

11/14/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-7329

FAIRWAY HOMES INC
1072 INDIANHEAD RD
WEISER ID 83672
Telephone Number: (208)549-3440

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

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

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

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-29-06 SIGNATURE: FAIRWAY HOMES INC By Ray J. Laan Pres.

Please print your name: RAY J. LAAN

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 13 2006

11/02/2006

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

RIGHT NUMBER: 67-7329

NAME AND ADDRESS: FAIRWAY HOMES INC
1072 INDIANHEAD RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.280 CFS
315.000 AFY

PRIORITY DATE: 11/03/1977

POINT OF DIVERSION:

T11N R06W S23 NWNESE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.280 CFS 315.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R06W S23	NESE	18.00	T11N R06W S23	NWSE	20.00
T11N R06W S23	SWSE	17.00	T11N R06W S23	SESE	15.00

70 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 - License

Use of this right is combined with water from Weiser Irrigation District.



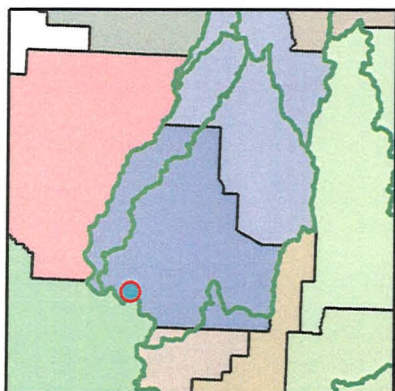
Idaho Department of Water Resources

SRBA Recommendation:

67-7329

Legend

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



Washington County
IDWR Basin 67



0 0.2 0.4 Miles



Prepared by J. Dean
On Thursday, November 2, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7329 V1

WATER RIGHT NUMBER: 67-7329 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROSEMARY WILSON C/O IRA T BURTON PO BOX 367 WEISER, ID 83672 (208)549-1652
Current Owner	FAIRWAY HOMES INC 1072 INDIANHEAD RD WEISER, ID 83672 (208)549-3440

Priority Date: 11/03/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.280 CFS	315.00 AF
	<u>Total Diversion:</u>	1.280 CFS	315.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4SE1/4	Sec. 23, Twp 11N, Rge 06W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	06W	23													18.0	20.0	17.0	15.0	70.0

Total Acres: 70

Conditions of Approval:

1. F14 Use of this right is combined with water from Weiser Irrigation District.
2. C18 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.
3. S47 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7329 V1

Remarks:Comments:

1. segbert 4/1/2004 Priority Date

Comment: The priority date on the license is 11-3-77. The priority date on the claim is 7-13-77. Recommend amended claim

2. segbert 4/5/2004 Quantity

Comment: The diversion volume on the license is 1.48 cfs and 1.78 on the claim

3. mcase 5/12/2004 Period of Use

Comment: Licensed Period of Use shorter than Standard Season of Use. Recommend shoulder remark.

4. jdean 11/2/2006 Priority Date

Comment: The priority date should be recommended according to the license, 11/3/77.

5. jdean 11/2/2006 Quantity

Comment: The quantity should be recommended based on the license, 1.48 cfs and 315 afy.

6. jdean 11/2/2006 Amended Claim

Comment: The claim for this right was amended to be based on the license.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/1/2004 9:58:56 AM	segbert			Active
POD	4/1/2004 10:05:36 AM	segbert			Active
POU	4/1/2004 10:06:00 AM	segbert			Active
Source	4/1/2004 10:06:03 AM	segbert			Active
Use	4/1/2004 10:06:05 AM	segbert			Active
Season	4/1/2004 10:06:08 AM	segbert			Active
Quantity	4/1/2004 10:06:10 AM	segbert			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7329 V1

Priority Date	4/1/2004 12:55:47 PM	segbert	Active
POD	4/1/2004 12:57:30 PM	segbert	Active
Source	4/1/2004 1:06:56 PM	segbert	Active
POU	4/1/2004 1:10:20 PM	segbert	Active
Use	4/1/2004 1:21:52 PM	segbert	Active
Source	4/1/2004 2:21:27 PM	segbert	Active
Season	4/1/2004 2:37:49 PM	segbert	Active
Quantity	4/1/2004 2:44:46 PM	segbert	Active
Quantity	4/5/2004 11:48:15 AM	segbert	Active
Priority Date	4/5/2004 11:52:49 AM	segbert	Active
POD	4/5/2004 11:52:50 AM	segbert	Active
POU	4/5/2004 11:52:52 AM	segbert	Active
Source	4/5/2004 11:52:58 AM	segbert	Active
Use	4/5/2004 11:53:01 AM	segbert	Active
Season	4/5/2004 11:53:16 AM	segbert	Active
Priority Date	5/12/2004 3:36:00 PM	mcase	Active
Source	5/12/2004 3:37:00 PM	mcase	Active
Season	5/12/2004 3:38:57 PM	mcase	Active
Quantity	5/12/2004 3:40:16 PM	mcase	Active
Summary			
	11/02/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/2/2006 5:01:06 PM	jdean	Updated shape
POU	11/2/2006 5:02:23 PM	jdean	Updated shape for Active POU
POU	11/2/2006 5:02:32 PM	jdean	Updated PLS for Active POU
POD	11/2/2006 5:01:21 PM	jdean	Updated PLS
Summary	11/2/2006 5:09:40 PM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7329 V1

