

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

Subcase Number 37-297A
Date Received:
Receipt No:
Received By:

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

1. Name of Claimant(s)

Elizabeth Mathieu Revocable Living Trust
30 Prescott Ave.
Bronxville, NY 10708

Phone: (914) 484-2348

2. Date of Priority: November 26, 1886

3. Source: Big Wood River Trib. to: Malad River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
3N	18E	20	SW NW	Blaine	

5. Description of diverting works: Hiawatha Canal

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A
IRRIGATION	04/15	10/31	0.07	
DIVERSION TO STORAGE	04/15	10/31	0.01	0.15
AESTHETIC STORAGE	01/01	12/31		0.15
AESTHETIC	04/15	10/31	0.01	0.08

7. Total Quantity Appropriated is:
0.08 CFS/0.23 AFA

8. Non-irrigation uses: Aesthetic use occurs in an excavated pond.

Last Name: Mathieu

Subcase No. 37-297A

9. Place of use:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	33												1.9					1.9
3N	18E	33												A ¹					

Total number of acres irrigated: 1.9

10. Place of use in counties: Blaine

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

12. Other Water Rights Used: 37-28K

13. Remarks:

Right Nos. 37-28K and 37-297A are limited to the irrigation of a combined total of 1.9 acres in a single irrigation season.

Rights 37-28A and 37-297A when combined shall not exceed a total annual maximum storage volume of 0.23 af.

14. Basis of Claim: Decree

¹ Aesthetic Storage and Aesthetic use

15. 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: 4 (map, ET_{Idaho} data, calculation spreadsheet and explanation)

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

Signature of Claimant:

Elizabeth Mathieu

Date:

6/9/2009

Elizabeth Mathieu for
the Elizabeth Mathieu Revocable Trust

State of ~~Idaho~~ *NY*

County of *Westchester*

Subscribed and sworn (or affirmed) before me this

9

of

June

2009.

[Signature]
Notary Public

MARK F. SHKRELI
Notary Public, State of New York
No. 03-4996849

Residing at

Brooklyn, NY

Qualified in Bronx County
Cert. Filed in Westchester County
Commission Expires *05/16/10*

My commission Expires

05/26/10

Explanation

Aesthetic use and year-round storage for aesthetic use are claimed as accomplished changes in nature of use and season of use, pursuant to §42-1425, Idaho Code. The following is a description of historical water use at the claimed site, changes to the use that occurred prior to 1987, and a narrative description of the net effect on the portions of water rights 37-28 and 37-297 claimed by the Elizabeth Mathieu Revocable Trust (the claimant).

Background

Water rights 37-28 and 37-297 were diverted from the Big Wood River, delivered through the Hiawatha Canal, and used for the irrigation of agricultural land prior to subdivision and development. The claimant's pond was excavated and filled with water as the lots in Buckhorn Subdivision were sold; beneficial use as an aesthetic pond began in April 1987 when the neighboring home was completed and the claimant's lot was sold.

The pond now lies on three properties, owned by the claimant, and the neighbors (Clifford and Kennedy/Kirby, who will be claiming their portions of the pond separately). The following water rights are diverted from the Hiawatha Canal and flow through the claimed pond:

Water Right No.	Owner	Priority Date	Diversion Rate (cfs)	Irrigated Area (acres)
37-28D	Clifford	March 24, 1883	0.04	2.0
37-28J	Kennedy/Kirby	March 24, 1883	0.04	1.9
37-28K	Mathieu	March 24, 1883	0.04	1.9
37-297A	Mathieu	November 26, 1886	0.08	1.9
37-297E	Clifford	November 26, 1886	0.08	1.6
37-297M	Kennedy/Kirby	November 26, 1886	0.08	1.9

Table 1: Area Water Rights

The surface area of the pond is 0.44 acres, of which 0.05 acres are on the claimant's lot. The pond depth averages three feet for a total volume of 1.32 acre-feet (0.0.15 acre-feet on the claimant's lot). A total diversion of 0.36 cfs flows into the pond from the Kennedy/Kirby, Clifford and Mathieu water rights.

Analysis

The claimants own a 2-acre parcel (Lot 3, Blk. 1, Buckhorn Subdivision) which was historically irrigated with the claimed water rights. It is assumed the primary crop was grass hay. GIS software was used to determine the irrigation place of use prior to construction of the home and driveway, and excavation of the pond (2.0 acres were irrigated). The irrigated area after construction of the home and driveway and excavation of the pond was also determined using GIS technology (1.9 acres are currently irrigated).

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00297A
Date Received: 10/13/1988
Receipt No: CM001574
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL K. SHEFFER
Address: P.O. BOX 4450
KETCHUM, ID

208-788-2459

OR

83340

Name: ROSEMARY F. SHEFFER
Address: P.O. BOX 4450
KETCHUM, ID

208-788-2459

83340

2. Date of Priority: NOV 26, 1886

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	18E	20	SE SW NW		BLAINE

5. Description of diverting works:
HEADGATE #22 & HIAWATHA CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.080		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A37-00297A

Page 1

Date: 10/13/88

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	33	SE SW		IRR	2.0
Section Acres						2.0
Total Acres						2.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00028

14. Remarks:

THE LEGAL LAND DESCRIPTION FOR THIS CLAIM IS LOT 3 OF THE
BUCKHORN SUB. #1

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET AL
Decree Plaintiff

vs

ALTURAS WATER CO., 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): X Rosemary Shuffer Date: 10/13/88
_____ Date: _____

State of Idaho)
County of BLAINE) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of OCT 19 88

William Gene Gibson
Notary Public

Seal

Residing at Boise, Id
My Commission Expires 9-2-1994

Dept. of Wa
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNIT
02 1A
0004389393
\$ 00.87
MAR 06 20
MAILED FROM ZIP CODE 837

RECEIVED
MAR 13 2007
DEPARTMENT OF
WATER RESOURCES

SHEF450 833402022 1406 10 03/11/07
RETURN TO SENDER
SHEFFER
BOX CLOSED
UNABLE TO FORWARD
RETURN TO SENDER



ROSEMARY F SHEFFER

MICHAEL K SHEFFER
PO BOX 4450
KETCHUM ID 83340

37-28K
37-297A

03/25/2010

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

RIGHT NUMBER: 37-28K

NAME AND ADDRESS: ELIZABETH MATHIEU REVOCABLE LIVING TRUST
30 PRESCOTT AVE
BRONXVILLE NY 10708

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.040 CFS
0.23 AFY

Right Nos. 37-28K and 37-297A are diverted into a pond with a storage capacity of 0.15 AF, and are limited to a total combined annual volume of 0.23 AF for aesthetic storage.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC STORAGE	01/01 12/31	0.23 AFY
DIVERSION TO STORAGE	04/15 10/31	0.010 CFS
IRRIGATION	04/15 10/31	0.030 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S33 SESW 1.70

AESTHETIC STORAGE in BLAINE County

T03N R18E S33 SESW

1.7 ACRES TOTAL

Right Nos. 37-28K and 37-297A are limited to the irrigation of a combined total of 1.7 acres 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

Property is also known as Lot 3, Blk 1, Buckhorn Sub. #1

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

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

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

Subcase Number 37-28K
Date Received:
Receipt No:
Received By:

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

1. Name of Claimant(s)

Elizabeth Mathieu Revocable Living Trust
30 Prescott Ave.
Bronxville, NY 10708

Phone: (914) 484-2348

2. Date of Priority: March 24, 1883

3. Source: Big Wood River Trib. to: Malad River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
3N	18E	20	SW NW	Blaine	

5. Description of diverting works: Hiawatha Canal

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A
IRRIGATION	04/15	10/31	0.03	
DIVERSION TO STORAGE	04/15	10/31	0.01	0.15
AESTHETIC STORAGE	01/01	12/31		0.15
AESTHETIC	04/15	10/31	0.01	0.08

7. Total Quantity Appropriated is:
0.04 CFS/0.23 AFA

8. Non-irrigation uses: Storage for aesthetic use occurs in an excavated pond

Last Name: Mathieu

Subcase No. 37-28K

9. Place of use:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	33												1.9					1.9
3N	18E	33												A ¹					

Total number of acres irrigated: 1.9

10. Place of use in counties: Blaine

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

12. Other Water Rights Used: 37-297A

13. Remarks:

Right Nos. 37-28K and 37-297A are limited to the irrigation of a combined total of 1.9 acres in a single irrigation season.

Rights 37-28K and 37-297A when combined shall not exceed a total annual maximum storage volume of 0.23 af.

14. Basis of Claim: Decree

¹ Aesthetic Storage and Aesthetic Use

15. 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: 4 (map, ET_{data}, data, calculation spreadsheet and explanation)

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

Signature of Claimant:  Date: 6/9/2009
Elizabeth Mathieu for
the Elizabeth Mathieu Revocable Trust

State of ~~Idaho~~ NY }
County of Westchester }

Subscribed and sworn (or affirmed) before me this 9 of June 2009.


Notary Public

MARK F. SHKRELI
Notary Public, State of New York
No. 03-4996849
Qualified in Bronx County
Cert. Filed in Westchester County
Commission Expires 07/26/10

Residing at Brooklyn, NY 10708
My commission Expires _____

Explanation

Aesthetic use and year-round storage for aesthetic use are claimed as accomplished changes in nature of use and season of use, pursuant to §42-1425, Idaho Code. The following is a description of historical water use at the claimed site, changes to the use that occurred prior to 1987, and a narrative description of the net effect on the portions of water rights 37-28 and 37-297 claimed by the Elizabeth Mathieu Revocable Trust (the claimant).

Background

Water rights 37-28 and 37-297 were diverted from the Big Wood River, delivered through the Hiawatha Canal, and used for the irrigation of agricultural land prior to subdivision and development. The claimant's pond was excavated and filled with water as the lots in Buckhorn Subdivision were sold; beneficial use as an aesthetic pond began in April 1987 when the neighboring home was completed and the claimant's lot was sold.

The pond now lies on three properties, owned by the claimant, and the neighbors (Clifford and Kennedy/Kirby, who will be claiming their portions of the pond separately). The following water rights are diverted from the Hiawatha Canal and flow through the claimed pond:

Water Right No.	Owner	Priority Date	Diversion Rate (cfs)	Irrigated Area (acres)
37-28D	Clifford	March 24, 1883	0.04	2.0
37-28J	Kennedy/Kirby	March 24, 1883	0.04	1.9
37-28K	Mathieu	March 24, 1883	0.04	1.9
37-297A	Mathieu	November 26, 1886	0.08	1.9
37-297E	Clifford	November 26, 1886	0.08	1.6
37-297M	Kennedy/Kirby	November 26, 1886	0.08	1.9

Table 1: Area Water Rights

The surface area of the pond is 0.44 acres, of which 0.05 acres are on the claimant's lot. The pond depth averages three feet for a total volume of 1.32 acre-feet (0.015 acre-feet on the claimant's lot). A total diversion of 0.36 cfs flows into the pond from the Kennedy/Kirby, Clifford and Mathieu water rights.

Analysis

The claimants own a 2-acre parcel (Lot 3, Blk. 1, Buckhorn Subdivision) which was historically irrigated with the claimed water rights. It is assumed the primary crop was grass hay. GIS software was used to determine the irrigation place of use prior to construction of the home and driveway, and excavation of the pond (2.0 acres were irrigated). The irrigated area after construction of the home and driveway and excavation of the pond was also determined using GIS technology (1.9 acres are currently irrigated).

COPY

DISTRICT COURT - 5 (BA
TWIN FALLS CO., IDAHO
FILED _____

2007 OCT 5 PM 12 20

**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 No. 37-28K, 37-297A

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

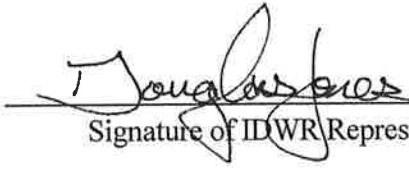
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 10/4/07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/5, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required 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:

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

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

Elizabeth Mathieu Revocable Living Trust
30 Prescott Ave
Bronxville NY 10708

Michael Sheffer
Rosemary Sheffer
PO Box 6805
Ketchum ID 83340



Signature of person or attorney mailing the form

09/06/2007

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

RIGHT NUMBER: 37-28K

NAME AND ADDRESS: ELIZABETH MATHIEU REVOCABLE LIVING TRUST
30 PRESCOTT AVE
BRONXVILLE NY 10708

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 03/24/1883

POINT OF

DIVERSION: T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.040 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S33 SESW 1.90

1.9 ACRES TOTAL

Right Nos. 37-28K and 37-297A are limited to the irrigation of a combined total of 1.9 acres 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

Property is also known as Lot 3, Blk 1, Buckhorn Sub. #1

This right is renumbered from former right 37-28.

