

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 37-782
Date Received: 9/19/1988
Receipt No: S002277
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUL 14 2006
DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant(s)

LANETA HANSEN
PO BOX 145
CAREY ID 83320

2. Date of Priority: 05/18/1904

3. Source: FISH CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	22E	33	NE SE	BLAINE	

5. Description of diverting works:

FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	11/01	1.2	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

SCANNED
JUL

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	22E	4	NE NE	1	IRRIGATION	10
					Section Acres	10
02N	22E	33	NE SE		IRRIGATION	10
			NW SE		IRRIGATION	10
			SE SE	1	IRRIGATION	10
					Section Acres	30
					Total Acres	40

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

BOTH DECREES IRRIG 80 ACRES WITH A TOTAL OF 2.8 CFS.

15. Basis of Claim: Decreed

SCANNED
JUL 11 2006

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

RECEIVED
 JUL 10 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
37-782					
37-783					

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

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

OR

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

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

Dennis & Carolyn Stewart

4. New Owner/Claimant(s)

Hansen Ranch - Laketa Hansen

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

- same New Mailing Address

Box 145

City, State and ZIP Code

Carmy Idaho 83320

New Telephone Number

(208) 823-4668 -

5. Date you acquired the property

Sept - 2005 -

SCANNED
 JUL 10 2006

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

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

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

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

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

For Office Use Only

Received by X Date 7/10/06 Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
JUL 11 2006

This Quitclaim Deed is being re-recorded to correct the legal description.

524757

QUITCLAIM DEED

For Value Received

DENNIS G. STEWART and CAROLYN STEWART, husband and wife,

Do hereby convey, release, remise and forever quitclaim unto

LANETA I. HANSEN, a single woman

Whose current address is P.O. Box 145, Carey, ID 83320

the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A"

Instrument # 524957

HAILEY, BLAINE, IDAHO

2005-08-23

03:23:00 No. of Pages: 2

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 5.00

Ex-Officio Recorder Deputy

Index to: CORRECTION DEED

Together with their appurtenances.

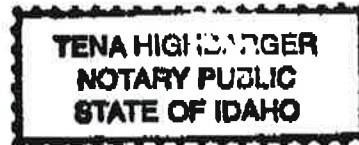
Dated: August 8, 2005

Dennis Stewart *Carolyn L. Stewart*
DENNIS G. STEWART CAROLYN L. STEWART

State of: Idaho
County of: Twin Falls

On this 16th day of August, 2005, Before me a Notary Public in and for said State, personally appeared Dennis G. Stewart and Carolyn Stewart, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Tena Highmarger
Notary Public
Residing at: Buhl
Comm. Expires: 3/15/2007



SCANNED
JUL 13 2006

EXHIBIT "A"**2****TOWNSHIP 7 NORTH, RANGE 22 EAST, BOISE MERIDIAN, BLAINE
COUNTY, IDAHO.****SECTION 27: W $\frac{1}{2}$ SW $\frac{1}{4}$** **SECTION 28: S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$** **SECTION 32: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$** **SECTION 33: Lots 1, 2, 3 and N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$** **Together with all water, water rights and ditches appurtenant thereto and subject to
all existing easements and rights of way, and together with all grazing rights and
privileges connected therewith and appurtenant thereto.**SCANNED
JUL 13 2006

QUITCLAIM DEED

For Value Received

JOYCE STEWART, a married woman,

Do hereby convey, release, remise and forever quitclaim unto

LANETA HANSEN, an unmarried woman,

Whose current address is P.O. Box 145 Carey, ID 83320

the following described premises, to-wit:

TOWNSHIP 2 NORTH, RANGE 22 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 27: W $\frac{1}{2}$ SW $\frac{1}{4}$
SECTION 28: S $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 32: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 33: Lots 1, 2, 3 and N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$

Together with all water, water rights and ditches appurtenant thereto, and subject to all existing easements and rights of way, and together with all grazing rights and privileges connected therewith or appurtenant thereto.

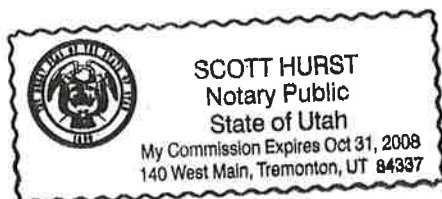
Dated: September 9, 2005

Joyce Stewart
JOYCE STEWART

State of: Utah
County of: Box Elder

On this 15 day of September, 2005, Before me a Notary Public in and for said State, personally appeared Joyce Stewart, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Scott Hurst
Notary Public
Residing at: 140 West Main St Tremonton, Utah
Comm. Expires: 10/31/2008



Instrument # 526164

HAILEY, BLAINE, IDAHO
2005-09-19 03:29:00 No. of Pages: 1
Recorded for : SUN VALLEY TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

JKS



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
July 13, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

LANETA HANSEN
PO BOX 145
CAREY ID 83320

Re: SRBA Claim #37-782, #37-783

Dear Ms. Hansen,

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

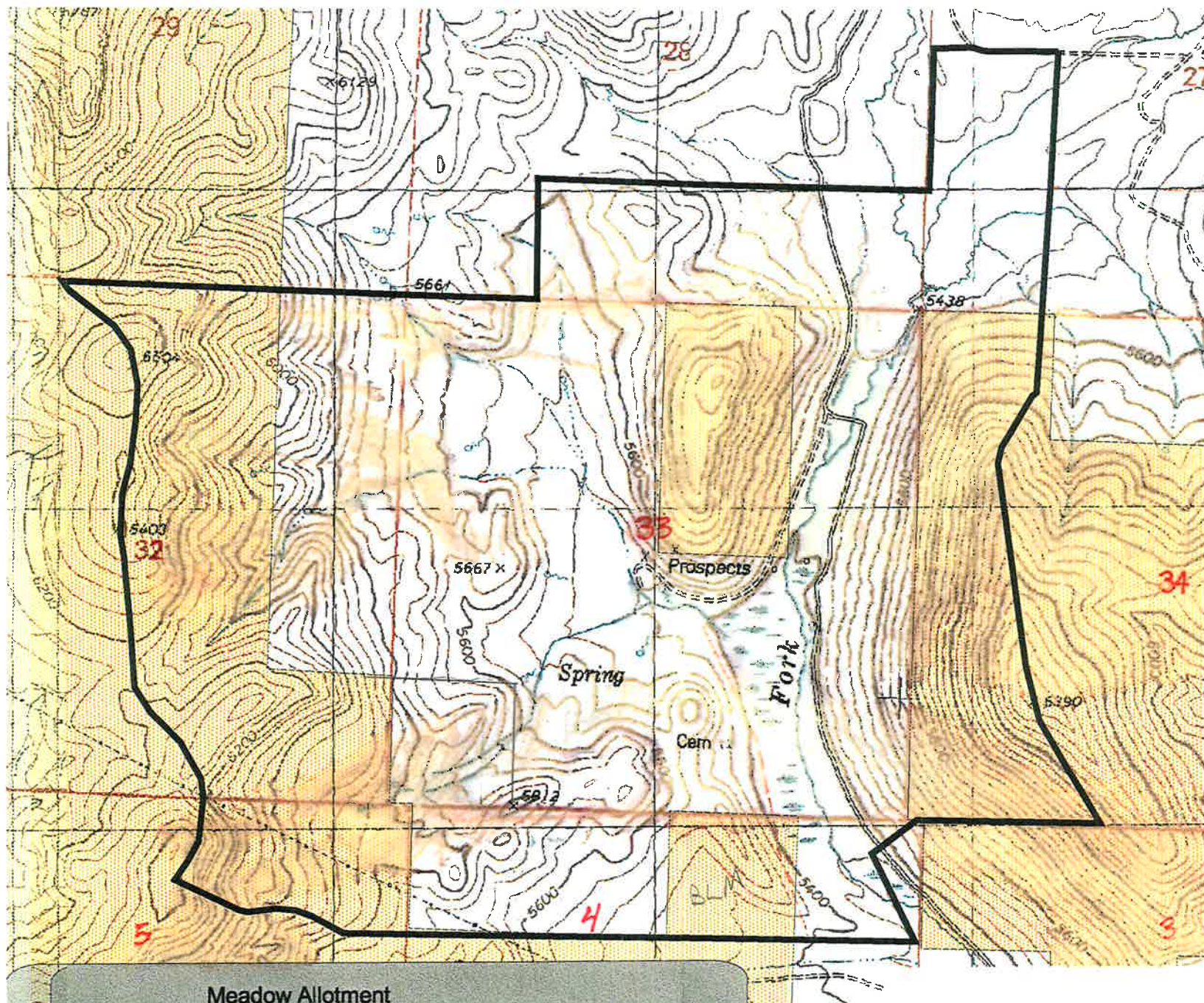
Sincerely,

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

Carrie Hahn
Office Specialist

Enc.

SCANNED
JUL 13 2006



Meadow Allotment

Meadow_allot.shp

Own

BLM

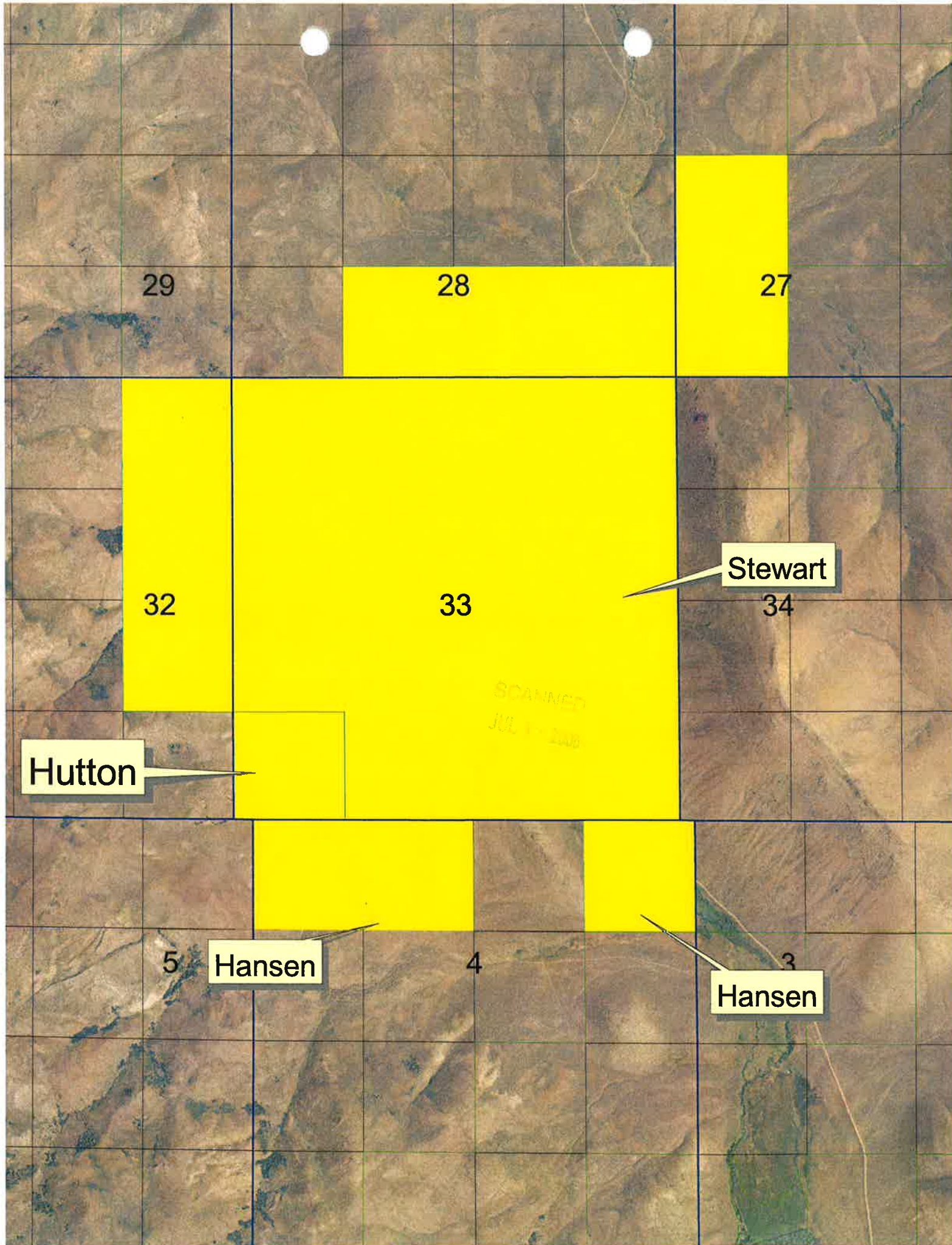
PRIVATE

STATE

No warranty is made by the Bureau of Land Management for use of the data for purposes not intended by BLM.

DRAFT





29

28

27

32

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Hutton

Stewart

SCANNED
JUL 1 2008

5

Hansen

4

Hansen

3

BLM-1D

SHOSHONE FIELD OFFICE

UNITED STATES RECEIVED
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

GRAZING APPLICATION

PREFERENCE SUMMARY

RECEIVED

MANAGEMENT AM 8 59

FOR BLM USE ONLY

State	I	D				
Office	2	3	0			
Operator Number	1	1	0	0	5	1
Date Filed						

Name (last, first, middle initial)

LANETA HANSEN

Address (include street, city, State, and zip code)

P O BOX 145, CAREY, ID 83320

I hereby: (1) Offer the following ☒ land ☐ water as base property for a grazing preference on the public lands and/or other lands administered by the BLM, (2) certify that the base property listed is described correctly and the property meets the requirements of the grazing regulations (43 CFR 4110.2-1) and (3) concur with the attachment of the grazing preference by allotment.

[illegible]

Signature of Applicant

Date _____

Date Sept 30/05

Title 18, U.S.C., Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

Instructions

Instructions

Preference Summary: To be completed when new base properties are being offered in support of an application, or as the result of a transfer from existing base property. If transfer is for part of the preference, file a preference summary for remaining parts.

Request for Transfer: If this involves a transfer of preference from existing base property, transferor completes the request for transfer. (See Reverse)

Note: If water base property, describe type of water, whether full or part-time, and number of livestock served. If part-time water, indicate period of year it is available for livestock use. Show preference by allotment. Attach additional sheets, as needed.

Public reporting burden for this form is estimated to vary from 10 minutes to 30 minutes per response, with an average of 15 minutes per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management, (Alternate) Bureau Clearance Officer, (WO-873), 1849 C Street, N.W., Washington, D.C. 20240, and the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington D.C. 20503.

(Continued on reverse)

REQUEST FOR TRANSFER OF GRAZING PREFERENCE
(From existing Base Property)

I hereby apply to transfer/assign ☒ all ☐ part of my grazing preference to the extent of
of which 15 AUM's are active preference and -0- AUM's are suspended preference to:

Name of Transferee (Last, first, middle initial)

LaNeta Hansen

Address (street, city, State, and zip code)

P O Box 145, Carey, ID 83320

The extent of the grazing preference involved is as follows:

[illegible]

I CERTIFY I ☒ own ☐ control the base property from which the grazing preference is being transferred and this property ☐ is ☒ is not encumbered by a lien. I hereby relinquish to the transferee my interest and/or maintenance responsibility in range improvement projects authorized on public lands by cooperative agreement(s) and/or range improvement permit(s) listed on attached Assignment of Range Improvements.

X Samuel B. Stewart
(Signature of Transferor)

X 9-23-05
(Date)

I HEREBY consent to the extent of transfer specified in this application:

(Signature of Lienholder, if encumbered)

(Date)

(Signature of owner, if required)

(Date)

APPROVED:

(Signature of Authorized Officer)

(Date)

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NOTICE

Privacy Act and Paperwork Reduction Act Statement

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application as well as the Paperwork Reduction Act of 1980 (44 U.S.C. 350, et seq.)