Priority Date	5/12/2004 3:36:02 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ? (No) 15. Is the basis of claim coded correctly?
Season	5/12/2004 3:38:58 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?
POD	4/1/2004 10:04:07 AM	segbert	Edited point location
POU	2/27/2004 2:34:57 PM	awarntje	Edited shape boundary
Quantity	5/12/2004 3:40:18 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
Priority Date	4/1/2004 9:58:58 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/1/2004 10:05:38 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
POU	4/1/2004 10:06:02 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
Source	4/1/2004 10:06:05 AM	segbert	(Yes) 1. Is the basis of claim Decree or License?
Use	4/1/2004 10:06:07 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
Season	4/1/2004 10:06:09 AM	segbert	(Yes) 1. Is the basis of claim Decree or License?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7329 V1

Quantity	4/1/2004 10:06:12 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
POD	4/1/2004 12:57:32 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
POD	4/1/2004 1:02:50 PM	segbert	Edited point location
POU	4/1/2004 1:10:22 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Source	4/1/2004 2:21:28 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
Priority Date	4/1/2004 12:55:49 PM	segbert	(Yes) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 2. Was the owner or the owners predecessor in interest of the place of use joined in the later decree? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	4/1/2004 1:06:58 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
Use	4/1/2004 1:21:54 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7329 V1

Season	4/1/2004 2:37:51 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (No) 6. Is there evidence that there has been a change in the Period of Use? (No) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
POU	2/27/2004 2:35:49 PM	awarntje	Edited shape boundary
Quantity	4/1/2004 2:44:48 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
Priority Date	4/5/2004 11:52:49 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ?
POD	4/5/2004 11:52:51 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
POU	4/5/2004 11:52:52 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
Source	4/5/2004 11:52:58 AM	segbert	(Yes) 1. Is the basis of claim Decree or License?
Use	4/5/2004 11:53:02 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
Season	4/5/2004 11:53:16 AM	segbert	(Yes) 1. Is the basis of claim Decree or License?
Quantity	4/5/2004 11:48:16 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
Source	5/12/2004 3:37:01 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?

Water Supply Bank:

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 67-7329
Date Received: 10/17/1989
Receipt No: C012309
Received By:

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

1. Name of Claimant(s)

FAIRWAY HOMES INC Phone:

1072 INDIANHEAD RD
WEISER ID USA 83672

2. Date of Priority: 07/13/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	06W	23	NW NE SE	WASHINGTON	

5. Description of diverting works:

WELL, 73' DEEP, 12" CASING, 15 HP PUMP, CONCRETE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	11/01	1.78	

7. Total Quantity Appropriated is:
1.78 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
11N	06W	23	NE SE	IRRIGATION	29
			NW SE	IRRIGATION	20
			SW SE	IRRIGATION	20

SE	SE	IRRIGATION	20
		Section Acres	89
		Total Acres	89

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Permit

My commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 31, 2005

FAIRWAY HOMES INC
1072 INDIANHEAD RD
WEISER ID 83672

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-7329

Dear Claimant:

We have processed your change in ownership of the Notice of Claim referenced above.

Enclosed is a copy of your Notice of Claim for your file. Please refer to this record number in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:region

Enclosure:

Copy of Notice of Claim Referenced Above

SCANNED

OCT 31 2005

RECEIVED

OCT 12 2005

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

WATER RESOURCES
WESTERN REGION

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case 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
67-7329					

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) Rosemary Wilson % Ira T. Burton
P O Box 367, Weiser, ID 83672
4. New Owner/Claimant(s) Fairway Homes, Inc
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1072 Indianhead Road
- City, State and ZIP Code Weiser, ID 83672
- New Telephone Number (208) 549-3440
5. Date you acquired the property Aug. 24, 2005

OKAY TO CHANGE IN ENTIRETY.