09/06/2007

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

RIGHT NUMBER: 37-297A

NAME AND ADDRESS: ELIZABETH MATHIEU REVOCABLE LIVING TRUST
30 PRESCOTT AVE
BRONXVILLE NY 10708

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 11/26/1886

POINT OF
DIVERSION: T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.080 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S33 SESW 1.90
1.9 ACRES TOTAL

Right Nos. 37-28K and 37-297A are limited to the irrigation of a combined total of 1.9 acres 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

Property is also known as Lot 3, Blk 1, Buckhorn Sub. #1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 5, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

ELIZABETH MATHIEU REVOCABLE LIVING TRUST
30 PRESCOTT AVE
BRONXVILLE NY 10708

RE: SRBA Claim(s) 37-28K, 37-297A

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: Michael and Rosemary Sheffer
PO Box 6805
Ketchum ID 83340

RECEIVED

AUG 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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

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

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
37-28K					
37-297A					
37-11635					

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

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

OR

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

3. Name and Address of Former
Owner/Claimant(s)

Michael K. Sheffer

PO Box 6805 Ketchum ID 83340

4. New Owner/Claimant(s)

Elizabeth L. Mathieu

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

30 Prescott Ave

City, State and ZIP Code

Bronxville NY 10708

New Telephone Number

914 484 2348

5. Date you acquired the property

2.7.2007

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>37-28K</u>		
Irrigation ☒		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>37-297A</u>		
Irrigation ☒		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>37-11635</u>		
Irrigation		
Stock		
Domestic ☒		
Other		
Totals		

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

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

[Signature] Responsible Trustee
E. McArthur, Trustee (title if applicable)
 (title if applicable)

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

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Receipted by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____



**SUN VALLEY
TITLE
C O M P A N Y**

Order No. 0723010

Instrument # 544565

HAILEY, BLAINE, IDAHO

2007-02-07

09:45:00 No. of Pages: 2

Recorded for : SUN VALLEY TITLE

JOLYNN DRAGE

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

RECEIVED

AUG 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

WARRANTY DEED

FOR VALUE RECEIVED

MICHAEL KENT SHEFFER AND ROSEMARY SHEFFER, husband and wife

the Grantors do hereby grant, bargain, sell, convey and warrant unto

**ELIZABETH MATHIEU, TRUSTEE OF THE ELIZABETH MATHIEU REVOCABLE
LIVING TRUST DATED January 30, 2007**

the Grantee whose current address is:

**30 Prescott Avenue
Bronxville, NY 10708**

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

**Lot 3, Block 1 of BUCKHORN SUBDIVISION, BLAINE COUNTY, IDAHO, according to
the official plat thereof, on file in the office of the County Recorder, recorded April 10, 1979,
as Instrument No. 192554, records of Blaine County, Idaho.**

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

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

119 Buttercup Rd.

Michael Kent Sheffer *2-1-07*
Michael Kent Sheffer Date

Rosemary Sheffer *Feb 1, 2007*
Rosemary Sheffer Date

State of: Idaho
County of: Blaine

On this 1st day of February, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared **MICHAEL KENT SHEFFER AND ROSEMARY SHEFFER**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Karen Tackett
Notary Public
Residing at: Blaine, ID
Commission Expires: 04/03/2012



RECEIVED

AUG 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

QUITCLAIM DEED

For Value Received

JACKIE L. CHAUNER, who acquired title as Jackie L. Sheffer and
RON CHAUNER, wife and husband AND MICHAEL KENT SHEFFER, who acquired
title as an unmarried man
do hereby convey, release, remise and forever quitclaim unto

MICHAEL KENT SHEFFER AND ROSEMARY SHEFFER, husband and wife

whose current address is P.O. BOX 4450 KETCHUM ID 83340

the following described premises, to-wit:

Lot 3, in Block 1, of BUCKHORN SUBDIVISION, BLAINE COUNTY, IDAHO, according to the
official plat thereof, on file in the office of the County Recorder, as Instrument
No. 192554, records of Blaine County, Idaho, together with two inches (2"), of
1883 and four inches, (4"), 1886 of the HIAWATHA CANAL WATER RIGHTS.

SUBJECT TO:

Taxes, easements, restrictions, covenants, encumbrances and assessments as shown
of record.

THIS INSTRUMENT FILED FOR RECORD
BY SUN VALLEY TITLE COMPANY AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS EFFECT UPON THE TITLE.

BLAINE COUNTY REQUEST
SUN Valley Title Co.
90 JUN 20 PM 2 55
DEPT. OF WATER RESOURCES
FEES \$ 2.00
320900

together with their appurtenances.

Dated: June 4, 1990

Jackie L. Chauner
JACKIE L. CHAUNER
Ron Chauner
RON CHAUNER

Michael Kent Sheffer
MICHAEL KENT SHEFFER

SEAL OF IDAHO, COUNTY OF PITKIN
On this day of JUNE, 1990,
before me, a Notary Public, in and for the said State, personally
appeared

JACKIE L. CHAUNER &
RON CHAUNER

(for identified)
known to me to be the person whose name are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Notary Public
Notary Public,
Ketchum
Comm. Expires 2/26/94 8162/

STATE OF IDAHO
COUNTY OF BLAINE
On this day of June, 1990,
before me, a Notary Public, personally appeared
MICHAEL KENT SHEFFER

known or admitted to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

Notary Public
Notary Public,
Ketchum
Comm. exp. 10-15-92

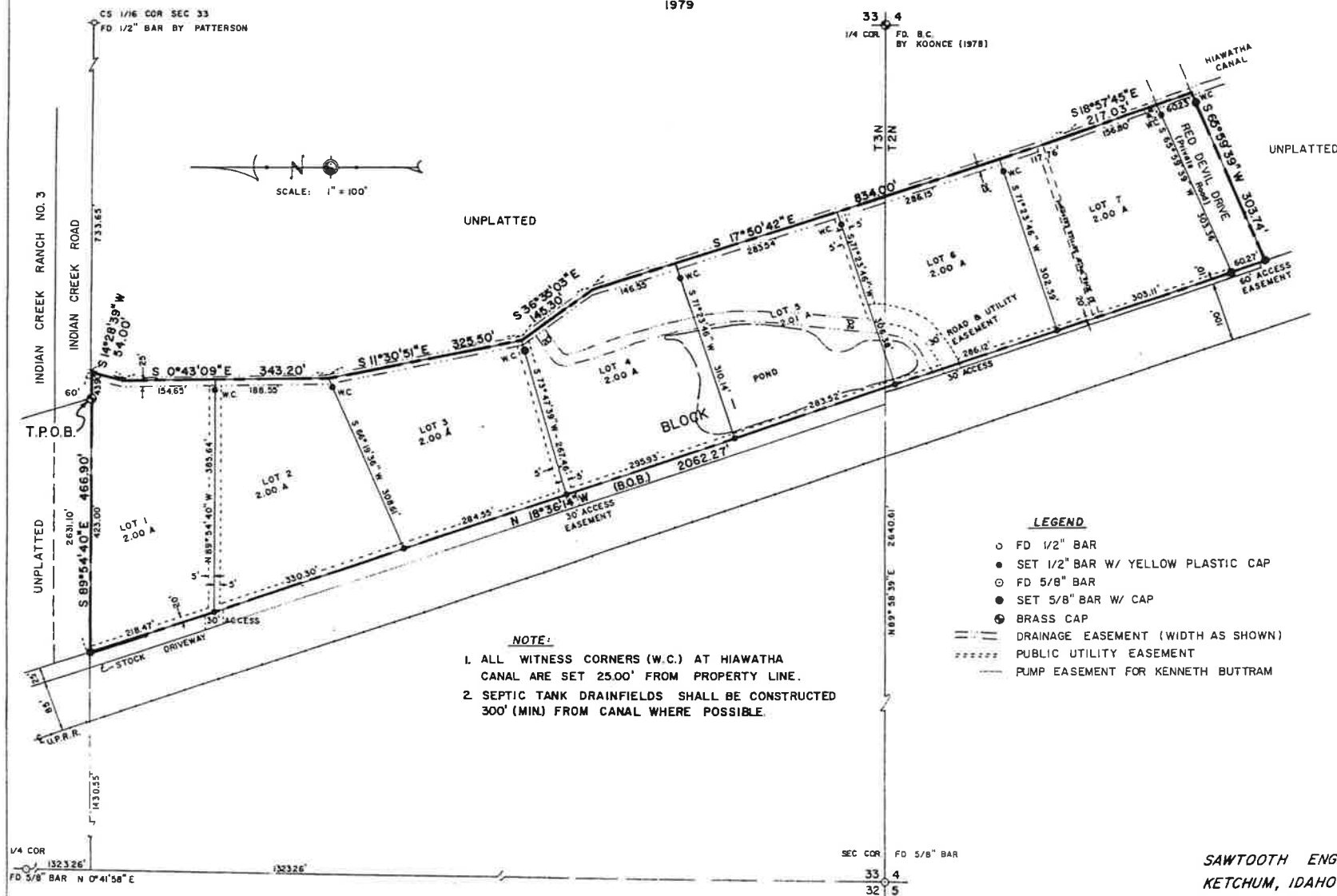
Chicago Title Insurance
Company of Idaho

AUG 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

BUCKHORN SUBDIVISION

IN THE SE1/4 SW1/4, SEC.33, T3N, R18E, AND THE NE1/4 NW1/4, SEC.4, T2N, R18E, B.M.
BLAINE COUNTY, IDAHO
1979



SAWTOOTH ENGINEERING
KETCHUM, IDAHO
(208) 726-4729



RECEIVED

AUG 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

August 16, 2007

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Dear Kelly:

Enclosed is the original executed Notice of Change in Water Right Ownership form and Elizabeth Mathieu's check in the amount of \$25.00 for the transfer of the decreed claim. I have also enclosed copies of the previous deeds for your information and a map of the area.

Hopefully this will conclude business with your office at this time.

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

Best regards,

Peggy R. Hyle
Title Department Manager

/pp
enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

September 6, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

ELIZABETH MATHIEU REVOCABLE LIVING TRUST
30 PRESCOTT AVE
BRONXVILLE NY 10708

Re: Change in Water Right Ownership for Water Rights 37-28K, 37-297A and 37-11635

Dear Ms. Mathieu:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your warranty deed indicates water right 37-11635 is not appurtenant to the property you recently purchased and, therefore, cannot be changed as requested. A computer print out of the water right is enclosed for your reference.

Because the Department cannot process the ownership change on water right 37-11635, we are returning your check no. 1004 in the amount of \$25. You will receive notification under separate cover when the processing of the other two water rights is completed. Thank you and should you have any questions, please do not hesitate to contact this office.

Sincerely,



Trish Fawcett
Technical Records Specialist

Enclosures

03/25/2010

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

RIGHT NUMBER: 37-297A

NAME AND ADDRESS: ELIZABETH MATHIEU REVOCABLE LIVING TRUST
30 PRESCOTT AVE
BRONXVILLE NY 10708

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS

Right Nos. 37-28K and 37-297A are diverted into a pond with a storage capacity of 0.15 AF, and are limited to a total combined annual volume of 0.23 AF for aesthetic storage.

PRIORITY DATE: 11/26/1886

POINT OF
DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.070 CFS
AESTHETIC STORAGE	01/01 12/31	0.23 AFY
DIVERSION TO STORAGE	04/15 10/31	0.010 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S33 SESW 1.70

AESTHETIC STORAGE in BLAINE County

T03N R18E S33 SESW

1.7 ACRES TOTAL

Right Nos. 37-28K and 37-297A are limited to the irrigation of a combined total of 1.7 acres 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

Property is also known as Lot 3, Blk 1, Buckhorn Sub. #1

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

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

COPY

DISTRICT COURT - 5 (DA
TWIN FALLS CO., IDAHO
FILED _____

2007 OCT 5 PM 12 20

**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 No. 37-28K 37-297A

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

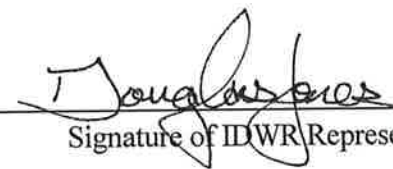
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 10/4/07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/5, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required 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:

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

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

Elizabeth Mathieu Revocable Living Trust
30 Prescott Ave
Bronxville NY 10708

Michael Sheffer
Rosemary Sheffer
PO Box 6805
Ketchum ID 83340



Signature of person or attorney mailing the form

09/06/2007

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

RIGHT NUMBER: 37-28K

NAME AND ADDRESS: ELIZABETH MATHIEU REVOCABLE LIVING TRUST
30 PRESCOTT AVE
BRONXVILLE NY 10708

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 03/24/1883

POINT OF

DIVERSION: T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.040 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T03N R18E S33

SESW 1.90

1.9 ACRES TOTAL

Right Nos. 37-28K and 37-297A are limited to the irrigation of a combined total of 1.9 acres 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

Property is also known as Lot 3, Blk 1, Buckhorn Sub. #1

This right is renumbered from former right 37-28.

09/06/2007

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

RIGHT NUMBER: 37-297A

NAME AND ADDRESS: ELIZABETH MATHIEU REVOCABLE LIVING TRUST
30 PRESCOTT AVE
BRONXVILLE NY 10708

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 11/26/1886

POINT OF

DIVERSION: T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.080 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T03N R18E S33

SESW 1.90

1.9 ACRES TOTAL

Right Nos. 37-28K and 37-297A are limited to the irrigation of a combined total of 1.9 acres 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

Property is also known as Lot 3, Blk 1, Buckhorn Sub. #1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 5, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

ELIZABETH MATHIEU REVOCABLE LIVING TRUST
30 PRESCOTT AVE
BRONXVILLE NY 10708

RE: SRBA Claim(s) 37-28K, 37-297A

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: Michael and Rosemary Sheffer
PO Box 6805
Ketchum ID 83340

RECEIVED

AUG 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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

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

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
37-28K					
37-297A					
37-11635					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Michael K. Sheffer
PO Box 6805 Ketchum ID 83340

4. New Owner/Claimant(s)

Elizabeth L. Mathieu

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

30 Prescott Ave

City, State and ZIP Code

Bronxville NY 10708

New Telephone Number

914 484 2348

5. Date you acquired the property

2.7.2007

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>37-28K</u>		
Irrigation ☒		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>37-297A</u>		
Irrigation ☒		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>37-11635</u>		
Irrigation		
Stock		
Domestic ☒		
Other		
Totals		

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

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

Elmer H. Roca, Trustee
E. McArthur, Trustee (title if applicable)
 (title if applicable)

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

For IDWR Office Use Only:

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

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



**SUN VALLEY
TITLE
C O M P A N Y**

Order No. 0723010

Instrument # 544565

HAILEY, BLAINE, IDAHO

2007-02-07

09:45:00 No. of Pages: 2

Recorded for : SUN VALLEY TITLE

JOLYNN DRAGE

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

WFP
RECEIVED

AUG 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

WARRANTY DEED

FOR VALUE RECEIVED

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the Grantors do hereby grant, bargain, sell, convey and warrant unto

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LIVING TRUST DATED** January 30, 2007

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TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
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from all encumbrances and that they will warrant and defend the same from all lawful claims
whatsoever.

115 Buttercup Rd.

Michael Kent Sheffer *2-1-07*
Michael Kent Sheffer Date

Rosemary Sheffer *Feb 1, 2007*
Rosemary Sheffer Date

State of: Idaho
County of: Blaine

On this 1st day of February, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared **MICHAEL KENT SHEFFER AND ROSEMARY SHEFFER**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Karen Tackett
Notary Public
Residing at: Mailbox 28
Commission Expires: 04/03/2012



RECEIVED

AUG 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

QUITCLAIM DEED

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BY SUN VALLEY TITLE COMPANY AS AN
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BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS EFFECT UPON THE TITLE.

320900
BLAINE COUNTY REQUEST
SUN VALLEY TITLE CO.
90 JUN 20 PM 2 55
CLERK
FEES \$ 3.00

together with their appurtenances.

Dated: June 4, 1990
② Jackie L. Chauner
JACKIE L. CHAUNER
② Ron Chauner
RON CHAUNER

x. *Michael Kent Sheffer*
MICHAEL KENT SHEFFER

STATE OF IDAHO, COUNTY OF PITKIN
On this 2 day of JUNE, 1990,
before me, a Notary Public, in and for the said State, personally
appeared
JACKIE L. CHAUNER &
RON CHAUNER

(for identified)
known to me to be the persons whose name are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Notary Public
Notary Public
8888
Commission Expires 2/26/91

STATE OF IDAHO
COUNTY OF Blaine
On this 2 day of JUNE, 1990, in the
year 1990, before me, a Notary Public, personally appeared
MICHAEL KENT SHEFFER
known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

Notary Public
Notary Public
Ketchum
Comm. exp. 10-15-92

Chicago Title Insurance
Company of Idaho

PLAT SHOWING
BUCKHORN SUBDIVISION

[illegible]

SAWTOOTH ENGINEERING
KETCHUM, IDAHO
(208) 726-4729

SUN VALLEY
TITLE
C O M P A N Y



RECEIVED

AUG 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

August 16, 2007

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

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Best regards,

Peggy R. Hyle
Title Department Manager

/pp
enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 6, 2007

ELIZABETH MATHIEU REVOCABLE LIVING TRUST
30 PRESCOTT AVE
BRONXVILLE NY 10708

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Sincerely,



Trish Fawcett
Technical Records Specialist

Enclosures

Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES
EAGLE
POSTNET BOWLES
02 1A
0004389393
\$ 00.87
NOV 24 2006
MAILED FROM ZIP CODE 83720

SHEP450 833402016 1406 10 12/06/06
SHEFFER RETURN TO SENDER
BOX CLOSED
UNABLE TO FORWARD
RETURN TO SENDER



37-297A
37-28

Box 8

MICHAEL K SHEFFER

ROSEMARY F SHEFFER
PO BOX 4450
KETCHUM ID 83340

RECEIVED

DEC 07 2006

DEPARTMENT OF
WATER RESOURCES

10/09/03

BIG WOOD ABOVE MAGIC PRIORITY BOOK

DIVER	R	OWNER	ST_ID	DECREE_TO	PRIOR	INCHES	CFS	ABOVE	BELOW	TRIB	TOTAL
22	D	THOMAS HANSON	37-0297	HAILEY WATER POWER	11 / 26 / 1886	10.62	0.21	127.89			525.58
22	D	HOLLY MC CRAY	37-0297	HAILEY WATER POWER	11 / 26 / 1886	4.00	0.08	127.97			525.66
22	D	STATE OF IDA MIZER	37-0402	HAROLD & ART LAKE	11 / 26 / 1886	159.50	3.19	131.16			528.85
RLR-53	D	KRISTINE S PIGEON	37-0402	HAROLD & ART LAKE	11 / 26 / 1886	40.50	0.81	131.97			529.66
22	X	BIG WOOD RIVER	37-0297	HAILEY WATER POWER	11 / 26 / 1886	102.37	2.05				529.66
22	D	JEFFERY K RICE	37-0297	HAILEY WATER POWER	11 / 26 / 1886	4.00	0.08	132.05			529.74
22	D	KENNTEH P MC CORMACK	37-0297	HAILEY WATER POWER	11 / 26 / 1886	4.00	0.08	132.13			529.82
22	D	RONALD G WILCOX	37-0297	HAILEY WATER POWER	11 / 26 / 1886	82.00	1.64	133.77			531.46
22	D	CAT TRACK SELECT LLC	37-0297	HAILEY WATER POWER	11 / 26 / 1886	9.77	0.20	133.96			531.66
22	D	PETER BRINKMAN	37-0297	HAILEY WATER POWER	11 / 26 / 1886	9.76	0.20	134.16			531.85
22	D	SUSAN PASSOVOY	37-0297	HAILEY WATER POWER	11 / 26 / 1886	9.48	0.19	134.35			532.04
22	D	TOM KENNEDY/D KIRBY	37-0297	HAILEY WATER POWER	11 / 26 / 1886	4.00	0.08	134.43			532.12
22	D	WILLAIM P CLIFFORD	37-0297	HAILEY WATER POWER	11 / 26 / 1886	4.00	0.08	134.51			532.20
22	D	RED DEVIL MT HOMEOWNERS ASSN	37-0297	HAILEY WATER POWER	11 / 26 / 1886	48.00	0.96	135.47			533.16
22	D	JOHN BAZOVSKY	37-0297	HAILEY WATER POWER	11 / 26 / 1886	4.00	0.08	135.55			533.24
10	D	MICHAEL SHEFFER	37-0297	HAILEY WATER POWER	11 / 26 / 1886	4.00	0.08	135.63			533.32

37-297 Splits

Claim	CFS
37-297 6.0 cfs Hailey Water & Power	

37-297A Robert Sheffer Lot 3, Blk 1, Buckhorn Sub #1	0.08
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37-297B John Bazovsky Lot 7, Blk 1, Buckhorn Sub #1	0.08
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37-297C Karin t. Martin Lot 4, Blk 1, Buckhorn Sub #1	0.08
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37-297D Jean-Pierre Chesnel Lot 5, Blk 1, Buckhorn Sub #1	2.5 afa
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37-297E Clifford Tamera Lot 1, Blk 1, Buckhorn Sub #1	0.08
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37-297F 5.44 cfs Kenneth Buttram -Split
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37-297J 4.48 cfs Split

37-297K Red Devil Mountain Homeowners LT 2 OF BUCKHORN SUBDIVISION #2.	0.96
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37-20350 4.29cfs Kenneth Buttram 59.6 acres	
---	--

37-20351 Susan J. Passovoy 3 acres Lot 2, Blk 2, Buckhorn Sub #3	0.189
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37-20353 Kenneth Buttram 56.4 acres	~~4.08~~ ~~0.15~~
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37-20354 Thomas Hanson 3.5 acres Lot 1, Blk 1, Buckhorn Sub #3	0.21
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6.63 acres

37-297 Splits

37-297G	0.08
The Jeffrey K Rice Family	
The Jeffrey K Rice Family	
Lot 6, Blk 1, Buckhorn Sub #1	

37-20926	1.26
Lorraine Wilcox	
Lt 4A, Buckhorn, 2nd Add	
Lt 3C, Buttercup	

37-297H 1.64 cfs
Split

37-20927	0.38
Peter George	
Split from 37-28E	
9.4 acres	
Lot 3D of a replat of Lot 4, Block 1, Buckhorn Subdivision, Second Addition	

37-20327	0.2
Cat Track Select LLC	
3.0 acres	
Lot 3, Blk2, Buckhorn Sub #3	

37-297L .396 cfs
Charles Bonner
Split

37-20328	0.2
Alan B. Biller	
Lot 4, Blk 2, Buckhorn Sub #4	

37-297M	0.08
Thomas Kennedy	
1.1 acres	
LT 2, BLK 1 OF BUCKHORN SUBDIVISION, FIRST ADDITION.	

