

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

Received By: C. J. owner change

~~COPY FOR~~
~~YOUR FILES~~

90069-5231

4. Point of Diversion:

Date: 10/07/99

10. Place of Use: Continued

Total Acres 4.0

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:
37-08760

14. Remarks:

THIS CLAIM IS FOR A PORTION OF 37-0833 AS EVIDENCED BY ATTACHED COPY OF WARRANTY DEED AND WATERMASTER'S AFFADAVIT.

OWNERSHIP CHANGE MADE 6/23/95 BY TLB. MC KENZIE-FORMER OWNER, FIGGE-NEW OWNER. WARRANTY DEED INCLUDED.

THIS WATER RIGHT IS PART OF AN EXCHANGE ALLOWING THE DIVERSION OF GROUNDWATER AT THE POINT OF REDIVERSION TO IRRIGATE THE PLACE OF USE PURSUANT TO 37-08760. A COPY OF THE WATER RIGHT LICENSE FOR 37-08760 IS ATTACHED AS EXHIBIT A AND REFERENCE IS MADE TO ALL OF THE CONDITIONS OF APPROVAL AND REMARKS. THE ENTIRE FLOW OF THIS RIGHT MUST REMAIN IN THE BIG WOOD RIVER AT THE POINT OF DIVERSION DURING THE IRRIGATION SEASON OF USE TO COMPENSATE FOR DEPLETION CAUSED BY DIVERSION OF GROUNDWATER PURSUANT TO 37-08760.

POINT OF REDIVERSION: T5N, R 17E, S10, SENW.

10/07/99, CHANGED OWNERSHIP: FIGGE JR TO SUN VALLEY TRUST AS PER FORM 1409 AND WARRANTY DEED REC'D3/16/99. C.T.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

Memorandum

To: FILE

CC:

From: CHERYL TIMM 

Date: 10/07/99

Re: OWNERSHIP CHANGE, A37-08760, A37-00833P

Investigation showed that Ownership Change form Figge Jr. to SunValley Trust A37-08760 should include A37-00833P.

Called the Watermaster's office and spoke with Norma Peterson. Norma would like a FAX of the Ownership change for future billings.

37-00833P

EDWARD SIMON
ATTORNEY AT LAW
THE DEVIL'S BEDSTEAD BUILDING
500 S. MAIN
SUITE 205
P.O. Box 540
KETCHUM, IDAHO 83340

RECEIVED

SEP 10 1999

Department of Water Resources
Southern Region

TELEPHONE: (208) 726-2200

FACSIMILE: (208) 726-7313
e-mail: edsimon@micron.net

September 9, 1999

Idaho Dept. of Water Resources
Attn: Cheryl Timm
1341 Fillmore, Suite 200
Twin Falls, ID 83301

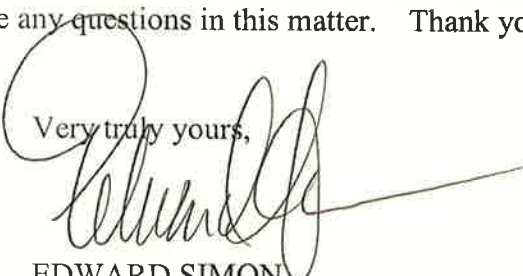
Re: Water Right No. 37-08760
Re-submission of Notice

Dear Ms. Timm:

This letter will confirm our telephone conversation today in which you indicated that a copy of the plat map will satisfy your requirements for transfer of ownership of the above referenced water right. A copy of the same is enclosed along with another copy of the Warranty Deed for your convenience.

I would appreciate confirmation of the transfer when it is effectuated. Please feel free to call me should you have any questions in this matter. Thank you for your courtesies and assistance.

Very truly yours,


EDWARD SIMON

ES/hd

Enclosures

cc: Edward M. Kessler, CPA
Tina Kahn, Esq.



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

COPY

SOUTHERN REGION

January 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NORMA PETERSON
PO BOX T
SHOSHONE ID 83352

RE: OWNERSHIP CHANGE JAMES FIGGE TO SUN VALLEY TRUST A37-
08760, A37-00833P

Dear Norma:

Pursuant to the change in ownership request that has been submitted to the department, I have changed the record of current ownership of the above referenced claim(s) to Sun Valley Trust. The change was 'proofed' by my supervisor on 01/11/00 to ensure that all the data submitted is correct and that the ownership change should become final.. As you requested on the phone today, I am enclosing a copy of the Warranty Deed. If you find that you need a profile report, just let me know. I'll be glad to help.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

Enclosure

CT: ct

37-00833P

TRANSMITTAL COVER SHEET

TO: Norma Petersson
Water Master Office
(208) 886-2451

TOTAL PAGES SENT: 2
(including cover sheet)

DOCUMENT DESCRIPTION: Copy of form 1409 - Tigge Jr to Sun Valley Trust
Owner change not completed.

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301-3380

PHONE: 736-3033
FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: 0 Please remit to the above address.

SENDER: Cheryl Jinn

COMMENTS: Will FAX Profile Reports
Upon O/C completion

Memorandum

To: FILE

CC:

From: CHERYL TIMM *ct*

Date: 10/07/99

Re: OWNERSHIP CHANGE, A37-08760, A37-00833P

Investigation showed that Ownership Change form Figge Jr. to SunValley Trust A37-08760 should include A37-00833P.

Called the Watermaster's office and spoke with Norma Peterson. Norma would like a FAX of the Ownership change for future billings.



March 10, 1999

IDWR Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RECEIVED

MAR 16 1999

Department of Water Resources
Southern Region

Re: Order No. 25372

Lot 21 - Barlow Subdivision
Sun Valley Trust/Figge

Dear Ladies and Gentlemen:

In connection with the above mentioned order, please find attached are copies/originals of the following document(s):

<u> x </u>	Notice of Change of Water Right Ownership. ORIGINAL.
<u> x </u>	Copy of recorded Warranty Deed.

If you should have any questions or if I may be of further assistance, please do not hesitate to contact the undersigned.

Sincerely,

SAWTOOTH TITLE COMPANY

Mindy J. Smith
Escrow Assistant

mjs

Attachment(s)

RECEIVED

MAR 16 1999

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

SEP 10 1999

Department of Water Resources

1. Water Right Number(s) 37-08760 37-00833P
Adjudication Claim Number(s) _____
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 Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) James K. Figge, Jr. and Barbara B. Figge
Box 1876
Ketchum, ID 83340
Sun Valley Trust
4. New Owner/Claimant(s) _____
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address Meschures Campeas Thompson & Snyder
Attn: Edward M. Kessler, CPA
City, State and ZIP Code 760 No. La Cienega Boulevard
Los Angeles, CA 90069-5231
New Telephone Number (310) 652-0222
5. Date you acquired the property March 10, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(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 _____ Number of homes _____ Other uses _____
cubic feet per second
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 Owner/Claimant(s) Polly Reeves Date 3/10/99

Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
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.

105687 3/14/55

BARLOW SUBDIVISION OF H.E.S. 124 1955

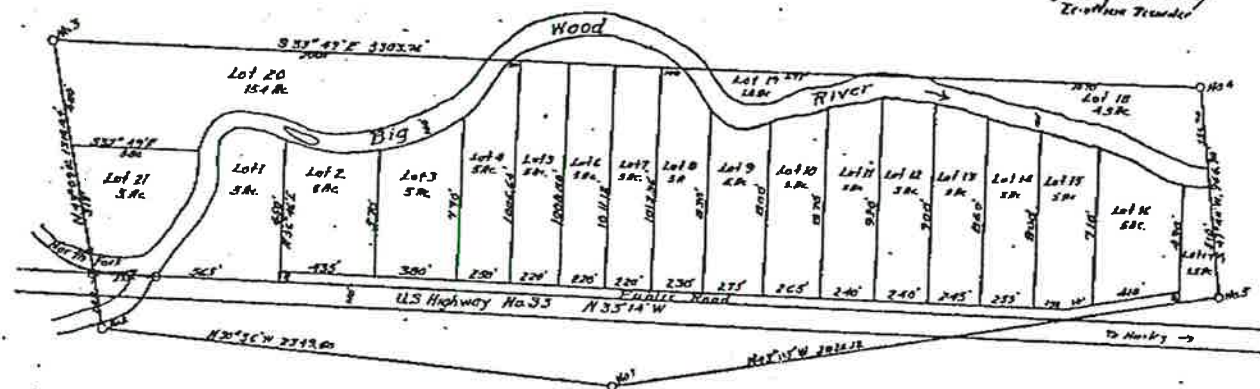
SCALE 1"=300'

Submittal No. 115277

County Recorder's Certificate

This is to Certify: That the accompanying plat was filed for record in the office of the Recorder of Blaine County, Idaho this 11th day of March 1955, at 1:30 p.m. at the request of L. & J. Dunn and duly recorded in Book _____ at page _____

George J. Dunn
Recorder



Surveyor's Certificate

I, **R. D. ARMSTRONG**, Registered Professional Civil Engineer, Certify that the following described land, situated in Sections 10 and 15, T.3N., R.17E., B.7N., in Blaine County, Idaho, more completely described as that portion of H.E.S. No. 124, lying North and East of U.S. Highway No. 33, beginning at a point 247 feet N. 45° 04' E. of Corner No. 2 of said H.E.S. 124, thence N. 45° 05' E. 1062.04 to Corner No. 1, thence S. 33° 49' E. 5704.76 to Corner No. 5, thence S. 47° 44' W. 966.9 to Corner No. 5, thence N. 45° 05' W. 720 to the Right of Way of Highway No. 33, thence N. 35° 14' W. 4.435 along said Right of Way to the Point of Beginning. All of the above described property to be known as the **BARLOW SUBDIVISION**; was surveyed under my supervision, and that the accompanying plat is strictly conformable to the Survey thereof as executed Sept 10th 1954.

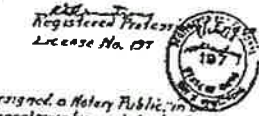
State of Idaho
County of Blaine

Acknowledgment

On this 14th day of March, 1955, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared **R. D. Armstrong**, known by me to be the person whose name is subscribed to the foregoing Surveyor's Certificate and acknowledged to me that he executed the same; in witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March 1955.

My commission expires June 5th 1958

R. D. Armstrong
Registered Professional Engineer
License No. 107



Dedication

This is to Certify: that the undersigned is the owner in fee simple of the property hereinafter described as that portion of H.E.S. No. 124 lying North and East of U.S. Highway No. 33, located in Sections 10 and 15, T.3N., R.17E., B.7N. All of the above property to be known as **BARLOW SUBDIVISION**. That it is the intention to unit herewith, include said lands in the Plat. That the undersigned does, by these presents, grant, bargain, sell, convey confirm and dedicate to the public use forever the **PUBLIC ROAD** shown on the plat.

Walter C. Carlson

State of Idaho
County of Blaine

Acknowledgment

On this 14th day of March, 1955, before me, the undersigned a Notary Public, in and for the State of Idaho, personally appeared **Walter C. Carlson**, known by me to be the person whose name is subscribed to the foregoing Dedication Certificate and acknowledged to me that he executed the same; in witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March 1955.

(SEAL)

My Commission expires June 5th 1958

Walter C. Carlson
Notary Public

SAWTOOTH TITLE CO. INC.

OFFICES AT
TWIN FALLS, IDAHO — HAILEY, IDAHO

WARRANTY DEED

FOR VALUE RECEIVED

JAMES K. FIGGE, JR. and BARBARA B. FIGGE, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

LILY REEVES, TRUSTEE OF THE SUN VALLEY TRUST U/D/T DATED JANUARY 8, 1999

GRANTEE(s) whose address is: c/o Edward M. Kessler, CPA, Meschures, Campeas, Thompson & Snyder, 760 N. La Cienega Blvd, Los Angeles, CA 90069-5231

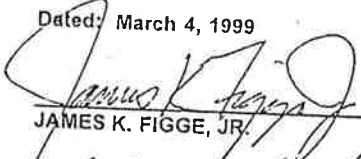
the following described real property in Blaine County, Idaho, to wit:

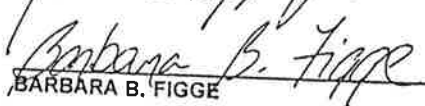
SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said 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 encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 4, 1999


JAMES K. FIGGE, JR.


BARBARA B. FIGGE

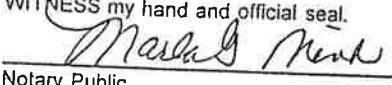
State of Idaho

County of Blaine

} ss.

On this 9th day of March in the year 1999, before me, the undersigned, personally appeared JAMES K. FIGGE, JR. and BARBARA B. FIGGE, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public

Commission Expires: 12/10/2000



EXHIBIT "A"

Lot 21 of BARLOW SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 105687, records of Blaine County, Idaho.

Together with an easement for ingress and egress, more particularly described as follows:

TOWNSHIP 5 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 10: A 20 foot wide strip of land for a right-of-way purpose across national forest land, the centerline of which is more particularly described as follows:

Commencing at Corner No. 3 of Homestead Entry Survey Number 124, Township 5 North, Range 17 East, Boise Meridian; thence
S.43°09'19"W., 839.18 feet along the northwesterly boundary of said survey to the TRUE
POINT OF BEGINNING;
said point is the beginning of a non-tangent curve concave northerly with a radius of 90.00
feet; the sidelines of said 20 foot easement shall be prolonged or shortened to terminate
at the said northwesterly boundary of said survey; thence
northwesterly and northerly 110.93 feet along said curve through a central angle of
70°37'23", with a long chord of 104.04 feet that bears N.11°39'45"W.; thence
N.23°38'56"E., 49.74 feet to the beginning of a curve concave westerly having a radius of
175 feet; thence
northerly 120.01 feet along said curve through a central angle of 39°17'30", with a long
chord of 117.67 feet that bears N.04°00'11"E.; thence
N.15°38'34"W., 45.84 feet to a point "A"; thence
S. 87°13'29"W., 273.76 feet to the beginning of a curve concave northerly having a radius
of 153.46 feet; thence
westerly 107.39 feet along said curve through a central angle of 40°05'43", with a long
chord
of 105.21 feet that bears N.72°43'39"W.;
thence along a line tangent to said curve N.52°40'47"W. 56.74 feet to the beginning of a
curve concave southerly, having a radius of 38.48 feet; thence
northwesterly and southwesterly 48.41 feet along said curve through a central angle of
72°04'58", with a long chord of 45.28 feet that bears N.88°43'16"W.; thence
along a line tangent to said curve, being also the centerline of the existing access road to
the Sawtooth National Recreation Area Headquarters, S.55°14'15"W. 110.82 feet to the
centerline of State Highway 75; the sidelines of said 20 foot easement shall be prolonged
or shortened to terminate at the northeasterly right-of-way of said State Highway 75.

TOGETHER WITH ALL WATER RIGHTS CONTAINED IN WATER RIGHT LICENSE NO.37-
08760 ISSUED BY THE STATE OF IDAHO DEPARTMENT OF WATER RESOURCES DATED
DECEMBER 9, 1997

AND SUBJECT TO THE FIRST RIGHT OF REFUSAL AS RECORDED IN THAT CERTAIN
WARRANTY DEED DATED MARCH 17, 1986 AS INSTRUMENT NO. 271334 AND AS
ASSIGNED BY ASSIGNMENT OF FIRST REFUSAL RECORDED MARCH , 1999 AS
INSTRUMENT NO. , RECORDS OF BLAINE COUNTY, IDAHO.

