

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 37-667C
Date Received: 11/15/88
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT E GARDNER Phone: (208) 788-2568
PO BOX 1200
HAILEY ID USA 83333

C W & R H GARDNER FAMILY TRUST LTD PARTNERSHIP Phone: (208) 788-2568
PO BOX 1200
HAILEY ID USA 83333

2. Date of Priority: 06/15/1891

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
02N	18E	36	SW NW	BLAINE

5. Description of diverting works:

DISTRICT 45 CANAL; ONE PIVOT AND HANDLINES FOR CORNERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	3.2	

7. Total Quantity Appropriated is:
3.2 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
01N	19E	33	NE	SE	IRRIGATION	22
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	38
					Section Acres	140
01N	19E	34	SW	SW	IRRIGATION	3
					Section Acres	3
					Total Acres	143

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:

14. Remarks:

ORIGINALLY DECREED TO UTAH & IDAHO IMPROVEMENT CO. IN S.C. FROST ET AL. V. ALTURUS WATER COMPANY CO. ET US

TRANSFER 69. PLACE OF USE, TO THE EXTENT IT DIFFERS FROM THAT IN DECREE (WHICH DOES NOT IDENTIFY THE NUMBER OF IRRIGATED ACRES IN EACH 40 ACRE PARCEL) IS CLAIMED PURSUANT TO IDAHO CODE 42-1416(1)

| CORRECTED DATA ENTRY FOR JAMES SPECK, ATTORNEY FOR COLUMBINE PARTNERS AS SIGNED ON ORIGINAL CLAIM, NOT C OWNER. UPDATED SPECKS ADDRESS ALSO

12/5/00 tf; Ownership changed Columbine Partners to Robert Gardner and Gardner Family Partnership per 1409(6) and deeds received 3/13/00.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

December 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: SRBA Claim(s) A37-00115B, A37-00667C, A37-00881,
A37-04433

Dear Counselor:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to your clients . Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish'.

Trish Fawcett
Technical Records Specialist

enc.

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

March 10, 2000

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

RECEIVED

MAR 13 2000

Department of Water Resources
Southern Region

**Re: Notice of Change of Water Right Ownership
Water Right Nos. 37-12190 and 37-12191
Adjudication Claim Nos. A37-04433, A37-00115B, A37-00881 and A37-0667C**

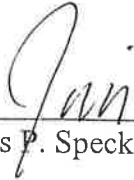
Dear Allen:

I represent Robert E. Gardner and C.W. & R.H. Gardner Family Limited Partnership in the above-referenced water rights and adjudication claims. Enclosed you will find Notices of Change of Water Right Ownership for the above referenced claims and water rights along with one copy of each. Please call me if you have any questions about these Notices. If not, kindly return the copies to me after your office has date stamped them and send me copies of the computer printouts reflecting the change of ownership once the information has been entered into the IDWR database.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
enclosures

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

RECEIVED
MAR 13 2000
Department of Water Resources
Southwest Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A37-04433, A37-00115B, A37-00881, ~~A37-18491~~, A37-00667C
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acre outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Columbine Partners c/o Michael S. Engl
Owner/Claimants Post Office Box 2500, Sun Valley, Idaho 83353
4. New Owner/Claimant(s) Robert E. Gardner and/or C.W. & R.H. Gardner Family Limited Partnership
Name connector (check one): [] AND, [] OR, [X] AND/OR
New Mailing Address Post Office Box 1200
City, State and ZIP Code Hailey, ID 83333
New Telephone Number (208) 788 - 2568
5. Date you acquired the property April 9, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS cubic feet per second Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Robert E. Gardner Date 3/9/00
Owner/Claimant(s) Robert E. Gardner Date _____
Date _____
(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Order No. 13845

THIS FORM FURNISHED BY FIRST AMERICAN TITLE CO.

WARRANTY DEED

For Value Received

Columbine Partners, an Idaho general partnership

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

First Exchange Corporation, a California corporation
whose address is: c/o Robert E. Gardner, P. O. Box 470, Bellevue, ID 83313

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PARCEL I:

Section 33: A parcel of land more particularly described as follows:

SRI/4 lying Southwesterly of the Cannett Highway (Bellevue-Carey State Highway)

PARCEL II:

Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence running in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northwesterly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the POINT OF BEGINNING.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 14, 1989

Columbine Partners, an Idaho general partnership

[Signature]
[Signature]

STATE OF _____ COUNTY OF _____
 On this 15th day of June, 1989,
 before me, a notary public in and for said State, personally appeared

Landida C. Forstmann
 Michael S. Engle

proved to me on the basis of satisfactory evidence or known to me to be the persons whose names I subscribed to this within instrument, and acknowledged in me that they executed the same.

[Signature]
 Notary Public

Residing at Nitrum
 Commission Expires: 4/15/91

FIRST AMERICAN TITLE CO.

BLAINE CO. REQUEST

OF:

306778

89 JUN 23 PM 3 44
 MARY SHEEHAN, CLERK
 FEES \$ 10.00

Instrument No.