DLN 10/31/05

SCANNED

OCT 17 2005

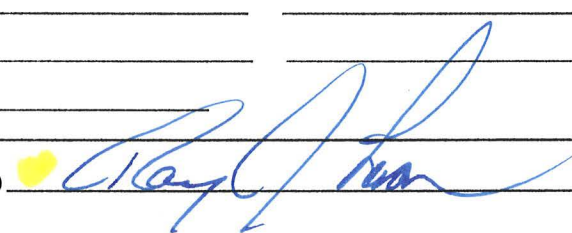
SCANNED

OCT 31 2005

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 sherman Date 10-31-05 WR _____ Date _____

SCANNED

OCT 31 2005

SCANNED

OCT 17 2005

IRA T. BURTON
BURTON & KROLL
P. O. Box 367
Weiser, Idaho 83672
(208) 549-1652

COPY

Filed

9-15-99

SHARON WIDNER 1:45 P. M.
Clerk District Court

By

ELIE BARRA

Deputy

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

MAGISTRATE DIVISION

In the Matter of the Estate of)
ROSEMARY WILSON,) Case No. SP 98-00316
Deceased.) ORDER APPROVING FINAL ACCOUNT
AND DECREE OF DISTRIBUTION

The petition of ELEANOR WAGNER and KATHLEEN PAGOAGA for settlement and distribution of the above named estate having come before the Court for hearing, the Court makes the following findings:

I.

ELEANOR WAGNER and KATHLEEN PAGOAGA are the duly appointed, qualified and acting Personal Representative of the above named estate.

II.

Notice to Creditors has been published and the time for presenting claims that arose prior to the death of the decedent has expired.

III.

All debts of the decedent and of the estate, and all

1 ** DECREE OF DISTRIBUTION

SCANNED

OCT 17 2005

expenses of administration, and all taxes that have attached to or accrued against the estate have been paid.

IV.

The Personal Representative has filed a Final Accounting and the estate is in a condition to be closed.

V.

Proof of service of the notice of the time for filing objections to the Final Account and Petition for Distribution has been filed herein. No objections have been filed.

VI.

The decedent died testate on the 18th day of September, 1998. The following persons are entitled to distribution of the remaining estate property:

Divided equally between Eleanor Wagner, Kathleen Pagoaga, Linda Martin, and Steven K. Peterson.

IT IS THEREFORE HEREBY ORDERED AND DECREED:

1. The Final Account is allowed and settled.
2. The following described real property located in Washington County, Idaho, is hereby decreed in equal shares to the following:

An undivided one-fourth interest to ELEANOR WAGNER,
as her sole and separate property;
An undivided one-fourth interest to KATHLEEN PAGOAGA,
as her sole and separate property;
An undivided one-fourth interest to LINDA MARTIN, as
her sole and separate property;
An undivided one-fourth interest to STEVEN K. PETERSON,
as his sole and separate property.

The West Half of the Northeast Quarter of the Southwest Quarter, and the East Half of the East Half of the Southwest Quarter and the East Half of the West Half of the Southeast Quarter; the West Half of the East Half of the Southeast Quarter all in Section 23 and all that part of the East Half of the Southeast Quarter of Section 23 described as follows:

Beginning at a point 655 feet West and 1042 feet North of the Southeast Corner of the Southeast Quarter of said section as a place of beginning;

Thence in a Northeasterly direction to a point 1900 feet North and 315 feet West of the Southeast corner of the Southeast Quarter of said Section 23;

Thence North 742 feet to the North line of the said Southeast Quarter of Section 23;

Thence West along said North line, a distance of 345 feet;

Thence South 1600 feet to the place of beginning, containing 9.29 acres, more or less, all in Township 11 North, Range 6 West of the Boise Meridian, Washington County, Idaho.

3. The balance of estate assets which consists of cash, is hereby decreed one-fourth to ELEANOR WAGNER, one-fourth to KATHLEEN PAGOAGA, one-fourth to LINDA MARTIN, and one-fourth to STEVEN K. PETERSON.

4. The Personal Representative is directed to make distribution of the remaining estate property and any other property of the decedent or the estate not now known or discovered to the persons in the manner set forth above.

3 ** DECREE OF DISTRIBUTION

5. That upon distribution of the remaining estate property, the Personal Representative is discharged from any further duties, obligations or liabilities in the above referenced estate.

DATED this 15 day of September, 1999.