AUTHORITY: Taylor Grazing Act, 43 U.S.C. 315; Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701; and Public Rangelands Improvement Act of 1978, 43 U.S.C. 1901.

PRINCIPAL PURPOSE: The information is to be used to certify that the base property described meets requirements set forth in the grazing regulations.

ROUTINE USES: (1) The adjudication of the applicants' preference to use the land or resources. (2) Documentation for public information in support of notations made on land status records for the management, disposal, and use of public lands and resources. (3) Transfer to appropriate Federal agencies when concurrence is required prior to granting a preference to use public lands or resources. (4) Transfer to the

U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, permit, lease, or agreement whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, permit, lease, or agreement violated or potentially violated.

EFFECT OF NOT PROVIDING INFORMATION: If you do not file this application and furnish the requested information, you may not be authorized to graze on the public lands during the next year. If you presently hold a grazing authorization, it may not be possible to grant a requested modification.

FORM APPROVED
OMB NO. 1004-0047
Expires: March 31, 1996

BLM-ID
SHOSHONE FIELD OFFICE
UNITED STATES RECEIVED
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
GRAZING APPLICATION
PREFERENCE SUMMARY

FOR BLM USE ONLY

State	I	D				
Office	2	3	0			
Operator Number	1	1	0	0	5	1
Date Filed						

Name (last, first, middle initial)

LANETA HANSEN

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of which 15 AUM's are active preference and -0- AUM's are suspended preference to:

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LaNeta Hansen

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X James B. Stewart
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X 9-23-05
(Date)

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(Date)

(Signature of owner, if required)

(Date)

APPROVED:

(Signature of Authorized Officer)

11/21/05
(Date)

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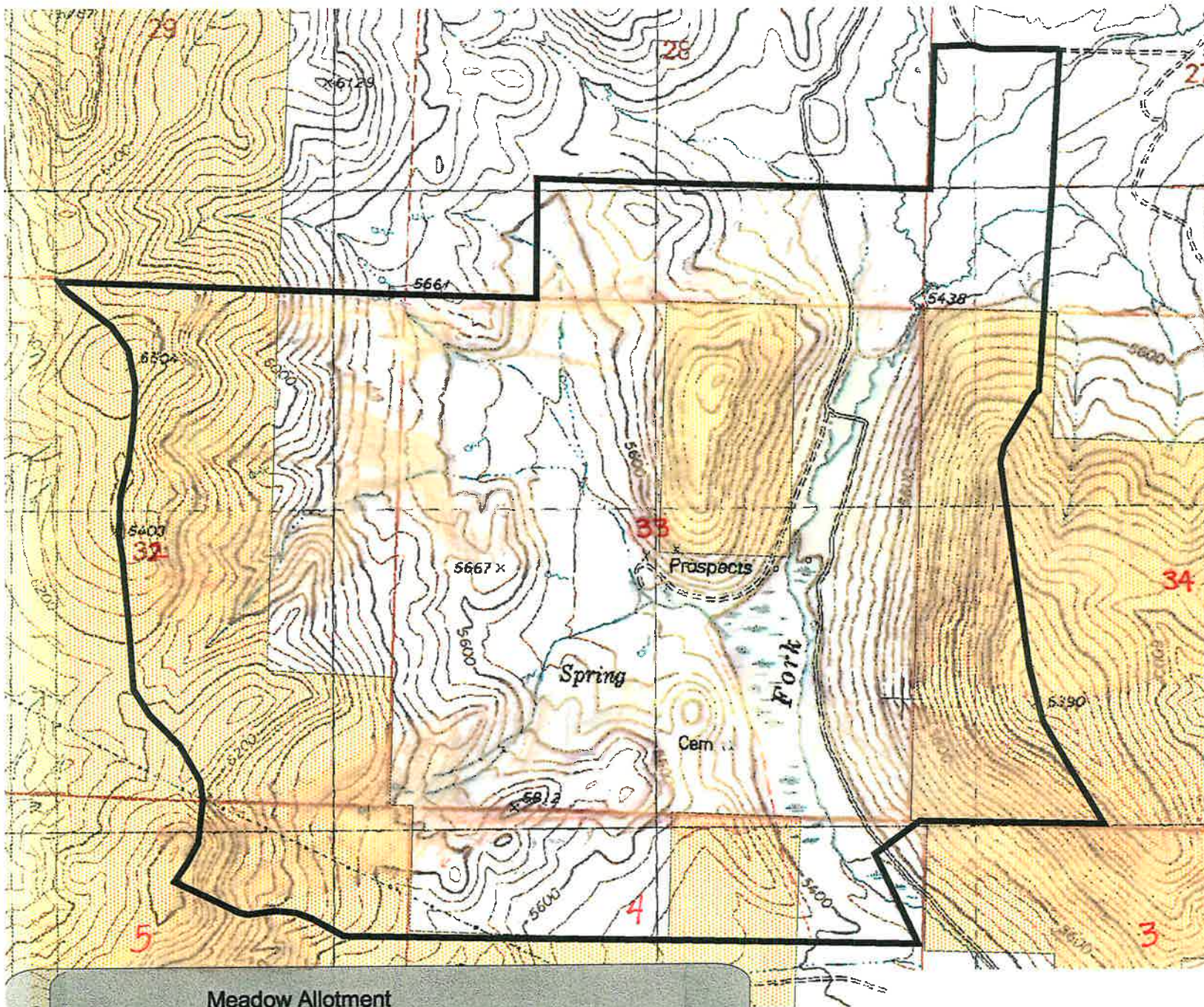
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DRAFT

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For Value Received

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Do hereby convey, release, remise and forever quitclaim unto

LANETA HANSEN, an unmarried woman,

Whose current address is P.O. Box 145 Carey, ID 83320

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**TOWNSHIP 2 NORTH, RANGE 22 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO.**

SECTION 27: W $\frac{1}{2}$ SW $\frac{1}{4}$
SECTION 28: S $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 32: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 33: Lots 1, 2, 3 and N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$

Together with all water, water rights and ditches appurtenant thereto, and subject to all existing easements and rights of way, and together with all grazing rights and privileges connected therewith or appurtenant thereto.

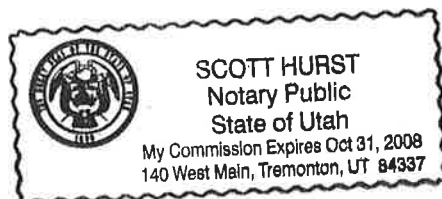
Dated: September 9, 2005

Joyce Stewart
JOYCE STEWART

State of: Utah
County of: Box Elder

On this 15 day of September, 2005, Before me a Notary Public in and for said State, personally appeared Joyce Stewart, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Scott Hurst
Notary Public
Residing at: 140 West Main St Tremonton, Utah
Comm. Expires: 10/31/2008



Instrument # 526164

HAILEY, BLAINE, IDAHO
2005-09-19 03:29:00 No. of Pages: 1
Recorded for : SUN VALLEY TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

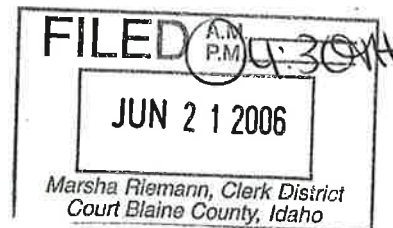
JKS

COPY

STEVEN D. PETERSON [ISB NO. 3563]
JOHN C. PETERSON [ISB NO. 6796]
ATTORNEYS AT LAW

161 Fifth Avenue South
Post Office Box 5827
Twin Falls, ID 83303-5827
Telephone: (208) 733-5500
Facsimile: (208) 733-5553
Email: sdppc@cablone.net

Attorneys for Plaintiff



Instrument # 536858

HAILEY, BLAINE, IDAHO

2006-06-28 10:43:00 No. of Pages: 4

Recorded for : STEVEN D PETERSON

MARSHA RIEMANN

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: DEFAULT JUDGMENT

mp

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

LANETA HANSEN, individually and as
General Partner of the HANSEN FAMILY
LIMITED PARTNERSHIP,

Plaintiffs,

vs.