①

STATE OF IDAHO
COUNTY OF Blaine
On June 15, 1989
said State, personally appeared: Candida C. Forstmann and Michael S. Engi
before me, the undersigned, a Notary Public in and for
said State, personally appeared:
Personally known to me (or proved to me on the basis of satisfactory evidence) to be the person that executed the within instrument as General (partner),
on behalf of Columbine Partners, an Idaho
General Partnership, the Partnership
therein named and acknowledged to me that the Partnership
executed it.
WITNESS my hand and official seal.
Signature Catherine E. Wells
Commission Expires: 4-15-91
30011627-Partnership Act American Title Company

(This area for office notation)

FA

WARRANTY DEED

For Value Received

FIRST EXCHANGE CORPORATION, a California corporation,

the grantor do as hereby grant, bargain, sell and convey unto ROBERT E. GARDNER, a married man dealing in his sole and separate property as to an undivided 37.5% interest; and RUTH HELEN GARDNER, a married woman dealing in her sole and separate property as to an undivided 62.5% interest, as tenants in common, the grantee, the following described premises, in Blaine County Idaho, to-wit:

Legal description described in Exhibit "A" attached hereto and made a part hereof;

FIRST AMERICAN TITLE CO.
306779

BLAINE CO. REQUEST
OF: _____

89 JUN 22 PM 3 45
MARY GREEN, CLERK
FEES \$10.00

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

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

Dated
FIRST EXCHANGE CORPORATION, a California corporation

BY:

BY: Barbara Hester



FOR NOTARY SEAL OR STAMP



STATE OF CALIFORNIA
COUNTY OF Blaine
On this 22nd day of June 1989, before me,
the undersigned, a Notary Public in and for said County and State,
personally appeared Robert E. Gardner,
known to me or proved to me on the basis of satisfactory evidence to be
the President, and Barbara Hester,
known to me or proved to me on the basis of satisfactory evidence to be
the Secretary of the corporation that executed the within
instrument on behalf of the corporation therein named, and acknowl-
edged to me that such corporation executed the within instrument
pursuant to the laws of a resolution of its board of directors.

Signature Jennifer C. Fowler

SAFECO Stock No. CAL-0074 (Rev. 8-83) As Corporation
Single

INSTRUMENT NO.

1

Exhibit "A"

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PARCEL I:

Section 33: A parcel of land more particularly described as follows:
SE1/4 lying Southwesterly of the Gannett Highway (Bellevue-Carey State Highway)

PARCEL II:

Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence turning in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northwesterly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the POINT OF BEGINNING.

1A

Order No. 13445

THIS DEED FURNISHED BY FIRST AMERICAN TITLE CO.

③

QUITCLAIM DEED

For Value Received

Kathryn A. Gardner, wife of the Grantee

do hereby convey, release, remise and forever quit claim unto

Robert E. Gardner, a married man as his sole and separate property
whose address is: P. O. Box 470, Bellevue, Idaho 833.3

the following described premises situated in Blaine County, Idaho, to-wit:

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PARCEL I:

Section 33: A parcel of land more particularly described as follows:

SE1/4 lying Southwesterly of the Gannett Highway (Bellevue-Carey State Highway)

PARCEL II:

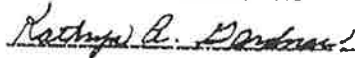
Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence running in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northwesterly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the POINT OF BEGINNING.

This Quitclaim Deed is given by me freely, in order that he may hold the within described property as his sole and separate property.

together with their appurtenances.

Dated: June 22, 1989



Kathryn A. Gardner

STATE OF Idaho COUNTY OF Blaine
On this 22nd day of June, 1989,
before me a Notary Public for said State, personally
appeared

Kathryn A. Gardner

known and identified to me to be the person who
is subscribing to the within instrument and acknowledged
to me that she executed the same.

Residing at Hailey
Commission Expires: 1-1-93

Notary Public

FIRST AMERICAN TITLE CO.

306780

BLAINE CO. REQUEST

OF:



89 JUN 23 PM 3 16

MARY GREEN, CLERK

FEES \$3.00

①

Order No. 13445

THIS BLANK FURNISHED BY FIRST AMERICAN TITLE CO.

QUITCLAIM DEED

For Value Received

C. W. Gardner, husband of the Grantee

do hereby convey, release, remise and forever quit claim unto

Ruth Helen Gardner, a married woman as her sole and separate property
 whose address is: P. O. Box 470, Bellevue, Idaho 83313
 the following described premises situated in Blaine County, Idaho, to-wit:

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PARCEL I:

Section 33: A parcel of land more particularly described as follows:

SE1/4 lying Southwesterly of the Gannett Highway (Bellevue-Carey State Highway)

PARCEL II:

Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence running in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northwesterly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the POINT OF BEGINNING.

This Quitclaim Deed is given by me freely, in order that she may hold the within described property as her sole and separate property.

together with their appurtenances.

Dated: June 22, 1989

C. W. Gardner

STATE OF Idaho COUNTY OF Blaine
 On this 22nd day of June, 1989,
 before me a Notary Public for said State, personally
 appeared

C. W. Gardner

known or identified to me to be the person who herein
 is subscribed to the within instrument and acknowledged
 to me that he executed the same.

Residing at Hailey
 Commission Expires: 3-1-95

Notary Public

FIRST AMERICAN TITLE CO.

BLAINE CO. REQUEST

OF:

89 JUN 23 PM 3 47

MARY GREEN, CLERK

FEES \$38

306781

QUITCLAIM DEED

1. DATE, NAMES OF PARTIES AND ADDRESSES.

1.1. **Date.** This quitclaim deed is executed and delivered by Grantors to Grantee on April 9, 1999.