GREGORY M. CULET

Magistrate

STATE OF IDAHO
County of Washington
I Herby certify that the foregoing
instrument is a true and correct copy
of the original on file in this office.
Dated November 4, 1999
Sharon Widner, Clerk of District Court
[Signature]
Deputy Clerk of Magistrate Division

INSTRUMENT NO. 178028
STATE OF IDAHO, COUNTY OF WASHINGTON ss.
Filed for record at the request of
BURTON & KROLL LAW OFFICE
34 Min. past FIFTEEN o'clock P. M.
This 4TH day of NOVEMBER 19 99
Index to: DEED DECREE
SHARON WIDNER, Recorder Fee: \$12.00
By AK33 Knight Deputy
BURTON & KROLL LAW OFFICE

Comp. Index
Comp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return
Copy

QUITCLAIM DEED

FOR VALUE RECEIVED, STEVEN K. PETERSON, a married man, as his sole and separate property, owner of a one-eighth interest in and to the herein described property, Grantor, does hereby convey, release, remise and forever quitclaim unto ELEANOR WAGNER, 821 S. Idaho, Grangeville, Idaho 83530, a married woman as her sole and separate property, a 1/24th interest, unto KATHLEEN PAGOAGA, 517 Sierra Drive, Boise, Idaho 83705, a married woman as her sole and separate property, a 1/24th interest, and to LINDA MARTIN, 1600 Poets Corner, San Antonio, Texas, 78232, a single woman, as her sole and separate property, a 1/24th interest, the following described premises situate in Washington County, Idaho;

AND FURTHER, BARBARA M. LITTENBERG, a married woman, as her sole and separate property, owner of a one-eighth interest in and to the herein described property, Grantor, does hereby convey, release, remise and forever quitclaim unto ELEANOR WAGNER, 821 S. Idaho, Grangeville, Idaho 83530, a married woman as her sole and separate property, a 1/24th interest, unto KATHLEEN PAGOAGA, 517 Sierra Drive, Boise, Idaho 83705, a married woman as her sole and separate property, a 1/24th interest, and to LINDA MARTIN, 1600 Poets Corner, San Antonio, Texas, 78232, a single woman, as her sole and separate property, a 1/24th interest, the following described premises situate in Washington County, Idaho, to-wit:

The West Half of the Northeast Quarter of the Southwest Quarter, and the East Half of the East Half of the Southwest Quarter and the East Half of the West Half of the Southeast Quarter; the West Half of the East Half of the Southeast Quarter all in Section 23 and all that part of the East Half of the Southeast Quarter of Section 23 described as follows:

Beginning at a point 655 feet West and 1042 feet North of the Southeast Corner of the Southeast Quarter of said section as a place of beginning;

- Thence in a Northeasterly direction to a point 1900 feet North and 315 feet West of the Southeast corner of the Southeast Quarter of said Section 23;

Thence North 742 feet to the North line of the said Southeast Quarter of Section 23;

Thence West along said North line, a distance of 345 feet;

Thence South 1600 feet to the place of beginning, containing 9.29 acres, more or less, all in Township 11 North, Range 6 West of the Boise Meridian, Washington County, Idaho.

together with the appurtenances thereto, and to their heirs and assigns forever.

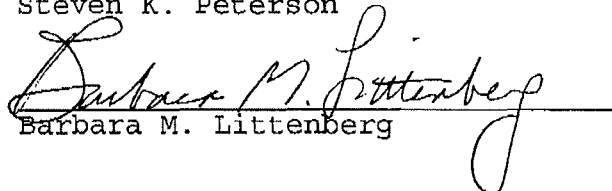
It being the intent of this Quitclaim Deed to transfer all right, title and interest of Grantors in and to said property to the Grantees, thereby resulting in the following fractional interests after the recording of this Quitclaim Deed:

Eleanor Wagner - 1/3rd
Kathleen Pagoagoa - 1/3rd
Linda Martin - 1/3rd

DATED this 15th day of ^{MARCH} February, 2003.



Steven K. Peterson

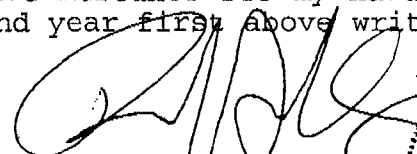


Barbara M. Littenberg

STATE OF NEW YORK)
County of NY) ss.

On this the 15th day of ^{MARCH} February, 2003, before me the undersigned, a Notary Public in and for said State, personally appeared STEVEN K. PETERSON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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


Notary Public for said State
Residing at: 1091 3rd Ave
Notary Public, State of New York
No. 01AV8077148
Qualified in Manhattan County
Commission Expires JULY 08, 2006

STATE OF NEW YORK)
County of NY) ss.