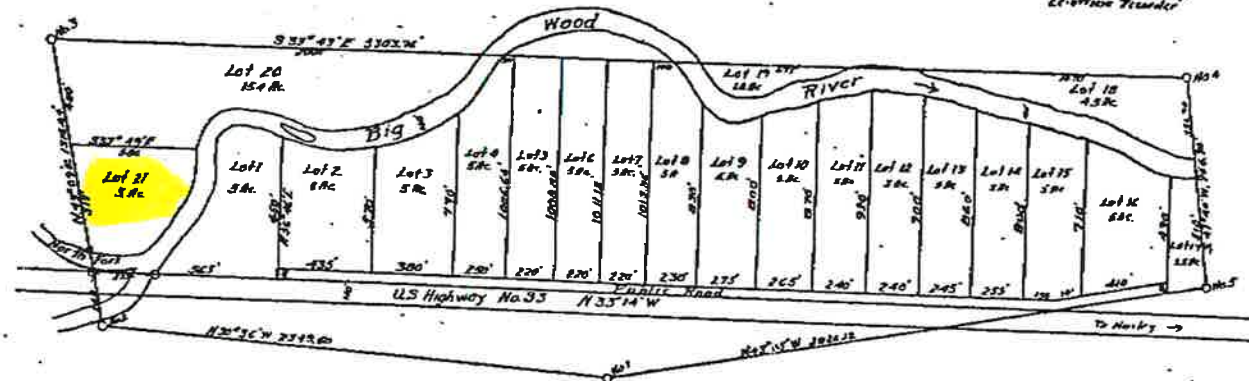
James K. Figg
Barbara B. Figg

105687 3/14/55

BARLOW SUBDIVISION

OF H.E.S. 124
1955

SCALE 1"=300'



Subscribed To H.S. 117

County Recorder's Certificate

This is to Certify: That the accompanying plat was filed for record in the office of the Recorder of Blaine County, Idaho this -- day of March 1955, at the request of L. J. Lunn and duly recorded in Book --- at page ---

L. J. Lunn
Deedman

Surveyor's Certificate

I, R. D. ARMSTRONG, Registered Professional Civil Engineer, Certify that the following described land, situated in Sections 10 and 15, T.5N., R.17E., B.1M., in Blaine County, Idaho, more completely described as that portion of H.E.S. No. 124, lying North and East of U.S. Highway No. 33, beginning at a point 243 feet N.45°05'E. of Corner No. 2 of said H.E.S. 124, thence N.45°05'E. 1062.04 to Corner No. 3, thence S.33°49'E. 3304.76 to Corner No. 4, thence S.47°44'W. 746.9 to Corner No. 5, thence N.45°05'E. 720 to the Right of Way of Highway No. 33, thence N.35°14'W. 4.450 along said Right of Way to the Point of Beginning. All of the above described property to be known as the BARLOW SUBDIVISION; was surveyed under my supervision, and that the accompanying plat is strictly conformable to the Survey thereof as executed Sept 10th 1954.

State of Idaho
County of Blaine

Acknowledgment.

On this 14th day of March, 1955, before me the undersigned, a Notary Public, in and for the State of Idaho, personally appeared R. D. Armstrong known by me to be the person whose name is subscribed to the foregoing Surveyor's Certificate and acknowledged to me that he executed the same; in witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March 1955.

My Commission expires June 5th 1956

Registered Professional Engineer
License No. 197



R. D. Armstrong
Notary Public

Dedication.

This is to Certify that the undersigned is the owner in fee Simple of the property hereinafter described as that portion of H.E.S. No. 124 lying North and East of U.S. Highway No. 33, located in Sections 10 and 15, T.5N. R.17E. B.1M. All of the above property to be known as BARLOW SUBDIVISION. That it is the intention to, and hereby do, include said lands in the Plat. That the undersigned does, by these presents, grant, bargain, sell, convey, confirm and dedicate to the public use forever the PUBLIC ROAD shown on the plat.

Hester C. Barlow

State of Idaho
County of Blaine

Acknowledgement

On this 14th day of March, 1955, before me the undersigned a Notary Public, in and for the State of Idaho, personally appeared Hester C. Barlow, known by me to be the person whose name is subscribed to the foregoing Dedication Certificate and acknowledged to me that he executed the same; in witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March 1955.

My Commission expires June 5th 1960

(SEAL)

Hester C. Barlow
Notary Public

SAWTOOTH TITLE CO. INC.

OFFICES AT
TWIN FALLS, IDAHO — HAILEY, IDAHO

WARRANTY DEED

FOR VALUE RECEIVED

JAMES K. FIGGE, JR. and BARBARA B. FIGGE, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

LILY REEVES, TRUSTEE OF THE SUN VALLEY TRUST U/D/T DATED JANUARY 8, 1999

GRANTEE(s) whose address is: c/o Edward M. Kessler, CPA, Meschures, Campeas, Thompson & Snyder, 760 N. La Cienega Blvd, Los Angeles, CA 90069-5231

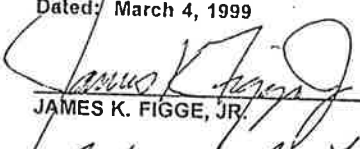
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Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said 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 encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 4, 1999


JAMES K. FIGGE, JR.

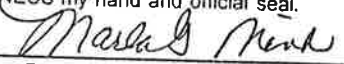

BARBARA B. FIGGE

State of Idaho

County of Blaine

On this 4th day of March, in the year 1999, before me, the undersigned, personally appeared JAMES K. FIGGE, JR. and BARBARA B. FIGGE, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public

Commission Expires: 12/10/2000

J:\escrow\forms\wd

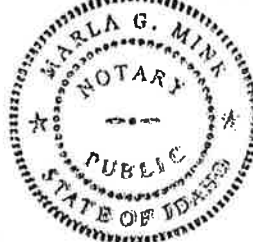


EXHIBIT "A"

Lot 21 of BARLOW SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 105687, records of Blaine County, Idaho.

Together with an easement for ingress and egress, more particularly described as follows:

TOWNSHIP 5 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 10: A 20 foot wide strip of land for a right-of-way purpose across national forest land, the centerline of which is more particularly described as follows:

Commencing at Corner No. 3 of Homestead Entry Survey Number 124, Township 5 North, Range 17 East, Boise Meridian; thence
S.43°09'19"W., 839.18 feet along the northwesterly boundary of said survey to the TRUE POINT OF BEGINNING;
said point is the beginning of a non-tangent curve concave northerly with a radius of 90.00 feet; the sidelines of said 20 foot easement shall be prolonged or shortened to terminate at the said northwesterly boundary of said survey; thence
northwesterly and northerly 110.93 feet along said curve through a central angle of 70°37'23", with a long chord of 104.04 feet that bears N.11°39'45"W.; thence
N.23°38'56"E., 49.74 feet to the beginning of a curve concave westerly having a radius of 175 feet; thence
northerly 120.01 feet along said curve through a central angle of 39°17'30", with a long chord of 117.67 feet that bears N.04°00'11"E.; thence
N.15°38'34"W., 45.84 feet to a point "A"; thence
S. 87°13'29"W., 273.76 feet to the beginning of a curve concave northerly having a radius of 153.46 feet; thence
westerly 107.39 feet along said curve through a central angle of 40°05'43", with a long chord of 105.21 feet that bears N.72°43'39"W.;
thence along a line tangent to said curve N.52°40'47"W. 56.74 feet to the beginning of a curve concave southerly, having a radius of 38.48 feet; thence
northwesterly and southwesterly 48.41 feet along said curve through a central angle of 72°04'58", with a long chord of 45.28 feet that bears N.88°43'16"W.; thence
along a line tangent to said curve, being also the centerline of the existing access road to the Sawtooth National Recreation Area Headquarters, S.55°14'15"W. 110.82 feet to the centerline of State Highway 75; the sidelines of said 20 feet easement shall be prolonged or shortened to terminate at the northeasterly right-of-way of said State Highway 75.

TOGETHER WITH ALL WATER RIGHTS CONTAINED IN WATER RIGHT LICENSE NO.37-08760 ISSUED BY THE STATE OF IDAHO DEPARTMENT OF WATER RESOURCES DATED DECEMBER 9, 1997

AND SUBJECT TO THE FIRST RIGHT OF REFUSAL AS RECORDED IN THAT CERTAIN WARRANTY DEED DATED MARCH 17, 1986 AS INSTRUMENT NO. 271334 AND AS ASSIGNED BY ASSIGNMENT OF FIRST REFUSAL RECORDED MARCH , 1999 AS INSTRUMENT NO. , RECORDS OF BLAINE COUNTY, IDAHO.

James K. Figg
Barbara B. Figg



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

November 12, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

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

RE: FILING OF NEW & AMENDED SRBA CLAIMS A37-08760 & A37-00833P

Dear Mr. Speck,

Enclosed are copies of SRBA claims in the name of James K. Figge, Jr. as they are now amended and recorded in our database. I have also enclosed a receipt for the new filing and the amended acres. Please review the information and confirm that it reflects the water rights you have claimed. If all is correct no further action is required at this time.

Feel free to call me if you have questions or need additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland'.

Steve Clelland
Sr. Water Resource Agent

ENC:

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: **A37-00833P**

Date Received: 10/20/1988

Receipt No: C002988

Received By: Sa

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

1. Name: JAMES K FIGGE JR 208-726-4078
Address: PO BOX 1876
KETCHUM ID 83340

AND/OR

Name: BARBARA B FIGGE 208-726-4078
Address: PO BOX 1876
KETCHUM ID 83340

2. Date of Priority: NOV 12, 1936

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	16	SE	SW	NE		BLAINE

5. Description of diverting works:
DIVERSION IN RIVER W/HEADGATE TO COVE CANAL - SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	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:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	17E	10	SE	NW		IRR	4.0

10. Place of Use: Continued

Section Acres 4.0

Total Acres 4.0

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:

37-08760

14. Remarks:

THIS CLAIM IS FOR A PORTION OF 37-0833 AS EVIDENCED BY ATTACHED COPY OF WARRANTY DEED AND WATERMASTER'S AFFADAVIT.

OWNERSHIP CHANGE MADE 6/23/95 BY TLB. MC KENZIE-FORMER OWNER, FIGGE-NEW OWNER. WARRANTY DEED INCLUDED.

THIS WATER RIGHT IS PART OF AN EXCHANGE ALLOWING THE DIVERSION OF GROUNDWATER AT THE POINT OF REDIVERSION TO IRRIGATE THE PLACE OF USE PURSUANT TO 37-08760. A COPY OF THE WATER RIGHT LICENSE FOR 37-08760 IS ATTACHED AS EXHIBIT A AND REFERENCE IS MADE TO ALL OF THE CONDITIONS OF APPROVAL AND REMARKS. THE ENTIRE FLOW OF THIS RIGHT MUST REMAIN IN THE BIG WOOD RIVER AT THE POINT OF DIVERSION DURING THE IRRIGATION SEASON OF USE TO COMPENSATE FOR DEPLETION CAUSED BY DIVERSION OF GROUNDWATER PURSUANT TO 37-08760.

POINT OF REDIVERSION: T5N, R 17E, S10, SENW.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

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 _____

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

November 3, 1998

RECEIVED

NOV 04 1998

Department of Water Resources
Southern Region

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

**RE: SRBA Notice of Claim A37-08760 and Amended
Notice of Claim A37-00833P
James K. Figge, Jr. and/or Barbara B. Figge**

Dear Allen:

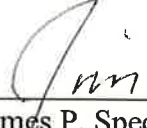
Enclosed you will find SRBA Notice of Claim A37-08760 and Amended Notice of Claim A37-00833P wherein James K. Figge, Jr. and/or Barbara B. Figge are the claimants. Water right 37-08760 has recently been licensed pursuant to an approved exchange whereby water right 37-00833P is required to remain in the Big Wood River at its original point of diversion during the irrigation season of use to compensate for depletion caused by the new ground water diversion. I had several discussions with Nick Spencer and Peter Anderson concerning the form for the Amended Notice of Claim for the Big Wood River water right so you may want to call them first if you have any questions.

I have also enclosed my firm's check for \$52 as the filing fee for Notice of Claim A37-08760. The original Notice of Claim for A37-00822P paid a \$2 per acre fee for the irrigation of two acres so I have added \$2 to the present filing fee since the total irrigated acres under the licensed water right is four.

Once these claims have been entered in the data base, please send me printouts for review and approval. Thank you once again for all of your cooperation and assistance in these matters.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
enclosures
cc: clients, w/encl.

A37-00833P

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

CIVIL CASE NUMBER: 39576

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

Ident Number A37-00833P

Date Received _____

Receipt Number _____

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

RECEIVED
NOV 04 1998
Department of Water Resources
Southern Region

1. Name of Claimant(s): James K. Figge, Jr. and/or Barbara B. Figge
Phone: 1-208-726-4078
Mailing Address: P.O. Box 1876
Ketchum, ID 83340

2. Date of Priority: November 12, 1936

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>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
2N	18E	16	SE	SW	NE		Blaine

Additional points of diversion if any: Point of redirection: SE1/4NW1/4, S.10, T.5N., R.17E., B.M.,
Blaine County, Idaho (see Remarks)

5. Description of existing diversion works: See Remarks

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 15	October 15	0.08 cfs

7. Total Quantity Claimed: 0.08 cfs

8. Non-irrigation uses:

9. Place of use:

			<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>TOTALS</u>
<u>TWN</u>	<u>RGE</u>	<u>SEC</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>	
5N	17E	10								4									4
TOTALS																			4.0

10. Place of use is located in Blaine County.

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

12. Describe any other water rights used at the same place and for the same purposes as described above?
See Remarks.

13. **Remarks:** This water right is part of an exchange allowing the diversion of ground water at the point of rediversion to irrigate the place of use pursuant to 37-08760. A copy of the Water Right License for 37-08760 is attached as Exhibit A and reference is made to all of the conditions of approval and remarks. The entire flow of this right must remain in the Big Wood River at the point of diversion during the irrigation season of use to compensate for depletion caused by diversion of ground water pursuant to 37-08760.

Last Name: FIGGE

H:\WPDATA\JIM\FIGGE\SRBA\3700833PCLAIM.wpd

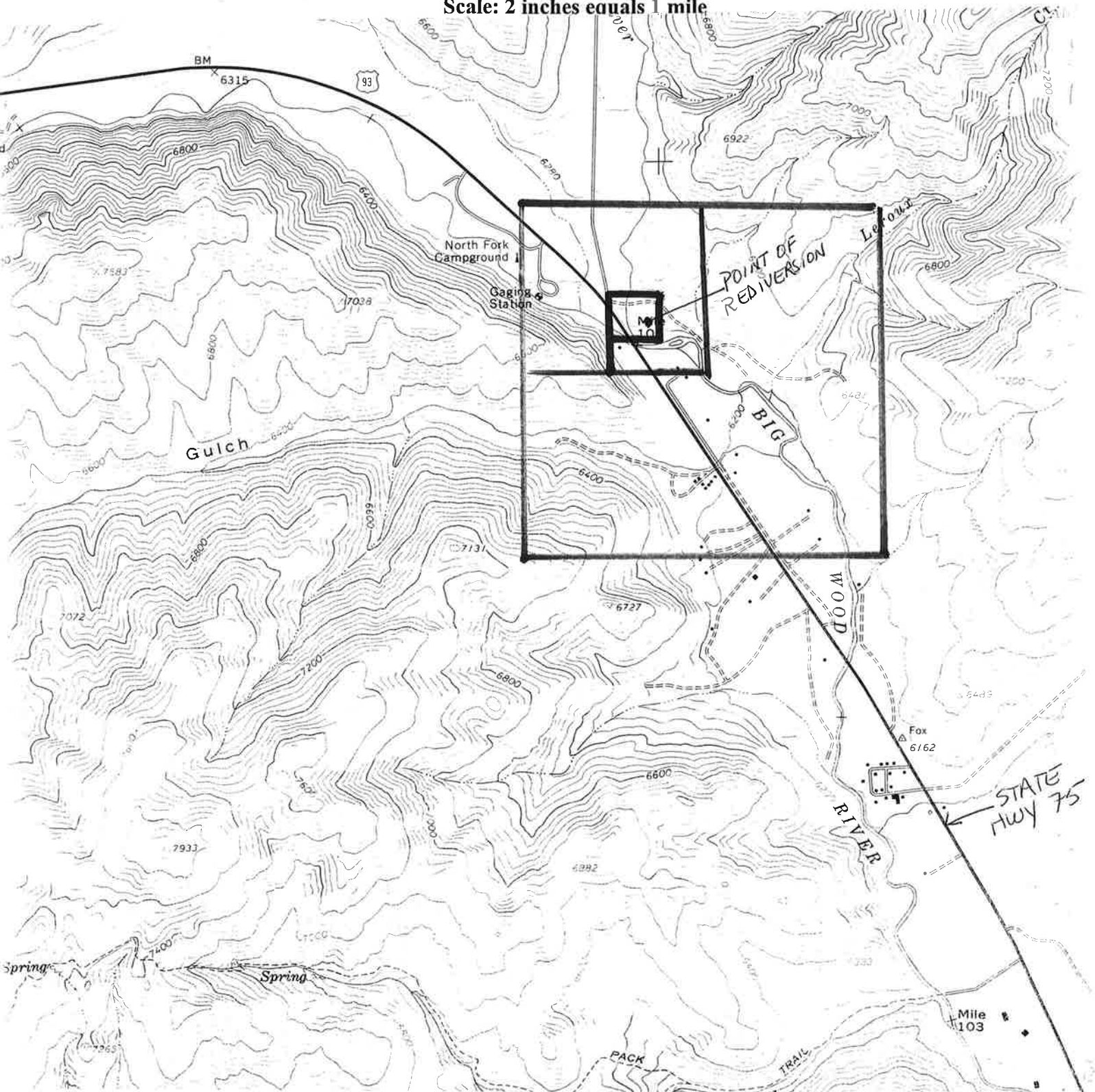
Ident No. A37-00833P

10/19/98

MAP OF PROJECT

(Show clearly the point of diversion, place of use, section number, township and range number)

Scale: 2 inches equals 1 mile



Last Name: FIGGE

H:\WPDATA\JIM\FIGGE\SRBA\3700833PCLAIM.wpd

Ident No. A37-00833P

10/19/98

14. Basis of Claim: Decree

IDWR Water Right Number: 37-00833

Court: Lincoln County District Court

Case Number:

Decree Date: December 13, 1909

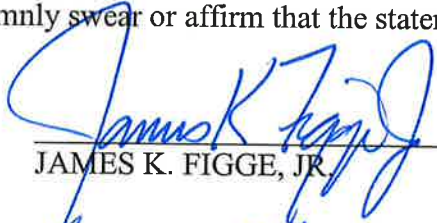
Plaintiff v. Defendant: S. C. Frost et al v. Alturus Water Company, et ux

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - one (1).

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

Signature of Claimant(s)


JAMES K. FIGGE, JR.

Date 10.26.98


BARBARA B. FIGGE

Date 10/26/98

State of Idaho)

) ss.

County of Blaine)

Subscribed and sworn before me this 26 day of OCTOBER, 1998.


Notary Public for IDAHO

Residing at KEITHUM

Commission Expires 12/8/98

Last Name: FIGGE

H:\WPDATA\JIM\FIGGE\SRBA\3700833PCLAIM.wpd

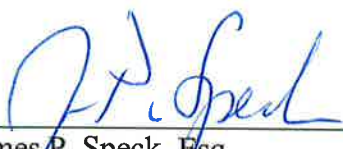
Ident No. A37-00833P

10/19/98

16. 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, Esq.
SPECK & AANESTAD
A Professional Corporation
P.O. Box 987
Ketchum, ID 83340

Date: October 30, 1998.

Last Name: FIGGE

H:\WPDATA\JIM\FIGGE\SRBA\3700833PCLAIM.wpd

Ident No. A37-00833P

10/19/98

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08760

Priority: October 6, 1991

Maximum Diversion Rate: 0.12 CFS
Maximum Diversion Volume: 14.0 AF

This is to certify, that JAMES K FIGGE
SANDRA D FIGGE

C/O JAMES P SPECK ESQ
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340-0987

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 17, 1991; and has submitted Proof of Beneficial Use on June 20, 1995. An examination indicates that the works have a diversion capacity of 0.180 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.12 CFS	14.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 10, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	17E	10	SENW	4		4

Total number of acres irrigated: 4

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08760

CONDITIONS OF APPROVAL AND REMARKS

6. Diversion of groundwater authorized by this right shall be administered by the watermaster of Water District No. 37, Big Wood River.
7. Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works until the next upcoming year.
8. This water right is used in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.
9. A flow rate of 0.08 cfs authorized by right no. 37-00833 (SRBA Claim A37-00833P) must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of groundwater authorized by this right.
10. For purposes of regulating groundwater in conjunction with flows of the Big Wood River, water may be diverted pursuant to this right if right no. 37-00833 is deliverable because the Rockwell Bypass is operating.
11. The Director retains jurisdiction over this right to adjust the mitigation and to require the collection and reporting of pumpage and use data.
12. Water must be applied to the land by an efficient method that conserves the quantity of water delivered.
13. The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department as a part of the diverting works.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9TH day of DECEMBER, 1997.


Acting for KARL J. DREHER, Director

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

NOV 14 1997
Department of Water Resources
Southern Region

1. Water Right Number(s) 37-08760 AND 37-00833P
Adjudication Claim Number(s) A37-00833P
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 Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) James K. Figge and Sandra D. Figge
7234 Tory Lane, Naples, FL 34108
4. New Owner/Claimant(s) James, K. Figge, Jr. and Barbara B. Figge
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 1876, Ketchum, ID 83340
City, State and ZIP Code _____
New Telephone Number (208) 726 - 4078
5. Date you acquired the property September 16, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(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 _____ Number of homes _____ Other uses _____
cubic feet per second
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 Owner/Claimant(s) James K. Figge Date 11-4-97
Barbara B. Figge Date Nov. 4, 97
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
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.



RECEIVED

November 12, 1997

NOV 14 1997

Department of Water Resources
Southern Region

Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Order No. 23425

Lot 21 Barlow Subdivision
Figge/Figge

Dear Ladies and Gentlemen:

In connection with the above mentioned order, please find attached copies/originals of the following:

 X
 X

Notice of Change of Water Right Ownership. **ORIGINAL.**
Copy of Quitclaim Deed, recorded as instrument no. 407697.

If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely,

SAWTOOTH TITLE COMPANY

Jan L. Burrell
Vice-President

JLB/tdh

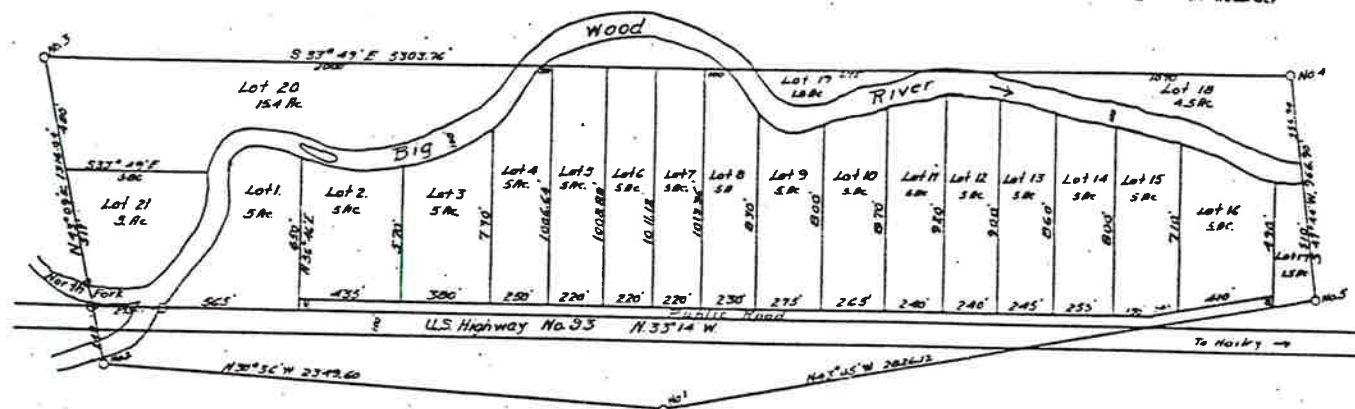
Attachment(s)

BARLOW SUBDIVISION

OF H.E.S. 124

1955

SCALE 1"=300'



Surveyor's Certificate

I, **R. D. ARMSTRONG**, Registered Professional Civil Engineer, Certify that the following described Land, situated in Sections 10 and 15, T.5N., R.17E., B.M. in Blaine County, Idaho, more completely described as that portion of H.E.S. No. 124, lying North and East of U.S. Highway No. 93, beginning at a point 247 feet N. 45° 09' E. of Corner No. 2 of said H.E.S. 124, thence N. 45° 09' E. 1067.04' to Corner No. 3, thence S 33° 49' E. 530.76' to Corner No. 4, thence S 47° 44' W. 966.9' to Corner No. 5, thence N. 45° 09' E. 720' to the Right of Way of Highway No. 93, thence N 33° 14' W. 445.0' along said Right of Way to the Point of Beginning. All of the above described property to be known as the **BARLOW SUBDIVISION**; was surveyed under my supervision, and that the accompanying plat is strictly conformable to the Survey thereof as executed Sept. 18th 1954.

State of Idaho }
County of Lincoln }

Acknowledgement.

On this 14th day of March, 1955, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared **R. D. Armstrong**, known by me to be the person whose name is subscribed to the foregoing Surveyor's Certificate and acknowledged to me that he executed the same: In witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March, 1955.

My commission expires June 5th 1958

R. D. Armstrong
Registered Professional Engineer
License No. 157



R. D. Armstrong
Notary Public

Subscribed and sworn to before me this 14th day of March, 1955.

County Recorder's Certificate

This is to Certify: That the accompanying plat was filed for record in the office of the Recorder of Blaine County, Idaho this 14th day of March, 1955, at 1:24 p.m. at the request of **R. D. Armstrong** and duly recorded in Book _____ at page _____.

James J. McLaughlin
Ex-officio Recorder

Dedication

This is to Certify: that the undersigned is the owner in fee simple of the property hereinafter described as that portion of H.E.S. No. 124 lying North and East of U.S. Highway No. 93, located in Sections 10 and 15, T.5N. R.17E. B.M. All of the above property to be known as **BARLOW SUBDIVISION**. That it is the intention to and hereby do, include said lands in the Plat. That the undersigned does, by these presents, grant, bargain, sell, convey, confirm and dedicate to the public use forever the **PUBLIC ROAD** shown on the plat.

Arthur E. Barlow

Acknowledgement

State of Idaho }
County of Lincoln }

On this 14th day of March, 1955, before me, the undersigned a Notary Public, in and for the State of Idaho, personally appeared **Arthur E. Barlow**, known by me to be the person whose name is subscribed to the foregoing Dedication Certificate and acknowledged to me that she executed the same: In witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March, 1955.

My Commission expires June 5th 1958

(SEAL)

Arthur E. Barlow
Notary Public

SAWTOOTH TITLE CO., INC.

OFFICES AT
TWIN FALLS, IDAHO — HAILEY, IDAHO

Order No. 23425

407697

3.10 p.d.
11-5-97

QUITCLAIM DEED

BLAINE CO. REQUEST

DEED
OF: ~~SAVTOOTH TITLE~~

'97 NOV 5 PM 3 18

MARY GREEN, CLERK

FEES \$ 15.00

FOR VALUE RECEIVED

JAMES K. FIGGE and SANDRA D. FIGGE, husband and wife

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

JAMES K. FIGGE, JR. and BARBARA B. FIGGE, husband and wife

whose address is: P. O. Box 1876, Ketchum, ID 83340

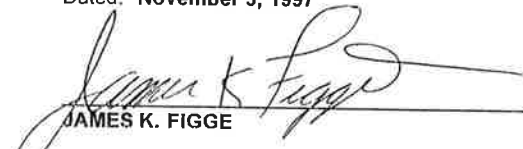
the following described premises situated in Blaine County, Idaho, to wit:

ALL WATER RIGHTS ATTACHED HERETO AS EXHIBIT 'A' AND MADE A PART HEREOF AND APPURTENANT TO THE FOLLOWING DESCRIBED PROPERTY:

Lot 21 of BARLOW SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 105687, records of Blaine County, Idaho.

together with their appurtenances.

Dated: November 3, 1997


JAMES K. FIGGE


SANDRA D. FIGGE

State of Idaho

} ss.

County of Blaine

On this 3rd day of November, in the year 1997, before me, the undersigned, personally appeared **JAMES K. FIGGE and SANDRA D. FIGGE**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public

Commission Expires: 2-18-98

j:\escrow\formatqcd



WR5809NP
No. 37-08760

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/03/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES K FIGGE	10/06/1991	IRRIGATION	03/15 10/15	0.080 CFS	14.00 AFA
C	SANDRA D FIGGE		STOCKWATER	01/01 12/31	0.020 CFS	
	C/O JAMES P SPECK ESQ		DOMESTIC	01/01 12/31	0.060 CFS	
	HOGUE SPECK & AANESTAD		FIRE PROTECTION STORAGE	01/01 12/31		1.00 AFA
	PO BOX 987		DIVERSION TO STORAGE	01/01 12/31	0.080 CFS	
	KETCHUM ID 83340-0987					
	(208) 726-4421					
TOTAL DIVERSION:					0.140 CFS	14.00 AFA

Water Source: GROUNDWATER

tributary to:

Stage: PERMIT

Point(s) of Diversion:

T05N R17E S10

NESENE

BLAINE County

Place of Use Legal Description for: IRRIGATION

NE				NW				SW				SE					
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENE	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	17E	10	:														
			:	.2			:	.5				:					4.0
																TOTAL ACRES	4.0

Place of Use location for STOCKWATER is the same location as described for: IRRIGATION

Place of Use location for DOMESTIC is the same location as described for: IRRIGATION

Pay County: BLAINE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

37-04029 37-04230 37-04329 37-08258 37-08492

Other Water Rights Listing Overlapping Place(s) of Use:

37-02168 37-04230 37-04329 37-08414 37-08475 37-08492 37-08519

Conditions of Approval:

- 01J - Prior to diversion of water under this right, the right holder
 - shall install a measuring device and lockable controlling works
 - of a type acceptable to the Department as part of the diverting works.
- 057 - The rate of diversion of water for irrigation under this right
 - and all other water rights on the same land shall not exceed
 - 0.03 cubic feet per second for each acre of land.
- R19 - The right holder shall maintain a totalizing measuring device of
 - a type approved by the Department as a part of the diverting works.

Remarks:

Diversion of groundwater authorized by this permit and any subsequent license shall be administered by the watermaster of

WR5809NP
No. 37-08760IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORTDATE: 11/03/97
PAGE: 2

Remarks:

Water District No. 37, Big Wood River.

The total instantaneous diversion rate authorized by this permit and any subsequent license is 0.14 cfs.

Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works for all uses except domestic until the next upcoming year.

The total surface area of the irrigated land and pond shall not exceed four acres.

This water right application is approved in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.

A flow rate of 0.08 cfs authorized by right no. 37-00833 (Adjudication Claim A37-00833P) must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of groundwater authorized by this permit. For purposes of regulating groundwater in conjunction with flows of the Big Wood River, water may be diverted pursuant to this permit if right no. 37-00833 is deliverable because the Rockwell Bypass is operating.

For purposes of regulating this permit with respect to other groundwater rights, the priority of this right shall be September 17, 1991.

The Director retains jurisdiction over this permit and any subsequent license to adjust the mitigation and to require the collection and reporting of pumpage and use data.

Water must be applied to the land by an efficient method that conserves the quantity of water delivered.

Domestic use is for two homes.

Stockwater use is for 10 horses.

Dates: App. Received: 10/03/1991 Priority Date: 10/06/1991 (Priority Date Advanced.)
Proof Due Date: 06/01/1995 Proof Made Date: 06/20/1995 (Proof Received Late.)
Exam Made Date: 06/30/1997 Exam Sent to S.O.: 08/05/1997
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee: R (Received)

Comments: Date: 10/30/1991 User-ID: BALDWIN Subject:
THIS APPLICATION IS WITHIN BOUNDARIES OF BIG WOOD GROUNDWATER
MANAGEMENT AREA.

Date: 05/27/1993 User-ID: ZIMMERMA Subject: MORATORIUM EXEMPTION
This permit falls within the acceptable parameters of the Eastern
Snake River Plain Moratorium.

Date: 06/12/1995 User-ID: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

Date: 06/22/1995 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd

WR5809NP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: 11/03/97

No. 37-08760

WATER RIGHT PROFILE REPORT

PAGE: 3

Comments: Date: 06/22/1995 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 10/24/91 BALDWIN 10/30/91 BALDWIN 11/15/91 SKAGGS 11/27/91 BALDWIN
05/27/93 ZIMMERMA 06/28/93 ZIMMERMA 06/29/93 ZIMMERMA 08/19/93 ZIMMERMA
06/12/95 COMMENTS 06/22/95 COMMENTS 06/28/95 JYARBROU 07/08/97 ABATES
08/05/97 ABATES

AJ5809HP
No. A37-00833P

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/03/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES K FIGGE	11/12/1936	IRRIGATION	04-01 11-01	0.04 CFS	
C	SANDRA D FIGGE		STOCKWATER	01-01 12-31	0.02 CFS	
	8015 VIZCAYA WAY		DOMESTIC	01-01 12-31	0.04 CFS	
	NAPLES FL 33963					
	(319) 383-3300					
TOTAL DIVERSION:					0.08 CFS	
CONSUMPTIVE USE:						5.00 AFA

Water Source: BIG WOOD RIVER

Tributary to: MALAD RIVER

Stage: DECREED

Point(s) of Diversion: T02N R18E S16

SESWE

BLAINE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
: Lt Ac Lt Ac Lt Ac Lt Ac				: Lt Ac Lt Ac Lt Ac Lt Ac				: Lt Ac Lt Ac Lt Ac Lt Ac				: Lt Ac Lt Ac Lt Ac Lt Ac				
02N 18E 25 :				:				:				:				02
																TOTAL ACRES
																2.0

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
: Lt Ac Lt Ac Lt Ac Lt Ac				: Lt Ac Lt Ac Lt Ac Lt Ac				: Lt Ac Lt Ac Lt Ac Lt Ac				: Lt Ac Lt Ac Lt Ac Lt Ac				
02N 18E 25 :				:				:				:				S

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
: Lt Ac Lt Ac Lt Ac Lt Ac				: Lt Ac Lt Ac Lt Ac Lt Ac				: Lt Ac Lt Ac Lt Ac Lt Ac				: Lt Ac Lt Ac Lt Ac Lt Ac				
02N 18E 25 :				:				:				:				

POU County: BLAINE

Non-Irrigation Uses: DOMESTIC FOR ONE HOUSEHOLD, STOCKWATER FOR UP TO 6 HEAD/MIXED.

Other Rights: CITY WATER FOR IN-HOUSE USE.

Remarks: GEN THIS CLAIM IS FOR A PORTION OF 37-0833 AS EVIDENCED BY ATTACHED COPY OF WARRANTY DEED AND WATERMASTER'S AFFIDAVIT.

OWNERSHIP CHANGE MADE 6/23/95 BY TLB. MC KENZIE-FORMER OWNER,
FIGGE-NEW OWNER. WARRANTY DEED INCLUDED.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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: A37-00833P

Date Received: 10/20/1988

Receipt No: C002988

Received By: *O/C F.B.*

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

1. Name: JAMES K FIGGE
Address: 8015 VIZCAYA WAY
NAPLES FL

319-383-3300

33963

AND/OR

Name: SANDRA D FIGGE
Address: 8015 VIZCAYA WAY
NAPLES FL

319-383-3300

33963

2. Date of Priority: NOV 12, 1936

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	16	SE	SW	NE		BLAINE

5. Description of diverting works:

DIVERSION IN RIVER W/HEADGATE TO COVE CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

0.080 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

5.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC FOR ONE HOUSEHOLD, STOCKWATER FOR UP TO 6 HEAD/MIXED.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	18E	25	SW		SE		IRR	2.0
			SW		SE		STOCK	
			SW		SE		DOMEST	

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:

CITY WATER FOR IN-HOUSE USE.

14. Remarks:

THIS CLAIM IS FOR A PORTION OF 37-0833 AS EVIDENCED BY ATTACHED COPY OF WARRANTY DEED AND WATERMASTER'S AFFADAVIT.

OWNERSHIP CHANGE MADE 6/23/95 BY TLB. MC KENZIE-FORMER OWNER,
FIGGE-NEW OWNER. WARRANTY DEED INCLUDED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

VS

Decree Defendant

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) _____
Assigned by IDWR: A37-00833P
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Larry D & Nora McKenzie
P O Box 805
Hailey ID 83333
- ☐ New Owner/Claimant (Purchaser): James K & Sandra D. Figge
- ☐ New Mailing Address: 8015 Vizcaya Way
Naples FL 33963
- ☐ New Telephone Number: (319) 383 - 3300
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Quitclaim Deed, Instrument No. 358693
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) *James K Figge* Date 5/5/95
Sandra D Figge Date 5/5/95
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: 5/23/95 By: HLB

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED

NOV 08 1993

ORIGINAL IN

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Hogue, Speck & Aanestad
BLAINE CO. REQUEST

OF Hogue & Speck

1993 NOV -4 P 12:00

358693

✓ James P. Speck, Esq.
HOGUE, SPECK & AANESTAD
P. O. Box 987
Ketchum, Idaho 83340

6⁰⁰ - 4MP

Deed

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, LARRY D. AND NORA MCKENZIE, husband and wife, (hereinafter referred to as the "Grantors"), do hereby convey, release, remise and forever quitclaim unto JAMES K. AND SANDRA D. FIGGE, husband and wife, whose current mailing address is Davenport Bank & Trust Company, 203 West Third Street, Davenport, Iowa 52801 (hereinafter referred to as the "Grantees"), any and all interest Grantors may have in the following described water rights, appurtenant to premises, situated in Blaine County, Idaho, to wit:

0.080 cfs of that certain water right for the diversion of the waters of the Big Wood River for irrigation purposes with priority date of November 12, 1936, decreed to Irvin E. Rockwell, as described in the Findings of Fact and Conclusions of Law and the Decree made and entered on the 25th day of August, 1949, in an action in the District Court of the Fourth Judicial District on the State of Idaho, in and for the County of Blaine, wherein the said Irvin E. Rockwell was plaintiff and Hans H. Coffin, Watermaster, was defendant, which said Findings of Fact and Conclusions of Law were recorded in the office of the County Recorder of the County of Blaine, State of Idaho, on the 13th day of September, 1949, in Book 12 of Judgments, at Page 115, and which is described as water right 37-0833, a portion of which is claimed by Grantor in Twin Falls County District Court Civil No. 39576, In Re Adjudication of Rights to the Use of Water from the Snake River Basin Water System, as Claim No. A37-00833P.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Grantees, and to Grantees' heirs and assigns forever.

DATED this 16 day of ^{March} February, 1992.

GRANTORS:

Larry D. McKenzie
LARRY D. MCKENZIE

Nora McKenzie Guggle
NORA MCKENZIE

STATE OF IDAHO)
) ss.
County of Blaine)

On this 16 day of MARCH, 1992, before me, the undersigned notary public in and for said state, personally appeared LARRY D. MCKENZIE and NORA MCKENZIE, Husband and Wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

Marsha Reeman
Notary Public for Idaho
Residing at: Bellevue
Comm. Expires: 1997

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: A37-00833P
Date Received: 10/20/1988
Receipt No: C002988
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY D. MC KENZIE 208-788-4835
Address: BOX 805
HAILEY, ID 83333

OR

Name: NORA MC KENZIE 208-788-4835
Address: BOX 805
HAILEY, ID 83333

2. Date of Priority: NOV 12, 1936

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	16	SE	SW	NE		BLAINE

5. Description of diverting works:
DIVERSION IN RIVER W/HEADGATE TO COVE CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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:
DOMESTIC FOR ONE HOUSEHOLD, STOCKWATER FOR UP TO 6 HEAD/MIXED.

A37-00833P

Page 1

Date: 10/20/88

MICROFILMED

MAR U 1 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	18E	25	SW		SE		IRR	2.0
			SW		SE		STOCK	
			SW		SE		DOMEST	

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:
CITY WATER FOR IN-HOUSE USE.

14. Remarks:
THIS CLAIM IS FOR A PORTION OF 37-0833 AS EVIDENCED BY ATTACHED COPY OF WARRANTY DEED AND WATERMASTER'S AFFADAVIT.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
MAR 01 1993

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: 2

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): Larry D. McKenzie Date: Oct 20 - 1988

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of October 19 88

Dena Bellup
Notary Public

Seal

Residing at _____
Dena Bellup, Notary Public
Residing at Caldwell, Idaho
My Commission Expires March 21, 1992
My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37M

P.O. Box T

Shoshone, Idaho 83352

886-204k 2451



REID J. NEWBY
Watermaster

A F F I D A V I T

TO WHOM IT MAY CONCERN:

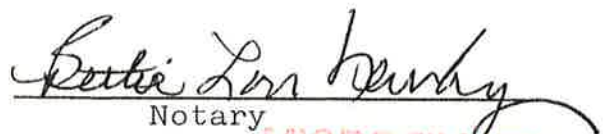
The Watermaster's records in Shoshone, Idaho show that of the Rockwell By-Pass saved water we have delivered to the Cove 33 diversion located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, Township 2 North, Range 18 EBM since prior to 1959 - 20 inches which we show going to the Bellevue Cemetery, and 15 inches which we show belonged to W.R. Watts from 1965 to 1978, at which time we show the 15 inches of water belonging as follows:

4 inches to Ed Van Every
4 inches to Larry McKenzie
4 inches to Mick Halverson
3 inches to Allen Dixon


Reid J. Newby, Watermaster

Subscribed and sworn before me this 26th day of

June, 1981.


Notary
Commission expires LIFE

MAR 01 1993

1880 to 1881 Water Rig

THIS BLANK FURNISHED BY TITLEWEST

WARRANTY DEED

For Value Received

WOODROW WATTS and ANNA LEE WATTS,
husband and wife,

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

LARRY D. MCKENZIE and NORA J. MCKENZIE
P. O. Box
Bellevue, Idaho 83313

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

Four miner inches of the waters of Bigwood River, being four miners inches of water taken from that certain water right of 4.65 cubic feet per second of time or 232.50 miners inches of the waters of the Bigwood River, decreed to Irvin E. Rockwell, as described in the Findings of Fact and Conclusions of Law and the Decree made and entered on the 25th day of August, 1949, in an action in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Blaine, wherein the said Irvin E. Rockwell was plaintiff and Hans H. Coffin, Watermaster, was defendant, which said Findings of Fact and Conclusions of Law were recorded in the office of the County Recorder of the County of Blaine, State of Idaho, on the 13th day of September, 1949, in Book 12 of Judgments, at Page 111, and which said Decree was recorded in the office of the County Recorder of the County of Blaine, State of Idaho, on the 13th day of September, 1949, in Book 12 of Judgments, at Page 115, all subject to the obligations to maintain the by-pass as in said Findings of Fact, Conclusions of Law and Decree prescribed and provided. (The By-pass herein referred to is the Rockwell By-Pass Canal.)

For use by the Grantees on Lots 10, 11, and 12 in Block 72 of the city of Bellevue, Idaho, otherwise described as a parcel of land between said lots and Canal No. 33.

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:

Woodrow Watts
WOODROW WATTS

Anna Lee Watts
ANNA LEE WATTS

STATE OF IDAHO, COUNTY OF BLAINE

On this 8 day of March, 1977,
before me, a notary public in and for said State, personally appeared

Woodrow Watts and
Anna Lee Watts, husband and
wife

known to me to be the persons whose names
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Stephen W. Bollen
Notary Public
Residing at Hailey, Idaho.

STATE OF IDAHO, COUNTY OF BLAINE

I hereby certify that this instrument was filed for record
at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____

Fees \$ _____

Mall to: _____

Deputy.

Instrument No.

MICROFILMED

MAR 01 1993

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

FIRST CLASS



UNITED STATES POSTAGE
EFTVY BOWES
02 1A
0004389393
\$ 00.87⁰
MAR 08 2007
MAILED FROM ZIP CODE 83702

Return to
Post Office
Box 83720
Boise, ID 83720-0098

☐ Not Deliverable As Addressed
☐ Unable To Forward
☐ Insufficient Address
☐ Moved, Left No Address
☐ Unclaimed
☐ Refused
☐ Addressed - Not Known
☐ No Such Street
☐ Number
☐ Vacant
☐ Illegible
☐ No Mail Receptacle
☐ Box Closed - No Order
☐ Returned For Better Address
☐ Postage Due

RECEIVED
MAR 19 2007
DEPARTMENT OF
WATER RESOURCES

37-833P
37-11540
37-8760

FOE
09002
3-12-07
th

SUN VALLEY TRUST
C/O STEVE CAMPEAS CPA
760 N LA CIENEGA BLVD
LOS ANGELES CA 90069-5231

01/09/2007

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

RIGHT NUMBER: 37-833P

NAME AND ADDRESS: SUN VALLEY TRUST
C/O STEVE CAMPEAS CPA
760 N LA CIENEGA BLVD
LOS ANGELES CA 90069-5231

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS

This right mitigates for the depletion of water resulting from the diversion and use of water under Right 37-8760. To prevent injury to other water right holders, the right holder shall cease diverting and using 0.08 cfs of this right, which shall remain undiverted in the Big Wood River.

If the mitigation portion of this right is used for any purpose other than conveyance loss, then water shall not be diverted under Right 37-8760. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Right 37-8760 shall cease.

PRIORITY DATE: 11/12/1936

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved water in the Rockwell By-Pass, as established by and subject to the provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.

POINT OF DIVERSION:

T02N R18E S16 SESWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.080 CFS
Mitigation use is for water left in the Big Wood River undiverted to allow diversion and use of right 37-8760 diverted from ground water.		

PLACE OF USE:

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.

The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Rockwell By-Pass owners must maintain the by-pass for the entire length of the by-pass capable of carrying 17.36 cfs of water during the irrigation season.

01/08/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-833P V1

WATER RIGHT NUMBER: 37-833P V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LARRY D MC KENZIE PO BOX 805 HAILEY, ID 83333 (208)788-4835
Current Owner	SUN VALLEY TRUST C/O STEVE CAMPEAS CPA 760 N LA CIENEGA BLVD LOS ANGELES, CA 90069-5231 (310)652-0222
Previous Owner	JAMES K FIGGE 8015 VIZCAYA WAY NAPLES, FL 33963 (319)383-3300
Attorney	~~JAMES P SPECK SPECK & AARNESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421~~
Original Owner	NORA MC KENZIE PO BOX 805 HAILEY, ID 83333 (208)788-4835
Previous Owner	SANDRA D FIGGE 8015 VIZCAYA WAY NAPLES, FL 33963 (319)383-3300

→ Simon

Priority Date: 11/12/1936

Basis: Decreed

Status: Active

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Mitigation

Beneficial Use

IRRIGATION

From To

04/01 to 11/01

Diversion Rate

0.080 CFS

Annual VolumeTotal Diversion:

0.080 CFS

Location of Point(s) of DiversionBIG WOOD RIVER
BLAINE County

SE1/4SW1/4NE1/4

Sec. 16, Twp 02N, Rge 18E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
NE	NW	SW	SE	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-833P V1

05N 17E 10	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
								4.0									4.0

Total Acres: 4

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. TRANS. 2588.
 SAVED & DEVELOPED RT. INDEPENDENT OF PRIORITY WHEN ROCKWELL BYPASS IS CAPABLE OF CARRYING 17.36 CFS.
 P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
 DECREEED FROM BIG WOOD R. BUT PRESENTLY ALSO DIVERTED FROM EAST FORK BIG WOOD R. & FROM WARM SPRINGS CR.
 RT. WAS DECREEED TO ABOVE LANDS BUT IS NO LONGER USED THERE.
 PARTS OF 37-0833 WERE LEGALLY TRANSFERRED FROM UNKNOWN PARTS OF ABOVE LANDS.
 REMAINDER OF RT. (37-0833J) WAS REMOVED FROM ABOVE LANDS BY UNRECORDED TRANSFERS TO UNKNOWN LANDS.
 P/U INCOMPLETE; SEE FINDINGS.
4. This claim is for a portion of 37-833 as evidenced by attached copy of warranty deed and watermaster's affidavit.
5. Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved water in the Rockwell By-Pass, as established by and subject to the provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.
6. Rockwell By-Pass owners must maintain the by-pass for the entire length of the by-pass capable of carrying 17.36 cfs of water during the irrigation season.
7. The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered.
8. Water must be diverted through the Rockwell By-Pass in association with delivery of valid priority water rights.

Remarks:Comments:

1. eretelle 9/29/2006 WR 37-833 N (part)

Comment: This recommendation corresponds to 0.08 cfs of WR 37-833 N (0.58 cfs total)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-833P V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	9/29/2006 2:56:24 PM	eretelle			Active
Priority Date	9/29/2006 2:59:54 PM	eretelle			Active
POD	9/29/2006 3:00:10 PM	eretelle			Active
POD	9/29/2006 3:51:37 PM	eretelle			Active
POD	9/29/2006 3:55:33 PM	eretelle			Active
Source	9/29/2006 3:55:47 PM	eretelle			Active
POU	9/29/2006 3:58:16 PM	eretelle			Active
Use	9/29/2006 4:06:39 PM	eretelle			Active
Season	9/29/2006 4:08:55 PM	eretelle			Active
Quantity	9/29/2006 4:09:47 PM	eretelle			Active
Summary			09/29/2006	eretelle	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
General	9/29/2006 2:59:54 PM	eretelle	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-833P V1

POD	9/29/2006 3:00:10 PM	eretelle	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	9/29/2006 3:11:55 PM	eretelle	Updated shape from PLS
Source	9/29/2006 3:55:48 PM	eretelle	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	9/29/2006 4:05:23 PM	eretelle	Updated shape for Active POU
Use	9/29/2006 4:06:39 PM	eretelle	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	9/29/2006 3:55:34 PM	eretelle	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Watermaster delivery list - Rockwell By-Pass
Season	9/29/2006 4:08:56 PM	eretelle	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
Contacts	9/29/2006 2:56:24 PM	eretelle	(No) 1. Do you want to schedule an appointment? Comment for 1: Transfer 3932 and WM delivery list

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-833P V1

POU	9/29/2006 3:58:16 PM	eretelle	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - Watermaster list, taxlot information in ArcView. Description for Question 13 - Watermaster list, taxlot information in ArcView.
Quantity	9/29/2006 4:09:47 PM	eretelle	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Watermaster list says 0.08 is being delivered.
POD	9/29/2006 3:51:38 PM	eretelle	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Watermaster delivery list - Rockwell By-Pass

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-833P V1

Summary 9/29/2006 4:44:17 PM eretelle

(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
(No) 5. Does this right have any combined use limits with other rights?
(No) 6. Is an additional remark and/or condition required?
(No) 7. Would you like to view the recommended right?
(Yes) 8. Is this a split or combined right?
(No) 9. Do you have documents you would like to attach or link to the file?
(Yes) 10. Would you like to set the verification date?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-8760 V1

WATER RIGHT NUMBER: 37-8760 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JAMES K FIGGE JR PO BOX 1876 KETCHUM, ID 83340 (208)726-4078
Trustee	LILY REEVES C/O STEVE CAMPEAS 760 N LA CIENEGA BLVD LOS ANGELES, CA 90069-5231 (310)652-0222
Current Owner	SUN VALLEY TRUST C/O STEVE CAMPEAS CPA 760 N LA CIENEGA BLVD LOS ANGELES, CA 90069-5231 (310)652-0222
Attorney	EDWARD SIMON 500 S MAIN STE 205 PO BOX 540 KETCHUM, ID 83340 (208)726-2200
Original Owner	BARBARA B FIGGE PO BOX 1876 KETCHUM, ID 83340 (208)726-4078

Priority Date: 10/06/1991

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/15	0.120 CFS	14.00 AF
	<u>Total Diversion:</u>	0.120 CFS	14.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 10, Twp 05N, Rge 17E, 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	
05N	17E	10								4.0									4.0

Total Acres: 4

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-8760 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: AND
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-8760 V1

Conditions of Approval:

1. Diversion of groundwater authorized by this right shall be administered by the watermaster of Water District No. 37, Big Wood River.
2. The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department as a part of the diverting works.
3. Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works until the next upcoming year.
4. For purposes of regulating groundwater in conjunction with flows of the Big Wood River, water may be diverted pursuant to this right if right no. 37-00833 is deliverable because the Rockwell Bypass is operating.
5. Water must be applied to the land by an efficient method that conserves the quantity of water delivered.
6. The Director retains jurisdiction over this right to adjust the mitigation and to require the collection and reporting of pumpage and use data.
7. This water right is used in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.
8. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
9. 10/07/99, CHANGED OWNERSHIP: FIGGE JR TO SUN VALLEY TRUST AS PER FORM 1409 AND WARRANTY DEED REC'D 3/19/99. C.T.
| CORRECTED DATA ENTRY BY DELETING SPECK AS 'O' ATTORNEY FOR FORMER OWNER.
***** 2/22/00, AS PER CHANGE IN ATTORNEY FORM 1409, ADDED EDWARD SIMON AS ATTORNEY. C.T.
10. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
11. A flow rate of 0.08 cfs authorized by right no. 37-00833 (SRBA Claim A37-00833P) must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of groundwater authorized by this right.

Remarks:

Comments:

09/29/2006

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

RIGHT NUMBER: 37-833P

NAME AND ADDRESS: SUN VALLEY TRUST
C/O STEVE CAMPEAS CPA
760 N LA CIENEGA BLVD
LOS ANGELES CA 90069-5231

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 11/12/1936

POINT OF DIVERSION:

T02N R18E S16 SESWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.080 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T05N R17E S10 SENW 4.00

4 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

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

TRANS. 2588.

SAVED & DEVELOPED RT. INDEPENDENT OF PRIORITY WHEN ROCKWELL BYPASS IS CAPABLE OF CARRYING 17.36 CFS.

P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER. DECREE FROM BIG WOOD R. BUT PRESENTLY ALSO DIVERTED FROM EAST FORK BIG WOOD R. & FROM WARM SPRINGS CR.

RT. WAS DECREEED TO ABOVE LANDS BUT IS NO LONGER USED THERE.

PARTS OF 37-0833 WERE LEGALLY TRANSFERRED FROM UNKNOWN PARTS OF ABOVE LANDS.

REMAINDER OF RT. (37-0833J) WAS REMOVED FROM ABOVE LANDS BY UNRECORDED TRANSFERS TO UNKNOWN LANDS.

P/U INCOMPLETE; SEE FINDINGS.

THIS CLAIM IS FOR A PORTION OF 37-00833 AS EVIDENCED BY ATTACHED COPY OF WARRANTY DEED AND WATERMASTER'S AFFADAVIT.



Idaho Department of Water Resources

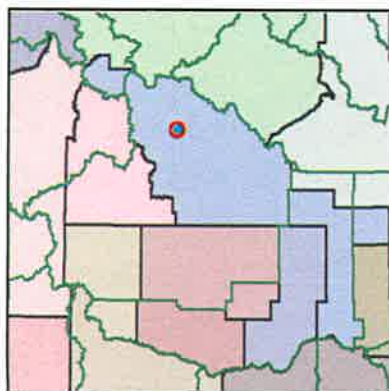
SRBA Recommendation:

37-833P

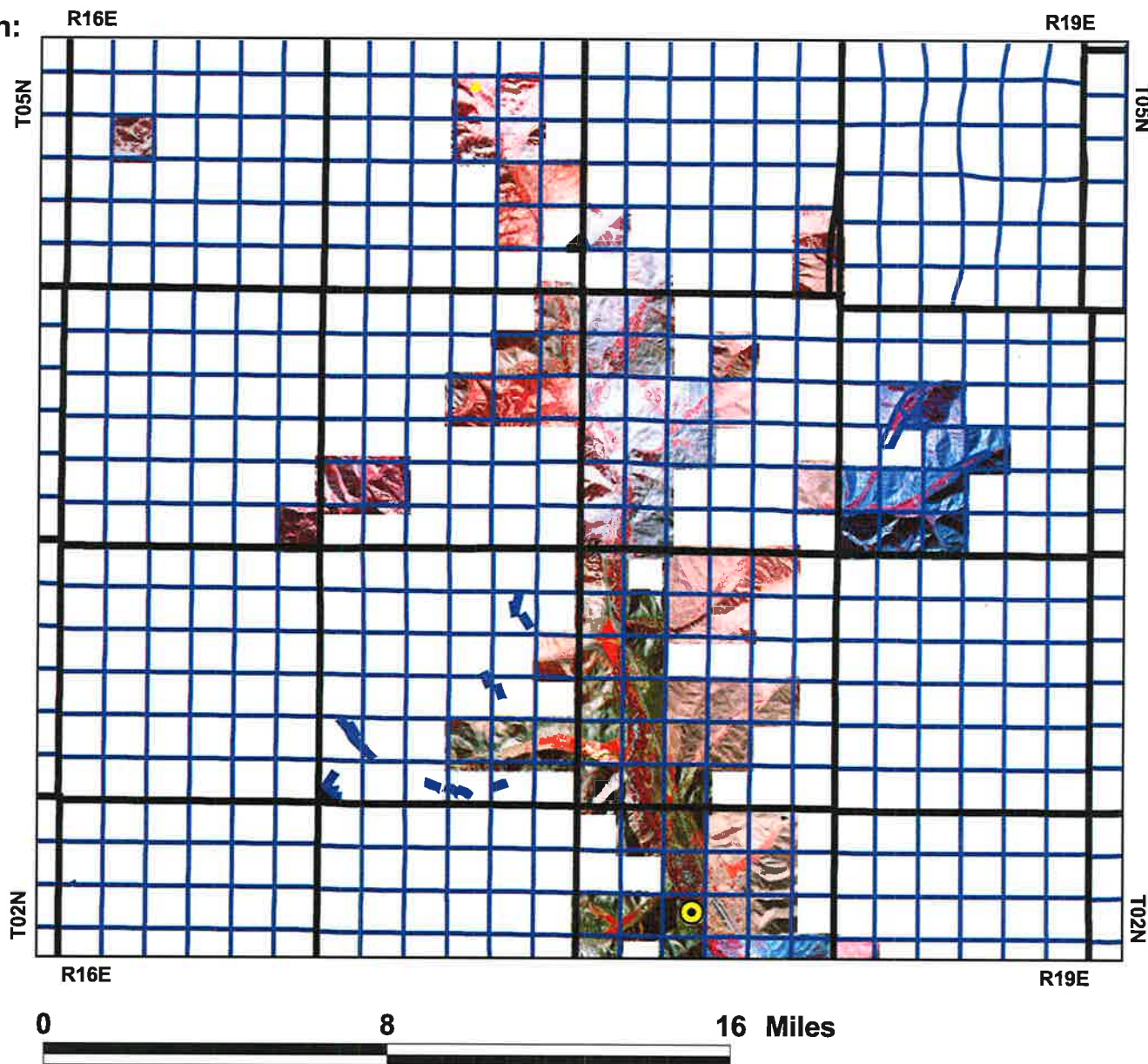
(Irrigation)

Legend

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

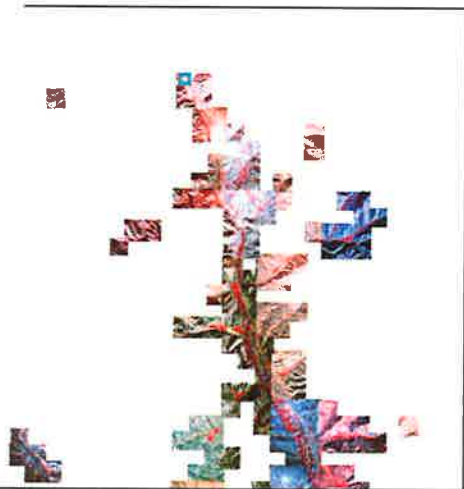
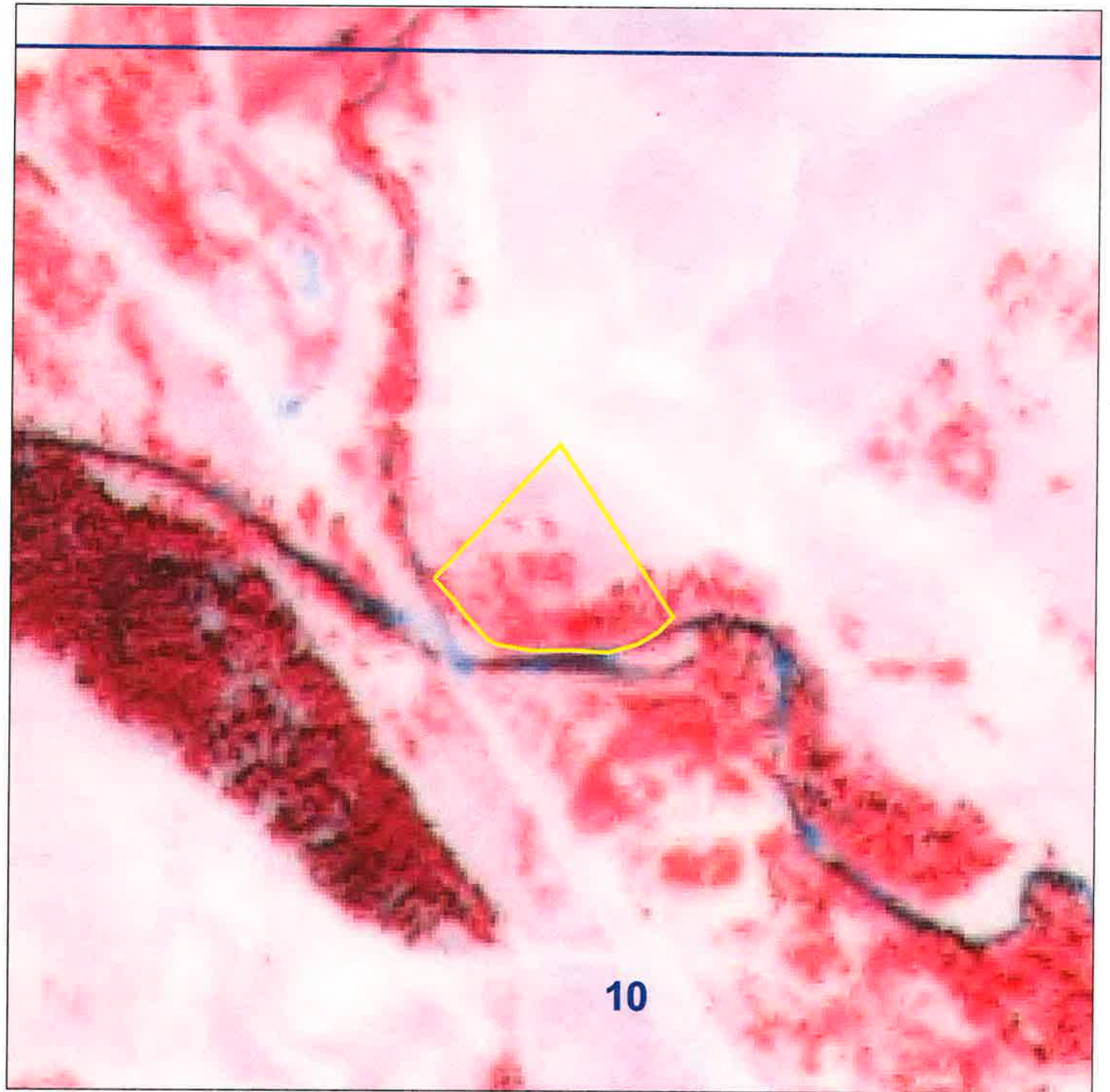


Blaine County
IDWR Basin 37



Prepared by E. NORQUES
On Tuesday, October 3, 2006
1987/88 Aerial Photography

37-833P





Idaho Department of Water Resources

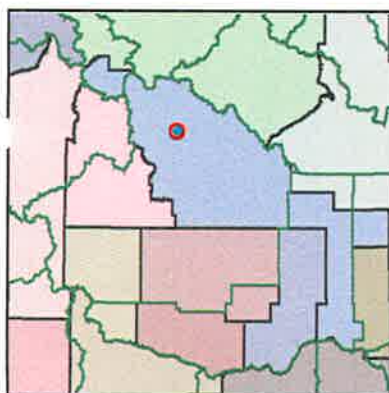
SRBA Recommendation:

37-833P

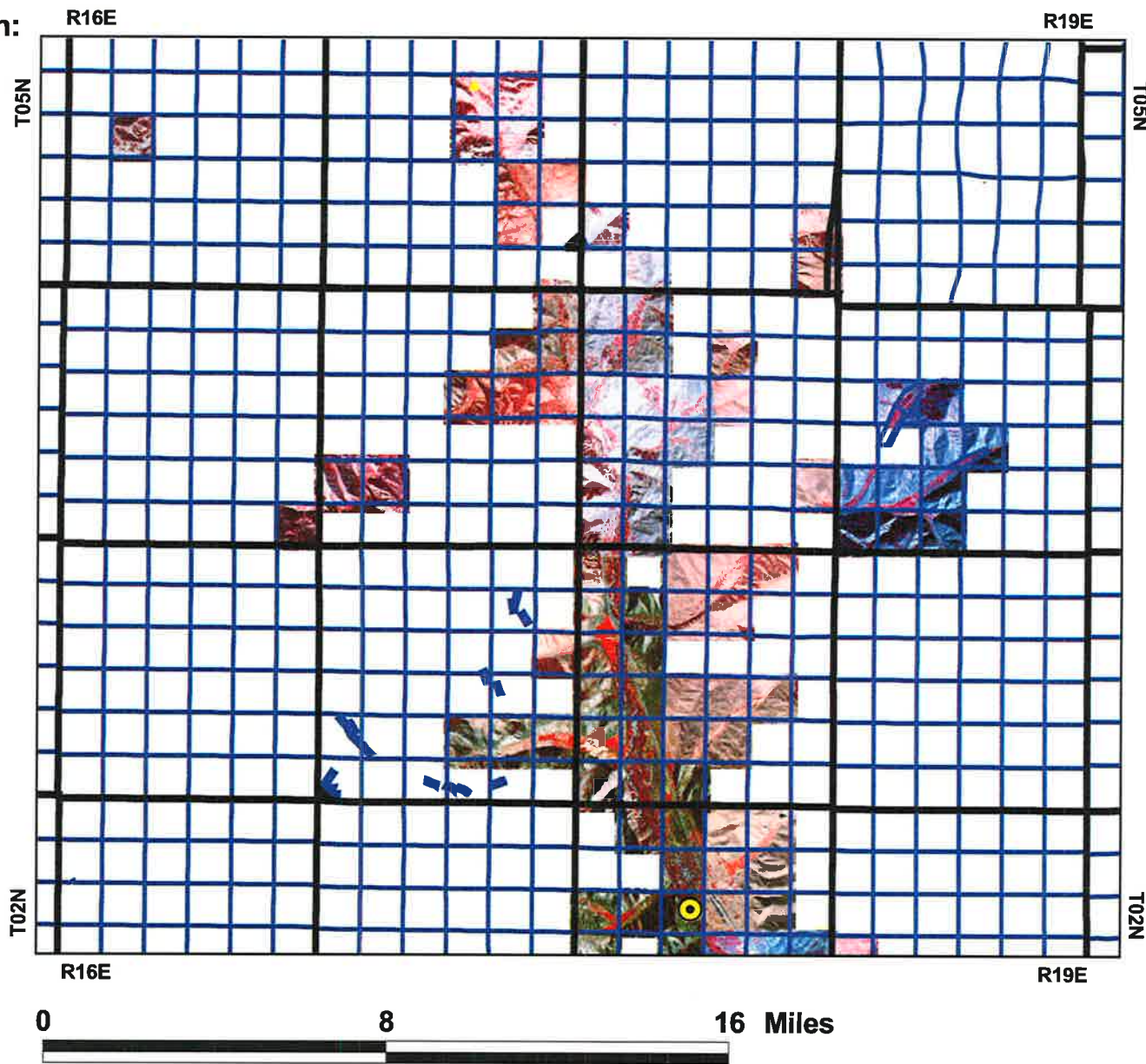
(Irrigation)

Legend

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

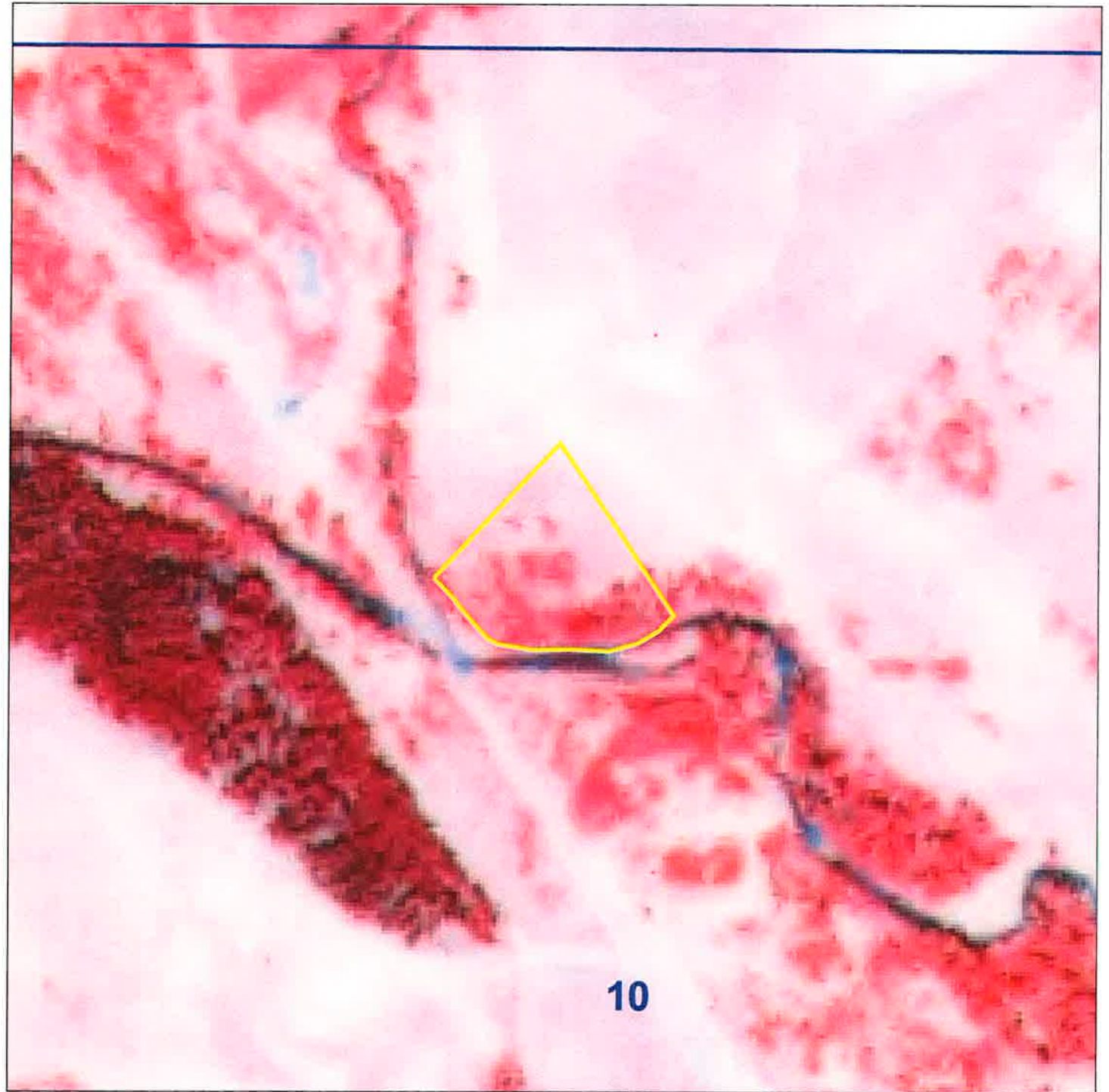


Blaine County
IDWR Basin 37



Prepared by E. NORQUES
On Tuesday, October 3, 2006
1987/88 Aerial Photography

37-833P





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

February 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EDWARD SIMON
ATTORNEY AT LAW
500 S MAIN SUITE 205
KETCHUM ID 83340

RE: Sun Valley Trust

Dear Mr. Simon:

I have received your letter and form 42-1409(a) and have updated our records accordingly, by placing your name as the attorney of record for Sun Valley Trust claims A37-08760 and A37-00833P.

Thank you,

Cheryl E. Timm
SRBA Records

CT:ct

Water Right Number - A37-00833P

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** A - ATTORNEY ***
SIMON

EDWARD

1 - 500 S MAIN SUITE 205
2 - PO BOX 540
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-726-2200

*** C - CURRENT OWNER ***
SUN VALLEY TRUST

1 - ATTN: EDWARD M KESSLER CPA
2 -
3 - 760 N LA CIENEGA BLVD
City- LOS ANGELES State- CA Zip- 900695231
Phone - 310-652-0222

*** O - ORIGINAL OWNER ***
FIGGE

BARBARA B

1 - PO BOX 1876
2 -
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-726-4078

FIGGE JR

JAMES K

1 - PO BOX 1876
2 -
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-726-4078

*** T - TRUSTEE ***
REEVES

LILY

1 - ATTN: EDWARD M KESSLER CPA
2 -
3 - 760 N LA CIENEGA BLVD
City- LOS ANGELES State- CA Zip- 900695231
Phone - 310-652-0222

+ - - Priority Date - - +
11/12/1936

+ - - - Region - - - +
ERROR IN REGION

+ - - - Stage - - - + + - - - Status - - - +
D - DECREED

+ - - - - Source - - - - - +
BIG WOOD RIVER

+ - - - - - Tributary - - - - - +
MALAD RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

02N 18E 16 SE SW NE (13) BLAINE COVE CANAL

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

01 - IRRIGATION 04/15 10/15 0.080

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.080 0.0

Prefix Translation: ADJUDICATION CLAIM

Total Acres: 4.0

+ - - Other Rights for Same Use - 37-08760

GEN THIS CLAIM IS FOR A PORTION OF 37-0833 AS EVIDENCED BY ATTACHED
COPY OF WARRANTY DEED AND WATERMASTER'S AFFADAVIT.

OWNERSHIP CHANGE MADE 6/23/95 BY TLB. MC KENZIE-FORMER OWNER,
FIGGE-NEW OWNER. WARRANTY DEED INCLUDED.
|
THIS WATER RIGHT IS PART OF AN EXCHANGE ALLOWING THE DIVERSION OF
GROUNDWATER AT THE POINT OF REDIVERSION TO IRRIGATE THE PLACE OF
USE PURSUANT TO 37-08760. A COPY OF THE WATER RIGHT LICENSE FOR
37-08760 IS ATTACHED AS EXHIBIT A AND REFERENCE IS MADE TO ALL OF
THE CONDITIONS OF APPROVAL AND REMARKS. THE ENTIRE FLOW OF THIS
RIGHT MUST REMAIN IN THE BIG WOOD RIVER AT THE POINT OF DIVERSION
DURING THE IRRIGATION SEASON OF USE TO COMPENSATE FOR DEPLETION
CAUSED BY DIVERSION OF GROUNDWATER PURSUANT TO 37-08760.
POINT OF REDIVERSION: T5N, R 17E, S10, SENW.

10/07/99, CHANGED OWNERSHIP: FIGGE JR TO SUN VALLEY TRUST AS PER
FORM 1409 AND WARRANTY DEED REC'D3/16/99. C.T.
|
CORRECTED DATA ENTRY BY DELETING SPECK AS 'O' ATTORNEY FOR FORMER
OWNER.

2/22/00, AS PER CHANGE IN ATTORNEY FORM REC'D 2/22/00, C.T.

+ - - - Decree Plaintiff + - - - Decree Defendant + - Decree Date - +
00/00/0000

Prefix Translation: ADJUDICATION CLAIM

+ + + + + - - - - -

- Comments -

No Comments Found

+ - - Audit Fields - - +
02/22/00 CTIMM

+ - - - - - + - - - - - - - - - - - - - - - Adjudication Rights Dates and Flags Area - - - - - - - - - - - - - - - +

| | | | | | | | | |
|----------------------|---|------------|-----------------------|---|------------|-------------------------|---|-------|
| Court Report Filing | - | 00/00/0000 | Field Inspection Made | - | 00/00/0000 | Civil Case Number | - | 39576 |
| Objection Filed Date | - | 00/00/0000 | Field Inspection Flag | - | | Old Case Number | - | |
| Response Filed Date | - | 00/00/0000 | Verified Date | - | 00/00/0000 | Old Judicial District | - | |
| Claim Received Date | - | 10/20/1988 | Last Amended Date | - | 11/12/1998 | Temporary Right | - | P |
| | | | Receipt Number | - | C002988 | Water District | - | |
| | | | POU Ownership Flag | - | Y | Federal/State Indicator | - | S |
| | | | Name Connector | - | AND/OR | Presumption Flag | - | |
| | | | | | | Notice of Error Flag | - | |

37-00833P

EDWARD SIMON
ATTORNEY AT LAW
THE DEVIL'S BEDSTEAD BUILDING
500 S. MAIN
SUITE 205
P.O. Box 540
KETCHUM, IDAHO 83340

TELEPHONE: (208) 726-2200

RECEIVED
FEB 22 2000
Department of Water Resources
Southern Idaho

FACSIMILE: (208) 726-7313
e-mail: edsimon@micron.net

February 17, 2000

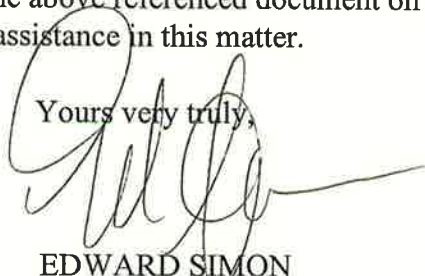
Cheryl E. Timm
SRBA Records Clerk
Dept. of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Claimant Acknowledgment of Change of Attorney

Dear Ms. Timm:

Please find enclosed the above referenced document on behalf of the Sun Valley Trust for filing. Thank you for your assistance in this matter.

Yours very truly,



EDWARD SIMON

ES:hd
Enclosure
cc: Client

RECEIVED
FEB 22 2000
Department of Water Resources
Bozeman, Mont.

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

Name(s) of Claimant (please print):

SUN VALLEY TRUST

I/we acknowledge (check one):

☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

☒ I/we are now represented by the attorney at the address below.

EDWARD SIMON

P.O. BOX 540

WECHUM ID 83340

Attorney's Phone 726-2200

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

SEE ATTACHED

For Individuals:

Authorized signature(s) Date _____

For Organizations:

I am trustee of Sun Valley Trust, and I

Title

Organization

have signed the foregoing document in the space below as
trustee of Sun Valley Trust

Title

Organization

Signature of Authorized Agent Lily Reenes

Title trustee

Date 2/1/00

Organization Sun Valley Trust

IDWR Use:

Date Received _____

Data Entry _____



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

January 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SUN VALLEY TRUST
ATTN: EDWARD M KESSLER CPA
760 N LA CIENEGA BLVD
LOS ANGELES CA 90069-5231

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A37-08760,
A37-00833P

Dear Claimant(s):

Pursuant to the change in ownership request that has been submitted to the department, we have changed the record of current ownership of the above referenced claim(s) to you. Research indicated that claim A37-00833P should be included in this ownership change. Please find the enclosed copies of the computer record of the claims, noting the change in claimant. Review these records and if there is an error, or if you have any questions, please contact this office.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

Enclosure

CT:ct



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

January 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EDWARD SIMON
ATTORNEY AT LAW
THE DEVIL'S BEDSTEAD BLDG
500 S MAIN SUITE 205
PO BOX 540
KETCHUM ID 83340

RE: OWNERSHIP CHANGE JAMES FIGGE TO SUN VALLEY TRUST,
SRBA WATER RIGHTS CLAIMS 37-08760 & 37-00833P

Dear Mr. Simon:

Pursuant to the change in ownership request that has been submitted to the department, we have changed the record of current ownership of the above referenced claim(s) to Sun Valley Trust. The original ownership change form was form 37-08760 only. On further research, it became apparent that 37-00833P should be changed also.

I have enclosed computer printouts of the ownership change and a form 42-1409(a) for your use. Because you telephoned and wrote about this owner change I am sending the form on the assumption that you are or will be the attorney of record for the new owners. If not, you may want the form in the future.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

Enclosure

CT: ct

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/28/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-00833P

LAST: MC KENZIE
ADDRESS: BOX 805
CITY: HAILEY
PHONE NUMBER: 208-788-4835

FIRST: LARRY D.
STATE: ID ZIP: 83333

OWNER CODE: C

LAST: MC KENZIE
ADDRESS: BOX 805
CITY: HAILEY
PHONE NUMBER: 208-788-4835

FIRST: NORA
STATE: ID ZIP: 83333

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS CLAIM IS FOR A PORTION OF 37-0833 AS EVIDENCED BY ATTACHED
COPY OF WARRANTY DEED AND WATERMASTER'S AFFADAVIT.

MICROFILMED
OCT 26 1994

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
OCT 26 1994

A. AJ CLAIM: # A37-00833P PRIORITY DATE: 11-12-1936 STAGE: D

B. WR RECORD: # 37-00833 PRIORITY DATE: - - STAGE:

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD
EXAMINER |
|---|----------|-------------------|
| DUE TO PRIORITY DATE DISCREPANCY? (Y/N) | Y | |

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:

REVIEWED BY

DATE

MICROFILMED
OCT 26 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|------------|------|------|------|-----|-----|-----|-----|--------|
| A37-00833P | 02N | 18E | 16 | SE | SW | NE | | BLAINE |

OTHER AJ CLAIMS WITH SAME AJ POD

| A PREFIX | R PREFIX |
|-------------|------------|
| A37-00577BP | R37-00577A |
| A37-00113F | - |
| A37-11858 | - |
| A37-00481D | - |
| A37-00482J | - |
| A37-00483D | - |
| A37-00158A | - |
| A37-00577A | - |
| A37-00113G | - |
| - | - |
| - | - |
| - | - |
| - | - |
| - | - |
| - | - |
| - | - |
| - | - |

WR RECORDS IN SAME 40 ACRE TRACT

37-00577BQ
37-00113D
37-00113F
37-00155
37-00158B
37-00481
37-00482A
37-00483
37-00577AT
37-00577BF
37-00577BH
37-00577BJ
37-00577BK
37-00705
37-00707
37-00833J
37-00363H
37-00364H

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

OTHER WR RECORDS WITH SAME WR POD

NONE

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX

R PREFIX

NONE

NONE

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

FIELD
EXAMINER

MICROFILMED
OCT 26 1994

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|-----|--------|
|------|------|------|-----|-----|-----|-----|--------|

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| — | — | — | — | — | — | — | — |
| — | — | — | — | — | — | — | — |

SOURCE:

TRIB:

REVIEWED BY:

DATE:

MICROFILMED
OCT 26 1994

A. ROOT WATER RIGHT NUMBERS:

| |
|------------|
| A37-00833H |
| A37-00833K |
| A37-00833L |
| A37-00833M |
| A37-00833N |
| A37-00833D |
| A37-00833P |
| A37-00833F |
| A37-00833B |
| A37-00833O |
| R37-00833P |

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|----------------------|------------------|---------------|-----------------|----------------|------------------|
| 02N | 18E | 25 | SW | SE | | MC KENZIE , LARRY D. | A37-00833P / 2.0 | - / | | | |
| | | | | | | MC KENZIE , LARRY D. | R37-00833P / 2.0 | - / | | | |
| | | | | | | GRIFFITH , RUBEN G. | | 37-00418C / | | 0.3 | |
| | | | | | | MYERS , KEITH | | 37-00886H / | | 4.6 | |
| | | | | | | ROARK , MRS. THOMAS | | 37-00113F / | | | |
| | | | | | | WATTS , W. R. | | 37-00158B / | | | |
| 02N | 18E | 25 | SW | SE | | MC KENZIE , LARRY D. | A37-00833P / | - / | | | |
| | | | | | | MC KENZIE , LARRY D. | R37-00833P / 2.0 | - / | | | |
| | | | | | | GRIFFITH , RUBEN G. | | 37-00418C / | | 0.3 | |
| | | | | | | MYERS , KEITH | | 37-00886H / | | 4.6 | |
| | | | | | | ROARK , MRS. THOMAS | | 37-00113F / | | | |
| | | | | | | WATTS , W. R. | | 37-00158B / | | | |
| 02N | 18E | 25 | SW | SE | | MC KENZIE , LARRY D. | A37-00833P / | - / | | | |
| | | | | | | MC KENZIE , LARRY D. | R37-00833P / 2.0 | - / | | | |
| | | | | | | GRIFFITH , RUBEN G. | | 37-00418C / | | 0.3 | |
| | | | | | | MYERS , KEITH | | 37-00886H / | | 4.6 | |
| | | | | | | ROARK , MRS. THOMAS | | 37-00113F / | | | |
| | | | | | | WATTS , W. R. | | 37-00158B / | | | |
| TOTAL ACRES | | | | | | | A37-00833P | 2.00 | | | |

MICROFILMED
OCT 26 1994

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

MICROFILMED
OCT 26 1994

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A37-00833P IRRIGATION | FROM 04-01 TO 11-01 | .040 CFS |
| A37-00833P STOCKWATER | FROM 01-01 TO 12-31 | .020 CFS |
| A37-00833P DOMESTIC | FROM 01-01 TO 12-31 | .040 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | .080 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|-----------|--------------------|
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | |

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|--|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N) | Y | _____ |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | Y | _____ |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y | _____ |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() Explain in remarks, below.

REMARKS:

MICROFILMED
OCT 26 1994

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.080 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: CITY WATER FOR IN-HOUSE USE.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|----------------|----------------------|-----------|----------------|-----------|----------------|
| A37-00833P | BIG WOOD RIVER | MC KENZIE , LARRY D. | 0.080 | 0.040 | | |
| R37-00833P | BIG WOOD RIVER | MC KENZIE , LARRY D. | 0.080 | 0.040 | | |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|------------|------------|----------------------|---------------------|----------|--------|
| A37-00833P | STOCKWATER | MC KENZIE , LARRY D. | FROM 01-01 TO 12-31 | .020 CFS | |
| A37-00833P | DOMESTIC | MC KENZIE , LARRY D. | FROM 01-01 TO 12-31 | .040 CFS | |
| R37-00833P | STOCKWATER | MC KENZIE , LARRY D. | FROM 01-01 TO 12-31 | .020 CFS | |
| R37-00833P | DOMESTIC | MC KENZIE , LARRY D. | FROM 01-01 TO 12-31 | .040 CFS | |

MICROFILMED
OCT 26 1994

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(____) N(____)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(____) N(____) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 5.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

MICROFILMED
OCT 26 1994

=====

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

DATABASE EXAMINER

DATABASE EXAMINER

DATABASE EXAMINER

TOTAL FOR THIS RIGHT

REVIEWED BY: _____

DATE: _____

=====

MICROFILMED
OCT 26 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

| | ACCEPTED
AS CLAIMED | NEEDS
REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____ | () | () |
| FORFEIT/ABANDON _____ | () | () |
| ADDITIONAL DIV. AMOUNT _____ | () | () |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-00833

| TOTAL DIVERSION RATE OF WR SPLITS | DATABASE
4.650 | EXAMINER
_____ | CFS |
|-----------------------------------|-------------------|-------------------|-----|
|-----------------------------------|-------------------|-------------------|-----|

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A37-00833H | 0.540 | - | | 37-00833H | 0.540 |
| - | A37-00833K | 0.750 | - | | 37-00833K | 0.750 |
| - | A37-00833L | 0.333 | - | | - | |
| - | A37-00833M | 0.333 | - | | - | |
| - | A37-00833N | 0.333 | - | | - | |
| - | A37-00833D | 0.200 | - | | 37-00833D | 0.200 |
| - | A37-00833P | 0.080 | R37-00833P | 0.080 | - | |
| - | A37-00833F | 1.300 | - | | 37-00833F | 1.300 |
| - | A37-00833B | 1.660 | - | | 37-00833B | |
| - | A37-00833O | 0.200 | - | | - | |
| A37-00833 | R37-00833P | 0.080 | R37-00833P | 0.080 | 37-00833 | |
| - | - | | - | | 37-00833A | |
| - | - | | - | | 37-00833C | |
| - | - | | - | | 37-00833E | 0.200 |
| - | - | | - | | 37-00833G | |
| - | - | | - | | 37-00833J | 1.660 |
| TOTAL CFS | | 5.809 | | 0.160 | | 4.650 |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

| DATABASE | FIELD
EXAMINER |
|----------|-------------------|
| N | _____ |

REMARKS:

MICROFILMED
OCT 26 1994

MICROFILMED
OCT 26 1994

=====

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

=====

MICROFILMED
OCT 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/28/90

PAGE: 14
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-00833P

| WR ELEMENT | FIELD EXAM
Y/N | CORRESPONDENCE
SENT/RECEIVED
BY WHOM/DATE | FIELD EXAM
BY WHOM/DATE | CHANGE
CLAIM
Y/N | VERIFIED BY
CODE | COMPLETED
REVIEW
WHOM/DATE | COMPLETED
DATA ENTRY
WHOM/DATE | VERIFIED
DATE
WHOM/DATE |
|---------------------------|-------------------|---|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE | Y | | | | | | | |
| POINT OF DIV | Y | | | | | | | |
| SOURCE | Y | | | | | | | |
| PLACE OF USE | | | | | | | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | | | | | | |
| CONSUMPTIVE USE | | | | | | | | |
| PURPOSES | Y | | | | | | | |
| PERIOD OF USE | Y | | | | | | | |
| BASIS OF CLAIM | Y | | | | | | | |
| REMARKS | Y | | | | | | | |

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED
OCT 26 1994

Water Right Number - R37-00833P

Prefix Translation: RESEARCH

Old (D) Number -

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

*** A - ATTORNEY ***

SPECK

JAMES P

1 - HOGUE, SPECK, & AANESTAD

2 -

3 - PO BOX 987

City- KETCHUM

Phone - 208-726-4421

State- ID Zip- 83340

*** C - CURRENT OWNER ***

FIGGE

JAMES K

1 - 8015 VIZCAYA WAY

2 -

3 -

City- NAPLES

Phone - 319-383-3300

State- FL Zip- 33963

FIGGE

SANDRA D

1 - 8015 VIZCAYA WAY

2 -

3 -

City- NAPLES

Phone - 319-383-3300

State- FL Zip- 33963

*** O - ORIGINAL OWNER ***

MC KENZIE

LARRY D

1 - PO BOX 805

2 -

3 -

City- HAILEY

Phone - 208-788-4835

State- ID Zip- 83333

MC KENZIE

NORA

1 - PO BOX 805

2 -

3 -

City- HAILEY

Phone - 208-788-4835

State- ID Zip- 83333

+ - - Priority Date - - +
11/12/1936

+ - - Region - - - +
ERROR IN REGION

+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - - - Source - - - - - +
BIG WOOD RIVER

+ - - - - Tributary - - - - - +
MALAD RIVER

+ - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County

02N 18E 16 SE SW NE (13) BLAINE

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 11/01 0.040
04 - STOCKWATER 01/01 12/31 0.020
43 - DOMESTIC 01/01 12/31 0.040

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - R37-00833P

Prefix Translation: RESEARCH

+ - Total Div. Rate - + 0.080 + - Total Div. Volume - + + - Total Consumptive Use - + 5.0 + - KW Usage - +

| TwN | Rng | Sec | Tract | Lot | Acres | Place of Use Code | Description | County |
|-----|-----|-----|-------|-----|-------|-------------------|-------------|-------------|
| 02N | 18E | 25 | SW SE | | 2.0 | 01 | IRRIGATION | (13) BLAINE |
| 02N | 18E | 25 | SW SE | | | 04 | STOCKWATER | (13) BLAINE |
| 02N | 18E | 25 | SW SE | | | 43 | DOMESTIC | (13) BLAINE |

Total Acres: 2.0

+ - - Diversion Means - DIVERSION IN RIVER W/HEADGATE TO COVE CANAL

+ - - Non-Irrigation Use - DOMESTIC/1 HOME; STOCKWATER/6 MIXED;

+ - - Other Rights for Same Use - CITY OF HAILEY WATER

+ - - - - - Remarks - - - - -
THIS CLAIM IS FOR A PORTION OF 37-00833 AS EVIDENCED BY ATTACHED
COPY OF WARRANTY DEED AND WATERMASTER'S AFFADAVIT.

OWNERSHIP CHANGE MADE 6/23/95 BY TLB. MC KENZIE-FORMER OWNER,
FIGGE-NEW OWNER. QUITCLAIM DEED INCLUDED.

+ - - - - - Old Water Right Numbers - - - - -
A3700833

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
06/23/95 TBACKLUN

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | |
|-----------------------------------|------------------------------------|-----------------------------|
| Court Report Filing - 00/00/0000 | Field Inspection Made - 00/00/0000 | Civil Case Number - 39576 |
| Objection Filed Date - 00/00/0000 | Field Inspection Flag - | Old Case Number - |
| Response Filed Date - 00/00/0000 | Verified Date - 00/00/0000 | Old Judicial District - |
| Claim Received Date - 10/20/1988 | Last Amended Date - 00/00/0000 | Temporary Right - P |
| | Receipt Number - F000000 | Water District - |
| | POU Ownership Flag - Y | Federal/State Indicator - S |
| | Name Connector - AND/OR | Presumption Flag - |
| | | Notice of Error Flag - |

Claimant . . . Knowledge of Change . . . Attorney
in Snake River Basin Adjudication (SRBA)

Name(s) of Claimant (please print):

James K. & Sandra D. Figge

I/we acknowledge (check one):

☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

☒ I/we are now represented by the attorney at the address below.

James P. Speck, Esq.

HOGUE, SPECK & AANESTAD, P.A.

Post Office Box 987

Ketchum, Idaho 83340

Attorney's Phone (208) 726-4421

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

A37-00833P

For Individuals:

Authorized signature(s) Date _____

Sandra D. Figge

For Organizations:

I am _____ of _____, and I

Title

Organization

have signed the foregoing document in the space below as

of _____

Title

Organization

Signature of Authorized Agent _____

Title _____

Date _____

Organization _____

IDWR Use:

Date Received 5/18/95

Data Entry LBG/2/95

Revised Date 4-03-92

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

May 18, 1995

RECEIVED

MAY 18 1995
Department of Water Resources
Southern Region

Mr. Allan Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RE: McKenzie/Figge
Water Right No. A37-00833P

Dear Allan:

I enclose an original New Property Owner Notice of Change of Water Right Ownership as well as a Claimant Acknowledgment of Change of Attorneyin SRBA. Please file these documents and return a file stamped copy to this office.

Thank you for your assistance.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS/rb
encs.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JUNE 23, 1995

JAMES & SANDRA FIGGE
8015 VIZCAYA WAY
NAPLES, FL 33963

RE: SRBA CLAIM A37-00833P
MC KENZIE

DEAR CLAIMANTS:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

CC: JAMES SPECK, PO BOX 987, KETCHUM, ID 83340

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A37-00833PFIELD REPORT LOG

| WR ELEMENT | FIELD EXAM
Y/N | CORRESPONDENCE
SENT RECEIVED | COMPLETED
REVIEW | COMPLETED
DATA ENTRY |
|-----------------|-------------------|---------------------------------|---------------------|-------------------------|
| PRIORITY DATE | N | | SCC
2/21/90 | |
| POINT OF DIV. | N | | SCC
5-16-90 | |
| SOURCE | N | | | |
| PLACE OF USE | YES | LOT? | SCC
6-8-90 | |
| DIV. AMOUNT | N | | | |
| CONSUMPTIVE USE | N | | | |
| USES | N* | Review:
D/S part of decree? | | |
| PERIOD OF USE | YES | POLICY? | | |
| BASIS OF CLAIM | N | | | |

REMARKS: WR ROOT UNKNOWN - USED WR PART 37-00833D

MICROFILMED

MAR 01 1993

GENERAL INFORMATION

Claim number: 937-00833P

LAST: McKenzie

FIRST: Larry D

ADDRESS: Box 805

CITY: Hailey

STATE: Id

ZIP: 83333

PHONE: (208) 788-4835

OWNER CODE: C

OWNER CONNECTOR: Or

LAST: McKenzie

FIRST: Nora

ADDRESS: Box 805

CITY: Hailey

STATE: Id

ZIP: 83333

PHONE: (208) 788-4835

OWNER CODE: C

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER (____) ____-____

DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE? Y(____) N(____), TIME: _____

ACCOMPANIED BY: _____ PHONE NUMBER (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

MICROFILMED
MAR 01 1993

PAGE 5.
PRIORITY DATE REVIEW SHEET

CLAIM NUMBER: A37-00833P

STAGE *D*

STAGE *D*

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(~~X~~)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE: 11/12/1936

REVIEWED BY

DATE _____

NOTHING

MAR 01 1993

PAGE 4.
POINT OF DIVERSION AND SOURCE REVIEW SHEET

CLAIM # 137-00833P

A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------------|-----------|-----------|-----------|-----------|-----|---------------|
| <u>2N</u> | <u>18E</u> | <u>16</u> | <u>SE</u> | <u>SW</u> | <u>NE</u> | — | <u>Blaine</u> |

SOURCE: Big Wood River TRIB: Malad River

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|------|------|------|-----|-----|-----|-----|------|
| ? | — | — | — | — | — | — | — |

SOURCE: BIG WOOD RIVER TRIB: MALAD RIVER

C. REVIEW - FIELD EXAM NEEDED? Y() N(☒)

| | | ATTACHED | OR | SEE FILE |
|----------|---|--|----|----------|
| VERIFIED | ☒ TOPO MAP/ORTHO-PQ | YES() NO(☒) | | — |
| WITH: | () ASCS MAP | YES() NO() | | — |
| | ☒ WATERMASTER RECORDS | YES(☒) NO() | | — |
| | () FIELD EXAM | YES() NO() | | — |
| | () OTHER | YES() NO() | | — |

REMARKS: ROCKWELL BY-PASS

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|-----------|-----------|-----------|-----------|-----------|-----------|-----|-----------|
| <u>2N</u> | <u>18</u> | <u>16</u> | <u>SE</u> | <u>SW</u> | <u>NE</u> | — | <u>13</u> |
| — | — | — | — | — | — | — | — |
| — | — | — | — | — | — | — | — |

SOURCE: B.W.R. TRIB: MALAD R.

REVIEWED BY sc

DATE 5-16-90

MICROFILMED
MAR 01 1993

CLAIM # A37-00833P

FIELD EXAM REQUIRED: Y(☒) N(☐)

PRESUMPTION FLAG: Y(☒) N(☐)

ROOT WATER RIGHT NUMBERS 37-00833

| TWP RGE SEC 1/4 1/4 | S.R.B.A.
#/ACRES | I.D.W.R
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----------------------------------|---------------------|--------------------|-----------------|----------------|------------------|
| <u>2N 18E 25 3W SE A37-00833P</u> | <u>/ 2</u> | <u>/</u> | <u>Q</u> | <u>—</u> | <u>—</u> |
| <u>— 00158A</u> | <u>/ 11</u> | <u>/</u> | <u>—</u> | <u>—</u> | <u>—</u> |
| <u>— 00571A</u> | <u>/ 11</u> | <u>37-00571A</u> | <u>15</u> | <u>—</u> | <u>—</u> |
| <u>—</u> | <u>/</u> | <u>/</u> | <u>—</u> | <u>—</u> | <u>—</u> |
| <u>—</u> | <u>/</u> | <u>/</u> | <u>—</u> | <u>—</u> | <u>—</u> |
| <u>—</u> | <u>/</u> | <u>/</u> | <u>—</u> | <u>—</u> | <u>—</u> |
| <u>—</u> | <u>/</u> | <u>/</u> | <u>—</u> | <u>—</u> | <u>—</u> |
| <u>—</u> | <u>/</u> | <u>/</u> | <u>—</u> | <u>—</u> | <u>—</u> |
| TOTAL ACRES | | <u>2</u> | <u>—</u> | <u>—</u> | <u>—</u> |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(☐) N(☐)
IF YES SEE ATTACHED SHEET:

REMARKS:

VERIFY P/u

REVIEWED BY

Scr

DATE

5-16-90

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A. S.R.B.A CLAIMED USES:

| | PURPOSES | MONTH/DAY | RATE |
|-----|-------------------|---------------------------------|------------------|
| FOR | <u>Irrigation</u> | FROM <u>4-1</u> TO <u>11-1</u> | <u>0.040</u> CFS |
| FOR | <u>Stockwater</u> | FROM <u>1-1</u> TO <u>12-31</u> | <u>0.020</u> CFS |
| FOR | <u>Domestic</u> | FROM <u>1-1</u> TO <u>12-31</u> | <u>0.040</u> CFS |

B. I.D.W.R. RECORDED USES:

| | PURPOSES | MONTH/DAY | RATE |
|-----|-------------------|---------------------------|--------------|
| FOR | <u>IRRIGATION</u> | FROM <u>-</u> TO <u>-</u> | <u>-</u> CFS |
| FOR | <u>-</u> | FROM <u>-</u> TO <u>-</u> | <u>-</u> CFS |
| FOR | <u>-</u> | FROM <u>-</u> TO <u>-</u> | <u>-</u> CFS |

PRESUMPTION FLAG: D

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON?

Y(~~X~~) N(-)

RECOMMENDED AS CLAIMED?

Y(-) N(-)

RECOMMEND TO IDWR STANDARDS OR OTHER?

Y(-) N(-)

REMARKS:

D/S year around off Rockwell Brg-Pass?

RECOMMENDED USES:

| | PURPOSES | MONTH/DAY | RATE |
|-----|-------------------|--------------------------------|-----------------|
| FOR | <u>IRRIGATION</u> | FROM <u>4-1</u> TO <u>11-1</u> | <u>0.04</u> CFS |
| FOR | <u>-</u> | FROM <u>-</u> TO <u>-</u> | <u>-</u> CFS |
| FOR | <u>-</u> | FROM <u>-</u> TO <u>-</u> | <u>-</u> CFS |

REVIEWED BY -

DATE -

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PAGE 7.
DIVERSION AMOUNT REVIEW SHEET

CLAIM # A37-00833P

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N(☒)

SRBA CLAIMED RATE: 0.08 CFS IDWR ROOT RIGHT RATE: _____ CFS
IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required.

IS FLOW MEASUREMENT REQUIRED? Y() N(☒)

per
w.m.

B. FLOW MEASUREMENTS

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y(☒) N() If YES complete overlap review.

OTHER RIGHTS LISTED IN CLAIM: - City of Bellevue -

- - -
- - -
- - -

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES 2 X 0.02 CFS/ACRE = 0.04 CFS.
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☒) N()

IF YES EXCESSIVE WATER USE FORM FILED AND ATTACHED? Y() N(☒)

2. ANNUAL IRRIGATION CONSUMPTIVE USE & FIELD HEADGATE DIVERSION VOLUME.

ACRES 2 X CONSUMPTIVE RATE FOR AREA 2.5 A.F./ACRE =

TOTAL CONSUMPTIVE USE 5.0 ACRE FEET/ANNUM

ACRES _____ X FIELD APPLIC. RATE FOR AREA _____ A.F./ACRE =

TOTAL FIELD APPLIC. _____ ACRE FEET/ANNUM

E. RATE/VOLUME CALCULATIONS: (OTHER USES)

CONTACT OWNER? Y() N() SEE ATTACHED SHEET? Y() N()

RECOMMENDED DIVERSION RATE: 0.08 CFS

RECOMMENDED CONSUMPTIVE USE: 5.0 AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: _____ AF/ANNUM

REVIEWED BY gce

DATE 5-16-90

MAR 11 1993

BASIS OF CLAIM ISSUES REVIEW SHEET

CLAIM # A37-00833P

A. CHECK ONLY THE FOLLOWING THAT APPLY:

| | <u>ACCEPTED
AS CLAIMED</u> | <u>NEEDS
REVIEW</u> |
|------------------------|--------------------------------|-------------------------|
| OWNERSHIP _____ | () | () |
| FORFEIT/ABANDON _____ | () | () |
| EXCESSIVE AMOUNT _____ | () | () |

THIS SRBA CLAIM CFS/ACRE

0.02

OTHER SRBA CLAIMS CFS/ACRE

_____-_____-

_____-_____-

_____-_____-

**Excessive water use form filed and ATTACHED? Y(E) N(E)

B. SPLIT WATER RIGHT REVIEW

| | | |
|--------------------|-----------------|-----------|
| ROOT RIGHT # _____ | SPLITS # _____ | _____ CFS |
| _____ CFS | # _____ | _____ CFS |
| | # _____ | _____ CFS |
| | # _____ | _____ CFS |
| | # _____ | _____ CFS |
| | TOTAL CFS _____ | |

**Do the sum of the parts equal the whole?

Y() N()

**IF NO is the written review sheet ATTACHED?

Y() N()

REMARKS: _____

=====

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

=====

MICROFILMED

MAR 0 1 1993

ADDITIONAL ACREAGE FORM

Claim number: A31-00833P

[illegible]

TOTAL NUMBER OF ACRES 2

REMARKS:

REVIEWED BY _____

DATE _____

MONO-LIVED

MAR 01 1993

3000 4000 5000 6000 7000 FEET

| SD-36 | | TOWNSHIP: 02N | | RANGE: 18E | | SECTION: 25 | | TRACT: SWSE | | LOT: | |
|-------|-------|---------------|------------|---------------------|---|-------------|----------|-------------|------|------|--|
| S | L | | | ITE | O | S | MAX # | RECORDS | 32 | | |
| E | O | WATER | NAME | | W | T | PRIORITY | USE | | | |
| L | TRACT | T | RIGHT NO. | LAST, FIRST | N | AC | G | DATE | CODE | DESC | |
| | | | 37-00577BN | RILEY, W. T. | O | | D | 03/24/1883 | 01 | IRR | |
| | | | | WOOD RIVER LAND CO. | C | | | | | | |
| | SWSE | | 37-00418C | LEWIS, HORACE C. | O | | D | 06/23/1888 | 01 | IRR | |
| | | | | GRIFFITH, RUBEN G. | C | | | | | | |
| | SWSE | | 37-00886H | SCHARFF, W. D. | O | 4 | D | 06/01/1884 | 01 | IRR | |
| | | | | MYERS, KEITH | C | | | | | | |
| | SWSE | | 37-00113F | BULLER, R. F. | O | | D | 07/10/1884 | 01 | IRR | |
| | | | | BULLER, ROSA B. | O | | | | | | |
| | | | | ROARK, MRS. THOMAS | C | | | | | | |
| | SWSE | | 37-00158B | CRAMER, E. | O | | D | 07/01/1881 | 01 | IRR | |
| | | | | WATTS, W. R. | C | | | | | | |
| | | | | WATTS, ANNA LEE | C | | | | | | |
| | SWSE | 1 | 37-00577AT | RILEY, W. T. | O | 15 | D | 03/24/1883 | 01 | IRR | |
| | | | | WATTS, W. R. | C | | | | | | |
| | | | | WATTS, ANNA LEE | C | | | | | | |

(ENTER=CONTINUE)

(GOLD 7=THIS QUERY)

(MENU _____)

MICROFILMED

MAR 0 1 1993

| | | | | | | |
|--------|---|--|---------|-------------------|------------|---------|
| 00 | X | 810-BY U.B.W.R.W.U.A.
TO BE USED AS PAID BY SHAREHOLDERS | 37-0892 | BASELINE BYPASS | 09-01-1920 | 561.60 |
| 55-C | E | 102-A BASELINE CANAL CO | 37-1206 | BASELINE CANAL CO | 04-01-1921 | 1500.00 |
| 55-C | X | 850-BY BASELINE CANAL CO
GOOD ONLY WHEN IN EXTENSION BYPASS AFTER 6/15/1883 RIGHTS CUT | 37- | EXTENSION BY-PASS | 07-24-1924 | 300.00 |
| 57-F | X | 850-BY J.R.J. INC
GOOD ONLY WHEN ALL WATER IN EXTENSION BYPASS AFTER 6/15/1883 RTS. CUT | 37-1204 | EXTENSION BY-PASS | 07-24-1924 | 75.00 |
| 000 | X | 860-BY U.B.W.R.W.U.A.
TO BE USED AS PAID BY SHAREHOLDERS | 37- | EXTENSION BYPASS | 07-24-1924 | 525.00 |
| 16 | D | 800-LI WALTER SCHODDE | 37- | DOUGLAS KNIGHT | 11-13-1925 | 92.00 |
| 10 | D | 750-RO ROBERT BLOOMFIELD | 37- | ROCKWELL BY-PASS | 11-12-1936 | 10.00 |
| 13 | X | 750-RO FREDRICK BLECHMAN
ROCKWELL BY-PASS WATER | 37- | ROCKWELL BY-PASS | 11-12-1936 | 50.00 |
| 33 | E | 750-RO EDWARD VANEVRY | 37- | ROCKWELL BY-PASS | 11-12-1936 | 4.00 |
| 0000-P | D | 750-RO DON ANDERSON | 37- | ROCKWELL BY-PASS | 11-12-1936 | 10.00 |
| 06-P6 | D | 750-RO PARTICK SIMPSON | 37- | ROCKWELL BY-PASS | 11-12-1936 | 25.00 |
| 33 | E | 750-RO LARRY MCKINSEY | 37- | ROCKWELL BY-PASS | 11-12-1936 | 4.00 |
| 45 | E | 750-RO JOHN STEVENSON | 37-0833 | ROCKWELL BY-PASS | 11-12-1936 | 65.00 |
| 50 | E | 750-RO EDWARD CAMERON | 37-0833 | ROCKWELL BY-PASS | 11-12-1936 | 27.00 |
| 20 | D | 750-RO FREDRICK BLECHMAN | 37- | ROCKWELL BY-PASS | 11-12-1936 | 37.50 |
| 32-P | D | 700-PE WARREN A. LEWIS | 37-7196 | WARREN A. LEWIS | 01-17-1973 | 1.00 |

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 MAR 01 1993

Priority
 BELOW MAGIC

MADE IN U.S.A.

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|------------|------|------|------|-----|-----|-----|-----|--------|
| A37-00833P | 02N | 18E | 16 | SE | SW | NE | | BLAINE |

OTHER AJ CLAIMS WITH SAME AJ POD

| A PREFIX | R PREFIX |
|------------|----------|
| A37-00113F | NONE |
| A37-00113G | |
| A37-00158A | |
| A37-00481D | |

WR RECORDS IN SAME 40 ACRE TRACT

37-00113D
37-00113F
37-00155
37-00158B
37-00481
37-00482A
37-00483
37-00577AT
37-00577BQ
37-00707

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|----------------------------------|----------|----------------|
| DUE TO POD DISCREPANCY? (Y/N) | Y | _____ |
| DUE TO SOURCE DISCREPANCY? (Y/N) | Y | _____ |

REMARKS:

MICROFILMED
MAR 01 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

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MAR 0 1 1993

Water Right Number - 37-00833D Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

*** C - CURRENT OWNER ***
ANDERSON DONALD B. 1 - P.O. BOX 121
2 -
3 -
City- SUN VALLEY State- ID Zip- 83353
Phone -

ANDERSON JOAN H. 1 - P.O. BOX 121
2 -
3 -
City- SUN VALLEY State- ID Zip- 83353
Phone -

*** O - ORIGINAL OWNER ***
ROCKWELL IRVIN E. 1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/12/1936 17 D - DECREED

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

+ - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
04N 17E 12 NW SE (13) BLAINE

+ - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 09/30 0.200 3.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.200 3.00

+ - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
04N 17E 12 NW SE 1.0 01 IRRIGATION (13) BLAINE

Total Acres: 1.0

+ - - Diversion Means - PUMP

+ - - Non-Irrigation Use -

THIS WR ROOT MAY NOT
BE REPRESENTATIVE of claim

MAR 11 1993

+ - - Other Rights for Same Use -

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MAR 01 1993

| | | | | | |
|------------------|--------------|-----------------|--------------|------------------|------|
| 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 | - 03/24/1987 | 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 | - 08/25/1949 | | | | |

ate
49

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - A37-00833P

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***

MC KENZIE

LARRY D.

1 - BOX 805

2 -

3 -

City- HAILEY

State- ID Zip- 83333

Phone - 208-788-4835

MC KENZIE

NORA

1 - BOX 805

2 -

3 -

City- HAILEY

State- ID Zip- 83333

Phone - 208-788-4835

+ - - Priority Date - - +
11/12/1936

+ - - - Region - - - +

+ - - - Stage - - - +

+ - - - Status - - - +

D - DECREED

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

02N 18E 16 SE SW NE (13) BLAINE

| Code | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 04/01 | 11/01 | 0.040 | |
| 04 - STOCKWATER | | 01/01 | 12/31 | 0.020 | |
| 43 - DOMESTIC | | 01/01 | 12/31 | 0.040 | |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.080 5.0

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|--------------|
| 02N | 18E | 25 | SW SE | | 2.0 | 01 | IRRIGATION | (13) BLAINE |
| 02N | 18E | 25 | SW SE | | | 04 | STOCKWATER | (13) BLAINE |
| 02N | 18E | 25 | SW SE | | | 43 | DOMESTIC | (13) BLAINE |

Total Acres: 2.0

+ - - Diversion Means - DIVERSION IN RIVER W/HEADGATE TO COVE CANAL

+ - - Non-Irrigation Use - DOMESTIC FOR ONE HOUSEHOLD, STOCKWATER FOR UP TO 6 HEAD/MIXED.

+ - - Other Rights for Same Use - CITY WATER FOR IN-HOUSE USE.

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - A37-00833P

Adj. flag translation: Adjudication Temporary Work Area

+ - - - - Remarks - - - - - +
THIS CLAIM IS FOR A PORTION OF 37-0833 AS EVIDENCED BY ATTACHED
COPY OF WARRANTY DEED AND WATERMASTER'S AFFADAVIT.

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields -

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 10/20/1988 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - C002988 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - OR | | |

RECORDED
MAR 0 1 1993