1.2. **Name of Grantors and Address.** Cloyd W. Gardner, whose address is P. O. Box 208, Hailey, Idaho 83333, and Ruth Helen Gardner, whose address is P. O. Box 208, Hailey, Idaho 83333, are the Grantors.

1.3. **Name of Grantee and Address.** C.W. & R.H. Gardner Family Limited Partnership, whose address is P. O. Box 208, Hailey, Idaho 83333, is the Grantee.

2. **CONVEYANCE.** For value received, Grantors release, remise and forever quitclaim to Grantee, all of their right, title and interest in and to certain real property located in Blaine County, Idaho, and more particularly described on the attached Exhibit A hereto. The real property is more commonly referred to as:

Main Ranch House, Gabino House and
Farm Buildings (both sites)

Parcel 1

Farm Property

Long Lands

Parcel 2

Baseline Ranch

Parcel 3

East Fields by Gabino

Parcel 4

West Fields by Main House

Parcel 5



USP Property, River Street, Hailey, Idaho

Parcel 6

Lot on Main Street, Bellevue, Idaho

Parcel 7

Lot West of Bellevue, Idaho

Parcel 8

Lots in Gannett, Idaho

Parcel 9

South Lots in Gannett, Idaho

Parcel 10

Range Land and Radio Site

Parcel 11

3. SIGNATURES.

426161

Deed

BLAINE CO. REQUEST

OF: Coche Humphrey

'99 APR 14 AM 11 13

MARSHALL ANN. CLERK

FEES \$12.00

Cloyd W. Gardner
CLOYD W. GARDNER

Ruth Helen Gardner
RUTH HELEN GARDNER

QUITCLAIM DEED

13279-001 \COMPACT2500R\FILES\g.gardner, cloyd\QUITCLAIM.doc 01.10.00

Page 1

Post-it® Fax Note

7671

Date	4/26	# of pages	4
To	Jan	From	Sandy
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

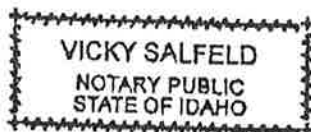
STATE OF IDAHO)

COUNTY OF BLAINE)

) ss.

On April 9th, 1999, before me, the undersigned, a notary public in and for said county and state, personally appeared Cloyd W. Gardner, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



Vicky Salfeld
 NOTARY PUBLIC FOR IDAHO
 Residing at Laurel, ID
 My Commission Expires: 7-26-2000

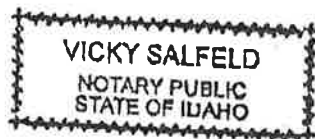
STATE OF IDAHO)

COUNTY OF BLAINE)

) ss.

On April 9th, 1999, before me, the undersigned, a notary public in and for said county and state, personally appeared Ruth Helen Gardner, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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



Vicky Salfeld
 NOTARY PUBLIC FOR IDAHO
 Residing at Laurel, ID
 My Commission Expires: 7-26-2000

QUITCLAIM DEED

13279-001 \COMPQA2300R\FILES\g Gardner, cloyd\QUITCLAIM.doc 03-29-99

Page 2

EXHIBIT A

LEGAL DESCRIPTIONS

Parcel 1	Main Ranch House, Gabino House and Farm Buildings (both sites)	½ int, FR NENE TL 1702 and 1703, NWNE, SENE
Parcel 2	Long Lands	½ int, SESW, Sec 34 1N 19E ½ int, FR NESE TL 4392, Sec 33, FR NWSW TL 810, FR SWSW, TL 4423, Sec 34 1N 19E
Parcel 3	Baseline Ranch	FR SWSW TL 4422, Sec 34 1N 19E
Parcel 4	East Fields by Gabino	½ int, Lots 2, 3, 4, 5, N½ NE, Sec 7 1S 20E ½ int, FR SESE TL 1714 and 1715, Sec 12, FR NWSE TL 1710, 1711 ½ int, Lots 3, 4, Sec 8 1S 20E
Parcel 5	West Fields by Main House	½ int, Lot 1 TL 1693 and 1694, NENW; Lot 2, TL 1695 and 1696, Lots 3 and 4; SENW TL 1697 and 1698, NESW TL 1699 and 1700, SESW TL 1701, Sec 18 1S 20E
Parcel 6	USP Property, River Street, Hailey, ID	Lots 1, 2, 3, 4, 5, 6, 7, Block 31
Parcel 7	Lot on Main Street, Bellevue, ID	½ int, Lot 1, Block C
Parcel 8	Lot West of Bellevue, ID	½ int, Lot 2, Block 92
Parcel 9	Lots in Gannett, ID	½ int, Lots 11 and 12, Block 14
Parcel 10	South Lots in Gannett, ID	½ int, Lots 13, 14, 15, 16, 17, 18, Block 7
Parcel 11	Range Land & Radio Site	½ int, SENE, Sec 25, 1S 19E ½ int, N½ NW, NWNE, Sec 23, NE, N½ NW, NWSE, Sec 24, 2S 19E N½ NW, Sec 33, 1S 19E ½ int, All Sec 9 N½, N½ S½, SWSW, Sec 10,

Columbine ?