Totals	0.48	3	0.189	4.29
TOTAL				7.959

28 NWSE
SWSE
SESE

23 NWNW
SWNW
SENW
NWSW

22 SESW
NESE
SWSE
SESE

27 NENW

33 SWNE

27 NWNW
SWNW

28 SE NE
NE SE

3N 18E

33 NWSE

2N 18E

4 Lot 3 } East of Wood } 30_{ac}
SE NW } Branch of DSL

4 Lot 2
SWNE

3N 18E

33 NESW
SESW

24	✓ 0275	Gooding, Fred. W.	220 inches.	44	May 15, 1883.	Big Wood River.
7	✓ 0276	"	200	"	103 June 1, 1885.	" " "
7	✓ 0277	"	75	"	203 May 1, 1893.	" " "
7	✓ 0278	"	126	"	214 May 1, 1895.	" " "
7	✓ 0279	"	60	"	218 Mch. 18, 1896.	" " "
7	✓ 0280	"	80	"	240 Oct. 20, 1902.	" " "
7	✓ 0281	"				(Also shares in Big Cottonwood Canal Co.)
7	✓ 0282	Gooding, Thomas H.	50	"	✓ Apr. 1, 1877.	Little Wood River.
7	✓ 0283	"	100	"	91 Apr. 5, 1885.	" " "
7	✓ 0284	"	10	"	129 Apr. 1, 1887.	" " "
7	✓ 0285	"	280	"	218 Mch. 18, 1896.	Big Wood River.
7	✓ 0286	"				(Also shares in Big Cottonwood Canal Co.)
37	✓ 0287	T. *2360				
7	✓ 0288	Gooding, Walter	152	"	79 June 1, 1884.	Big Wood River.
7	✓ 0289	"	160	"	224 May 15, 1897.	" " "
37	✓ 0290	Green, Miss Belle; Guardian.	350	"	44 May 1, 1883.	Trail Creek.
		Grenfell, Annie, and John Edwards				(See John Edwards and Annie Grenfell.)
7	✓ 0291	Grey, John J.	All of creek.			Burgess Creek } Trans *74
7	✓ 0292	"	All of creek.			Early Creek. }
7	✓ 0293	Guiver, George	100 inches.	40	Apr. 1, 1892.	Little Wood River. (Also shares in Little Wood River Canal Co.)
37	✓ 0294	Gwinn, Frank	120	"	301 Apr. 23, 1906.	Big Wood River.
37	✓ 0295	Gwinn, Frank P.	160	"	234 Nov. 15, 1897.	" " "
37	✓ 0296	Gwinn, William R.	280	"	301 Apr. 23, 1906.	" " "
37	✓ 0297	Hailey Water & Power Company	All of creek.		(Exclusive right, as successor of Nancy M. Tucker.)	Indian Creek.
37	✓ 0298	Do.	300 inches.	126	Nov. 26, 1886.	Big Wood River.
37	✓ 0299	Hardin, S. G.	200	"	109 Sept. 18, 1885.	" " " Trans *97-505-72
37	✓ 0300	Hardin, Arthur L.	154	"	111 Nov. 2, 1885.	" " "

of SW 1/4 of Sec. 32, T. 5 S., R. 15 E., N 1/2 of SW 1/4 of Sec. 1, SE 1/4 of Sec. 2, and N 1/2 of SW 1/4 of Sec. 2, T. 6 S., R. 15 E., containing 520 acres. ✓ Lots 3, 4 and 5, and SE 1/4 of NW 1/4 of Sec. 6, T. 6 S., R. 15 E. NW 1/4 of SE 1/4, NE 1/4 of SW 1/4, and SE 1/4 of NW 1/4 of Sec. 32, T. 5 S., R. 15 E., containing 120 acres.

Gooding, Walter

W 1/2 of NW 1/4 and W 1/2 of SW 1/4 of Sec. 29, T. 5 S., R. 15 E., containing 160 acres. Lots 1 and 2 and NE 1/4 of NW 1/4, and NW 1/4 of NE 1/4 of Sec. 31, T. 5 S., R. 15 E., containing 160 acres.

Green, Miss Belle,
Guardian of Fred.
and Louise Potheir

SW 1/4 of NE 1/4, N 1/2 of SE 1/4, NE 1/4 of SW 1/4, and NW 1/4 of NE 1/4 of Sec. 19, T. 4 N., R. 18 E., containing 200 acres.

Grenfell, Annie,
and John Edwards

(Same as Edwards, John, and Annie Grenfell.)

Grey, John J.

(See Finding No. 18).

Guiver, George D.

NE 1/4 of Sec. 15, T. 2 S., R. 21 E., 160 acres.

Gwinn, Frank

S 1/2 of S 1/2 of Sec. 5, T. 5 S., R. 18 E., containing 160 acres.

Gwinn, Frank P.

N 1/2 of NE 1/4 and E 1/2 of NW 1/4 of Sec. 8, T. 5 S., R. 18 E., containing 160 acres.

Gwinn, William R.

SE 1/4 of NE 1/4 of Sec. 31, T. 4 S., R. 18 E.; Lot 1, S 1/2 of NE 1/4, and the SE 1/4 of Sec. 6, T. 5 S., R. 18 E., containing 320.82 acres.

Hailey Water &
Power Company

SE 1/4 of SE 1/4, W 1/2 of SE 1/4, Sec. 28; NW 1/4 of NE 1/4, S 1/2 of NW 1/4, NW 1/4 of SW 1/4, Sec. 23; NE 1/4 of SE 1/4, S 1/2 of SE 1/4, SE 1/4 of SW 1/4, Sec. 22; NE 1/4 of NW 1/4 of

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Sec. 27; SW 1/4 of NE 1/4 of Sec. 33; W 1/2 of NW 1/4 of Sec. 27; SE 1/4 of NE 1/4 and NE 1/4 of SE 1/4 of Sec. 28; NW 1/4 of SE 1/4 of Sec. 33; T. 3 N., R. 18 E. Also, that portion of Lot 3 and the SE 1/4 of NW 1/4 of Sec. 4, T. 2 N., R. 18 E., lying East of the Wood River Branch of the Oregon Short Line Railroad Company, containing about 30 acres, and the SW 1/4 of the NE 1/4 and Lot 2, of Sec. 4, T. 2 N., R. 18 E.; also the E 1/2 of SW 1/4 and SE 1/4 of NW 1/4 of Sec. 33, T. 3 N., R. 18 E.

Hamblett, S. G. S 1/2 of NE 1/4 of NE 1/4, SE 1/4 of NE 1/4, and NE 1/4 of SE 1/4 of Sec. 23, T. 1 N., R. 18 E., containing 100 acres.

Hardin, Arthur L. E 1/2 of SW 1/4, SE 1/4 of NW 1/4 and Lot 5, of Sec. 6, T. 2 S., R. 18 E., containing 154.23 acres.

Harness, David H. SW 1/4 of SW 1/4 of Sec. 21, NW 1/4 of NW 1/4 and NE 1/4 of NW 1/4 of Sec. 28, T. 1 N., R. 13 E.

Harrington, W. H. S 1/2 of NE 1/4 of Sec. 13; E 1/2 of NE 1/4 of Sec. 14; T. 1 N., R. 18 E., except that portion of E 1/2 of NW 1/4 of Sec. 14, T. 1 N., R. 18 E., commencing at NW corner of said tract, thence East, on section line, 800 feet, more or less, to where a stake is set, being on a bluff dividing the bench land from the low land, thence South, following said bluff, 1/2 mile, more or less, to a stake on a center line running East and West through said section, close to two cottonwood trees, thence 800 feet, more or less, West to SW corner of said tract,

JUN 04 1996

Green, Miss Belle, Guardian,	350 inches.	May 1, 1883.	Trail Creek.
Grenfell, Annie, and John Edwards			(See Edwards and Grenfell.)
Grey, John J.			(See Finding No. 18.)
Guiver, George	100 inches.	Apr. 1, 1892.	Little Wood River. (Also shares in Little Wood River Canal Co.)
Gwinn, Frank	120 "	Apr. 23, 1906.	Big Wood River.
Gwinn, Frank P.	160 "	Nov. 15, 1897.	" " "
Gwinn, William R.	280 "	Apr. 23, 1906.	" " "
Hailey Water & Power Company	All of creek.	(Exclusive right, (as successor of) (Nancy M. Tucker.)	Indian Creek.
Do.	300 inches.	Nov. 26, 1886.	Big Wood River.
Hamblett, S. G.	200 "	Sept. 18, 1885.	" " "
Hardin, Arthur L.	154 "	Nov. 2, 1885.	" " "
Harness, David H.	10 "	June 1, 1886.	Corral Creek.
" " "	40 "	May 20, 1901.	Lansing Creek.
Harrington, W. H.	100 "	June 1, 1891.	Big Wood River.
Harris, Perry	80 "	Apr. 26, 1893.	Little Wood River. (Also shares in Little Wood River Canal Co.)
Harris, Susannah	40 "	Apr. 22, 1893.	Little Wood River. (Also shares in Little Wood River Canal Co.)
Hartsough, Albert E.	120 "	June 30, 1888.	Breck's Creek and Little Silver Creek.
Hartwell, Orville	50 "	Apr. 1, 1888.	Little Wood River.
Heckerd, Adolph, and W.D. Scharff	80 "	June 10, 1887.	Big Wood River.
Hendrick, E. H.	80 "	May 14, 1886.	" " "
Hershey, I. L.	160 "	June 2, 1883.	Soldier Creek.
Hewett, Henry	40 "	Mich. 24, 1883.	Big Wood River. (From Riley ditch.)
Higginson, Charles H.	90 "	Apr. 3, 1884.	Big Wood River.
Higgs, Ben.	100 "	Aug. 31, 1888.	Soldier Creek.

JUN 04 1900

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-297F

WATER RIGHT NUMBER: 37-297F

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	KENNETH R BUTTRAN PO BOX 487 HAILEY, ID 83333 (208)788-2507

Priority Date: 11/26/1886

Basis:

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	5.440 CFS	
	<u>Total Diversion:</u>	5.440 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SE1/4SW1/4NW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE 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	
02N	18E	4		26.0	37.0	6.0	14.0		3.0										86.0

lot 3

Total Acres: 86

30

80

1.60 cfs

Conditions of Approval:

1. THIS RIGHT HAS BEEN SPLIT INTO A37-00297J & K.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-297J

WATER RIGHT NUMBER: 37-297J

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNETH R BUTTRAN PO BOX 487 HAILEY, ID 83333 (208)788-2507

Priority Date: 11/26/1886

Basis: Decreed

Status: Parent

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	4.480 CFS	
	<u>Total Diversion:</u>	4.480 CFS	250.40 AF

Location of Point(s) of Diversion

BIG WOOD RIVER	SE1/4SW1/4NW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE 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	
02N	18E	4		7.4	35.4	6.0	12.6			1.2									62.6

Total Acres: 62.6

Conditions of Approval:

1. ORIGINAL LAND HAS BEEN SPLIT. A37-00297F IS NOW REPRESENTED BY THIS CLAIM AND CLAIM A37-00297K.

This claim has been split as follows

A37-20350	Buttram	4.29 cfs	59.6 ac
A37-20351	Koonce	0.189 cfs	3 ac.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-297 V1

WATER RIGHT NUMBER: 37-297 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HAILEY WATER & POWER CO
	, ID

Priority Date: 11/26/1886

Basis:

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/	to /	6.000 CFS	
	Total Diversion:		6.000 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER SW1/4NW1/4 Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
02N	18E	4		X	X		X			X									
				L 2			L 3												
03N	18E	33							X	X				X					

Conditions of Approval:

1. P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
THIS IS A SPLIT RIGHT: A37-00297B FOR 0.08 CFS BASOVSKY/LINDBERG A37-00297F FOR 5.44 CFS BUTTRAM, K.R.
A37-00297G FOR 0.08 CFS RICHARDS

Remarks:

Comments:

1. SSHERMAN 3/27/1995 Z STATUS
Comment: ADDED Z STATUS FOR SPLIT RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-297L

WATER RIGHT NUMBER: 37-297L

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Current Owner	CHARLES B BONNER 1130 E FAIRMONT FRESNO, CA 93704 (208)726-4397
Current Owner	TORRENE E BONNER 1130 E FAIRMONT FRESNO, CA 93704 (208)726-4397

Priority Date: 11/22/1886

Basis: Decreed

Status: Parent

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

0.396 CFS

Annual VolumeTotal Diversion:

0.396 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

SE1/4SW1/4NW1/4

Sec. 20, Twp 03N, Rge 18E, B.M.

BLAINE 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	
02N	18E	4					6.0												6.0

Total Acres: 6

Conditions of Approval:

1. PLACE OF USE IS LOTS 3 AND 4 , BLOCK 2, BUCKHORN SUBDIV. NO. 3.
Split by ownership: dividing lot 3 and lot 4 to separate owners. See Claim Nos. 37-20327 & 37-20328.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-297H

WATER RIGHT NUMBER: 37-297H

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Current Owner	LORRAINE WILCOX PO BOX 2382 SUN VALLEY, ID 83353 (208)726-4397
Current Owner	RON WILCOX PO BOX 2382 SUN VALLEY, ID 83353 (208)726-4397

Priority Date: 11/26/1886

Basis: Decreed

Status: PARENT

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.640 CFS	
	<u>Total Diversion:</u>	1.640 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SE1/4SW1/4NW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE 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	
02N	18E	4		3.0	34.0					3.0									40.0
				L 2															

Total Acres: 40

Conditions of Approval:

1. P22 SPLIT RIGHT: SEE RIGHT NOS. 37-20926 AND 37-20927.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-297H

2. POU IS LOTS 3 & 4, BUCKHORN SUBD., 2ND ADDITION (SEE ATTACHMENT 1). THE AMOUNT CLAIMED IS THAT ALLOCATED TO THESE LOTS BY PARA- GRAPH 11 OF THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRIC- TIONS FOR THE SUBDIVISION RECORDED AN INSTRUMENT NO. 270491, RECORDS OF BLAINE CO., IDAHO (SEE ATTACHMENT 2). CLAIMANT ACQUIRED THE PROPERTY IN OCTOBER 1989 (SEE ATTACHMENT 3 - COPY OF WARRANTY DEED).
DWR NOTE CHANGE IN POU TOWNSHIP FROM 3N TO 2N TO MATCH THE ATTACHMENT NO. 1, SUBD. MAP. (SCC 10-5-90) CONFORMED ATTORNEY MAILING ADDRESS DMS
Claim amended to reflect actual POU. tf 4/28/03.

Remarks:

Comments:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-20350

WATER RIGHT NUMBER: 37-20350

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNETH R BUTTRAN PO BOX 487 HAILEY, ID 83333 (208)788-2507

Priority Date: 11/26/1886

Basis: Decreed

Status: Parent

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	4.290 CFS	
	<u>Total Diversion:</u>	4.290 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SE1/4SW1/4NW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE 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	
02N	18E	4		5.4	35.4	6.0	11.6			1.2									59.6

Total Acres: 59.6

Conditions of Approval:

- Original land has been split. A37-00297F is now represented by this claim (A37-00297J) and claim A37-00297K.
This is a portion of original claim A37-00297J, which was split as the result of an ownership change of a portion of the right from Buttram to Koonce. 10/17/2000 jr
This right has been split as follows: A37-20353 Buttram 4.08 cfs 56.1 ac
A37-20354 Hanson 0.21 cfs 3.5 ac 10/24/00 jr

Remarks:Comments:

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-20350

Water Supply Bank:

37-297 splits

Basin	Sequenc	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(a	Source	Water Use	Owner(s)	Source Table
37	297			See Rema	1886-11-26	6		BIG WOOD RIV	IRRIGATION		wrAdjudicationClaim
37	297	A	Decreed	Active	1886-11-26	0.08		BIG WOOD RIV	IRRIGATION	SHEFFER, MICHAEL K (C	wrAdjudicationClaim
37	297	B	Decreed	Active	1886-11-26	0.08		BIG WOOD RIV	IRRIGATION	BAZOVSKY, JOHN (Curre	wrAdjudicationClaim
37	297	C	Decreed	Active	1886-11-26	0.08		BIG WOOD RIV	IRRIGATION	MARTIN, KARIN T (Curre	wrAdjudicationClaim
37	297	D	Decreed	Active	1886-11-26		2.5	BIG WOOD RIV	AESTHETI	CHESNEL, CONNIE (Curre	wrAdjudicationClaim
37	297	E	Decreed	Active	1886-11-26	0.08		HIAWATHA CA	IRRIGATION	CLIFFORD, TAMERA L (C	wrAdjudicationClaim
37	297	F		See Rema	1886-11-26	5.44		BIG WOOD RIV	IRRIGATION		wrAdjudicationClaim
37	297	G	Decreed	Active	1886-11-26	0.08		BIG WOOD RIV	IRRIGATION	THE JEFFREY K RICE FA	wrAdjudicationClaim
37	297	H	Decreed	PARENT	1886-11-26	1.64		BIG WOOD RIV	IRRIGATION	WILCOX, LORRAINE (Cu	wrAdjudicationClaim
37	297	J	Decreed	Parent	1886-11-26	4.48	250.4	BIG WOOD RIV	IRRIGATION	BUTTRAN, KENNETH R (	wrAdjudicationClaim
37	297	K	Decreed	Active	1886-11-26	0.96	93.6	BIG WOOD RIV	IRRIGATION	RED DEVIL MOUNTAIN H	wrAdjudicationClaim
37	297	L	Decreed	Parent	1886-11-22	0.4		BIG WOOD RIV	IRRIGATION	BONNER, CHARLES B (C	wrAdjudicationClaim
37	297	M	Decreed	Active	1886-11-26	0.08		BIG WOOD RIV	IRRIGATION	KENNEDY, THOMAS A (C	wrAdjudicationClaim
37	297			See Rema	1886-11-26	6		BIG WOOD RIV	IRRIGATION		wrAdjudicationRecommendation
37	297	A			1886-11-26	0.08		BIG WOOD RIV	IRRIGATION	SHEFFER, MICHAEL K (C	wrAdjudicationRecommendation
37	297	B	Decreed	Active	1886-11-26	0.08		BIG WOOD RIV	IRRIGATION	BAZOVSKY, JOHN (Curre	wrAdjudicationRecommendation
37	297	C			1886-11-26	0.08		BIG WOOD RIV	IRRIGATION	MARTIN, KARIN T (Curre	wrAdjudicationRecommendation
37	297	D	Decreed	Active	1886-11-26		2.5	BIG WOOD RIV	AESTHETI	CHESNEL, CONNIE (Curre	wrAdjudicationRecommendation
37	297	E	Decreed	Active	1886-11-26	0.08		BIG WOOD RIV	IRRIGATION	CLIFFORD, TAMERA L (C	wrAdjudicationRecommendation
37	297	F	Decreed	Active	1886-11-26	5.44		BIG WOOD RIV	IRRIGATION	BUTTRAN, KENNETH R (	wrAdjudicationRecommendation
37	297	G	Decreed	Active	1886-11-26	0.08		BIG WOOD RIV	IRRIGATION	THE JEFFREY K RICE FA	wrAdjudicationRecommendation
37	297	K			1886-11-26	0.96	93.6	BIG WOOD RIV	IRRIGATION	RED DEVIL MOUNTAIN H	wrAdjudicationRecommendation
37	297	M	Decreed	Active	1886-11-26	0.08		BIG WOOD RIV	IRRIGATION	KENNEDY, THOMAS A (C	wrAdjudicationRecommendation
37	297		Decreed	Active	1886-11-26	6		BIG WOOD RIV	IRRIGATION	HAILEY WATER & POWE	wrWaterRight

Field Headgate Diversion Rate Limits for Basin 37 Part 3

Use this condition when the place of use acreage is greater than 7.5 acres.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate.

Use this condition when the place of use acreage is 5 acres or less.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre at the field headgate.

Use this condition and calculate the field headgate diversion rate when the place of use is greater than 5 acres and less than 7.5 acres.

This right when combined with all other rights shall provide no more than ____ cfs per acre at the field headgate.

The calculation is:

$$\frac{0.15 \text{ cfs}}{\# \text{ of acres}} = \text{cfs per acre}$$

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BIG WOOD ABOVE MAGIC PRIORITY BOOK

DIVER	R	OWNER	ST_ID	DECREE_TO	PRIOR	INCHES	CFS	ABOVE	BELOW	TRIB	TOTAL
0-P2	D	SUTTON, SELLGREN & SELLGREN	37-0158C	E.CRAMER	07 / 01 / 1881	30.00	0.60	28.88			60.70
42-A	E	ECCLE'S WINDOW ROCK RANCH LLC	37-0158B	E.CRAMER	07 / 01 / 1881	20.00	0.40		15.52		61.10
45	E	JOHN STEVENSON	37-0158	E.CRAMER	07 / 01 / 1881	47.00	0.94		16.46		62.04
RLR-19	X	BIG WOOD RIVER	37-0158	E.CRAMER	07 / 01 / 1881	3.00	0.06				62.04
61	E	E HADLEY STUART	37-0062	CHARLES M.BLACK	07 / 01 / 1881	140.00	2.80		19.26		64.84
61	E	E HADLEY STUART	37-0063	WILLIAM BLACK	07 / 31 / 1881	100.00	2.00		21.26		66.84
36	E	CANDIDA FORSTMANN	37-0537	CHARLES PETERLINE	05 / 15 / 1882	1.00	0.02		21.28		66.86
35	E	JANN S WENNER	37-0537	CHARLES PETERLINE	05 / 15 / 1882	19.00	0.38		21.66		67.24
57-F	E	WOOD RIVER RANCHES	37-0335	THOMAS C.IVERS	05 / 15 / 1882	150.00	3.00		24.66		70.24
57-F	E	SPRING OF GLADNESS	37-0104	M.AND ELIZA BROWN	05 / 15 / 1882	75.00	1.50		26.16		71.74
0-P2	D	SUTTON, SELLGREN & SELLGREN	37-0274	FRED W.GOODING	06 / 01 / 1882	40.00	0.80	29.68			72.54
33	E	ECCLE'S FLYING HAT RANCH LLC	37-0481	ANNIE I.MILLER ET AL	08 / 01 / 1882	150.00	3.00		29.16		75.54
45	E	JOHN SCHERER	37-0481	ANNIE I.MILLER ET AL	08 / 01 / 1882	150.70	3.01		32.17		78.55
45	E	REDSTONE PARTNERS L.P.	37-0481	ANNIE I.MILLER ET AL	08 / 01 / 1882	683.30	13.67		45.84		92.22
45	E	CURT BARKER	37-0481	ANNIE I.MILLER ET AL	08 / 01 / 1882	16.00	0.32		46.16		92.54
61	E	E HADLEY STUART	37-0066	WILLIAM BLACK	12 / 19 / 1882	210.00	4.20		50.36		96.74
22-P2	D	NEW DEER CREEK RANCH INC	37-0005	HENRY W ADAMS	3 / 10 / 1883	150.00	3.00	32.68			99.74
10	D	CLIFFSIDE HOMEOWNERS ASSN	37-0577BL	W.T.RILEY	03 / 24 / 1883	7.50	0.15	32.83			99.89
11	D	GEORGE C CARR	37-0310	HENRY HEWETT	03 / 24 / 1883	20.00	0.40	33.23			100.29
RLR-08	X	BIG WOOD RIVER	37-0310	HENRY HEWETT	03 / 24 / 1883	3.00	0.06				100.29
11-11A	D	RINKER CO-W & A	37-0577BT	W T RILEY	03 / 24 / 1883	5.00	0.10	33.33			100.39

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BIG WOOD ABOVE MAGIC PRIORITY BOOK

DIVER	R	OWNER	ST_ID	DECREE_TO	PRIOR	INCHES	CFS	ABOVE	BELOW	TRIB	TOTAL
21	D	RIVERBEND PARTNRES ONE	37-0577	W.T.RILEY	03 / 24 / 1883	19.00	0.38	33.71			100.77
21-P	D	HARRY RINKER	37-30028	W.T.RILEY	03 / 24 / 1883	4.00	0.08	33.79			100.85
22	D	HARRY RINKER	37-20751	W.T.RILEY	03 / 24 / 1883	6.50	0.13	33.92			100.98
RLR-72	X	BIG WOOD RIVER	37-20750	W.T.RILEY	03 / 24 / 1883	10.50	0.21				100.98
21-P1	D	HARRY RINKER	37-20749	W.T.RILEY	03 / 24 / 1883	1.00	0.02	33.94			101.00
21-P3	D	MYER BERLOW	37-0577BZ	W T RILEY	03 / 24 / 1883	18.50	0.37	34.31			101.37
22	D	JEFFERY K RICE	37-0028	ALTURAS WATER CO.	03 / 24 / 1883	2.00	0.04	34.35			101.41
22	X	BLAINE CNTY SCHOOL DIST-RLR38	37-08821	W T RILEY	03 / 24 / 1883	40.00	0.80				101.41
RLR-38	X	BIG WOOD RIVER	37-0577BN	W T RILEY	03 / 24 / 1883	13.00	0.26				101.41
22	X	BLAINE CNTY SCHOOL DIST- GW	37-20903	W T RILEY	03 / 24 / 1883	9.50	0.19				101.41
22	D	HELEN LEIDY SAMSON	37-0577	W.T.RILEY	03 / 24 / 1883	5.00	0.10	34.45			101.51
22	X	THOMAS-SETWART FMLY TR-GW	37-30000D	W.T.RILEY	03 / 24 / 1883	2.00	0.04				101.51
22	D	CAT TRACK SELECT LLC	37-0028	ALTURAS WATER CO	03 / 24 / 1883	3.25	0.07	34.52			101.58
22	D	PETER BRINKMAN	37-0028	ALTURAS WATER CO	03 / 24 / 1883	3.26	0.07	34.58			101.64
22	D	CHARLES E CORD	37-0024	MARTIN ALBRETSSEN	03 / 24 / 1883	160.00	3.20	37.78			104.84
22	D	CHARLES E CORD	37-0004B	WILLIAM ABBOTT	03 / 24 / 1883	20.50	0.41	38.19			105.25
22	D	CHARLES E CORD	37-0577PT	W.T.RILEY	03 / 24 / 1883	19.50	0.39	38.58			105.64
22	D	CHARLES M JOHNSON	37-0577	W T RILEY	03 / 24 / 1883	24.00	0.48	39.06			106.12
22	D	CITY OF HAILEY	37-0577	W.T.RILEY	03 / 24 / 1883	142.90	2.86	41.92			108.98
22	D	COTTONWOOD INVESTMENT	37-0577BY	W.T.RILEY	03 / 24 / 1883	34.50	0.69	42.61			109.67
22	D	DAVID B HENNESSY	37-0577	W.T.RILEY	03 / 24 / 1883	5.00	0.10	42.71			109.77

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BIG WOOD ABOVE MAGIC PRIORITY BOOK

DIVER	R	OWNER	ST_ID	DECREE_TO	PRIOR	INCHES	CFS	ABOVE	BELOW	TRIB	TOTAL
22	D	DAVID L CROPPER	37-0577	W.T.RILEY	03 / 24 / 1883	44.90	0.90	43.61			110.67
22	D	DAVID L CROPPER	37-0577	W.T.RILEY	03 / 24 / 1883	5.50	0.11	43.72			110.78
22	D	J D SPRING CREEK RANCH	37-577BH	W.T.RILEY	03 / 24 / 1883	141.10	2.82	46.54			113.60
22	D	J D SPRING CREEK RANCH	37-0577BK	W.T.RILEY	03 / 24 / 1883	207.10	4.14	50.68			117.74
22	D	JEAN-PIERRE CHESNEL	37-0028	ALTURAS WATER CO.	03 / 24 / 1883	2.00	0.04	50.72			117.78
22	D	EDMUND E DUMKE	37-0577	W.T.RILEY	03 / 24 / 1883	70.70	1.41	52.13			119.19
22	D	ELMAR GRABHER	37-20615	WILLIAM ABBOTT	03 / 24 / 1883	9.50	0.19	52.32			119.38
18-C	X	HENRY BURDICK-GW	37-20616	WILLIAM ABBOTT	03 / 24 / 1883	2.50	0.05				
RLS-10	D	LOSS TO SYSTEM	37-20616	WILLIAM ABBOTT	03 / 24 / 1883	1.00	0.02				
RLR-73	X	LOSS TO RIVER	37-20616	WILLIAM ABBOTT	03 / 24 / 1883	1.00	0.02				
22	D	MICHAEL WILLARD	37-0004	WILLIAM ABBOTT	03 / 24 / 1883	9.20	0.18	52.51			119.57
RLS- 08	D	LOSS TO SYSTEM	37-20440	WILLIAM ABBOTT	03 / 24 / 1883	1.00	0.02				119.59
22	X	BRUCE WILLIS/GW/ RLR48, RLS-07	37-20400	WILLIAM ABBOTT	03 / 24 / 1883	3.00	0.06				119.59
RLR-48	X	BIG WOOD RIVER	37-20402	WILLIAM ABBOTT	03 / 24 / 1883	11.00	0.22				119.59
RLS-07	D	LOSS TO SYSTEM	37-20402	WILLIAM ABBOTT	03 / 24 / 1883	3.00	0.06				119.65
22	D	EMB-HAILEY L P	37-0577	W.T.RILEY	03 / 24 / 1883	42.00	0.84	53.43			120.49
22	X	JOHN BLACKBURN	37-0577BN	W T RILEY	03 / 24 / 1883	4.00	0.08				120.49
22	D	HIAWATHA CANAL CO	37-0577	W.T.RILEY	03 / 24 / 1883	137.00	2.74	56.17			123.23
22	D	HIAWATHA CANAL CO	37-0577	W.T.RILEY	03 / 24 / 1883	7.50	0.15	56.32			123.38
22	D	HIAWATHA CANAL CO	37-0577	W.T.RILEY	03 / 24 / 1883	1.00	0.02	56.34			123.40
22	D	JIM KUKURIN	37-0577	W T RILEY	03 / 24 / 1883	2.65	0.05	56.39			123.45

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BIG WOOD ABOVE MAGIC PRIORITY BOOK

DIVER	R	OWNER	ST_ID	DECREE_TO	PRIOR	INCHES	CFS	ABOVE	BELOW	TRIB	TOTAL
22	D	JAMES W PHILLIPS	37-0577	W T RILEY	03 / 24 / 1883	15.00	0.30	56.69			123.75
22	D	HOWARD KNIGHT	37-0577	W T RILEY	03 / 24 / 1883	3.40	0.07	56.76			
22	D	KATHLEEN ROSEKRANS	37-0577	W T RILEY	03 / 24 / 1883	5.60	0.11	56.87			
22	D	JANET LEE ARGYLE	37-0577AE	W.T.RILEY	03 / 24 / 1883	2.50	0.05	56.92			123.80
22	D	SUSAN PASSOVOY	37-0028	ALTURAS WATER CO	03 / 24 / 1883	3.16	0.06	56.98			123.86
22	D	JIM SAVARIA	37-0577	W.T.RILEY	03 / 24 / 1883	21.00	0.42	57.40			124.28
22	D	JACKSON W ALLRED II	37-0577	W.T.RILEY	03 / 24 / 1883	3.00	0.06	57.46			124.34
RLS -12	D	JOHN BAZOVSKY	37-0028	ALTURAS WATER CO	03 / 24 / 1883	2.00	0.04	57.50			124.34
22	D	M KNIGHT LOSS TO HIAWATHA	37-0004A	WILLIAM ABBOTT	03 / 24 / 1883	9.00	0.18	57.68			124.52
22	X	JOHN B MILEY	37-0577BN	W T RILEY	03 / 24 / 1883	1.50	0.03				124.52
22	D	KARIN MARTIN	37-0028	ALTURAS WATER CO.	03 / 24 / 1883	2.00	0.04	57.72			124.56
22	D	JOHN R SCHERER	37-0577	W.T.RILEY	03 / 24 / 1883	2.00	0.04	57.76			124.60
22	D	LISELOTTE BODNER	37-0577BM	W.T.RILEY	03 / 24 / 1883	10.80	0.22	57.98			124.82
0-P1A	D	COYOTE BLUFF	37-30024	W.T.RILEY	03 / 24 / 1883	20.00	0.40	58.38			125.22
22	D	HUF N PUF	37-30024D	W.T.RILEY	03 / 24 / 1883	3.50	0.07	58.45			125.29
22	X	SAWTOOTH COMMUNITY GARDEN/GW	37-30024B	W.T.RILEY	03 / 24 / 1883	2.00	0.04				125.29
22	D	MARY MIZER	37-0577	W.T.RILEY	03 / 24 / 1883	5.00	0.10	58.55			125.39
22	D	MELVIN B EVANS	37-0577	W.T.RILEY	03 / 24 / 1883	1.50	0.03	58.58			125.42
22	D	ERIC AND JOAN RAZOR	37-0577	W.T.RILEY	03 / 24 / 1883	3.00	0.06	58.64			125.48
22	D	MELVIN B EVANS	37-0577	W.T.RILEY	03 / 24 / 1883	1.50	0.03	58.67			125.51
22	D	TIMOTHY MYLNAR	37-0577	W.T.RILEY	03 / 24 / 1883	1.50	0.03	58.70			125.54

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BIG WOOD ABOVE MAGIC PRIORITY BOOK

DIVER	R	OWNER	ST_ID	DECREE_TO	PRIOR	INCHES	CFS	ABOVE	BELOW	TRIB	TOTAL
22	D	MICHAEL SHEFFER	37-0028	ALTURAS WATER CO.	03 / 24 / 1883	2.00	0.04	58.74			125.58
22	X	RANDY E CORIELL/GW	37-30000N	W T RILEY	03 / 24 / 1883	2.65	0.05				125.58
RLR-52	D	RICHARD NELSON	37-0577	W.T.RILEY	03 / 24 / 1883	3.00	0.06	58.80			125.64
22	X	BIG WOOD RIVER	37-0028	ALTURAS WATER CO.	03 / 24 / 1883	7.79	0.16				125.64
22	D	RED DEVIL MT HOMEOWNERS ASSN	37-0028F	ALTURAS WATER CO	03 / 24 / 1883	24.00	0.48	59.28			126.12
22	X	ROD THORNTON	37-0577BN	W T RILEY	03 / 24 / 1883	1.50	0.03				126.12
22	D	RONALD G WILCOX	37-0028	ALTURAS WATER CO	03 / 24 / 1883	41.00	0.82	60.10			126.94
RLS-1	D	MICHAEL E WILLARD	37-30000B	W T RILEY	03 / 24 / 1883	2.50	0.05	60.15			126.99
22	D	LOSS TO SYSTEM	37-0577	W T RILEY	03 / 24 / 1883	2.50	0.05	60.20			127.04
22	D	S F ECCLES RLS-06	37-0577	W.T.RILEY	03 / 24 / 1883	70.00	1.40	61.60			128.44
22	D	THOMAS HANSON	37-0028	ALTURAS WATER CO	03 / 24 / 1883	3.54	0.07	61.67			128.51
22	D	THOMAS HICKEY	37-0577	W.T.RILEY	03 / 24 / 1883	24.00	0.48	62.15			128.99
22	D	HENRICUS BEEKWILDER	37-0577	W.T.RILEY	03 / 24 / 1883	13.00	0.26	62.41			129.25
22	D	TOM KENNEDY/D KIRBY	37-0028	ALTURAS WATER CO.	03 / 24 / 1883	2.00	0.04	62.45			129.29
22	D	TOM RICHMOND	37-0577	W.T.RILEY	03 / 24 / 1883	1.00	0.02	62.47			129.31
22	D	WILLIAM P CLIFFORD	37-0028	ALTURAS WATER CO.	03 / 24 / 1883	2.00	0.04	62.51			129.35
22	D	WOOD RIVER COUNTRY CLUB	37-0577T&V	W T RILEY	03 / 24 / 1883	6.50	0.13	62.64			129.48
22	D	WOOD RIVER COUNTRY CLUB	37-0577T&V	W.T.RILEY	03 / 24 / 1883	78.00	1.56	64.20			131.04
22	D	WOOD RIVER COUNTRY CLUB	37-0577	W.T.RILEY	03 / 24 / 1883	60.00	1.20	65.40			132.24
RLR-39	X	CROSS CREEK TRUST-RLR39	37-0004F	WILLIAM ABBOTT	03 / 24 / 1883	1.50	0.03				132.24
RLS-03	X	BIG WOOD RIVER	37-0004F	WILLIAM ABBOTT	03 / 24 / 1883	3.50	0.07				132.24

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DIVER	R	OWNER	ST_ID	DECREE_TO	PRIOR	INCHES	CFS	ABOVE	BELOW	TRIB	TOTAL
											132.26
22	D	LOSS TO SYSTEM	37-0004F	WILLIAM ABBOTT	03 / 24 / 1883	1.00	0.02				132.32
RLR-40	D	COLLEEN SULLIVAN-RLR40	37-0004F	WILLIAM ABBOTT	03 / 24 / 1883	3.00	0.06				132.32
RLS-04	X	BIG WOOD RIVER	37-0004F	WILLIAM ABBOTT	03 / 24 / 1883	4.10	0.08				132.36
22-P1	D	LOSS TO CANAL SYSTEM	37-0004F	WILLIAM ABBOTT	03 / 24 / 1883	2.10	0.04				132.62
26-P	D	LYNN H CAMPION	37-0577	PAFW.T.RILEY	03 / 24 / 1883	13.00	0.26	65.78			132.82
27	D	HARRY S RINKER	37-0577	W.T.RILEY	03 / 24 / 1883	10.00	0.20	65.98			132.82
33	X	BRUCE WILLIS-NCP	37-00577AH	W.T.RILEY	03 / 24 / 1883	60.00	1.20				132.92
33	E	MITCHELL GUTCHES	37-0577	W.T.RILEY	03 / 24 / 1883	5.00	0.10		50.46		133.02
33	E	RANDY W JOHNSON	37-0577BK	W.T.RILEY	03 / 24 / 1883	5.00	0.10		50.56		133.06
33	E	RICHARD B ANDERSON	37-0577	PAFW.T.RILEY	03 / 24 / 1883	2.00	0.04		50.60		133.08
33	E	WAYNE BURKE	37-0577	W.T.RILEY	03 / 24 / 1883	1.00	0.02		50.62		138.68
38-P1	E	S F ECCLES	37-0577	W.T.RILEY	03 / 24 / 1883	280.00	5.60		56.22		138.70
RLR-29	E	WILLIAM D EITTREIM-RLR-29	37-0577CA	W T RILEY	03 / 24 / 1883	0.95	0.02		56.24		138.70
42-A	X	BIG WOOD RIVER	37-0577CA	W T RILEY	03 / 24 / 1883	0.05	0.00				139.05
44	E	ECCLE'S WINDOW ROCK RANCH LLC	37-0577AT	W.T.RILEY	03 / 24 / 1883	17.50	0.35		56.59		142.55
45	E	SPENCER ECCLES	37-0577	W.T.RILEY	03 / 24 / 1883	175.00	3.50		60.09		142.62
45	E	B S RANCH	37-0577	W.T.RILEY	03 / 24 / 1883	3.50	0.07		60.16		142.66
45	E	CARL BROWING	37-0577	W.T.RILEY	03 / 24 / 1883	2.00	0.04		60.20		143.66
45	E	H G 2 LIMITED PARTNERSHIP	37-0577	W.T.RILEY	03 / 24 / 1883	49.70	0.99		61.19		148.71
45	E	BELLEVUE FARMS	37-0577	W.T.RILEY	03 / 24 / 1883	252.80	5.06		66.25		148.93
45	E	CURT BARKER	37-0577	W.T.RILEY	03 / 24 / 1883	11.00	0.22		66.47		

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DIVER	R	OWNER	ST_ID	DECREE_TO	PRIOR	INCHES	CFS	ABOVE	BELOW	TRIB	TOTAL
RLR-70	D	MARY ANN KNIGHT	37-0004A	WILLIAM ABBOTT	03 / 24 / 1883	7.00	0.14	66.12			149.07
45	X	BIG WOOD RIVER	37-0004A	WILLIAM ABBOTT	03 / 24 / 1883	13.50	0.27				149.07
45	E	DON L NISSON	37-0577	W.T.RILEY	03 / 24 / 1883	69.00	1.38		67.85		150.45
45	E	GERALD B BASHAW	37-0577	W.T.RILEY	03 / 24 / 1883	34.50	0.69		68.54		151.14
45	E	JOHN SCHERER	37-0577	W.T.RILEY	03 / 24 / 1883	109.80	2.20		70.74		153.34
45	E	JAMES EAKIN	37-0577	W.T.RILEY	03 / 24 / 1883	140.00	2.80		73.54		156.14
RLR-31	E	JOHN STEVENSON-RLR-31	37-0577	W.T.RILEY	03 / 24 / 1883	71.50	1.43		74.97		157.57
45	X	BIG WOOD RIVER	37-0577	W T RILEY	03 / 24 / 1883	5.00	0.10				157.57
45	E	ROBERT GARDNER	37-0577	W.T.RILEY	03 / 24 / 1883	69.00	1.38		76.35		158.95
45	E	THOMAS M BECK	37-0577	W.T.RILEY	03 / 24 / 1883	27.60	0.55		76.90		159.50
45	E	THOMAS O GARA	37-0577	W.T.RILEY	03 / 24 / 1883	34.50	0.69		77.59		160.19
50	E	WILLAIM D BROWN	37-0577	W.T.RILEY	03 / 24 / 1883	69.00	1.38		78.97		161.57
RLR-20	E	EDWARD CAMERON-RLR-20	37-0577	W.T.RILEY	03 / 24 / 1883	23.00	0.46		79.43		162.03
55-C	X	BIG WOOD RIVER	37-0577	W T RILEY	03 / 24 / 1883	2.00	0.04				162.03
55-C	E	A W MOLYNEUX	37-30000P	W.T.RILEY	03 / 24 / 1883	38.20	0.76		80.19		162.79
55-C	E	JEFF KEYS	37-30000P	W.T.RILEY	03 / 24 / 1883	3.00	0.06		80.25		162.85
55-C	E	A W MOLYNEUX UNIT #1	37-30000K	W.T.RILEY	03 / 24 / 1883	1.00	0.02		80.27		162.87
55-C	E	A W MOLYNEUX UNIT #1	37-30000L	W.T.RILEY	03 / 24 / 1883	1.50	0.03		80.30		162.90
55-C	E	A W MOLYNEUX UNIT #1	37-30011B	W.T.RILEY	03 / 24 / 1883	6.00	0.12		80.42		163.02
55-C	E	A W MOLYNEUX UNIT #1	37-30011C	W.T.RILEY	03 / 24 / 1883	8.00	0.16		80.58		163.18
55-C	E	C REID LAU	37-0577	W.T.RILEY	03 / 24 / 1883	14.20	0.28		80.87		163.47

10/09/03

BIG WOOD ABOVE MAGIC PRIORITY BOOK

DIVER	R	OWNER	ST_ID	DECREE_TO	PRIOR	INCHES	CFS	ABOVE	BELOW	TRIB	TOTAL
55-C	E	MICHALE B BRUNKER	37-0577AE	W.T.RILEY	03 / 24 / 1883	5.00	0.10		80.97		163.57
RLR-30	E	MICHALE B BRUNKER-RLR-30	37-0577BH	W.T.RILEY	03 / 24 / 1883	8.00	0.16		81.13		163.59
55-C	X	BIG WOOD RIVER	37-0577BH	W.T.RILEY	03 / 24 / 1883	1.00	0.02				163.59
55-C	E	FRANK H NACHTMAN	37-20705	W T RILEY	03 / 24 / 1883	9.00	0.18		81.31		163.77
55-C	E	FRANK H NACHTMAN	37-20706	W T RILEY	03 / 24 / 1883	1.00	0.02		81.33		163.79
55-C	E	NACHTMAN / WILSON	37-30000Q	W.T.RILEY	03 / 24 / 1883	11.50	0.23		81.56		164.02
55-C	E	ROD KOTIGA	37-0577	W.T.RILEY	03 / 24 / 1883	9.25	0.19		81.74		164.20
55-C	E	LEWIS WILLAIM DYE	37-0577	W.T.RILEY	03 / 24 / 1883	25.00	0.50		82.24		164.70
55-C	E	LEWIS WILLAIM DYE	37-0577	W.T.RILEY	03 / 24 / 1883	20.00	0.40		82.64		165.10
55-C	E	SUNBEAM HOLDING TRUST	37-0577	W.T.RILEY	03 / 24 / 1883	25.00	0.50		83.14		165.60
55-C	E	SUNBEAM HOLDING TRUST	37-0577	W.T.RILEY	03 / 24 / 1883	20.00	0.40		83.54		166.00
55-C	E	JEFFERY ANDERTON	37-0577	W.T.RILEY	03 / 24 / 1883	9.25	0.19		83.73		166.19
55-C	E	WASHINGTON ASPHALT	37-0577	W.T.RILEY	03 / 24 / 1883	10.00	0.20		83.93		166.39
55-C	E	WILLIAM S LEET	37-0577	W.T.RILEY	03 / 24 / 1883	62.50	1.25		85.18		167.64
RLR-06	E	WILLIAM S LEET-RLR-06	37-0577BB	W.T.RILEY	03 / 24 / 1883	22.69	0.45		85.63		168.09
56-D	X	BIG WOOD RIVER	37-0577BB	W T RILEY	03 / 24 / 1883	1.50	0.03				168.09
61	E	A W MOLYNEUX	37-20570	W.T.RILEY	03 / 24 / 1883	342.84	6.49		92.12		174.58
RLR-02	E	E HADLEY STUART-RLR-02	37-0577	W.T.RILEY	03 / 24 / 1883	135.00	2.70		94.82		177.28
62	X	BIG WOOD RIVER	37-0577	W T RILEY	03 / 24 / 1883	10.00	0.20				177.28
RLR-23	E	WOOD RIVER RANCHES-RLR23&51	37-0577	W.T.RILEY	03 / 24 / 1883	64.00	1.28		96.10		178.56
RLR-51	X	BIG WOOD RIVER	37-0577	W T RILEY	03 / 24 / 1883	10.68	0.21				178.56

10/09/03

BIG WOOD ABOVE MAGIC PRIORITY BOOK

DIVER	R	OWNER	ST_ID	DECREE_TO	PRIOR	INCHES	CFS	ABOVE	BELOW	TRIB	TOTAL
77-P	X	BIG WOOD RIVER	37-0577	W T RILEY	03 / 24 / 1883	78.00	1.56				178.56
RLR-04	F	J D SPRING CREEK RANCH	37-0577BB	W.T.RILEY	03 / 24 / 1883	51.00	1.02			17.72	179.58
77-P	X	J D SPRING CREEK RANCH	37-0577BB	W.T.RILEY	03 / 24 / 1883	9.00	0.18				179.58
RLR-05	F	J D SPRING CREEK RANCH	37-0310A	HENRY HEWETT	03 / 24 / 1883	17.00	0.34			18.06	179.92
32	X	BIG WOOD RIVER	37-0363	U S JUSTUS	04 / 12 / 1883	6.50	0.13				179.92
32	D	DAN RAMSLAND	37-0363	U.S. JUSTUS	04 / 12 / 1883	6.00	0.12	66.24			180.04
33	D	CUTLER	37-0363	U.S. JUSTUS	04 / 12 / 1883	5.00	0.10	66.34			180.14
33	E	DON JUSTUS	37-0155	JOHN W.COOK	04 / 12 / 1883	80.00	1.60		97.70		181.74
43	X	SCOTT MCILHENNY	37-0364G	U.S. JUSTUS	04 / 12 / 1883	11.00	0.22				181.74
RLR-45	X	FRANK BRAMON-RLR-45 & 46	37-0363F	U.S. JUSTUS	04 / 12 / 1883	7.00	0.14				181.74
45	X	BIG WOOD RIVER	37-0363F	U.S. JUSTUS	04 / 12 / 1883	8.00	0.16				181.74
RLR-09	E	LAURI CRANDALL-COOPER	37-0363A	U.S. JUSTUS	04 / 12 / 1883	14.00	0.28		97.98		182.02
49	X	BIG WOOD RIVER	37-00363A	U.S. JUSTUS	04 / 12 / 1883	1.00	0.02				182.02
49	E	DAVINA & HOLLY LP	37-0363	U.S. JUSTUS	04 / 12 / 1883	20.00	0.40		98.38		182.42
45	E	GLENDALE FARM PART	37-0363	U.S. JUSTUS	04 / 12 / 1883	81.50	1.63		100.01		184.05
45	E	JAMES EAKIN	37-0111	R.F.& ROSA BUHLER	04 / 17 / 1883	3.00	0.06		100.07		184.11
55-C	E	JAMES EAKIN	37-0475	JOHN MELICH	04 / 17 / 1883	22.00	0.44		100.51		184.55
55-C	E	WASHINGTON ASPHALT	37-0433	HIRAM MACKAY	04 / 17 / 1883	3.80	0.08		100.58		184.63
55-C	E	WILLIAM SHERBINE	37-0433	HYRAM MACKAY	04 / 17 / 1883	3.80	0.08		100.66		184.70
55-C	E	CATHY ZACCARDI	37-0433	HYRAM MACKAY	04 / 17 / 1883	1.00	0.02		100.68		184.72
55-C	E	CHARLES NEGREPONTE	37-0433	HYRAM MACKAY	04 / 17 / 1883	0.70	0.01		100.69		184.74

10/19/2006

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

RIGHT NUMBER: 37-297A

NAME AND ADDRESS: ROSEMARY F SHEFFER
PO BOX 4450
KETCHUM ID 83340

MICHAEL K SHEFFER
PO BOX 4450
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 11/26/1886

POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.080 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T03N R18E S33 SESW 1.90

1.9 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

Property is also known as Lot 3, Blk 1, Buckhorn Sub. #1



Idaho Department of Water Resources

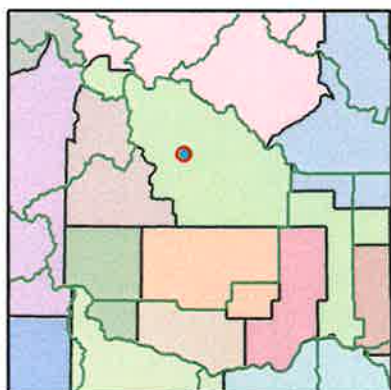
SRBA Recommendation:

37-297A

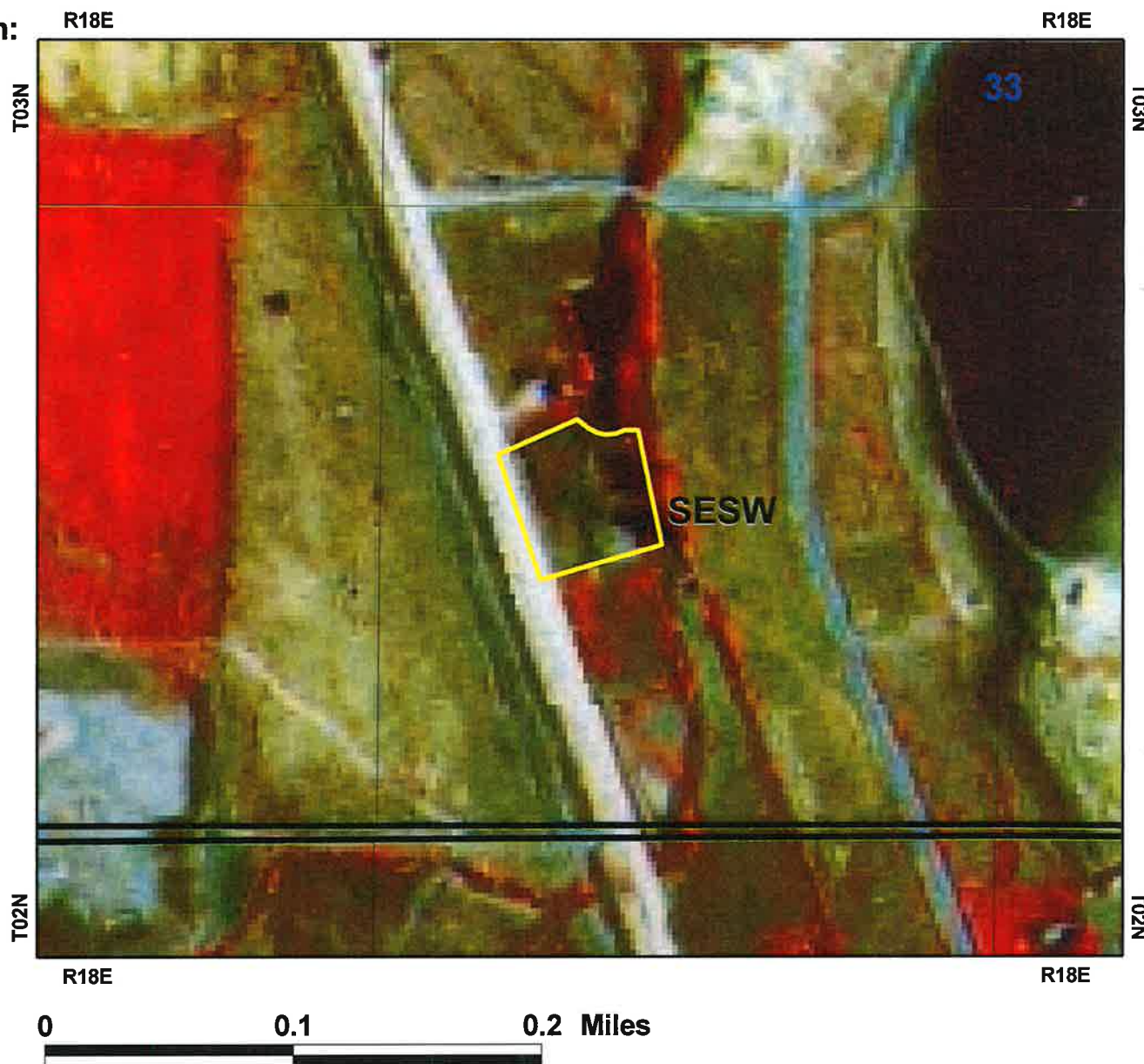
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by A. Warntjes
On Thursday, October 19, 2006
1987/88 Aerial Photography

Background Data

37-0028

- Source is Big Wood River tributary to Malad River
- 37-0028 originally decreed for 2.0 cfs to Alturas Water Co for municipal use in City of Hailey (no POU or acres given)
- A preliminary priority date search (3/24/1883) indicated the following, but additional research is needed to confirm splits:
 - 37-0028 claimed for 2.0 cfs for irrigation (watermaster delivering 0.04 cfs)
 - 37-0028A claimed for 0.04 cfs for stockwater (watermaster delivering 0.02 cfs)
 - 37-0028B claimed for 0.04 cfs for irrigation (watermaster delivering 0.04 cfs)
 - 37-0028C claimed for 0.02 cfs for irrigation (watermaster delivering 0.04 cfs)
 - 37-0028D claimed for 0.04 cfs for irrigation (watermaster delivering 0.04 cfs)
 - 37-0028F claimed for 0.48 cfs and 72 af for irrigation (watermaster delivering 0.48 cfs)
 - 37-0028J claimed for 0.04 cfs for irrigation (watermaster delivering 0.04 cfs)
 - 37-20359 claimed for 0.04 cfs for irrigation (watermaster delivering 0.04 cfs)

37-0297A

- Source is Big Wood River tributary to Malad River
- 37-0297 originally decreed for 6.0 cfs to Hailey Water & Power on 7 QQ
- A preliminary priority date search (11/26/1886) indicated the following, but additional research is needed to confirm splits:
 - 37-00297A claimed for 0.08 cfs for irrigation (watermaster delivering 0.08 cfs)
 - 37-00297B claimed for 0.06 cfs on 2.0 acres for irrigation & 0.02 cfs for stockwater (watermaster delivering 0.08 cfs)
 - 37-00297C claimed for 0.08 cfs for irrigation (watermaster delivering 0.08 cfs to Kenneth McCormack – Present owner is Karin Martin)
 - 37-00297D claimed for 2.5 af for irrigation and aesthetic (watermaster delivering 0.08 cfs to Holly McCray – Present owner is Chesnel)
 - 37-00297E claimed for 0.08 cfs for irrigation (watermaster delivering 0.08 cfs)
 - 37-00297G claimed for 0.08 cfs for irrigation (watermaster delivering 0.08 cfs)
 - 37-00297K claimed for 0.96 cfs and 93.6 af for irrigation (watermaster delivering 0.96 cfs)
 - 37-00297M claimed for 0.08 cfs for irrigation (watermaster delivering 0.08 cfs)

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo

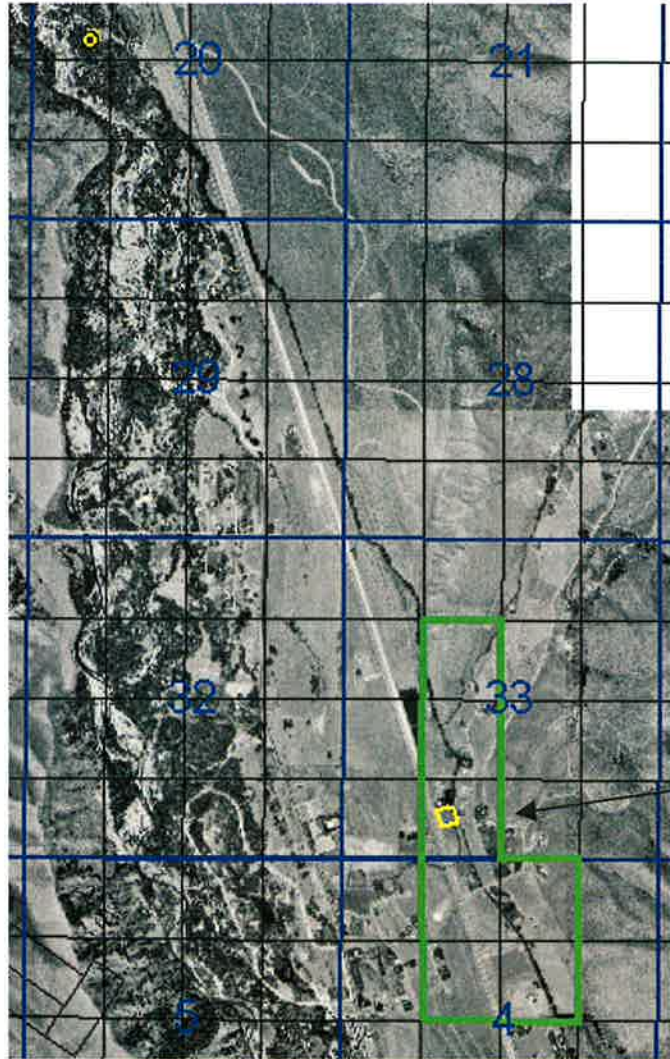
Hiawatha Canal?

Pond?



POU
correct?

1992 Aerial Photo



Decreed POU
for 37-297
(Green Line)



2004 Aerial Photo



Notes

T3N R18E Section 33

- Found 1.9 acres.
- POU was taken extracted from the Blaine Co tax lot records.
- Pond on NE corner?
- What was being irrigated in 1987? Irrigation is not apparent on the photo.
- Why is irrigation claimed under both rights?
- What is the history of the water usage on this property? Was the water always used here? Was water transferred here? If transferred: when, from where?
- **37-0028 is claiming 2.0 cfs, but watermaster is delivering 0.04 cfs**
- Need to GPS the PODs.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-28

WATER RIGHT NUMBER: 37-28

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROSEMARY F SHEFFER PO BOX 4450 KETCHUM, ID 83340 (208)788-2459
Current Owner	MICHAEL K SHEFFER PO BOX 4450 KETCHUM, ID 83340 (208)788-2459

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SE1/4SW1/4NW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE 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	
03N	18E	33												2.0					2.0

Total Acres: 2

Conditions of Approval:

1. THE LEGAL LAND DESCRIPTION FOR THIS CLAIM IS LOT 3 OF THE BUCKHORN SUB.#1.

Remarks:Comments:

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-28

Water Supply Bank:

