ of _____ Organization _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of LEMHI) SS.

Subscribed and sworn (or affirmed) before me this 2nd day of MAY 1990

SEAL Notary Public Missy G. Coe

Residing at Salmon Id

My Commission Expires 3/7/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED

DEC 15 1992

Copies White-State, Yellow-Claimant

DEC 15 1992

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