QUITCLAIM DEED

13279-001 \COMPACTS\00R\FILES\g\gardner, cloyd\QUITCLAIM.doc 03-29-00

Page 3

N $\frac{1}{2}$, SE, NWSW, Sec 11, W $\frac{1}{2}$, E $\frac{1}{2}$ SE, SWSE,
Sec 13, NESE, Sec 15, E $\frac{1}{2}$, SW, Sec 14, 2S 19E

SESW, SWSW, Sec 28, S $\frac{1}{2}$, S $\frac{1}{4}$ Sec 29, 1S 19E

$\frac{1}{2}$ int, W $\frac{1}{2}$, Sec 1, All Sec 2, All Sec 3, All Sec
4, 2S 19E

QUITCLAIM DEED

13279-001 \COMPAQ2500\FILES\g\gardner, cloyd\QUITCLAIM.doc 03-29-99

Page 4

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: A37-00667C
Date Received: 10/27/1988
Receipt No: C003367
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: COLUMBINE PARTNERS
Address: C/O MICHAEL S. ENGL
P.O BOX 2500
SUN VALLEY, ID 83353

Name: JAMES P. SPECK
Address: HOGUE, SPECK & AANESTAD
P.O. BOX 987
KETCHUM, ID 83340

2. Date of Priority: JUN 15, 1891

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
02N	18E	36	SW		NW		BLAINE

5. Description of diverting works:
DISTRICT 45 CANAL; ONE PIVOT AND HANDLINES FOR CORNERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is 357.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00667C

Page 1

Date: 11/15/88

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	33	NE	SE		IRR	22.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	38.0
						Section Acres	140.0
		34	SW	SW		IRR	3.0
						Section Acres	3.0
						Total Acres	143.0

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:
37-00115B, 37-00881, 37-04433.

14. Remarks:

ORIGINALLY DECREED TO UTAH & IDAHO IMPROVEMENT CO. IN
S.C. FROST ET AL. V. ALTURUS WATER COMPANY CO. ET US.
TRANSFER 69. PLACE OF USE, TO THE EXTENT IT DIFFERS FROM THAT IN
DECREE (WHICH DOES NOT IDENTIFY THE NUMBER OF IRRIGATED ACRES
IN EACH 40 ACRE PARCEL) IS CLAIMED PURSUANT TO IDAHO CODE
42-1416(1).

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BALDWIN

Decree Plaintiff

vs

MIZER

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

Ret

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: 39356
Ident Number A37-60667C
Date Received 10-27-88
Receipt Number C003367

RECEIVED

OCT 27 1988

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Columbine Partners
Phone: (208) 726-8151
Mailing Address: c/o Michael S. Engl
P.O. Box 2500
Sun Valley, ID 83353
2. Date of Priority: June 15, 1891
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
2N	18E	36		SW	NW		Blaine

Additional points of diversion if any: None.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

5. Description of existing diversion works: District 45 Canal; one (1) pivot and handlines for the corners.

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6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	3.2 cfs

7. Total Quantity Claimed: 3.2 cfs

8. Total consumptive use claimed is 357.5 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
1N	19E	33	NE	SE	I	22
1N	19E	33	NW	SE	I	40
1N	19E	33	SW	SE	I	40
1N	19E	33	SE	SE	I	38
1N	19E	34	SW	SW	I	3

Total number of irrigated acres: 143

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-0881, 37-0115B, 37-4433.

14. Remarks: Originally decreed to Utah & Idaho Improvement Co. in S.C. Frost et al. v. Alturus Water Company Co. et ux. Transfer 69. Place of use, to the extent it differs from that in decree (which does not identify the number of irrigated acres in each 40 acre parcel), is claimed pursuant to Idaho Code §42-1416(1).

Last Name: Columbine

Ident No. _____

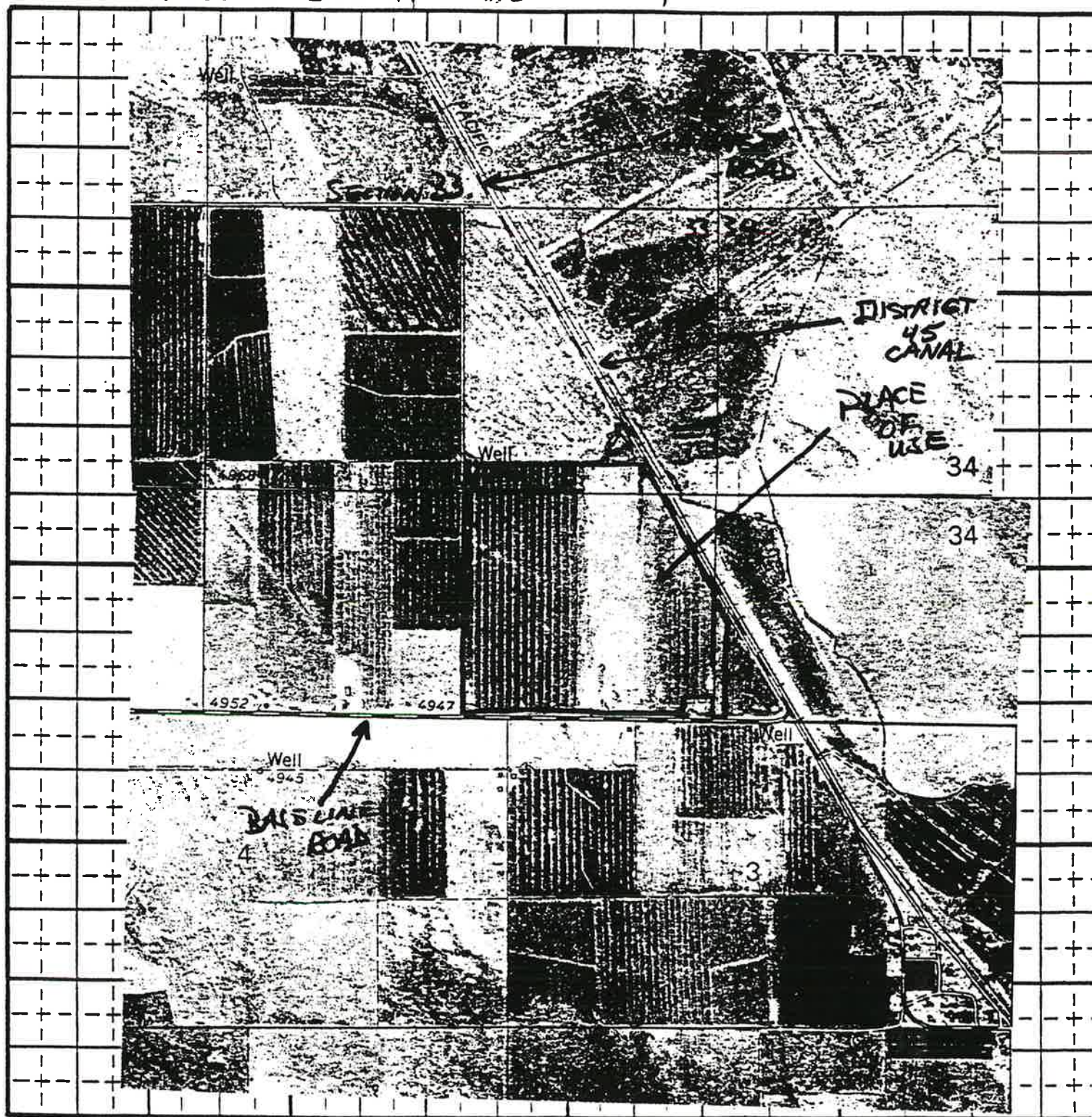
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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TOWNSHIP 1 NORTH, RANGE 19 EAST, B.M.



Last Name

COLUMBINE

Ident No.

MICROFILMED

Copies: White-State, Yellow-Claimant

FEB 23 1993

15. Basis of Claim: Decree
IDWR Water Right Number: 37-0667C
Court: Lincoln county
Case Number:
Decree Date: December 13, 1909
Plaintiff v. Defendant:
S.C. Frost et al. v. Alturus Water Company Co. et ux.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments 0

[For Organizations] I do solemnly swear or affirm that I am a general partner of Columbine Partners, that I have signed the foregoing document in the space below as a general partner of Columbine Partners and that the statements contained in the foregoing document are true and correct.

Signature of General Partner

Michael S. Engl

Title of Organization: Columbine Partners

Date 10/24/88

State of IDAHO)
County of BLAINE) ss.

Subscribed and sworn before me this 24th day of October, 1988.

Notary Public

Residing at

Commission Expires

17. Notice of Appearance:

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

Signature:

James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date:

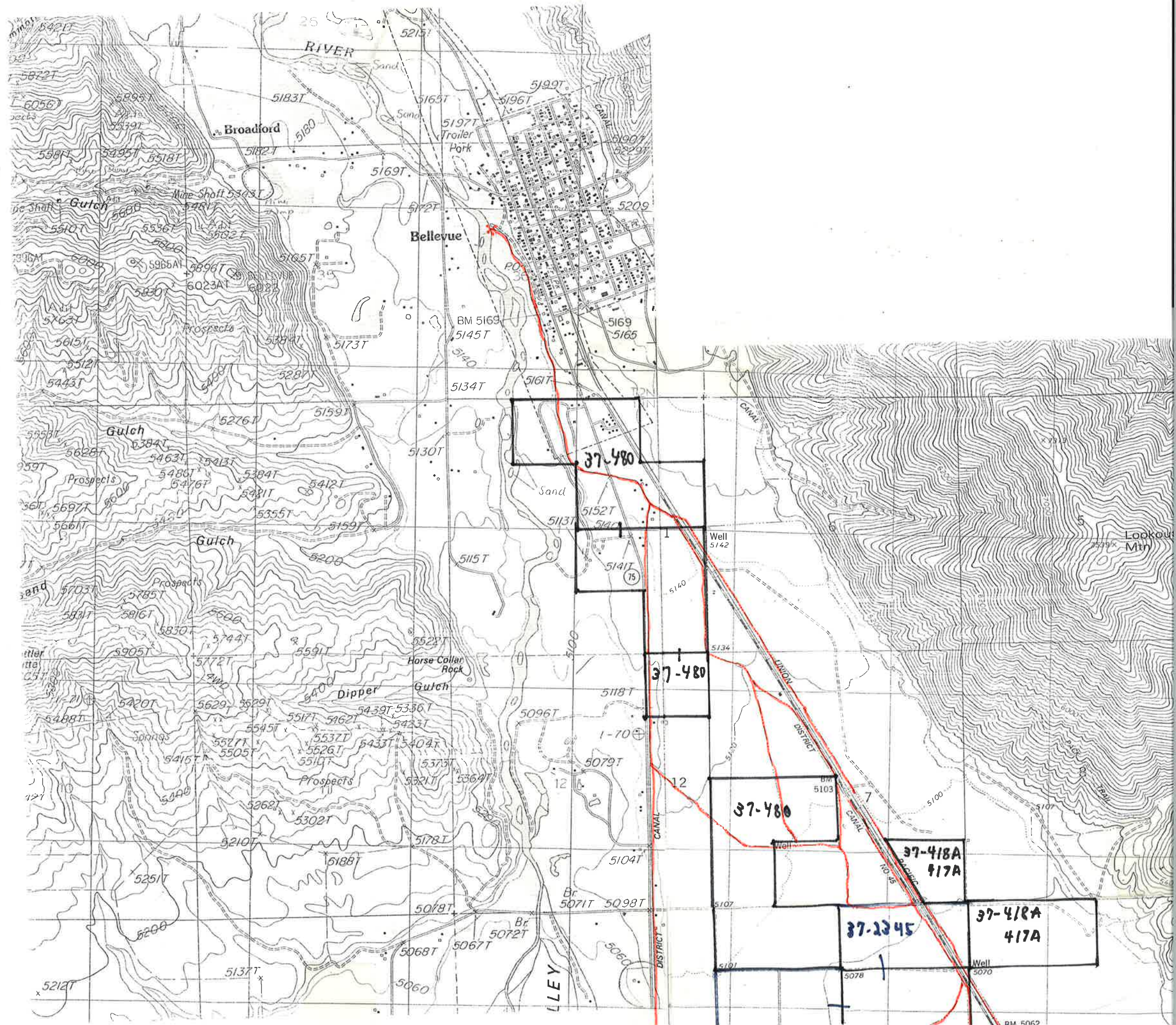
10/24/88

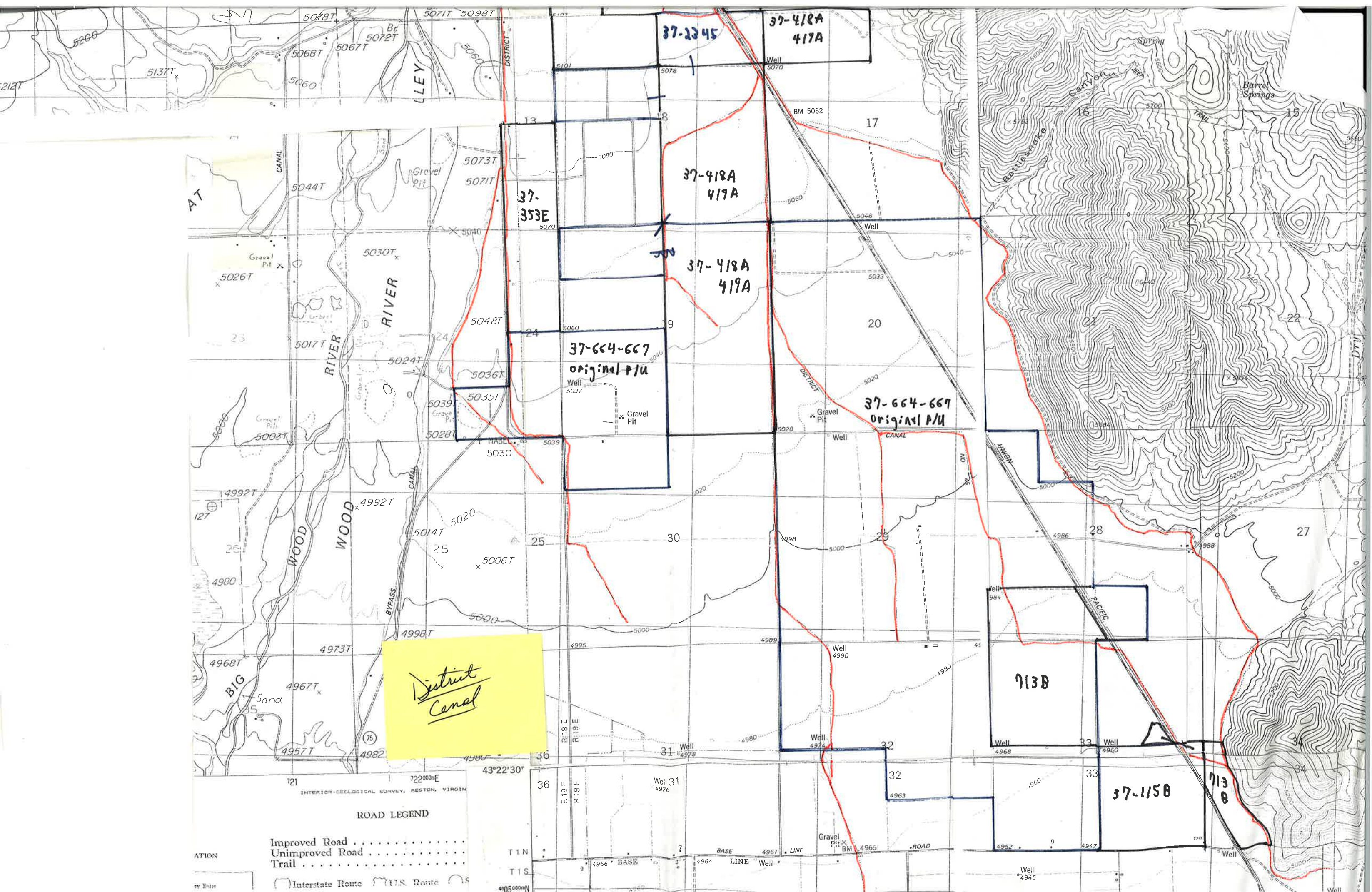
Last Name: Columbine
a:\clmbine2.clm

Ident No.: _____

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FEB 23 1993





37-2245

37-418A
417A

37-353E

37-418A
419A

37-418A
419A

37-664-667
original P/U

37-664-667
original P/U

District
Canal

713B

37-115B

713B

ROAD LEGEND

Improved Road
Unimproved Road
Trail

Interstate Route U.S. Route

Water Right Number - 37-00667C Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

*** C - CURRENT OWNER ***
HUNTER DANIEL M. 1 -
2 -
3 -
City- CHILLY State- ID Zip-
Phone -

*** O - ORIGINAL OWNER ***
UTAH & IDAHO IMPROVEMENT CO. 1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - + + - - Stage - - - + + - - Status - - - +
06/15/1891 17 D - DECREED

+ - - - - Source - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 18E 36 SW NW (13) BLAINE

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

01 - IRRIGATION 3.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.200

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

01N 19E 33 NE SE 01 IRRIGATION (13) BLAINE
01N 19E 33 NW SE 01 IRRIGATION (13) BLAINE
01N 19E 33 SW SE 01 IRRIGATION (13) BLAINE
01N 19E 33 SE SE 01 IRRIGATION (13) BLAINE

Total Acres:

- Diversion Means - HEADGATE #45 & DISTRICT CANAL
- Non-Irrigation Use -
- Other Rights for Same Use -

MICROFILMED
FEB 23 1993

Water right number - 37-00667C Adj. flag translation: Standard Water Right Number

+ - - - - -	Remarks	- - - - - +
TRANS. 69.		
P/D NOT GIVEN IN DECREE OR TRANS. BUT DESCRIBED BY WATERMASTER.		

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

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
S. C. FROST, ET. AL.	ALTURAS WATER COMPANY, ET. AL.	12/13/1909

+ - - Microfilm Rolls -

+ - - Audit Fields - 12/09/85 05/28/88 CONVERT

[illegible]

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-	
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-	
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-	P
Start Work Date	-	00/00/0000	Verified Date	-	12/09/1985	DLE/Carey Act	-	
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	37
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-	P
Decree Date	-	12/13/1909						

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FEB 23 1993

RECEIVED

FEB 2 1 1911

OFFICE OF STATE ENGINEER Idaho.

County of Blaine.

Application for Transfer of Water Right

ss.

RECEIVED

JAN 19 1911

OFFICE OF STATE ENGINEER

Daniel M. Hunter, being first duly sworn, deposes and says:

That his name is Daniel M. Hunter; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Chilly, Custer County, Idaho.

That he is the owner and using a certain water right of 160 inches of the waters of Wood River

County of Blaine, State of Idaho, decreed to Utah & Idaho Improvement Co by decree of Judge Alfred Budge, of the

Fourth Judicial District of the State of Idaho, in and for the County of

Lincoln, in the case of S. G. Frost et al.

vs. Alturas Water Company et al., said decree bearing date of December 13th,

1909 and said water being a part of 1800 inches decreed from June 15th, 1891, ~~XXXXXX~~

~~XXXXXX~~), for the purpose of irrigating the following described lands situate, lying and being in the County of Blaine and

State of Idaho, to wit: SouthEast quarter (SE 1/4) Section thirty-three (33),

Township one (1) North, Range nineteen (19) East, Boise Meridian

and ~~XXXXXX~~

~~XXXXXX~~ or has become the owner thereof in the following manner, i. e. by conveyance in writing, to-wit a deed from Utah & Idaho Improvement Co. as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream at the center of West line of Sec 36 9 2 NR 18 9 and conducted to the above described lands through

as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of said 160 inches following above of said water upon the ~~XXXX~~ described land, and to convey and use same upon the ~~XXXXXX~~ tract, situate, lying and being in the County of Blaine and State of Idaho, ~~XXX~~

~~XXX~~ The land for which said water was decreed being described as follows:

Sec. 29, Twp 1 N., R. 19 E., NW 1/4 NE 1/4, N 1/2 SE 1/4, 32, 1 N. R. 19 E., NW 1/4 SW 1/4, Sec 33., Twp. 1 N., R. 19 E., That part of Sec. 28, Twp. 1 N., R. 19 E. lying West of Oregon Short Line Railroad right of way, SW 1/4 Sec. 19, Twp. 1 N., R. 19 E. N 1/4 NW 1/4, Sec. 30, Twp 1 N., R. 19 E., S 1/2 SE 1/4, NE 1/4 SE 1/4, Sec. 24, Twp 1 N., R. 18 E., Sec. 20, Twp. 1 N., E. 19 E. 2550 acres in all.

Uhrig, William

S 1/2 of NE 1/4 and S 1/2 of NW 1/4 of Sec. 10,
T. 1 S., R. 18 E., containing 160 acres.

Utah & Idaho
Improvement Co.

Sec. 29, T. 1 N., R. 19 E., containing 640 acres.
NW 1/4, NE 1/4, and N 1/2 of SE 1/4 of Sec. 32,
T. 1 N., R. 19 E., containing 400 acres. NW
1/4 and SW 1/4 of Sec. 33, T. 1 N., R. 19 E.,
containing 320 acres. That part of Sec. 28,
T. 1 N., R. 19 E., lying W of Oregon Short Line
Railroad right-of-way, containing about 190
acres. SW 1/4 of Sec. 19, T. 1 N., R. 19 E.,
containing 160 acres. N 1/2 of NW 1/4 of Sec.
30, T. 1 N., R. 19 E., containing 80 acres.
S 1/2 of SE 1/4 and NE 1/4 of SE 1/4 of Sec.
24, T. 1 N., R. 18 E., containing 120 acres.
Sec. 20, T. 1 N., R. 19 E., containing 640
acres. Containing in all 2550 acres.

Vance, Martha E.

S 1/2 of NE 1/4 and N 1/2 of SE 1/4 of Sec. 17,
T. 1 S., R. 21 E., containing 160 acres.

Vandergraft, Delilah

S 1/2 of SE 1/4 of Sec. 23, and N 1/2 of NE 1/4
of Sec. 26, T. 5 S., R. 14 E., containing 160
acres.

Vaughn, William R.

SW 1/4 of Sec. 26, T. 1 S., R. 21 E., containing
160 acres.

Village of Shoshone

(Same as Shoshone, Village of.)

Wallace, Chattie P.

W 1/2 of SE 1/4, SW 1/4 of NE 1/4, SE 1/4 of NW
1/4; E 1/2 of SW 1/4, and Lot 4, of Sec. 7;
and NE 1/4 of NW 1/4 of Sec. 18; T. 5 S., R.
18 E., containing 321.60 acres.

Wallace, W. J.

E 1/2 of SE 1/4 and SE 1/4 of NE 1/4 of Sec. 7,
W 1/2 of SW 1/4, NE 1/4 of SW 1/4, and SW 1/4
of NW 1/4 of Sec. 8, T. 5 S., R. 18 E.

JUN 04 1996

Water Right Number - 37-00667C

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

HUNTER

DANIEL M.

1 -

2 -

3 -

City- CHILLY

State- ID Zip-

Phone -

*** O - ORIGINAL OWNER ***

UTAH & IDAHO IMPROVEMENT CO.

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - +
06/15/1891+ - - - Region - - - +
17+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +
BIG WOOD RIVER+ - - - - - Tributary - - - - - +
MALAD RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 18E 36 SW NW (13) BLAINE

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

01 - IRRIGATION

3.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.200+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

01N	19E	33	NE SE			01	IRRIGATION	(13) BLAINE
01N	19E	33	NW SE			01	IRRIGATION	(13) BLAINE
01N	19E	33	SW SE			01	IRRIGATION	(13) BLAINE
01N	19E	33	SE SE			01	IRRIGATION	(13) BLAINE

Total Acres:

+ - - Diversion Means - HEADGATE #45 & DISTRICT CANAL

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

FEB 23 1993

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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

Water right number - 37-00667C Adj. flag translation: Standard Water Right Number

+ - - - - - Remarks - - - - - +
TRANS. 69.
P/D NOT GIVEN IN DECREE OR TRANS. BUT DESCRIBED BY WATERMASTER.

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

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
S. C. FROST, ET. AL. ALTURAS WATER COMPANY, ET. AL. 12/13/1909

+ - - Microfilm Rolls -

+ - - Audit Fields - 12/09/85 05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 12/09/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 12/13/1909				

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FEB 23 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Columbine Partners CLAIM ENT. NO. 37-00667CDATE RECEIVED 10/27/88 ^{PM}₀₁ CK # 8678 AMOUNT \$ 393

1. Is the name and address complete with zip code? YES ☒ NO ☐
2. Is a priority date entered? YES ☒ NO ☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? YES ☒ NO ☐
- (b) Is a tributary to entered? (if required) N/A ☒
4. Is the legal description of the p.d. sufficient? YES ☒ NO ☐
5. Is there a description of the diverting works? YES ☒ NO ☐
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. YES ☒ NO ☐
- Is the period of use included? YES ☒ NO ☐
- Is a quantity claimed for each use? YES ☒ NO ☐
7. Is a total quantity claimed entered? YES ☒ NO ☐
8. If required is a consumptive use entered? N/A ☒
- Is the consumptive use correct? N/A ☒
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. N/A ☒
10. Is (are) the place(s) of use and purpose(s) indicated? YES ☒ NO ☐
11. Is (are) the county(ies) entered? YES ☒ NO ☐
12. Is the ownership of p.u. checked? YES ☒ NO ☐
13. Are other water rights listed or "none" indicated? YES ☒ NO ☐
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.) N/A ☒
15. Is the basis of the claim indicated? YES ☒ NO ☐
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) YES ☒ NO ☐
- Has the claim been signed, sealed, and dated by a notary? YES ☒ NO ☐
- Was this claim filed on time, or was an extension granted? YES ☒ NO ☐
- Is the fee enclosed correct? Exempt ☒
- If this claim is based on an existing water right, has the identification number been entered? N/A ☒
- Should this claim be receipted and data entered? YES ☒ NO ☐

Claim checked by: RRComments: date entry 11/15/88

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FEB 23 1993