On this the 15th day of ^{MARCH} February, 2003, before me the undersigned, a Notary Public in and for said State, personally appeared BARBARA M. LITTENBERG, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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

Instrument # 189016

WEISER, WASHINGTON, IDAHO

2003-03-19 01:44:33 No. of Pages: 3

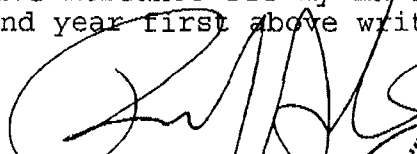
Recorded for: BURTON & KROLL LAW OFFICE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

3 ** QUITCLAIM DEED


Notary Public for said State
Residing at: 1091 3rd Ave
Notary Public, State of New York
No. 01AV8077148
Qualified in Manhattan County
Commission Expires JULY 08, 2006

SCANNED

APR 17 2005

COPY

Approved by:

Initials

K.L. *R/L**Warranty Deed*

FOR VALUE RECEIVED, ELEANOR WAGNER, a married woman as her sole and separate property as to a 1/3 interest, KATHLEEN PAGOAGA, a married woman as her sole and separate property as to a 1/3 interest, LINDA WILSON, formerly known as LINDA MARTIN, a single woman as to her 1/3 interest, the Grantors, do hereby, grant, bargain, sell and convey unto FAIRWAY HOMES, INC., the Grantee, whose address is 807 W. 1st Street, Weiser, ID 83672, the following described real estate situated in Washington County, State of Idaho, to-wit:

See attached Legal Description.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors 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 said premises are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 22nd day of August, 2005.

Instrument # 198344

WEISER, WASHINGTON, IDAHO

2005-08-24

09:27:00 No. of Pages: 5

Recorded for : WASHINGTON COUNTY TITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 15.00

*Lisa M. Knight**Eleanor Wagner*

Eleanor Wagner

Kathleen Pagoaga

Kathleen Pagoaga

Linda Wilson

SCANNED

OCT 17 2005

Approved by:
Initials _____



Warranty Deed



FOR VALUE RECEIVED, ELEANOR WAGNER, a married woman as her sole and separate property as to a 1/3 interest, KATHLEEN PAGOAGA, a married woman as her sole and separate property as to a 1/3 interest, LINDA WILSON, formerly known as LINDA MARTIN, a single woman as to her 1/3 interest, the Grantors, do hereby, grant, bargain, sell and convey unto FAIRWAY HOMES, INC., the Grantee, whose address is 807 W. 1st Street, Weiser, ID 83672, the following described real estate situated in Washington County, State of Idaho, to-wit:

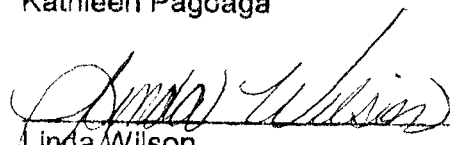
See attached Legal Description.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors 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 said premises are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 2nd day of August, 2005.

Eleanor Wagner

Kathleen Pagoaga



Linda Wilson

MAY 17 2005

STATE OF IDAHO)
 : ss
 County of Washington)

On this _____ day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared ELEANOR WAGNER, known to me, or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 Notary Public for Idaho
 Residing at Weiser, Idaho
 Commission expires:

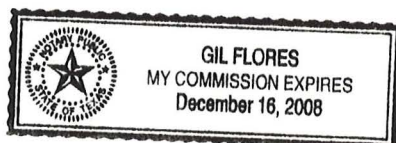
STATE OF IDAHO)
 : ss
 County of Washington)

On this _____ day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared KATHLEEN PAGOAGA, known to me, or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 Notary Public for Idaho
 Residing at Weiser, Idaho
 Commission expires:

STATE OF TEXAS)
 : ss
 County of Bexar)

On this 22nd day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared LINDA WILSON, known to me, or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.



Gil Flores
 Notary Public for Texas
 Residing at: 10004 Warzback
 Commission expires: 12/16/08

SCANNED

AUG 17 2005

Legal Description to Warranty Deed

IN WASHINGTON COUNTY, IDAHO:

IN TOWNSHIP 11 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

Section 23: $E\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}$, SAVE AND EXCEPT the North 27 feet;

$W\frac{1}{2}E\frac{1}{2}SE\frac{1}{4}$, and all that part of the $E\frac{1}{2}SE\frac{1}{4}$ described as follows:

Beginning at a point 655 feet West and 1042 feet North of the Southeast Corner of the $SE\frac{1}{4}$ of said Section 23 as the POINT OF BEGINNING;

Thence in a Northeasterly direction to a point 1900 feet North and 315 feet

West of the Southeast Corner of the $SE\frac{1}{4}$ of said Section 23;

Thence North 742 feet to the North line of the $SE\frac{1}{4}$ of said Section 23;

Thence West along said North line, a distance of 345 feet;

Thence South 1600 feet to the POINT OF BEGINNING.

SUBJECT TO right of way of an existing County Road known as Indianhead Road along the South boundary of the above described property.

SAVE AND EXCEPT the following:

A parcel of land situated in the $S\frac{1}{2}SE\frac{1}{4}$ of said Section 23, described as follows:

Beginning at a point 655 feet West of the Southeast corner of said Section 23;

Thence North, parallel to the East line of said Section 23, to the point of intersection with the easterly bank of Jenkins Creek as now established.

Thence in a westerly and southerly direction along the easterly and southerly bank of Jenkins Creek to a point on the South line of said Section 23;

Thence East along the South line of said Section 23, to the POINT OF BEGINNING.

N 



OCT 17 2005

Washington County Title Co.

RECEIVED

OCT 17 2005

Department of Water Resources

35 West Idaho St.
Weiser, ID 83672

(208) 414-1455
Fax (208) 414-1487
wctitle@ruralnetwork.net

Title Insurance

Escrow Service

October 11, 2005

RECEIVED

OCT 12 2005

WATER RESOURCES
WESTERN REGION

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Change in Water Right Ownership for #67-7329

Enclosed please find a Notice of Change in Water Right Ownership form for the above referenced water right number, changing ownership to Fairway Homes, Inc. Also enclosed are copies of:

- ▶ Decree of Distribution for Rosemary Wilson, deceased, to Eleanor Wagner, Kathleen Pagoaga, Linda Martin, Steven K. Peterson
- ▶ Quitclaim Deed from Steven K. Peterson to Eleanor Wagner, Kathleen Pagoaga, Linda Martin
- ▶ Warranty Deed from Eleanor Wagner, Kathleen Pagoaga and Linda Wilson (Martin) to Fairway Homes, Inc.
- ▶ Copy of plat map

If you need anything further, please let us know, or contact Ray or Karma Laan of Fairway Homes, Inc. at 549-3440.

Yours truly,



Paula Thomsen

Encl.

SCANNED

OCT 17 2005

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: **A67-07329**
Date Received: 10/17/1989
Receipt No: C012309
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ROSEMARY WILSON
Address: C/O IRA T BURTON
PO BOX 367
WEISER ID

208-549-1652

83672

2. Date of Priority: JUL 13, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	06W	23	NW	NE	SE		WASHINGTON

5. Description of diverting works:

WELL, 73' DEEP, 12" CASING, 15 HP PUMP, CONCRETE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/01	1.780		

7. Total Quantity Appropriated is:

1.780 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 311.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	06W	23	NE	SE		IRR	29.0
			NW	SE		IRR	20.0
			SW	SE		IRR	20.0
			SE	SE		IRR	20.0

**SCANNED
APR 19 2004**

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	89.0
					Total Acres	89.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
GALLOWAY DITCH & CRANE CRK. RESV.

14. Remarks:
ADDRESS CHANGE BY CLAIMANT LETTER 5/10/99 SS.

15. Basis of Claim: PERMIT

BURTON & KROLL

ATTORNEYS AT LAW
P.O. BOX 367
WEISER, IDAHO 83672

IRA T. BURTON
CHARLES R. KROLL

RECEIVED

MAY - 7 1999

Department of Water Resources

208 549 1652

May 5, 1999

Ms. Sally Sherman
Technical Records Specialist
Adjudication Bureau
Idaho Department of Water Resources
P. O. Box 83720
Boise, Idaho 83720-0098

Re: Rosemary Wilson
Snake River Basin Adjudication (SRBA)
Water Right #67-10721 & A67-07329

*Records changed, NCAP
prepared
on 5-10-99*

Dear Ms. Sherman:

This letter is written in response to your letter dated April 29, 1999, a copy of which is enclosed.

Rosemary Wilson passed away on September 18, 1998, and we are currently in the process of probating her estate. Her property, together with all water rights will be distributed to her children. It has not yet been determined if that will be distributed in individual names, a corporation or partnership. Therefore, the address which you currently show c/o Ira T. Burton, Attorney at Law, P. O. Box 367, Weiser, Idaho, 83672 is the correct address. When title to the property has been transferred, we will inform you of the correct address.

If you have any questions, please feel free to contact me.

Sincerely yours,

BURTON & KROLL

Ira T. Burton (v.s.)

Ira T. Burton
ITB/nd
Encl.

\$139

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: A67-07329
Date Received: 10-16-90
Receipt No: C012309
Received By: D.K.
alt

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROSEMARY WILSON
Address: RT. 1 BOX 160
WEISER, ID

83672

2. Date of Priority: JUL 13, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Department of Water Resources

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	06W	23	NW	NE	SE		WASHINGTON

5. Description of diverting works:
WELL, 73' DEEP, 12" CASING, 15 HP PUMP, CONCRETE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	1.780		

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

8. Total consumptive use is 311.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	06W	23	NE	SE		IRR	29.0
			NW	SE		IRR	20.0
			SW	SE		IRR	20.0
			SE	SE		IRR	20.0

Section Acres 89.0

A67-07329

Page 1

Date: 10/11/89

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Total Acres 89.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
GALLOWAY DITCH & CRANE CRK. RESV.

14. Remarks:

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: 2 ^{map} land description

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): Rosemary Wilson Date: Oct 12, 1989

Date: _____

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of OCTOBER 19 89 Joe T. Burt
Notary Public

Seal

Residing at Weiser

My Commission Expires Sept 22, 1992

BURTON & KROLL

ATTORNEYS AT LAW

P. O. BOX 307

WEISER, IDAHO 83072

IRA T. BURTON

CHARLES R. KROLL

208 540 1052

October 13, 1989

RECEIVED

Rosemary Wilson

TOWNSHIP 11 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

Section 23: $W\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}$, $W\frac{1}{2}E\frac{1}{2}SE\frac{1}{4}$, and a portion of the $E\frac{1}{2}SE\frac{1}{4}$ described as follows: Beginning at a point 655 feet West and 1042 feet North of the southeast corner of the $SE\frac{1}{4}$ of said Section 23, as a place of beginning; thence in a northeasterly direction to a point 1900 feet North and 315 feet West of the southeast corner of the $SE\frac{1}{4}$ of said Section 23; thence North 742 feet to the north line of said $SE\frac{1}{4}$; thence West along said North line a distance of 345 feet; thence South to the place of beginning.

If you have any questions concerning these matters, please contact us.

Sincerely yours,

IRA T. BURTON
CHARLES R. KROLL

IRA T. BURTON
Attorney at Law

WEISER
IDAHO

MICROFILMED

OCT 02 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Wilson CLAIM IDENT. NO. A67-07329

DATE RECEIVED 10/16/89 CK # C012309 AMOUNT \$ 135⁰⁰

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: B Date: 5/16/90Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: _____ Date: _____
 Claim data entered by: B Date: 10/16/90 Checked by: _____ Date: _____
 Sent to claimant by: _____ Date: _____

Comments: _____

MICROFILMED

OCT 02 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07329

Priority: November 3, 1977

Maximum Diversion Rate:

1.28 CFS

Maximum Diversion Volume:¹

315.0 AF

This is to certify, that ROSEMARY WILSON

RT. 1 BOX 160

WEISER, ID 83672

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 1, 1977; and has submitted Proof of Beneficial Use on September 12, 1978. An examination indicates that the works have a diversion capacity of 1.280 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.28 CFS	315.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 23, Township 11N, Range 06W
WASHINGTON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	06W	23	NESE 18	NWSE 20	SWSE 17	
			SESE 15			70

Total number of acres irrigated: 70

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

RECORDED

APR 15 1991

State of Idaho
Department of Water Resources

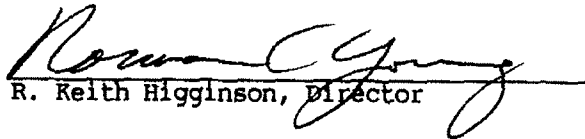
PAGE 2

WATER RIGHT LICENSE

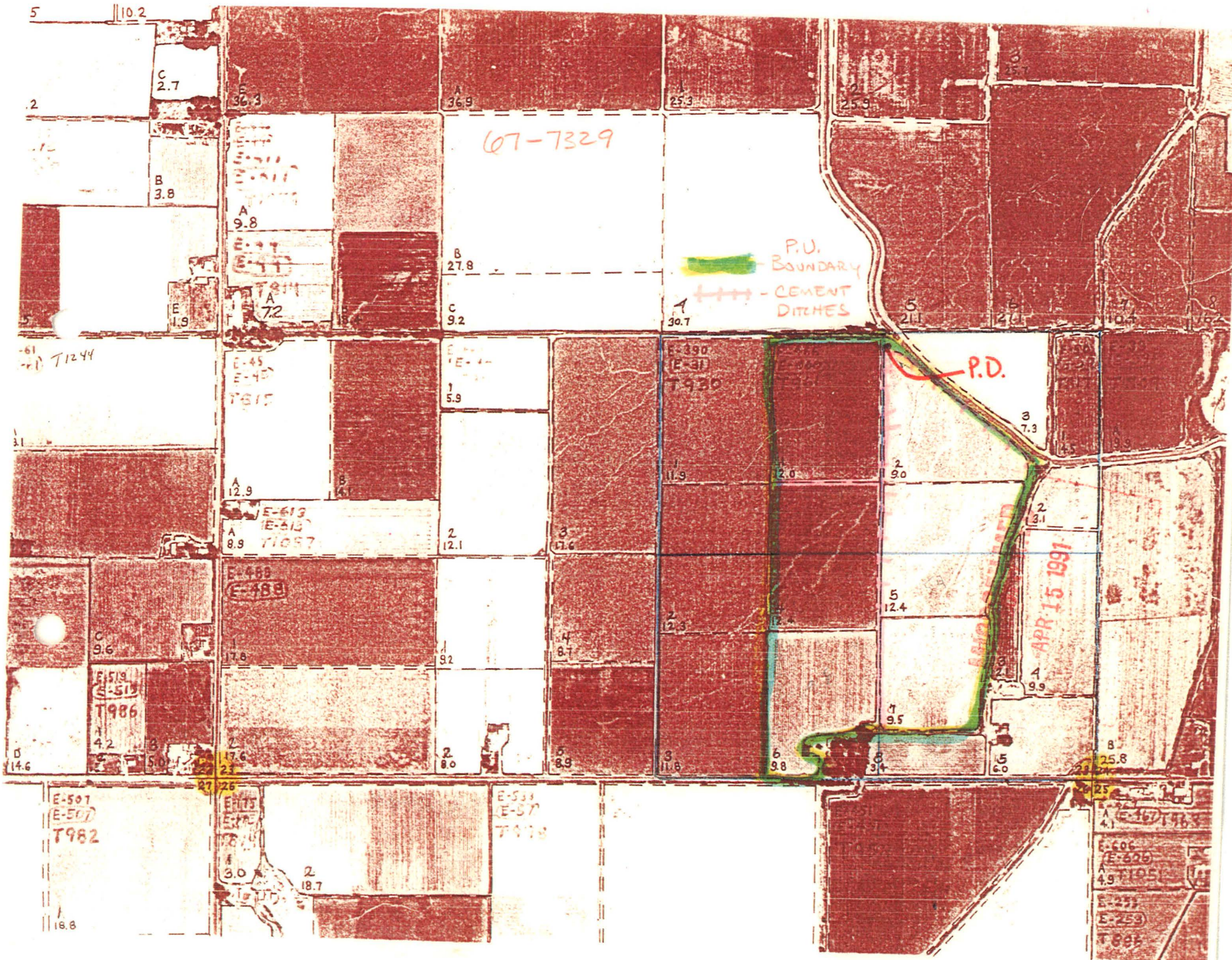
WATER RIGHT NO. 67-07329

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 2ND
day of APRIL, 1991.

Acting for


R. Keith Higginson, Director

RECEIVED
APR 15 1991



Idaho Department of Water Resources

67-7329



T11N, R06W, S23



**Prepared by Anita L. Warntjes
February 27, 2004
1993/94 True Color Photo**

AJ0749NP
No. A67-07329

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

DATE: 05/10/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROSEMARY WILSON C/O IRA T BURTON PO BOX 367 WEISER ID 83672 (208) 549-1652	07/13/1977	IRRIGATION	03-01 11-01	1.780 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	1.780 CFS 311.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T11N R06W S23

NWNESE

WASHINGTON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
11N	06W	23	:					:					:					:	29	20	20	20	:	89.0
																							TOTAL ACRES	89.0

POU County: WASHINGTON

Other Rights: GALLOWAY DITCH & CRANE CRK. RESV.

Remarks: GEN ADDRESS CHANGE BY CLAIMANT LETTER 5/10/99 SS.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

SCANNED
APR 19 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

MAY - 7 1999

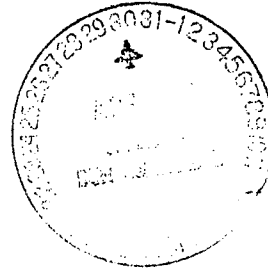
Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

April 29, 1999

KARL J. DREHER
DIRECTOR

ROSEMARY WILSON
C/O IRA BURTON
PO BOX 367
WEISER ID 83672-0367



Re: Snake River Basin Adjudication (SRBA)
Water Right #67-10721 & A67-07329
Change of Address

Dear Water Right Holder:

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

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by May 17, 1999. Thank you for your help.

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

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Claimant Signature

Telephone No.

return
to sender

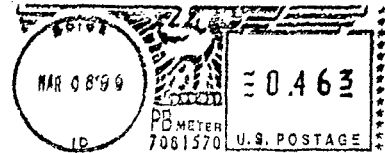
fee due 50¢

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

RESUR.
FIRST CLASS



IMPORTANT WATER RIGHT INFORMATION

1072 WILSON
+ A67-07329

67-10721
ROSEMARY WILSON
RT 1 BOX 160
WEISER ID 83672

WILSON 67 836722006 1A98 08 03/10/99
FORM 3547
WILSON & IRA BURTON
PO BOX 367
WEISER ID 83672-0367

AUTO 83672



U.S. POSTAL SERVICE
PS FORM 3547