LIONEL F. HUTTON and ZELMA HUTTON,
husband and wife, ALFRED ALBRETHSEN
and NEVA ALBRETHSEN, husband and
wife and owners designated JOHN DOES
1-10 and ENTITIES A-Z,

Defendants.

Case No. CV2005-0876

DEFAULT JUDGEMENT

This matter is before the Court upon the application of Plaintiff for a default judgment. The Defendants, LIONEL F. HUTTON and ZELMA HUTTON, husband and wife,

ALFRED ALBRETHESEN and NEVA ALBRETHESEN, husband and wife, owners designated John Does 1-10 and Entities A-Z were regularly served by Publication, but have failed to make any appearance herein and their default has been entered. It appearing to the court that the allegations of the Complaint are true;

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that judgment is awarded in favor of the LANETA HANSEN, individually and as General Partner of the HANSEN FAMILY LIMITED PARTNERSHIP and against the Defendants, LIONEL F. HUTTON and ZELMA HUTTON, husband and wife, ALFRED ALBRETHESEN and NEVA ALBRETHESEN, husband and wife, owners designated John Does 1-10 and Entities A-Z, jointly and severally, for quiet and peaceful possession of the real property described on Exhibit "A" attached hereto and that Defendants, and each of them, and all persons claiming under them, have no estate, right, title, lien or interest in or to said real property or any part thereof.

That any an all invalid restrictions contained in the previous deed be abolished and that said decree permanently enjoin Defendants, each of them, and all persons or entities claiming under them, from asserting any adverse claim to Plaintiff's title to said real property.

DATED this 21 day of June, 2006

Robert J. Elger
District Judge

STATE OF IDAHO COURT
County of Blaine

I do hereby certify that the foregoing is a full, true and correct copy of the original thereof, on file in my office.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal.

this 27 day of June, 2006

MARSHA RIEMANN

Clerk District Court

CLERK'S CERTIFICATE OF MAILING

I, Tracy Doherty, hereby certify that a true and correct copy of the above and foregoing DEFAULT JUDGMENT was mailed to each of the persons named below, enclosed in an envelope with the postage prepaid thereon by depositing the same in the United States Mail.

Steven D. Peterson
Steven D. Peterson PC
PO Box 5827
Twin Falls, ID 83303-5827

DATED this 21 day of June, 2006



Deputy Clerk

SCHEDULE A

File No.: 052 70

Guarantee No.: 322-Z-001161

Your Reference No.: N/A

Effective Date: September 6, 2005 at 08:00 am

1. Name of Assured:

LANETA HANSEN

2. Title to said estate of interest at the date hereof is vested in

LIONEL F. HUTTON AND ZELMA HUTTON, husband and wife and ALFRED
ALBRETHSEN AND NEVA ALBRETHSEN, husband and wife

3. The estate or interest in the land hereinafter described or referred to covered by this Guarantee is
FEE SIMPLE.

4. The land referred to in this Guarantee is situated in the State of Idaho, County of Blaine, and is
described as follows:

TOWNSHIP 2 NORTH, RANGE 22 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO.

SECTION 33: Lot 4

Address Verified as:

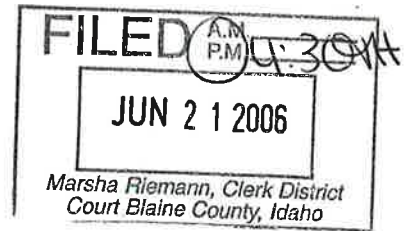
Not Available at This Time

COPY

STEVEN D. PETERSON [ISB NO. 3563]
JOHN C. PETERSON [ISB NO. 6796]
ATTORNEYS AT LAW

161 Fifth Avenue South
Post Office Box 5827
Twin Falls, ID 83303-5827
Telephone: (208) 733-5500
Facsimile: (208) 733-5553
Email: sdppc@cablone.net

Attorneys for Plaintiff



Instrument # 536858

HAILEY, BLAINE, IDAHO

2006-06-28 10:43:00 No. of Pages: 4

Recorded for : STEVEN D PETERSON

MARSHA RIEMANN

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: DEFAULT JUDGMENT

A handwritten signature in cursive script, likely belonging to Marsha Riemann.

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

LANETA HANSEN, individually and as
General Partner of the HANSEN FAMILY
LIMITED PARTNERSHIP,

Plaintiffs,

vs.

LIONEL F. HUTTON and ZELMA HUTTON,
husband and wife, ALFRED ALBRETHSEN
and NEVA ALBRETHSEN, husband and
wife and owners designated JOHN DOES
1-10 and ENTITIES A-Z,

Defendants.

Case No. CV2005-0876

DEFAULT JUDGEMENT

This matter is before the Court upon the application of Plaintiff for a default judgment. The Defendants, LIONEL F. HUTTON and ZELMA HUTTON, husband and wife,

DEFAULT JUDGEMENT – PAGE 1

ALFRED ALBRETHESEN and NEVA ALBRETHESEN, husband and wife, owners designated John Does 1-10 and Entities A-Z were regularly served by Publication, but have failed to make any appearance herein and their default has been entered. It appearing to the court that the allegations of the Complaint are true;

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that judgment is awarded in favor of the LANETA HANSEN, individually and as General Partner of the HANSEN FAMILY LIMITED PARTNERSHIP and against the Defendants, LIONEL F. HUTTON and ZELMA HUTTON, husband and wife, ALFRED ALBRETHESEN and NEVA ALBRETHESEN, husband and wife, owners designated John Does 1-10 and Entities A-Z, jointly and severally, for quiet and peaceful possession of the real property described on Exhibit "A" attached hereto and that Defendants, and each of them, and all persons claiming under them, have no estate, right, title, lien or interest in or to said real property or any part thereof.

That any an all invalid restrictions contained in the previous deed be abolished and that said decree permanently enjoin Defendants, each of them, and all persons or entities claiming under them, from asserting any adverse claim to Plaintiff's title to said real property.

DATED this 21 day of June, 2006

Robert J. Elmer
District Judge

STATE OF IDAHO COURT
County of Blaine

I do hereby certify that the foregoing is full, true and correct copy of the original thereof, on file in my office.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal.

this 27 day of June, 2006

MARSHA RIEMANN
Clerk District Court

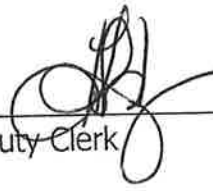
For M. Stannett

CLERK'S CERTIFICATE OF MAILING

I, Tracy Dobz, hereby certify that a true and correct copy of the above and foregoing DEFAULT JUDGMENT was mailed to each of the persons named below, enclosed in an envelope with the postage prepaid thereon by depositing the same in the United States Mail.

Steven D. Peterson
Steven D. Peterson PC
PO Box 5827
Twin Falls, ID 83303-5827

DATED this 21 day of June, 2006



Deputy Clerk

SCHEDULE A

File No.: 052 0

Guarantee No.: 322-Z-001161

Your Reference No.: N/A

Effective Date: September 6, 2005 at 08:00 am

1. Name of Assured:

LANETA HANSEN

2. Title to said estate of interest at the date hereof is vested in

LIONEL F. HUTTON AND ZELMA HUTTON, husband and wife and ALFRED
ALBRETHSEN AND NEVA ALBRETHSEN, husband and wife

3. The estate or interest in the land hereinafter described or referred to covered by this Guarantee is
FEE SIMPLE.

4. The land referred to in this Guarantee is situated in the State of Idaho, County of Blaine, and is
described as follows:

TOWNSHIP 2 NORTH, RANGE 22 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO.

SECTION 33: Lot 4

Address Verified as:

Not Available at This Time

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: A37-00782
Date Received: 9/19/1988
Receipt No: S002277
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENNIS G. STEWART *sold to* 208-823-4403
Address: P.O. BOX 254 *Leneta Hansen*
CAREY, ID 83329

AND/OR

Name: CAROLYN STEWART 208-823-4403
Address: P.O. BOX 254
CAREY, ID 83329

2. Date of Priority: MAY 18, 1904

3. Source: FISH CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County

5. Description of diverting works:
FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	1.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	22E	4	NE NE	1	IRR	10.0

Section Acres 10.0

A37-00782

Page 1

Date: 09/19/88

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	22E	33	NE	SE		IRR	10.0
			NW	SE		IRR	10.0
			SE	SE	1	IRR	10.0
						Section Acres	30.0
						Total Acres	40.0

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:
A37-00783

14. Remarks:
BOTH DECREES IRRIG 80 ACRES WITH A TOTAL OF 2.8 CFS.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

POTTER, ET. AL.
Decree Plaintiff

vs

PATTERSON, 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: 1

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): James A. Stewart Date: 9-19-88
Date:

State of Idaho)
County of TE) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of Sept 19 88 Lori White
Notary Public

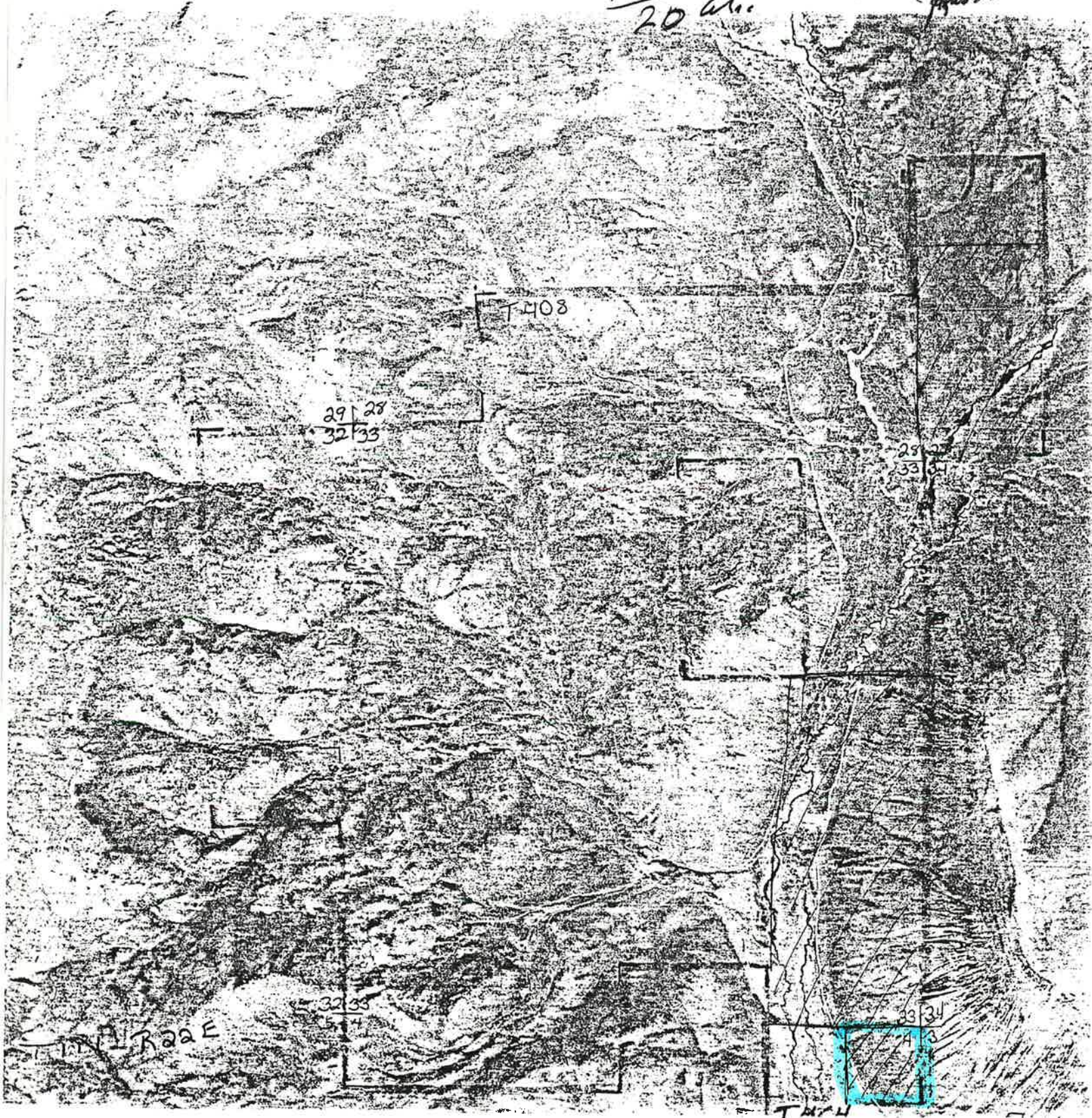
Seal

Residing at TE
My Commission Expires 5/95

874.68 cu T2N. 22E

2N
80 acres
240 cu.
Heavy Water

1 North
20 cu.



MICROFILMED

FEB 23 1993

12/09/2006

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

RIGHT NUMBER: 37-782

NAME AND ADDRESS: LANETA HANSEN
PO BOX 145
CAREY ID 83320

SOURCE: WEST FORK FISH CREEK

TRIBUTARY: FISH CREEK

QUANTITY: 1.200 CFS

PRIORITY DATE: 05/18/1904

POINT OF DIVERSION:

T02N R22E S33 NENWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.200 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R22E S04 Lot 1 NENE	15.00	T02N R22E S33	NESE	8.30
T02N R22E S33	NWSE	6.70	T02N R22E S33 Lot 1 SESE	10.00

40 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



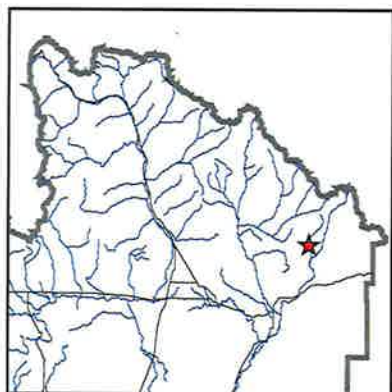
Idaho Department of Water Resources

SRBA Recommendation:

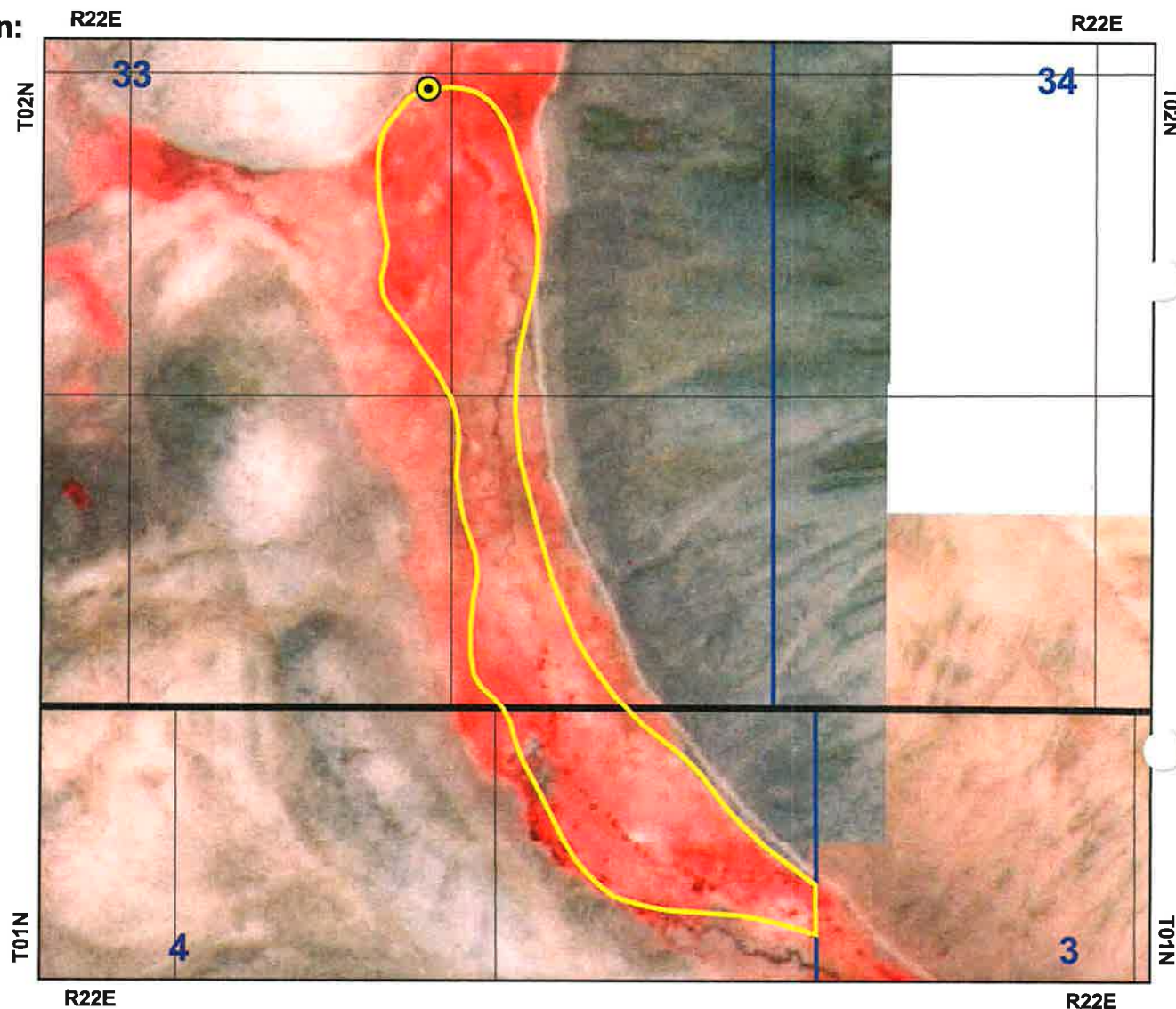
37-782

Legend

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



Blaine County
IDWR Basin 37



0 0.25 0.5 Miles

Prepared by M. Anders
On Saturday, December 9, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-782, 37-782A

Background Data

- Source is Fish Creek tributary to Little Wood River
- Did a priority date search and confirmed:
 - 37-782 is decreed for 1.2 cfs on 4 QQ
 - 37-782 is claimed for 1.2 cfs on 40 acres
 - 37-782A is claimed for 1.2 cfs on 40 acres
 - **Overclaimed**

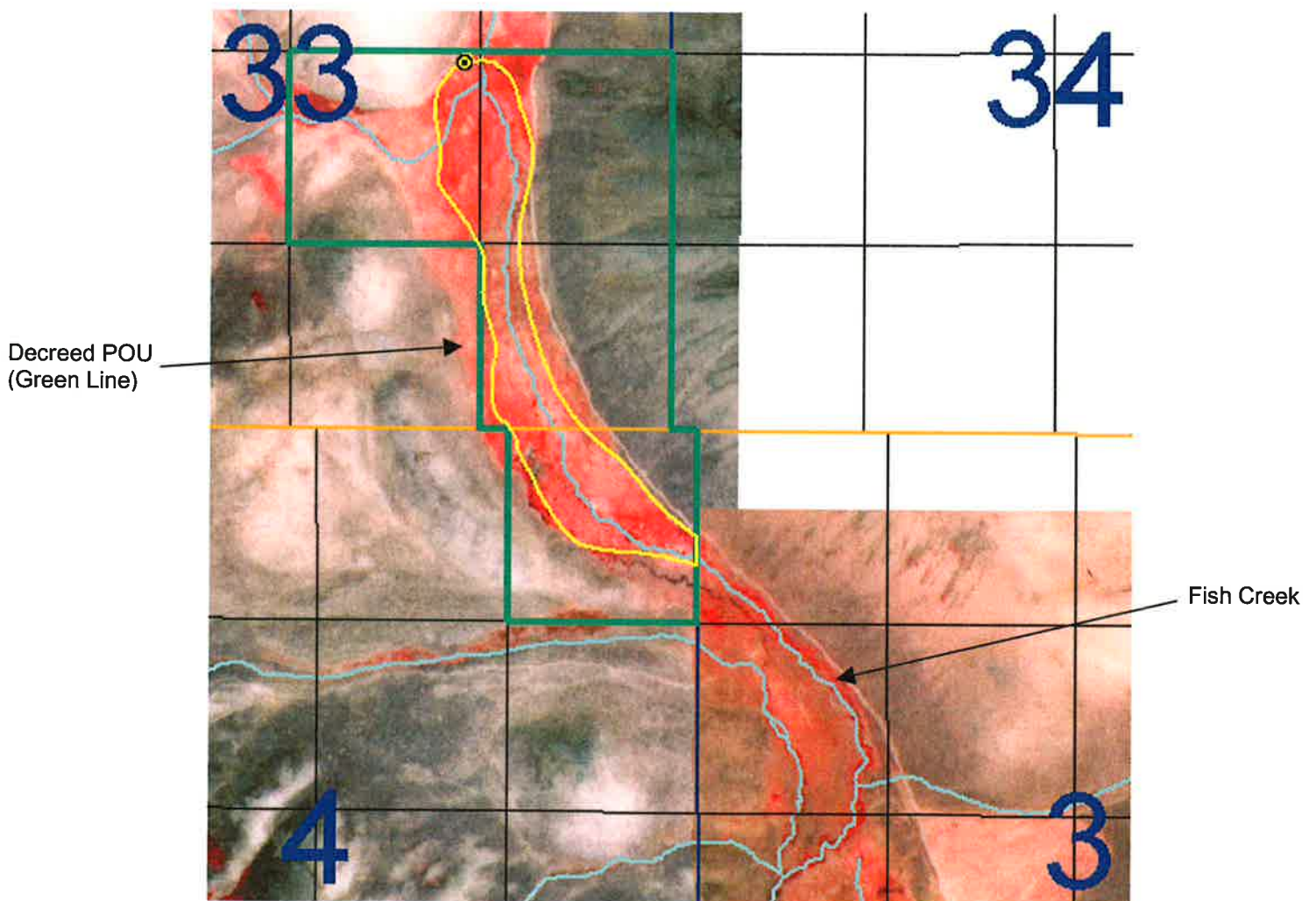
Place Of Use Data

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





Photograph of POD taken by Lee Peterson during field exam.

Location: 2513006 1362333

Plate: None

Photo #: 1060649

Notes

T2N R22E Section 33; T1N R22E Section 4

- 37-782 & 37-782A are now both owned by La Neta Hansen.
- Found 40 acres. POD is near a barn - they take all the water in the stream at this POD
- Appears to be more irrigated land than claimed. The claimed POU is entirely within decreed POU, suggesting that this is the historical use of this water right. Decided to recommend entire decreed diversion rate on 40 acres claimed.
- Recommendations:
 - 37-782
 - 1.2 cfs for Irrigation of 40 acres
 - USGS Topo indicates source is West Fork Fish Creek tributary to Fish Creek
 - 37-782A – Disallowed.
 - Recommended as 37-782
- Date used for review: 1987, 1992, & 2004 aerial photos, Blaine Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

Anders, Matthew

From: Robertson, Jean
Sent: Tuesday, April 04, 2006 12:54 PM
To: Anders, Matthew
Subject: LaNeta Hansen files...37-782A, -783A

Hi Matt,

Ms. Hansen was in unexpectedly and said she was to leave some quitclaim deeds in order to straighten out her water rights. Are you expecting anything or do you know what we need and for what?

This is what I found:

37-782 and 37-783 were both claimed in full by Hansen (A suffix) and Carolyn and Dennis Stewart (no suffix). LaNeta brought in a copy of a Quitclaim Deed from a Joyce Stewart to LaNeta Hansen which describes property in Sections 27, 28, 32, and 33 and also mentions all appurtenant water rights. She says she has bought all the property from the Stewart's. Is this what you needed. If this is true, I guess the Stewart claims would be disallowed or something?

Anyway, please give me a call if you can figure out what is going on cause she is returning at 4:00!

Thanks, Jeanie

Anders, Matt

From: Christensen, Kelly
Sent: Friday, July 29, 2005 1:25 PM
To: Anders, Matt
Subject: 37-782 and 783 et al

Lanetta was in this morning to do a change of ownership for the other 1/2 of the property that she is involved with. She had screwed up warranty deeds so I sent her on her way. It looks like she now owns all of the property. Once the change is in, If so claimed you might be able to recommend just her claims for the entire right(s).

I did a quick search and identified the two rights listed above but there may be more. I am assuming that you have the files. She purchased from Stewart.

kkc

File No.
A37 00783a=00782a

Owner
La Neta Hansen
Box 145
Carey

Date
7-13-05

I met with Mrs. Hansen and her son Craig this morning to review both water right files and she advised me that their property is located on West Fork of Fish creek and the half of the water right that Dennis & Carolyn Stewart claims on files 783 & 782 are now owned by LaNeta Hansen 100 % and she will be into IDWR Twin within the next few days to talk to Kelly and provide him deeds and whatever necessary. Craig said this water is used part in sections 33-28- & 27. The 30 acre area questioned in 27 is OK somewhere he was not sure just where the exact location was. As Craig recalled these waters are used pretty much along the creek within the ranch. POD 1 is the creek where it enters their property, 2 is a water source North and West onto their property, 3 is located on the creek by old barn in sec. 33. 37-782a & 782 are now owned by La Neta 100%, the area on the color photo BLM ground, Craig said this land is mostly seepage from West Fork of Fish cr. And the lands up North above green line is also seepage and watered in spring during high water season, and the main source is West Fork of Fish Cr. LaNeta said she would also see Kelly about this water right because she now owns both of them 100%.

Description	GPS Name & No.	Position No.	USR No.	Platc No.	Photo No.
W F Fish Cr	Hansn 1	2513341	1363559	A0016262	1060647
NW source off hill	" 2	2513101	1363557	None	648
By barn WF Fish Cr	" 3	2513006	1362333	"	649

Lee R. Peterson

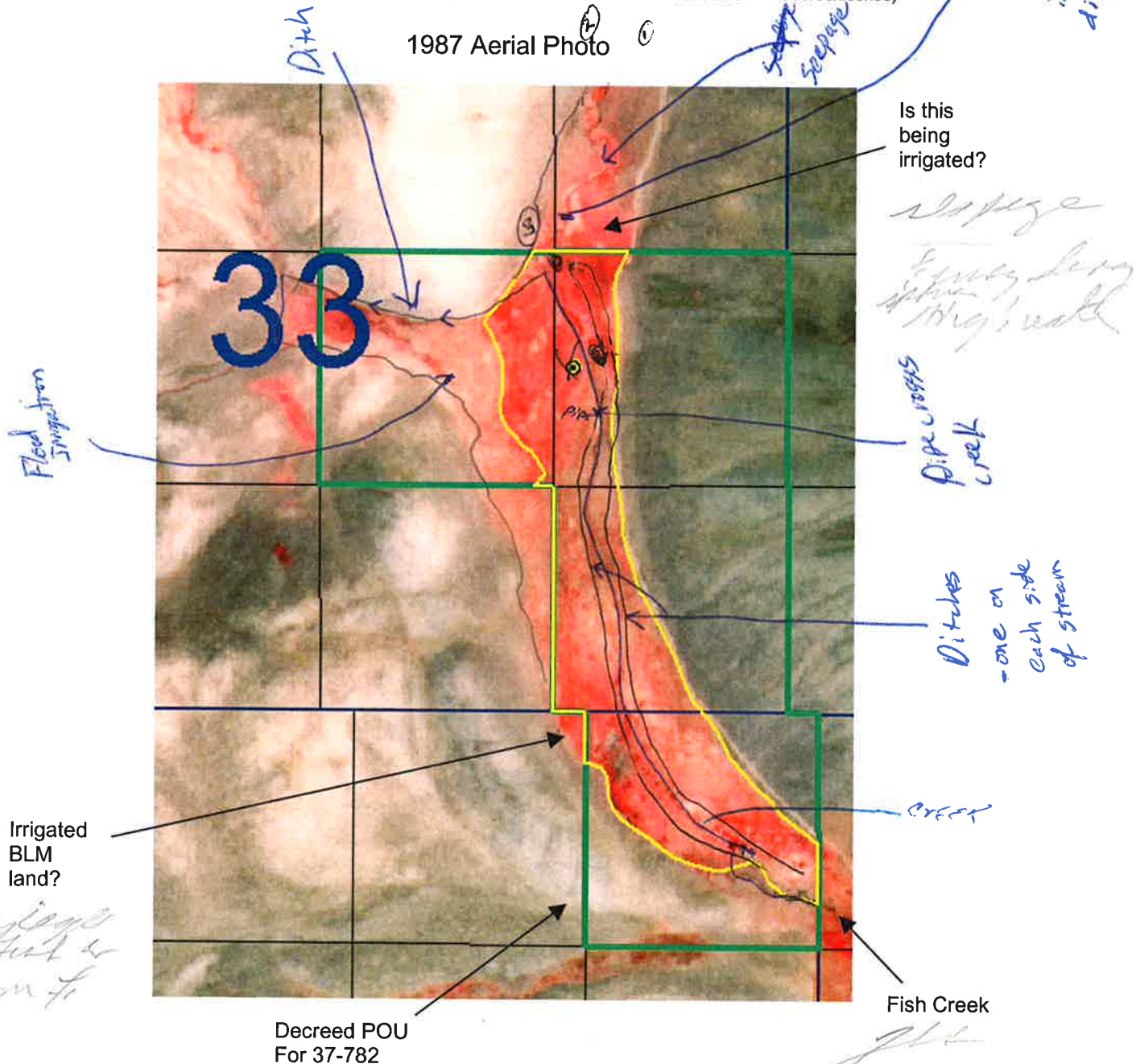
Background Data

- Source is Fish Creek tributary to Little Wood River
- Did a search on the splits using the priority date search file and confirmed:
 - 37-782 is decreed for 1.2 cfs on 4 QQ
 - 37-782 is claimed for 1.2 cfs on 40 acres
 - 37-782A is claimed for 1.2 cfs on 40 acres
 - **Overclaimed**
- 37-782 & 37-782A claimed same POU

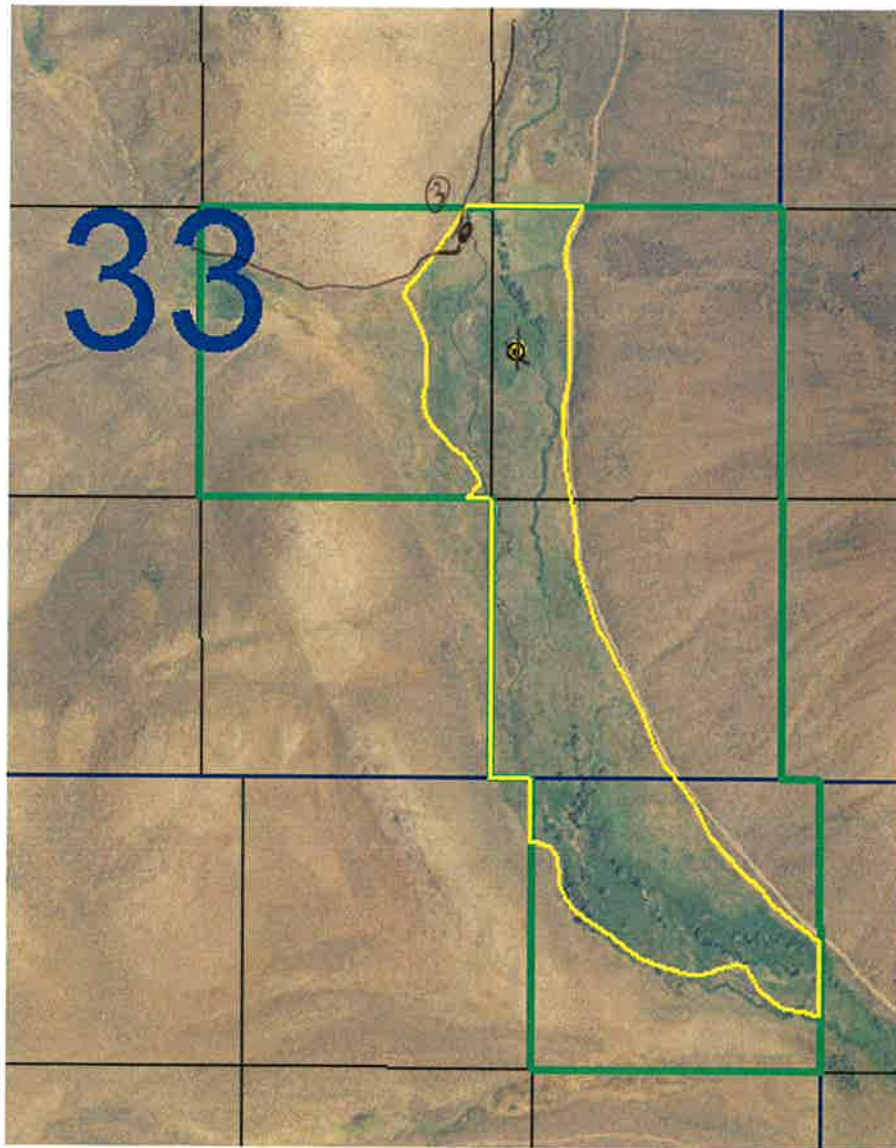
Place Of Use Data

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



2004 Aerial Photo



Notes

T2N R23E Section 6; T3N R23E Sections 31 & 32

- Owners each have 50% interest in property, but appear to have claimed separately.
- Found 50 acres
- What is the distribution system and what land is being irrigated?
- Western edge of draft POU determined by unnamed stream channel from west.
- Is water from 37-783A being used here? *she own both now*
- Is the land near the SW corner BLM land? Is it being irrigated?
- Is the land adjacent to the POU to the north being irrigated?

*owns
all of 782 + 783*

.....
Fork of W.Fork Fish Cr.
Blaine County
1 sec.ft.
Irrigation
Priority 2-8-05
.....

S T A T E O F I D A H O

Water License No. 1141.

RECEIVED
SEP 21 2005
Department of Water Resources
Southern Region

WHEREAS, On the 8th day of February, A. D. 1905, JOHN W. WARD of Crooks, County of Blaine and State of Idaho, duly made application (No. 1068) to me for a permit to use 3.2 cubic feet per second of the waters of East Fork of West Fork of Fish Creek, County of Blaine, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 2nd day of March, A.D.1905, Permit No. 1141 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 2nd day of March, A.D.1907, and for the application to beneficial use of said water on or before the 2nd day of March, A.D.1911, and,

WHEREAS, On the 2nd day of March, A.D.1907, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 1141, dated November 19, 1907, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of water, with date of priority of February 8, 1905, and,

WHEREAS, On the 14th day of September, A.D.1907, proof was duly made of the application to beneficial use of 2.1 cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to JOHN W. WARD of Crooks, Idaho, the holder and owner of said Permit No. 1141, a perpetual right, dating from February 8, 1905, to the use of 2.1 cubic feet per second of the waters of East Fork of West Fork of Fish Creek in the County of Blaine and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point about one mile above the confluence of the East and West Forks of West Fork of Fish Creek, and conducted to and upon 20 acres in NW¹ of SW¹, Section 27;
20 acres in SW¹ of SW¹, Section 27;
40 acres in SE¹ of SE¹, Section 28;
25 acres in NE¹ of NE¹, Section 33; All in Township 2 North, Range 22 East of Boise Meridian,

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho,
this 19th day of November, A.D. Nineteen Hundred and seven.

Jas. Stephenson, Jr.

State Engineer.

EAL)

Recorded November 19, 1907.

37
submitted by
La Meta Hansen

37-A-2

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE
COUNTY OF BLAINE.

---000---

ADELBERT L. POTTER ET AL,

PLAINTIFFS,

VS.

JOSEPH R. PATTERSON ET AL,

-----DEFENDANTS-----

D E C R E E.

The testimony in this case having been taken by Mr. E.
H. Weaver, Referee, pursuant to stipulation and cause submitted
for decision at the May 1914 term of said Court, held at Hailey,
Blaine County, Idaho and the Court having made and filed its
findings of fact and conclusions of law, and the Court being fully
advised;

It is hereby ordered, adjudged and decreed that the
several parties, plaintiffs and defendants herein named, do have
judgement respectively for a right to use for irrigation and
other purposes the following number of inches of water, each fifty
inches thereof to be equivalent to the flow of one cubic foot per
second, as prescribed by law, from Fish Creek and its tributaries,
in the County of Blaine, State of Idaho, their priorities to date
from the times hereinafter named to wit;

Allred, E. A. $11\frac{1}{2}$ inches from March 30, 1883 for the irrigation of
the following tract; commencing at a point 45 rods
South of the North East corner of the NW $\frac{1}{4}$, of the
NE $\frac{1}{4}$, Sec. 13, T. 1 S., R. 21 E., thence West 80
rods; thence South $22\frac{1}{2}$ rods; thence East 80 rods;
thence North $22\frac{1}{2}$ rods to the place of beginning,

being $11\frac{1}{2}$ acres, known as Tax Lot No. 765.

Witness, my hand and the seal of my office at Boise, Idaho,

this 19th day of November, A.D. Nineteen Hundred and seven.

Jas. Stephenson, Jr.

State Engineer.

(1)

dated November 19, 1907.

37-0733

Sparks, Hyrum

37-0777

155 inches from June 30, 1899 for the irrigation

of $E\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 2 N.
R. 22 E., containing 160 acres.

Sparks, Hannah

37-0778

110 inches from June 15, 1907 for the irrigation

of $SE\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, $S\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25,
T. 2 N., R. 22 E., containing 160 acres.

Stinson, Alice J.

37-0779

53 inches from April 21, 1905 from West Fork

for the irrigation of SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec.
3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T. 1 N., R. 22 E., contain-
ing 160 acres.

Wolpert, B.

37-0780

120 inches from March 30, 1883 for the irrig-

ation of $SE\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24,
T. 1 S., R. 21 E., Lot 4, Sec. 18, T. 1 S.,
R. 22 E., containing 120 acres.

Welch, A. L.

37-0781

160 inches from March 30, 1883 for the irrig-

ation of $E\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T. 1 S.,
R. 21 E., Lot 3, Sec. 18, T. 1 S., R. 22 E.
containing 160 acres.

Trans #229

Ward, John

37-0782

60 inches from May 18, 1904, for the irrigation
of Lot 1, Sec. 4, T. 1 N., R. 22 E., Lot 1,
N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 33, T. 2 N., R. 22 E., containing
160 acres.

Ward, John

37-0783

80 inches from May 15th, 1905 for the irrig-
ation of W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28,
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 2 N., R. 22 E., contain-
ing 160 acres.

-9-

WITNESS, My hand and the seal of my office at Boise, Idaho,
this 19th day of November, A.D. Nineteen Hundred and seven.

Jas. Stephenson, Jr.

State Engineer.

(EAL)

Recorded November 19, 1907.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-782

WATER RIGHT NUMBER: 37-782

<u>Owner Type</u>	<u>Name and Address</u>
-------------------	-------------------------

Current Owner JOHN WARD

22

Priority Date: 05/18/1904

Basis: Decreed

Status: Active

Source

Tributary

FISH CREEK

LITTLE WOOD RIVER

Beneficial Use

From	To
------	----

Diversion Rate

Annual Volume

IRRIGATION

/ to /

1,200 CFS

Total Diversion: 1.200 CFS

Location of Point(s) of Diversion

FISH CREEK

Place of Use

IRRIGATION

Twp	Rge	Sec	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01N	22E	4	X L 1																
02N	22E	33													X	X		X L 1	

Conditions of Approval:

1. AC, IRRIG. NOT SPECIFIED, FARM = 160 AC.

Remarks:

Comments:

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-782

Water Supply Bank: