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DEC 05 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED

JUL 22 2004

Department of Water Resources
Southern Region

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

Water Right No.(s)	Adjudication Claim No.(s)	Split	Water Right No.(s)	Adjudication Claim No. (s)	Split
<u>AS 37-4076</u>	<u>AS 37-4076A</u>	☐	_____	_____	☐
<u>AS 37-2468</u>	<u>AS 37-2468A</u>	☐	_____	_____	☐
<u>AS 37-1227A</u>	<u>AS 37-1227A</u>	☐	_____	_____	☐
<u>AS 37-1228</u>	<u>AS 37-1228C</u>	☐	_____	_____	☐
<u>PD 37-12350</u>	_____	☐	_____	_____	☐

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

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

OR

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

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

Cal-Pacifico Ranch, Inc.RT 1, Box 40 Bellevue, ID 83313

4. New Owner/Claimant(s):

Eccles Window Rock Ranch, LLC

New Mailing Address:

PO Box 3028

City, State, Zip Code:

Salt Lake City, UT 84110

New Telephone Number:

(801) 246-5329

5. Date you acquired the property:

Department of Water Resources
Southern Region

SEP 22 2004

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

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

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

7. Signature of New Owner(s) or Claimant(s):
(include title, if applicable)

Chris E. Dunning
River Attorney

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

Department of Water Resources
Snake River Region

SEP 22 2004

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FOR OFFICE USE ONLY			
Received by: _____	Date: _____	Fee: 2500	
Received by: <i>ch</i>	Date: <i>ch</i>	Receipt No: 5029095	
Processed by: _____ AJ	Date: _____	WR: _____	Date: _____

Accom.

QUITCLAIM DEED

• FOR VALUE RECEIVED

SCOTT H. CLARK, as Trustee under Trust Agreement Dated November 21, 1986

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

ECCLES WINDOW ROCK RANCH, L.L.C, a Utah limited liability company

whose address is: C/o Spencer Eccles, P.O. Box 3028, Salt Lake City, Utah 84110

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

SEE ATTACHED LEGAL DESCRIPTION "EXHIBIT A"

together with their appurtenances.

Dated: August 18, 2004

Scott H. Clark AS TRUSTEE
By: Scott H. Clark, Trustee

State of Utah }
County of Salt Lake } ss.
}

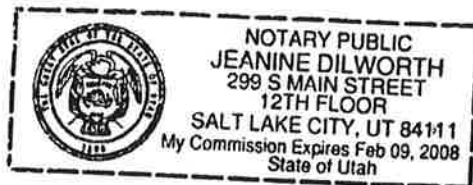
On this 25 day of August, in the year 2004, before me, the undersigned, personally appeared Scott H. Clark, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as trustee(s) of Trust Agreement Dated November 21, 1986, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

Jeanine Dilworth

Notary Public

Commission Expires: _____



ACCOM

LEGAL DESCRIPTION

PARCEL I:

567 5 IN 18E Sec 2 NW 1/4
Lots 1, 2, 3 and 4 of FORREST WILLIAMS SUBDIVISION, according to the official plat thereof, recorded as Instrument no. 200459, records of Blaine County, Idaho.

PARCEL II:

555 5 IN 18E Sec 2 SW 1/4
Lots 1, 2, 3 and 4 of the REPLAT OF CAL PACIFICO RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 310615, records of Blaine County, Idaho.

PARCEL III:

A PARCEL OF LAND LOCATED WITHIN NW $\frac{1}{4}$ NE $\frac{1}{4}$, SEC. 12, T1N, R18E, B.M. BLAINE COUNTY, ID more particularly described as follows:

COMMENCING at the N $\frac{1}{4}$ corner of said Sec. 12, said corner being the TRUE POINT OF BEGINNING;

Thence N. 89°03'10" E., 1,315.20 feet along the North Section line of said Sec. 12 to the Westerly right-of way of State Highway 75; thence S. 0°18'00" E. 871.68 feet along said Westerly right-of-way of State Highway 75; thence S. 89°11'39" W. 341.50 feet; thence S. 0°26'40" W., 125.00 feet; thence S. 89°11'39" W. 201.87 feet; thence S. 0°26'40" W. 320.00 feet to the Southerly boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12; thence S. 89°11'39" W., 2,103.26 feet along said Southerly boundary of NW $\frac{1}{4}$ NE $\frac{1}{4}$, and the Southerly boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the SW Corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, thence N. 0°36'03" W., 1,310.10 feet to the NW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12; thence N. 89°03'10" E., 1,337.26 feet along the Northerly line of said Sec. 12 to the N $\frac{1}{4}$ corner being the TRUE POINT OF BEGINNING. (TL 7521)

PARCEL IV:

A PARCEL OF LAND LOCATED WITHIN THAT EASTERLY PORTION OF LOT 4, TOWNSEND RANCH SUB, SEC. 2, T1N, R18E, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 268858, RECORDS OF BLAINE COUNTY, ID being more particularly described by metes and bounds as follows:

COMMENCING at a brass cap marking the East $\frac{1}{4}$ corner of said Sec. 2, said corner being the TRUE POINT OF BEGINNING;

Thence S. 00° 50'35" W., 1,328.21 feet along the Section line common to Sections 1 and 2 to the S $\frac{1}{16}$ corner; thence N. 89° 36'20" W., 1,157.86 feet along the Southerly boundary of said Lot 4; Thence leaving said Southerly boundary N. 17° 53' 36" E., 242.11 feet; thence N. 49° 41'32" E. 639.00 feet; thence N. 29° 11' 23" E., 380.66 feet; thence N. 16° 09' 40" E., 359.46 feet to a point on the Northerly boundary of said Lot 4; thence S. 89° 46' 59" E., 330.00 feet along said Northerly boundary of Lot 4 to the TRUE POINT OF BEGINNING. (TL 7522)

CONTINUED

PARCEL V:

A PARCEL OF LAND LOCATED WITHIN THE NE¼ SEC. 2, T1N, R 18E, B.M., BLAINE COUNTY, ID, more particularly described as follows:

COMMENCING at a G.L.O. brass cap marking the East one-quarter corner of said Section 2; Thence N. 89°46'09" W., 330.00 feet along the South Boundary of said NE¼ to the REAL POINT OF BEGINNING;

Thence continuing N. 89°46'09" W., 308.25 feet along said South boundary NE¼, Sec. 2 to a 5/8 inch rebar marking the Southeast corner of the Cal Pacifico Ranch Sub.; thence N. 0°01'50" E., 1,284.48 feet along the east boundary of said Cal Pacifico Sub. to a ½ inch rebar on an angle point on the East boundary of Lot 2, Cal Pacifico Sub.; thence S. 89°52'45" E., 309.34 feet along the South boundary of Brian Dr. to the Northeast corner of Tax Lot 6449; Thence S. 0°04'46" W., 1,285.07 feet along the line common to Tax Lots 6449 and 6391 to the POINT OF BEGINNING. (TL 7256)

Together with a 60 foot easement for ingress and egress more particularly described as follows:

TOWNSHIP 1 NORTH, RANGE 18 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 2: A tract of land in the NE¼ being more particularly described as follows:

Beginning at the Northeast corner of the property previously described in the indenture as being conveyed to the Grantees; thence N. 89°42' W., 330 feet; thence N. 0°13' E., 50 feet; thence S. 89°42' E., 660 feet; thence S. 0°13' W., 60 feet; thence N. 89°42' W., 330 feet to the TRUE POINT OF BEGINNING.

Together with all appurtenant water rights

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-12350

WATER RIGHT NUMBER: 37-12350

Owner Type

Current Owner

Name and Address

CAL-PACIFICO OF CALIFORNIA
RT 1 BOX 40
BELLEVUE, ID 83313
(208)788-2953

OK
Fee

Priority Date: 12/31/1972

Basis: Decreed

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

STOCKWATER

From To

1/01 to 12/31

Diversion Rate

0.020 CFS

Annual VolumeTotal Diversion: 0.020 CFSLocation of Point(s) of Diversion

GROUND WATER

BLAINE County

L1 (SW1/4NE1/4NE1/4)

Sec. 2, Twp 01N, Rge 18E, B.M.

Place of Use

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
01N	18E	2	X				
			L1				

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. PARCEL NO. RP01N18002040A STOCKWATER 20 CATTLE
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
4. 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-12350

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 1/5/2001
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

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DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
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Water Right No.(s)	Adjudication Claim No.(s)	Split	Water Right No.(s)	Adjudication Claim No. (s)	Split
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37-2468	37-2468A	☐			☐
37-1227A	37-1227A	☐			☐
37-1228	37-1228C	☐			☐
37-12350		☐			☐

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

A. The appropriate FILING FEE. See instructions for fee amounts.

B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OR indicating your ownership of the property and water right(s) in question, WITH ATTACHED DESCRIPTION.

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

Cal-Pacifico Ranch, Inc.

RT 1, Box 40 Bellevue, ID 83313

Eccles Window Rock Ranch, LLC

PO Box 3028

Salt Lake City, UT 84110

(801) 246-5329

4. New Owner/Claimant(s):

New Mailing Address:

City, State, Zip Code:

New Telephone Number:

5. Date you acquired the property:

← PD
only one not changed
12/5/2006
Danner

Department of Water Resources
Southern Region

SEP 22 2004

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AUG 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

RECEIVED
JUL 22 2004
Department of Water Resources
Southern Region

RECEIVED

AUG 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

LIMITED POWER OF ATTORNEY

The Undersigned holder(s) of Licenses, Permits, and/or Applications No. See Exhibit A (attached) of the Department of Water Resources of the State of Idaho ("department") hereby nominates Charles E. Brockway, whose address is 2016 N. Washington Street, Twin Falls, ID 83301 as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all matters pertaining to the above numbered permit or application submitted or pending before the "department" or the Snake River Basin Adjudication (Fifth Judicial District Court, Civil Case No. 39576) ("SRBA"). Such acts shall include, but not be limited to, the filing of application, receiving all notices, the signing and filing of applications for extension of time and for amendments of said permits, the submission of proofs of completion of works and beneficial use of water, and claims in the SRBA, and amendments thereto.

Dated this 7th day of Nov, 2003

Scott H. Clark
Scott H. Clark, Trustee
Trust Agreement Dated November 21, 1986

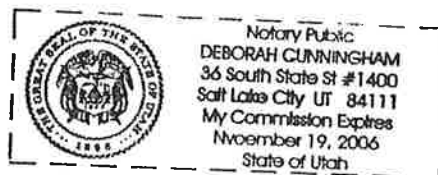
STATE OF UTAH)
 : ss.
COUNTY OF Salt Lake)

On this 7th day of November, in the year of 2003, before me, a Notary Public, personally appeared Scott H. Clark, Trustee under trust agreement dated November 21, 1986, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged that he (she) (they) executed the same.

Deborah Cunningham
Notary Public

In and for said State and County

S
E
A
L



Nov. 19, 2006
My Commission Expires on

Recorded at the Request of:
Scott H. Clark, Esq.
Ray Quinney & Nebeker P.C.
299 South Main Street, Suite 350
Salt Lake City, UT 84111

Mail Tax Notice to:
Eccles Window Rock Ranch, LLC
79 South Main Street, 2nd Floor
P.O. Box 3028
Salt Lake City, UT 84111


AmeriTitle
Parcel II
OF INSTRUMENT #
404649
RICHLAND 60 ACRES
PARCEL WITH
MAIN HOUSE
(208) 726-4595 (208) 726-1062
Phone Number Fax Number

SPECIAL WARRANTY DEED

Scott H. Clark, Trustee, under the **Trust Agreement** dated November 21, 1986, Grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under Grantor, to **Eccles Window Rock Ranch, LLC**, a Utah Limited Liability Company, Grantee, whose address is 79 South Main Street, 2nd Floor, P.O. Box 3028, Salt Lake City, UT 84111, for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the following described real property in Blaine County, Idaho:

**TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE
COUNTY, IDAHO.**

SECTION 1: SW¹/₄SW¹/₄ and S¹/₂NW¹/₄SW¹/₄.

TOGETHER WITH ALL APPURTENANT WATER RIGHTS.

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.

WITNESS the hand of said Grantor this 23rd day of December, 2005.


Scott H. Clark, Trustee

STATE OF UTAH)
)
) :ss.
COUNTY OF SALT LAKE CITY)

On the 23 day of December, 2005, before me, a Notary Public of said State, duly commissioned and sworn, personally appeared **Scott H. Clark**, known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged that being informed of the contents of the instrument it was executed freely and voluntarily for the purposes therein expressed.

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


Notary Public

Accom.

QUITCLAIM DEED

FOR VALUE RECEIVED

SCOTT H. CLARK, as Trustee under Trust Agreement Dated November 21, 1986

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

ECCLES WINDOW ROCK RANCH, L.L.C, a Utah limited liability company

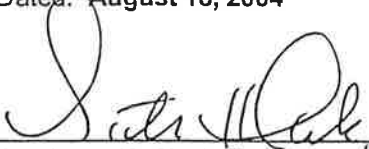
whose address is: C/o Spencer Eccles, P.O. Box 3028, Salt Lake City, Utah 84110

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

SEE ATTACHED LEGAL DESCRIPTION "EXHIBIT A"

together with their appurtenances.

Dated: August 18, 2004

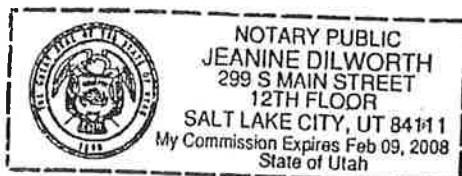

By: Scott H. Clark, Trustee

State of Utah }
County of Salt Lake } ss.

On this 25 day of August, in the year 2004, before me, the undersigned, personally appeared Scott H. Clark, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as trustee(s) of Trust Agreement Dated November 21, 1986, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.


Notary Public
Commission Expires: _____



ACCOM

LEGAL DESCRIPTION

PARCEL I:

IN 18E Sec 2 NW 1/4

^{6 6 7 5}
Lots 1, 2, 3 and 4 of FORREST WILLIAMS SUBDIVISION, according to the official plat thereof, recorded as Instrument no. 200459, records of Blaine County, Idaho.

PARCEL II:

IN 18E Sec 2 SE 1/4

^{2 3 5 5 5}
Lots 1, 2, 3 and 4 of the REPLAT OF CAL PACIFICO RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 310615, records of Blaine County, Idaho.

PARCEL III:

A PARCEL OF LAND LOCATED WITHIN NW $\frac{1}{4}$ NE $\frac{1}{4}$, SEC. 12, T1N, R18E, B.M. BLAINE COUNTY, ID more particularly described as follows:

COMMENCING at the N $\frac{1}{4}$ corner of said Sec. 12, said corner being the TRUE POINT OF BEGINNING;

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PARCEL IV:

A PARCEL OF LAND LOCATED WITHIN THAT EASTERLY PORTION OF LOT 4, TOWNSEND RANCH SUB, SEC. 2, T1N, R18E, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 268858, RECORDS OF BLAINE COUNTY, ID being more particularly described by metes and bounds as follows:

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CONTINUED

PARCEL V:

A PARCEL OF LAND LOCATED WITHIN THE NE¼ SEC. 2, T1N, R 18E, B.M., BLAINE COUNTY, ID, more particularly described as follows:

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Thence continuing N. 89°46'09" W., 308.25 feet along said South boundary NE¼, Sec. 2 to a 5/8 inch rebar marking the Southeast corner of the Cal Pacifico Ranch Sub.; thence N. 0°01'50" E., 1,284.48 feet along the east boundary of said Cal Pacifico Sub. to a ½ inch rebar on an angle point on the East boundary of Lot 2, Cal Pacifico Sub.; thence S. 89°52'45" E., 309.34 feet along the South boundary of Brian Dr. to the Northeast corner of Tax Lot 6449; Thence S. 0°04'46" W., 1,285.07 feet along the line common to Tax Lots 6449 and 6391 to the POINT OF BEGINNING. (TL 7256)

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Together with all appurtenant water rights

Recorded at the Request of:
Scott H. Clark, Esq.
Ray Quinney & Nebeker P.C.
299 South Main Street, Suite 350
Salt Lake City, UT 84111

Mail Tax Notice to:
Eccles Window Rock Ranch, LLC
79 South Main Street, 2nd Floor
P.O. Box 3028
Salt Lake City, UT 84111

Space above for County

I
AmeriTitle
PARCEL I OF
OLD SURVEY
404649
GO ACROSS PARCEL WITH
BLAINE'S HOUSE
(208) 726-4595
Phone Number
(208) 726-1062
Fax Number

SPECIAL WARRANTY DEED

Scott H. Clark, Trustee, under the **Trust Agreement** dated November 21, 1986, Grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under Grantor, to **Eccles Window Rock Ranch, LLC**, a Utah Limited Liability Company, Grantee, whose address is 79 South Main Street, 2nd Floor, P.O. Box 3028, Salt Lake City, UT 84111, for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the following described real property in Blaine County, Idaho:

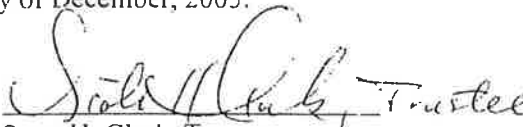
TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 1: N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$

TOGETHER WITH ALL APPURTENANT WATER RIGHTS.

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.

WITNESS the hand of said Grantor this 23rd day of December, 2005.


Scott H. Clark, Trustee

STATE OF UTAH)

:SS.

COUNTY OF SALT LAKE CITY)

On the 23 day of December, 2005, before me, a Notary Public of said State, duly commissioned and sworn, personally appeared **Scott H. Clark**, known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged that being informed of the contents of the instrument it was executed freely and voluntarily for the purposes therein expressed.

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


Notary Public

Recorded at the Request of:
Scott H. Clark, Esq.
Ray Quinney & Nebeker P.C.
299 South Main Street, Suite 350
Salt Lake City, UT 84111

Mail Tax Notice to:
Eccles Window Rock Ranch, LLC
79 South Main Street, 2nd Floor
P.O. Box 3028
Salt Lake City, UT 84111

Amertitle
TAX LOT 6391
LOG CABIN
PARCELS 10 ACRES

(208) 726-4595
Phone Number

(208) 726-1062
Fax Number

Space above for County Recorder's use

SPECIAL WARRANTY DEED

Scott H. Clark, Trustee, under the **Trust Agreement** dated November 21, 1986, Grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under Grantor, to **Eccles Window Rock Ranch, LLC**, a Utah Limited Liability Company, Grantee, whose address is 79 South Main Street, 2nd Floor, P.O. Box 3028, Salt Lake City, UT 84111, for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the following described real property in Blaine County, Idaho:

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 2: BEGINNING at the E $\frac{1}{4}$ corner of Section 2; thence
N. 89° 42' 00" W., 330.00 feet; thence
N. 00° 13' 00" E., 1,285.74 feet; thence
S. 89° 42' 00" E., 330.00 feet; thence
S. 00° 13' 00" W., 1,285.74 feet to the TRUE POINT OF
BEGINNING.

TOGETHER WITH a 60 feet (60') Easement for ingress and egress more particularly described as follows:

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 2: A tract of land in the NE $\frac{1}{4}$ being more particularly described as follows:

BEGINNING at the Northeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence
N. 89° 42' W., 660 feet; thence
S. 00° 13' W., 60 feet; thence
S. 89° 42' E., 660 feet; thence
N. 00° 13' E., 60 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH ALL APPURTENANT WATER RIGHTS.

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.

WITNESS the hand of said Grantor this 23rd day of December, 2005.

Scott H. Clark, Trustee

STATE OF UTAH)
)
) ss.
COUNTY OF SALT LAKE CITY)

On the 23 day of December, 2005, before me, a Notary Public of said State, duly commissioned and sworn, personally appeared **Scott H. Clark**, known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged that being informed of the contents of the instrument it was executed freely and voluntarily for the purposes therein expressed.

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

Notary Public

853974

7A8 LOT# 7256

 1.0 ACRE
 PARCEL ALONG
 SIDE CABIN 10
 ACRE PARCEL
 (208) 726-4595
 Phone Number
 (208) 726-1062
 Fax Number

S

EXHIBIT "A"

A PARCEL OF LAND LOCATED WITHIN THE NE¼ SECTION 2, TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a G.L.O. brass cap marking the east one-quarter corner of said Section 2; thence
N. 89° 46' 09" W., 330.00 feet along the south boundary of said NE¼ to the REAL POINT OF BEGINNING; thence continuing
N. 89° 46' 09" W., 308.25 feet along said south boundary NE¼, Section 2 to a 5/8 inch rebar marking the southeast corner of the Cal Pacifico Ranch Sub; thence
N. 0° 01' 50" E., 1,284.48 feet along the east boundary of said Cal Pacifico Ranch Sub. To a ½ inch rebar on an angle point on the east boundary of Lot 2, Cal Pacifico Sub; thence
S. 89° 52' 45" E., 309.34 feet along the south boundary of Brian Drive to the northeast corner of Tax Lot 6449; thence
S. 0° 04' 46" W., 1,285.07 feet along the line common to Tax Lots 6449 & 6391 to the REAL POINT OF BEGINNING.

TOGETHER with a 60 foot easement for ingress and egress more particularly described as follows:

TOWNSHIP 1 NORTH, RANGE 18 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 2: A tract of land in the NE¼ being more particularly described as follows:

BEGINNING at the Northeast corner of the property previously described in the indenture as being conveyed to the Grantees; thence
N. 89° 42' W., 330 feet; thence
N. 0° 13' E., 60 feet; thence
S. 89° 42' E., 660 feet; thence
S. 0° 13' W., 60 feet; thence
N. 89° 42' W., 330 feet to the TRUE POINT OF BEGINNING.

AmeriTitle

EXHIBIT "A"

A PARCEL OF PROPERTY BEING ALL OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ AND A PORTION OF THE NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 12, 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY IDAHO, more particularly described as follows:

COMMENCING at the N $\frac{1}{4}$ corner of said Section 12, said corner being the TRUE POINT OF BEGINNING; thence

N. 89° 03' 10" E., 1,315.20 feet along the north section line of said Section 12 to the westerly right-of-way or State Highway 75; thence

S. 0° 18' 00" E., 871.68 feet along said westerly right-of-way of State Highway 75; thence

S. 89° 11' 39" W., 341.50 feet; thence

S. 0° 26' 40" W., 125.00 feet; thence

S. 89° 11' 39" W., 201.87 feet; thence

S. 0° 26' 40" W., 320.00 feet to the southerly boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12; thence

S. 89° 11' 39" W., 2,103.26 feet along said southerly boundary of NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the southerly boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the SW corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12; thence

N. 0° 36' 03" W., 1,310.10 feet to the NW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12; thence

N. 89° 03' 10" E., 1,337.26 feet along the northerly line of said Section 12 to the N $\frac{1}{4}$ corner of Section 12, said corner being the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM any portion of State Highway 75 lying therein.

Recorded at the Request of:
Scott H. Clark, Esq.
Ray Quinney & Nebeker P.C.
299 South Main Street, Suite 350
Salt Lake City, UT 84111

Mail Tax Notice to:
Eccles Window Rock Ranch, LLC
79 South Main Street, 2nd Floor
P.O. Box 3028
Salt Lake City, UT 84111

VII VII
AmeriTitle
PARCEL A OF
TOWNSEND
RANCH
SUBDIVISION

(208) 726-4595
Phone Number

(208) 726-1062
Fax Number e

SPECIAL WARRANTY DEED

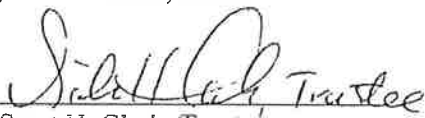
Scott H. Clark, Trustee, under the **Trust Agreement** dated November 21, 1986, Grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under Grantor, to **Eccles Window Rock Ranch, LLC**, a Utah Limited Liability Company, Grantee, whose address is 79 South Main Street, 2nd Floor, P.O. Box 3028, Salt Lake City, UT 84111, for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the following described real property in Blaine County, Idaho:

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH ALL APPURTENANT WATER RIGHTS.

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.

WITNESS the hand of said Grantor this 23rd day of December, 2005.


Scott H. Clark, Trustee

STATE OF UTAH)
:SS.
COUNTY OF SALT LAKE CITY)

On the 23 day of December, 2005, before me, a Notary Public of said State, duly commissioned and sworn, personally appeared **Scott H. Clark**, known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged that being informed of the contents of the instrument it was executed freely and voluntarily for the purposes therein expressed.

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


Notary Public

LEGAL DESCRIPTION

That easterly portion of LOT 4, TOWNSEND RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 268858, records of Blaine County, Idaho, being more particularly described by metes and bounds as follows:

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN
SECTION 2, BLAINE COUNTY, IDAHO

Commencing at a brass cap marking the East 1/4 Corner of said Section 2, said Corner being the True Point of Beginning.

Thence S00° 50' 35"W, 1328.21 feet along the Section line common to Sections 1 and 2 to the S1/16 Corner;

thence N89° 36' 20"W, 1157.86 feet along the southerly boundary of said Lot 4;

thence leaving said southerly boundary N17° 53' 36"E, 242.11 feet;

thence N49° 41' 32"E, 639.00 feet;

thence N29° 11' 23"E, 380.66 feet;

thence N16° 09' 40"E, 359.46 feet to a point on the northerly boundary of said Lot 4;

thence S89° 46' 59"E, 330.00 feet along said northerly boundary of Lot 4 to the True Point of Beginning.

Said described parcel contains approximately 20.99 acres, or approximately 914,468 square feet.

Now known as PARCEL A of TOWNSEND RANCH SUBDIVISION: Lot 4-A According to the official plat thereof recorded as Instrument No. 416981, records of Blaine County, Idaho.

EXHIBIT "A"

PARCEL I:

Lots 1, 2, 3 and 4 of FORREST WILLIAMS SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 200459, records of Blaine County, Idaho.

PARCEL II:

Lots 1, 2, 3 and 4 of the REPLAT OF CAL-PACIFICO RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 310615.

RECEIVED

MAR 24 2004

Order No. 23355

WARRANTY DEED

FOR VALUE RECEIVED

CHRISTIE ANNE HAUGH, an unmarried woman

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

SCOTT H. CLARK, TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 21, 1986

GRANTEE(s) whose address is: P.O. Box 1506, Sun Valley, ID 83353

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

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.
SECTION 12: NW1/4NW1/4

4141

PLAT 60. REQUEST

SAWTOOTH TITLE

'98 MAY 13 PM 1

MAY 13 1998

FEES \$3

Subject to existing easements and documents of record, public rights of way and interest in the State of Idaho in and to that portion of land line below the high water mark of the Big Wood River.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever, including all water rights appurtenant thereto.

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: May 12, 1998

Christie Anne Haugh
CHRISTIE ANNE HAUGH

State of Idaho

)
)ss.

County of Blaine

)

On this 12th day of May, in the year 1998, before me, the undersigned, personally appeared CHRISTIE ANNE HAUGH, 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.

Kenny A. Bradley

Notary Public

Commission Expires: 9-7-99



Order No. 23355

WARRANTY DEED

414185

FOR VALUE RECEIVED

CHRISTIE ANNE HAUGH, an unmarried woman

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

SCOTT H. CLARK, TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 21, 1986

GRANTEE(s) whose address is: P.O. Box 1508, Sun Valley, ID 83353

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

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 1: SW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

DEED REQUEST
SAWTOOTH TITLE

1998 MAY 13 PM 1 36

MARY ANN CLARK

FEES \$ 3⁰⁰

Subject to existing easements and documents of record, public rights of way and interest in the State of Idaho in and to that portion of land line below the high water mark of the Big Wood River.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever, including all water rights appurtenant thereto, which include, but may not be limited to, water rights numbered 37-02571, 37-00188A and 37-00577A.

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: May 12, 1998

Christie Anne Haugh
CHRISTIE ANNE HAUGH

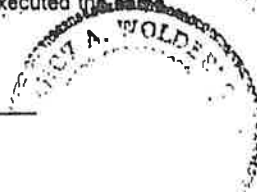
State of Idaho

County of Blaine

On this 12th day of May, in the year 1998, before me, the undersigned, personally appeared CHRISTIE ANNE HAUGH, 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.

Mary A. Golder
Notary Public
Commission Expires: 9-7-99



Order No. 23355

WARRANTY DEED

FOR VALUE RECEIVED

CHRISTIE ANNE HAUGH, an unmarried woman

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

SCOTT H. CLARK, TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 21, 1986

GRANTEE(s) whose address is: P.O. Box 1508, Sun Valley, ID 83353

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

TOWNSHIP 1 NORTH, RANGE 18, EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 2: Beginning at the E1/4 corner of Section 2;

Thence N89° 42' 00" W, 330.00 feet;

Thence N00° 13' 00" E, 1285.74 feet;

Thence S89° 42' 00" E, 330.00 feet;

Thence S00° 13' 00" W, 1285.74 feet to the P.O.B.

TOGETHER WITH a 60 foot (60') Easement for Ingress and egress more particularly described as follows:

SECTION 2: A tract of land in the NE1/4 being more particularly described as follows:

BEGINNING at the Northeast corner of the SE1/4NE1/4, thence

N. 89° 42' W., 660 feet; thence

S. 00° 13' W., 60 feet; thence

S. 89° 42' E., 660 feet; thence

N. 00° 13' E., 60 feet to the TRUE POINT OF BEGINNING

Subject to existing easements and documents of record, public rights of way and interest in the State of Idaho in and to that portion of land line below the high water mark of the Big Wood River.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever, including all water rights appurtenant thereto.

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: May 12, 1998

Christie Anne Haugh
CHRISTIE ANNE HAUGH

State of Idaho

}
}ss.

County of Blaine

On this 12th day of May, in the year 1998, before me, the undersigned, personally appeared CHRISTIE ANNE HAUGH, 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.

Nancy A. Folsom
Notary Public
Commission Expires: 9-7-99



414187

Deed

BLAINE CO. REQUEST

SAWTOOTH TITLE

98 MAY 13 PM 1 37

MARY CLARK, TRUSTEE

FEES \$ 3.00

414188

Order No. 23355

WARRANTY DEED

BLAINE CO. REQUEST

SAWTOOTH TITLE

FOR VALUE RECEIVED

CHRISTIE ANNE HAUGH, an unmarried woman

'98 MAY 13 PM 1 37

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

MARK J. CLARK

SCOTT H. CLARK, TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 21, 1985 \$3

GRANTEE(s) whose address is: P.O. Box 1506, Sun Valley, ID 83353

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

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 1: N1/2 NW1/4SW1/4 and SW1/4NW1/4

Subject To: A Mortgage in favor of James and Shirley Hurst Beneficiary(s), in the original amount of \$1,100,000.00, recorded January 30, 1990, as Instrument No. 315827 records of Blaine County, Idaho which the Grantee(s) herein agree to assume and pay according to it's terms and conditions.

Subject to existing easements and documents of record, public rights of way and interest in the State of Idaho in and to that portion of the land line below the high water mark of the Big Wood River.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee his successors and assigns, forever, including all water rights appurtenant thereto, which include, but may not be limited to water right numbered 37-02571, licensed by the Idaho Department of Water Resources.

The said Grantor does hereby covenant to and with the said Grantee that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; and that Grantor will warranty and defend the same from all lawful claims whatsoever.

Dated: May 12, 1998

Christie Anne Haugh

CHRISTIE ANNE HAUGH

State of Idaho

}
}ss.
}

County of Blaine

On this 12th day of May, in the year 1998, before me, the undersigned, personally appeared CHRISTIE ANNE HAUGH, 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.

Nancy A. Foldes
Notary Public
Commission Expires: 9-7-99





Order No. 98008561
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received JOHN A. BURKE, a married man as to an undivided 50% interest and CANDIDA C. FORSTMANN, a married woman as to an undivided 50% interest, also shown of record as CANDIDA C. FORSTMAN

the Grantor hereby grants, bargains, sells, conveys and warrants unto SCOTT H. CLARK, TRUSTEE
UNDER TRUST AGREEMENT DATED NOVEMBER 21, 1986

the Grantee whose current address is: P.O. BOX 1435, SUN VALLEY, ID 83353

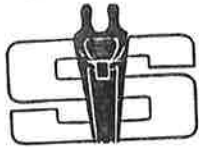
the following described premises, to-wit:

A parcel of property being all of the NE1/4 NW1/4 and a portion of the NW1/4 NE1/4, Sec. 12, T1N, R18E, B.M., Blaine County, Idaho, and more particularly described as follows:

COMMENCING at the N1/4 corner of said Section 12, said corner being the TRUE POINT OF BEGINNING; THENCE N 89°03'10"E, 1315.20 feet along the north section line of said Sec. 12 to the westerly right-of-way of State Highway 75; THENCE S 0°18'00"E, 871.68 feet along said westerly right-of-way of State Highway 75; THENCE S 89°11'39"W, 341.50 feet; THENCE S 0°26'40"W, 125.00 feet; THENCE S 89°11'39"W, 201.87 feet; THENCE S 0°26'40"W, 320.00 feet to the southerly boundary of said NW1/4NE1/4, Sec. 12; THENCE S 89°11'39"W, 2103.26 feet along said southerly boundary of NW1/4NE1/4, and the southerly boundary of the NE1/4NW1/4 to the SW cor. of said NE1/4NW1/4, Sec. 12; THENCE N 0°36'03"W, 1310.10 feet to the NW cor. of the NE1/4NW1/4, Sec. 12; THENCE N 89°03'10"E, 1337.26 feet along the northerly line of said Sec. 12 to the N1/4 cor. of Sec 12, said corner being the TRUE POINT OF BEGINNING

EXCEPTING THEREFROM: Any portion of State Highway 75 lying therein.

Together with any and all



Order No. 98008561
This form furnished by
Blaine County Title Associates

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS:

That **JOHN A. BURKE**

the party(ies) of the first part, for and in consideration of the sum of \$ **10.00** and other consideration,
lawful money of the United States of America, to have in hand paid by **SCOTT H. CLARK, TRUSTEE**
UNDER TRUST AGREEMENT DATED NOVEMBER 21, 1986

the party(ies) of the second part, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain,
sell and convey unto the said party of the second part, his/her heirs, executors, administrators and assigns, the following
described property to-wit:

1. 1620 FEET OF 6 INCH WADE RAIN ALUMINUM MAIN LINE TOGETHER WITH RING LOCKS
2. 1000 FEET OF 10 INCH WADE RAIN ALUMINUM MAIN LINE TOGETHER WITH RING LOCKS
3. 2 - 1/4 MILE OF A AND M WHEEL LINES TOGETHER WITH VALVE OPENERS AND HOSES
4. 1 40 HORSEPOWER TURBINE PUMP (GE SERIAL #YFP2220) TOGETHER WITH ELECTRICAL
PANELS
5. 21 PIECES 3 INCH HOOK AND LATCH HAND LINE

SVTC Order No. 98-14623

WARRANTY DEED

FOR VALUE RECEIVED

STEVEN P. DUININCK and KATHLEEN R. DUININCK, husband and wife

the grantors, does hereby grant, bargain, sell and convey unto

SCOTT H. CLARK, TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 21, 1986

the grantee, whose current address is Box 1435, Sun Valley ID 83353

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

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH WATER RIGHTS AS SHOWN ON EXHIBIT "B"

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any. Specifically reservations in Warranty Deeds recorded as Instrument Nos. 366707, 366708, and 366711 rerecorded as 367345.

The entirety of the real property described in Exhibit "A" shall be restricted per the terms of the Purchase and Sale Agreement Dated May 7, 1998, Item #4, wherein Buyer covenants and agrees with Sellers, as a material part of the Agreement, that there shall be no residential construction on the entirety of the above-described Real Property until December 31, 2009.

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

and that they/he/she will warrant and defend the same from all lawful claims whatsoever.

Dated: May 11, 1998

Steven P. Duinick

Steven P. Duinick

By Kathleen R. Duinick his attorney in fact

Kathleen R. Duinick his attorney in fact

State of Idaho
County of Blaine

Kathleen R. Duinick

Kathleen R. Duinick

On this 14th day of May, 1998, Before me a Notary Public in and for said State, personally appeared Kathleen R. Duinick known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Steven P. Duinick and acknowledged to me that she subscribed the same as attorney in fact.

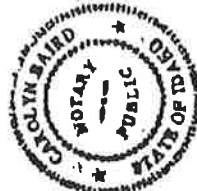
Carol Baird
Notary Public
Residing at Shelby
Comm. Expires 3-14-2005



State of Idaho
County of Blaine

On this 14th day of May, 1998, Before me a Notary Public in and for said State, personally appeared Kathleen R. Duinick, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Carol Baird
Notary Public
Residing at Shelby
Comm. Expires 3-14-2005



98-14625

EXHIBIT "A"

PARCEL I

Lots 1, 2, 3 and 4 of FORREST WILLIAMS SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 200439, records of Blaine County, Idaho.

PARCEL II

Lots 1, 2, 3 and 4 of the REPLAT OF CAL-PACIFIC RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 310613, records of Blaine County, Idaho.

PARCEL III

A PARCEL OF LAND LOCATED WITHIN THE NE1/4 SECTION 2, TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

Commencing at a G.L.O. brass cap marking the east one-quarter corner of said Section 2; thence N. 89°46'09" W., 330.00 feet along the south boundary of said NE1/4 to the REAL POINT OF BEGINNING; thence continuing N. 89°46'09" W., 308.25 feet along said south boundary NE1/4, Section 2 to a 5/8 inch rebar marking the southeast corner of the Cal Pacific Ranch Sub; thence N. 0°01'50" E., 1,284.48 feet along the east boundary of said Cal Pacific Sub to a 1/4 inch rebar on an angle point on the east boundary of Lot 2, Cal Pacific Sub; thence S. 89°52'45" E., 309.34 feet along the south boundary of Brian Drive to the northeast corner of Tax Lot 6449; thence S. 0°04'46" W., 1,285.07 feet along the line common to Tax lots 6449 & 6391 to the POINT OF BEGINNING.

TOGETHER with a 60 foot easement for ingress and egress more particularly described as follows:

TOWNSHIP 1 NORTH, RANGE 18 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 2: A tract of land to the NE1/4 being more particularly described as follows:

Beginning at the Northeast corner of the property previously described in the indemure as being conveyed to the Grantees; thence N. 89°42' W., 330 feet; thence N. 0°13' E., 60 feet; thence S. 89°42' E., 660 feet; thence S. 0°13' W., 60 feet; thence N. 89°42' W., 330 feet to the TRUE POINT OF BEGINNING

38-14635

This portion of Water Right No. 37-07745C which is a ground water right appurtenant to the Real Property, all as more particularly described and defined in Transfer No. 4707, and as claimed in In Re: the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39573 (the "SRBA") as Claim A37-07745C;

30 miner's inches of Water right No. 37-0315, a surface right, as claimed in the SRBA as Claim A37-00315; and 20956

31.5 miner's inches of Water Right No. 37-0686, a surface right, as claimed in the SRBA as Claim 37-00686; 20938

35 miner's inches of Water Right NO. 37-0688, a surface right, as claimed in the SRBA as Claim 37-00688.

12.5 miner's inches of Water Right No. 37-0713C, a surface right, as claimed in the SRBA, as Claim 37-00713C

All of the above described water rights are subject to the final outcome of all proceedings in and the provisions, terms and conditions of the decree to be entered in the SRBA. Sellers make no representation as to outcome, provisions, terms and conditions of the decree to be entered in the SRBA.

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: **A37-01227A**
Date Received: 8/16/1989
Receipt No: S008862
Received By: _____

suffix added (split)

AMENDED

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

AMENDED

1. Name: CAL-PACIFICO OF CALIFORNIA 208-788-2953
Address: PO BOX 40
BELLEVUE ID 83313

2. Date of Priority: JUN 1, 1883

3. Source: TOWNSEND GULCH Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	2	SW	SE	NE		BLAINE

5. Description of diverting works:
CHECK DAMS AND DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

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

8. Total consumptive use is 112.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	2	NE	NE	1	IRR	8.0
			NW	NE	2	IRR	14.0
			SE	NE		IRR	23.0

Section Acres 45.0

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AUG 24 1989

10. Place of Use: Continued

Total Acres 45.0

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:
SEE REMARKS.

14. Remarks:

ORIGINALLY DECREED TO THOMAS WERRY IN WERRY v. NEWMAN & TEUSCHER,
DATED 10-02-1924. USED IN COMBINATION WITH RIGHTS DESCRIBED IN
PARAGRAPH 13, ABOVE, TO IRRIGATE THE SAME LANDS. THE PLACE OF
USE IS CLAIMED PURSUANT TO IDAHO CODE 42-1416(1) TO THE EXTENT
IT DIFFERS FROM THE DECREE.

ORIGINAL RIGHT SPLIT BY TRANSFER NO. 3802

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/ 2/1942

WERRY

Decree Plaintiff

NEWMAN & TEUSCHER

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: _____

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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: A37-01227A
Date Received: 8/16/1989
Receipt No: S008862
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CAL-PACIFICO OF CALIFORNIA
Address: P.O. BOX 40
BELLEVUE, ID 83313
208-788-2953

2. Date of Priority: JUN 01, 1883

3. Source: TOWNSEND GULCH
Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	2	SW	SE	NE		BLAINE

5. Description of diverting works:
CHECK DAMS AND DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.900		

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

8. Total consumptive use is 125.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	2	NE	NE	1	IRR	13.0
			NW	NE	2	IRR	14.0
			SE	NE		IRR	23.0
Section Acres							50.0

A37-01227A

Page 1

Date: 08/16/89

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FEB 23 1993

10. Place of Use: Continued

Total Acres 50.0

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:
SEE REMARKS.

14. Remarks:

ORIGINALLY DECREED TO THOMAS WERRY IN WERRY v. NEWMAN & TEUSCHER,
DATED 10-02-1924. USED IN COMBINATION WITH RIGHTS DESCRIBED IN
PARAPGRAPH 13, ABOVE, TO IRRIGATE THE SAME LANDS. THE PLACE OF
USE IS CLAIMED PURSUANT TO IDAHO CODE §42-1416(1) TO THE EXTENT
IT DIFFERS FROM THE DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/02/1942

WERRY

Decree Plaintiff

vs

NEWMAN & TEUSCHER

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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
PROFESSIONAL ASSOCIATION
OF
ATTORNEYS
120 EAST AVENUE
POST OFFICE BOX 987
TCHUM, IDAHO 83340

CERTIFIED

P 223 133 324

MA



Mr Loren Holmes
Department of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301



MICROFILMED

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: 39356

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

Ident Number A37-01227 A
Date Received _____
Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): Cal-Pacifico of California
Phone: (208) 788-2953
Mailing Address: Route, Box 40
Bellevue, ID 83313

2. Date of Priority: June 1, 1883

3. Source of water supply (a) Townsend Gulch
which is tributary to (b) Broadford Slough

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>
1N	18E	2	SW	SE	NE		Blaine

Additional points of diversion if any: None.

b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	----------	----------	----------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: Check dams and ditches for flood irrigation.

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6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	0.90 cfs

7. Total Quantity Claimed: 0.90 cfs

8. Total consumptive use claimed is 125 acre feet per annum.

9. Non-irrigation uses:

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>Use</u>	<u>Irrig. Acres</u>
1N	18E	2	NE	NE(Lot 1)	I	13
1N	18E	2	NW	NE(Lot 2)	I	14
1N	18E	2	SE	NE	I	23

Total number of irrigated acres: 50

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? A37-00315B; A37-00686B; A37-00713A; A37-00688D; A37-00688E; A37-02468A; A37-04076A; 37-01228.

14. Remarks: Originally decreed to Thomas Werry in Werry v. Newman & Teuscher, dated October 2, 1924. Used in combination with rights described in paragraph 13, above, to irrigate the same lands. The place of use is claimed pursuant to Idaho Code §42-1416(1) to the extent it differs from the decree.

Last Name: Cal-Pacifico

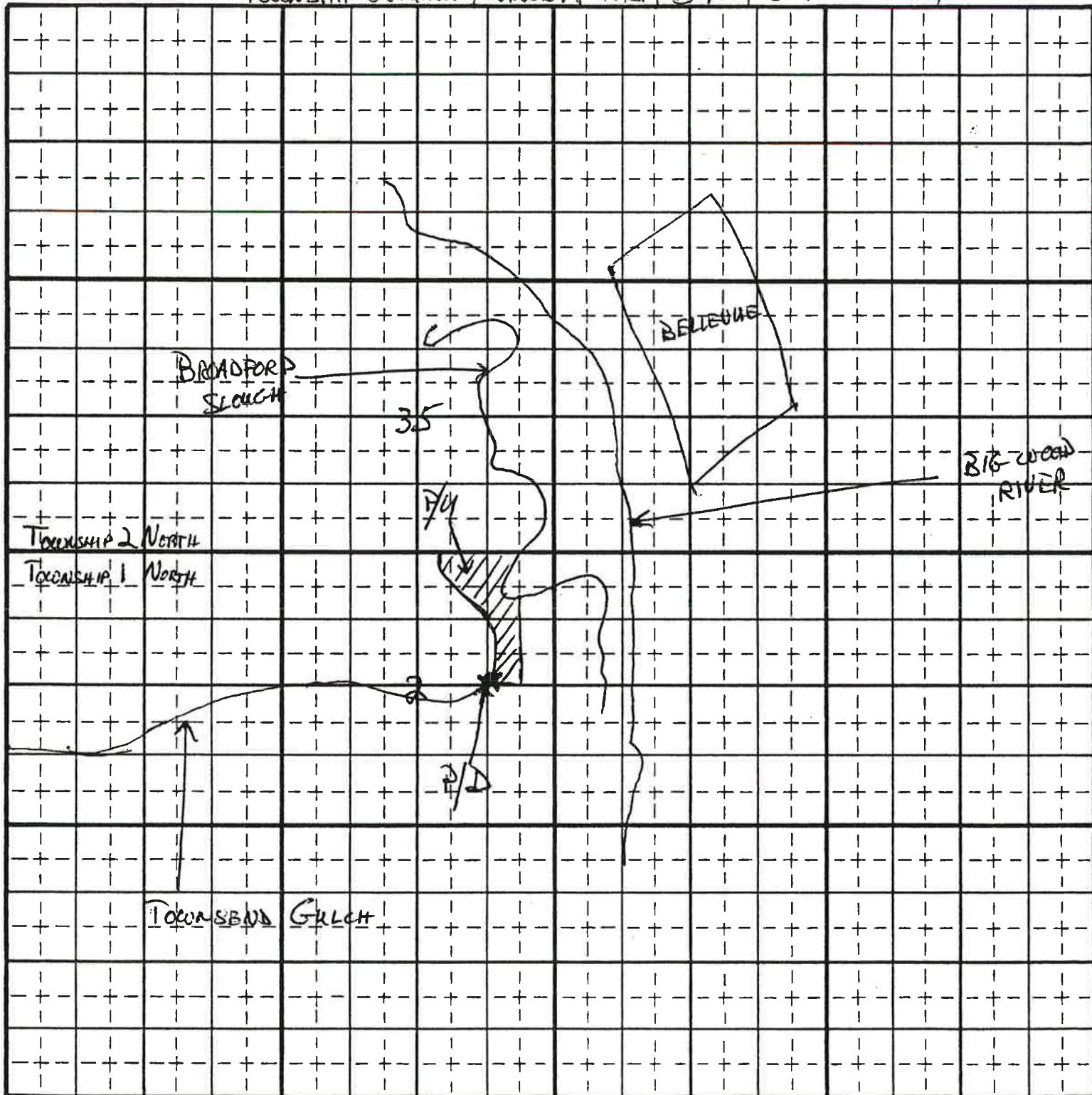
Ident No. _____

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FEB 23 1993

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

Scale: 2 inches equals 1 mile

TOWNSHIP 2 NORTH, RANGE 18 EAST, B.M., BLAINE COUNTY



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FEB 23 1993

Last Name CAL-PACIFICO Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim: Decree
IDWR Water Right Number: 37-01227
Court:
Case Number:
Decree Date: October 2, 1924
Plaintiff v. Defendant: Werry v. Newman & Teuscher

16. Signature(s)

(a) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

I do solemnly swear or affirm that I am the president of Cal-Pacifico of California, a California corporation, that I have signed the foregoing document in the space below as president of said corporation and that the statements contained in the foregoing document are true and correct.

DATE: 8-7-89

CAL-PACIFICO OF CALIFORNIA

By: [Signature]
Ralph Girton, president

State of California)
County of Orange) ss.

Subscribed and sworn before me this 7 day of August, 1989.



Notary Public Rosalie Marchese
Residing at 1300 Quail #208 Newport Beach
Commission Expires Feb. 23, 1993

17. Notice of Appearance:

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

Signature: [Signature]
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 8/11/89

Last Name: Cal-Pacifico Ident No.: _____
a:\cpacif10.clm

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FEB 23 1993

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

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

CERTIFIED MAIL\RETURN RECEIPT REQUESTED

Mr. Loren Holmes
Department of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 94401

RE: Cal Pacifico of California
Notice of Claims to Water Rights for
the Snake River BASin Adjudication

Dear Loren:

Enclosed please find notices of claims to be filed in the Snake River Basin Adjudication on behalf of Cal Pacifico of California for Idaho Water Rights Nos. 37-01227 and 37-01228, together with our check in the sum of \$250.00 which represents the required filing fee of \$150.00 plus a \$50 late fee for each claim. Please provide me with copies of the claims as they have been entered into the Department's computer data base.

Please call me if you have any questions. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

JS
James P. Speck

JPS/rlk
enc.

cc: Ralph Girton (w/enc.)
Alexia Maresi (w/enc.)

RECEIVED

AUG 14 1989

Department of Water Resources
Southern Region Office

MICROFILMED

FEB 23 1993

WARRANTY DEED

For Value Received

A. C. RIDLAND and MARILYNN M. RIDLAND, husband and wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto
A. ALEXIA MARESI, a single woman

whose address is: P.O. Box 534 Ketchum, Idaho 83340

Hereinafter called the grantee, the following described premises, in Blaine..... County, Idaho,
to-wit:Lot 1, TOWNSEND RANCH SUBDIVISION, Blaine County, Idaho, according
to the official plat thereof recorded December 5, 1985, as Instrument
No. 268858, records of Blaine County, Idaho.SUBJECT TO Restrictions and Easements of record in the Blaine County
Recorders Office, Blaine County, Idaho.

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 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 incumbrances except as described above and that Grantor will warrant
and defend the same from all lawful claims whatsoever.

Dated: December 10, 1985

A.C. Ridland

Marilynn M. Ridland

STATE OF Idaho, COUNTY OF Blaine
On this day of December, 19 85,
before me, a notary public in and for said State, personally appeared

A.C. Ridland and Marilyn M.
Ridland, husband and wife

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to
me that they have executed the same.

Residing at
Comm. Expires

Notary Public
, Idaho

STATE OF IDAHO, COUNTY OF

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 \$
Mail to:

MICROFILMED
FEB 23 1993

WARRANTY DEED

1. Value Received

2. A. C. RIDLAND and MARILYNN M. RIDLAND, husband and wife

3. Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto

4. JULIA M. RICE, a single woman

5. Address is:

Box 534, Ketchum, Idaho 83340

6. Hereinafter called the grantee, the following described premises, in Blaine County, Idaho,

7. to wit:

8. Lot 1, TOWNSEND RANCH, 800 ACRES, Blaine County, Idaho, according to the plat thereof recorded on December 5, 1985, as Instrument No. 268858, of Blaine County, Idaho.

9. With wither and mineral rights, if any, appurtenant thereto.

10. Subject to easements, restrictions and reservations of record in the office of the County Recorder of Blaine County, Idaho.

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 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 incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 23, 1986

A. C. Ridland
A. C. Ridland

Marilynn M. Ridland
Marilynn M. Ridland

STATE OF IDAHO COUNTY OF Blaine

On 23 day of Dec, 19 86
before me, a notary public in and for said State, personally appeared

A. C. Ridland and Marilynn M. Ridland,
husband and wife.

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

STATE OF IDAHO, COUNTY OF Blaine

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

at 57 minutes past 41 o'clock P m.,
this 1 day of December,
19 86, in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By Deputy Deputy.

Fees \$
Mail fee

MICROFILMED

FEB 23 1993

RECEIVED

MAY 16 2002

Form 42-248/42-1409(6) July, 2000

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

Department of Water Resources
Southern Region

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	37-11541				

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Alexia A. Maresi
PO Box 369, Bellevue, ID 83313
4. New Owner/Claimant(s) Lawrence Warner
Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address PO Box 2320 155 Townsend Gulch Rd
- City, State and Zip Code Sun Valley, ID 83353 Bellevue, Idaho
- New Telephone Number (208) 788-9753
5. Date you acquired the property March 30, 1993 CID 291827

6.

IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.

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

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

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

7. Signature of New owner(s) or Claimant(s)
(include title if applicable)

Laurence Warner

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

For Office Use only

Received by [Signature] Date 5/16/02 Fee 25.00
 Receipted by [Signature] Date 5/16/02 Receipt No. 5024941
 Processed by [Signature] AJ Date 5/16/02 WR _____ Date _____

01/06/2007

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

RIGHT NUMBER: 37-1227A
NAME AND ADDRESS: ECCLES WINDOW ROCK RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84110
SOURCE: TOWNSEND GULCH CREEK TRIBUTARY: BIG WOOD RIVER
QUANTITY: 0.800 CFS
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
PRIORITY DATE: 06/01/1883
POINT OF DIVERSION:
T01N R18E S2 SENE Within BLAINE County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.800 CFS

PLACE OF USE: IRRIGATION in BLAINE County
T01N R18E S02 Lot 1 NENE 13.00 T01N R18E S02 Lot 2 NWNE 8.70
T01N R18E S02 SENE 13.00

34.7 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

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.



Idaho Department of Water Resources

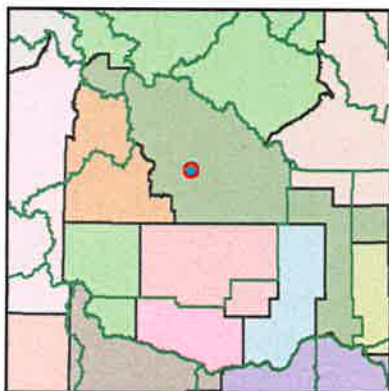
SRBA Recommendation:

37-1227A

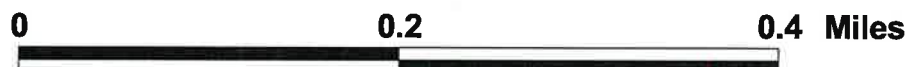
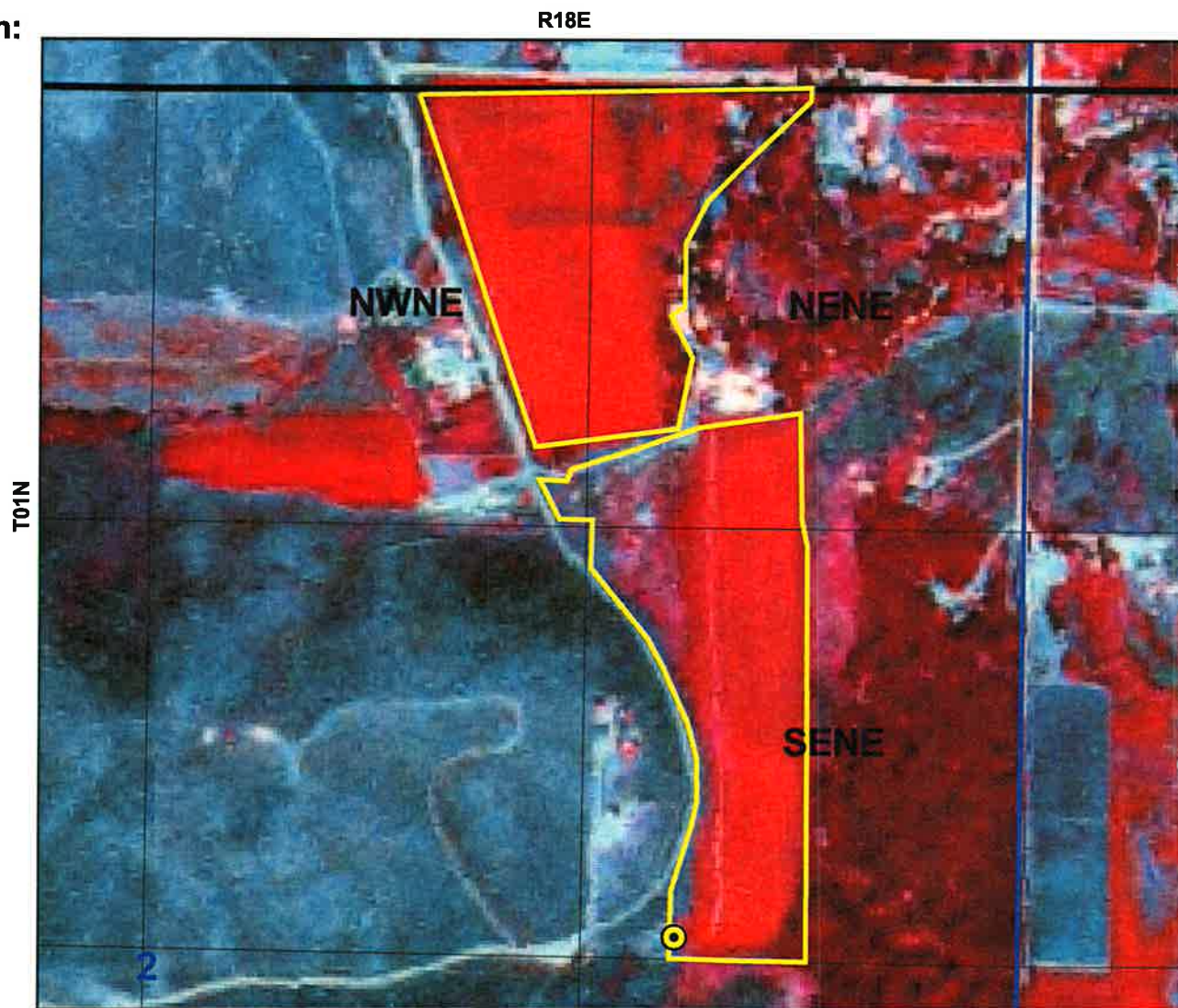
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by D. Smith
On Friday, January 19, 2007
1987/88 Aerial Photography



Idaho Department of Water Resources

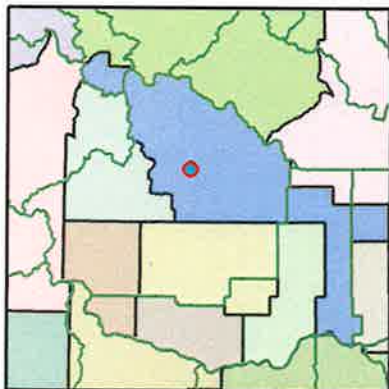
SRBA Recommendation:

37-1227A

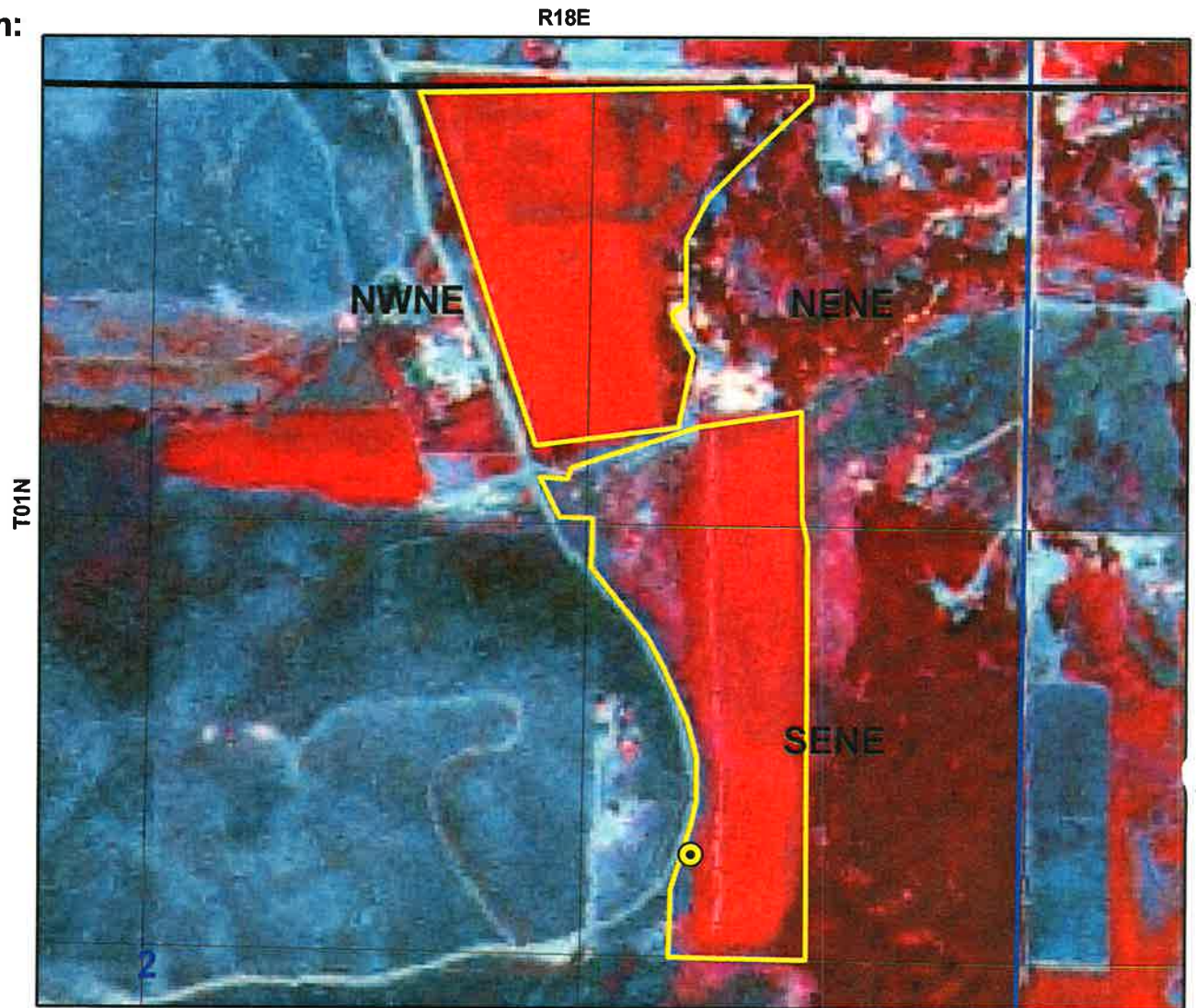
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles



Prepared by A. Warntjes
On Saturday, January 6, 2007
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 3802
WATER RIGHT NO. 37-01227B

This is to certify that: **LAWRENCE W WARNER**
C/O JAMES P SPECK ESQ
PO BOX 987
KETCHUM ID 83340

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.10 CFS	17.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
TOWNSEND GULCH	BIG WOOD RIVER

Priority: 06/01/1983

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 2, Township 01N, Range 18E
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>
01N	18E	2	NWSW	5		5
Total number of acres irrigated:						5

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

RECEIVED 11/12/93

NOV 12 1993

PAGE 2

TRANSFER NO. 3802
WATER RIGHT NO. 37-01227B

Dated this 26th day of October, 1993.

A. Glen Saxton
Chief, Water Alloc. Bureau

NOV 22 1993

RECEIVED

SEP 09 1993

Transfer No. 3802

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Lawrence W. Warner Phone (208)726-4421

Post Office address c/o James P. Speck, HOGUE, SPECK & AANESTAD, P.O. Box 987, Ketchum, ID 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant has purchased a portion of 37-01227
contingent upon approval of transfer to his land

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 37-01227 Priority 6/1/1883 Amount (cfs/ac-ft) 0.1 cfs Nature of Use irrigation Period of Use Apr. 1 to Nov. 1
2. Total amount of water being transferred 0.1 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Townsend Gulch tributary to Big Wood River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	2	IN	18E	Blaine	N/A

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
IN	18E	2									5								5

Total acres 5

PART 1**6. General Information:**

- a. Description of diversion system 5HP pump in creek; flood and sprinkler irrigation
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Other lands in Townsend Gulch will not be irrigated. Cal Pacifico has other rights to irrigate its lands
- d. Remarks:
Place of use is Lot 1, Townsend Ranch Subdivision(a copy of the plat is Attachment 1).
For a normal year, Townsend Gulch sinks before it reaches the Big Wood River.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

3802

3802

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-01227 Decreed to Thomas Werry
in case of Werry vs. Newman & Teuscher
dated 10/02/1924 in Blaine county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other Oral contract of purchase

3. Source of water Townsend Gulch tributary to Big Wood River
4. Date or priority 6/1/1883

5. Water is used for the following purpose:

amount 0.9 for irrigation purposes from Apr. 1 to Nov. 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.9 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NE	2	IN	18E	Blaine	N/A

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals.
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
IN	18E	2	13	14		23													50

Total acres 50

9. Describe any other water rights used for the same purpose as described above 37-00315B; 37-00686B
37-00713A; 37-00688D; 37-00688E; 37-02468A; 37-04076A; 37-01288

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.1 for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NE	2	IN	18E	Blaine	N/A

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
IN	18E	2	5																5

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.8 for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NE	2	IN	18E	Blaine	N/A

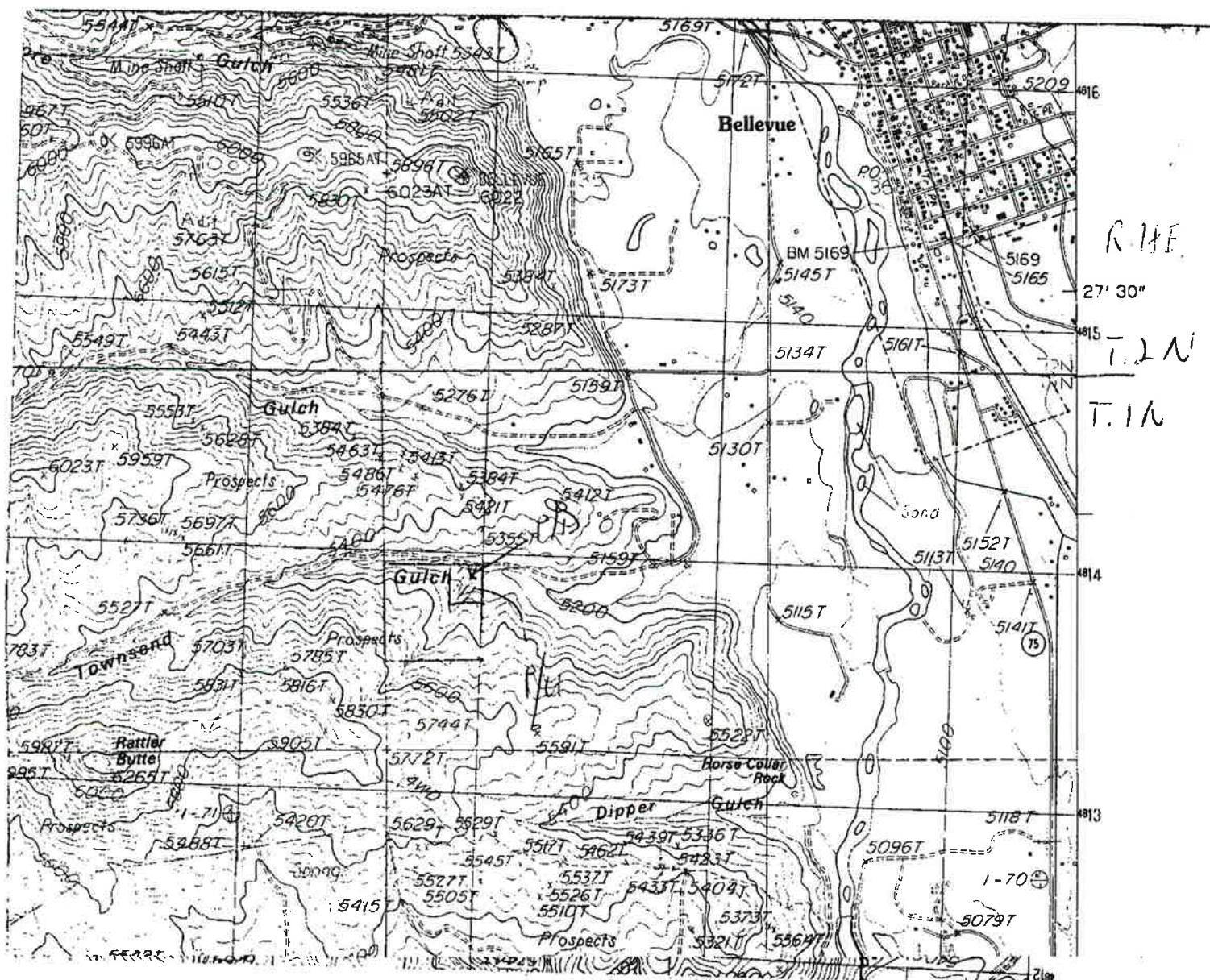
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
IN	18E	2	8	14		23													45

Total acres 45

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



NOV 22 1992

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

October 1st day of, 19 93.

(Signature of Applicant)

Union

(Notary Public)

My commission expires

8/3/98**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 2 attachments

Received by

Amended Application

Date

9-9-93

Protest filed by

Prelim. check by

Fee

\$50.00 5012854 - Original
\$20.00 5022530 - Amended

Received by

Date

Published in

Copies of protest forwarded by

Pub. dates

Hearing held by

Date

Watermaster recommendation requested on

Recommended for

☐

approval

☐

denial

rec'd.

by

Copy of transfer sent to lien holder

RECORDED

NOV 22 1993

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	37-01227	Thomas Werry Esther Werry	0.90
SPLIT INTO PARTS A & B BY TRANSFER #3802			
Partial Assignment	37-01227A	Thomas Werry Esther Werry	0.80
Partial Assignment	37-01227B	Lawrence Warner	0.10

RECEIVED
NOV 22 1993

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

RECEIVED

NOV 13 1980

Department of State Resources
Southern District Office

THOMAS WERRY and ESTHER WERRY,

plaintiffs,

vs.

D E C R E E.

S. P. NEWMAN and JOSEPH TEUSCHER,

Defendants.

B-1
File 37-43

This cause coming on regularly to be heard in open Court the 25th day of September, 1924, the said plaintiffs being represented by W. A. Brodhead, Esq., and the said defendants by J. G. Hedrick, Esq.; and after the introduction of certain testimony on the part of the plaintiffs in support of the complaint and testimony on the part of the defendants in support of the cross complaint of S. P. Newman, a stipulation was entered into between counsel for respective parties that judgment in said cause be entered as follows: And the Court being fully advised, and pursuant to said stipulation:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows, to-wit:

1. That the said plaintiffs are now, and they and their predecessors in interest have been since about the year 1883, the owners of and in possession of, and entitled to the possession of the following described land in Blaine County, State of Idaho, to-wit:

Lot 4, Sec. 1, Lots 1 and 2 and ~~S. 1/4~~ Sec. 2 in Tp. 1 N., R. 18 E.B.M.

MAY 28 1936

2. That said land is dry and arid in character and will not in its natural state produce profitable agricultural crops without the artificial application of water for irrigation.

37-1227 3. That the said plaintiffs are the owners of the right to the use of 45 miners inches, equivalent to 0.9 cubic feet per second of the waters of what is known as Townsend Gulch for the irrigation of the land hereinabove described, with date of priority, June 1, 1883.

37-1228 4. That the defendant S. P. Newman is now, and he and his predecessors in interest have been since the year 1905, the owners of the N $\frac{1}{2}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 2, Tp. 1 N., R. 18 E.B.M.

5. That said land is dry and arid in character and will not in its natural state produce profitable agricultural crops without the artificial application of water for irrigation.

6. That the said defendant S. P. Newman is the owner of the right to the use of 20 miners inches, equivalent to 0.4 cubic feet per second of the waters of what is known as Townsend Gulch for the irrigation of the land hereinabove described, with date of priority, May 1, 1905.

7. That each of the parties to this action be, and they and their successors agents, servants, and all persons acting by, through, or under them, or either of them be and they and each of them are hereby perpetually restrained and enjoined from in any manner interfering with the flow of the waters of Townsend Gulch, except as in this decree provided.

Done in open Court this 2nd day of October, 1904.

MAY 28 1906

miners inches, equivalent to 0.9 cubic feet per second of the waters of what is known as Townsend Gulch for the irrigation of the land hereinabove described, with date of priority, June 1, 1883.

4. That the defendant S. P. Newman is now, and he and his predecessors in interest have been since the year 1905, the owners of the N $\frac{1}{2}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 2, Tp. 1 N., R. 18 E.B.M.

5. That said land is dry and arid in character and will not in its natural state produce profitable agricultural crops without the artificial application of water for irrigation.

6. That the said defendant S. P. Newman is the owner of the right to the use of 20 miners inches, equivalent to 0.4 cubic feet per second of the waters of what is known as Townsend Gulch for the irrigation of the land hereinabove described, with date of priority, May 1, 1905.

7. That each of the parties to this action be, and they and their successors agents, servants, and all persons acting by, through, or under them, or either of them be and they and each of them are hereby perpetually restrained and enjoined from in any manner interfering with the flow of the waters of Townsend Gulch, except as in this decree provided.

Done in open Court this 2nd day of October, 1924.

H. F. Ensign

District Judge.

Filed and entered Oct. 2, 1924.
Cassie M. Russell, Clerk District Court.
Blaine County, Idaho.
By Geo. A. McLeod, Deputy.

MAY 28 1996

COPY**RECEIVED****DEC 05 2006**DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**RECEIVED****JUL 22 2004**Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

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

Water Right No.(s)	Adjudication Claim No.(s)	Split	Water Right No.(s)	Adjudication Claim No. (s)	Split
<u>AS 37-4076</u>	<u>AS 37-4076A</u>	☐	_____	_____	☐
<u>AS 37-2468</u>	<u>AS 37-2468A</u>	☐	_____	_____	☐
<u>AS 37-1227A</u>	<u>AS 37-1227A</u>	☐	_____	_____	☐
<u>AS 37-1228</u>	<u>AS 37-1228C</u>	☐	_____	_____	☐
<u>PD 37-12350</u>	_____	☐	_____	_____	☐

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

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

OR

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

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

Cal-Pacifico Ranch, Inc.

4. New Owner/Claimant(s):

RT 1, Box 40 Bellevue, ID 83313

New Mailing Address:

Eccles Window Rock Ranch, LLC

City, State, Zip Code:

PO Box 3028

New Telephone Number:

Salt Lake City, UT 84110(801) 246-5329

5. Date you acquired the property:

Department of Water Resources
Southern Region**SEP 22 2004****RECEIVED**

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) or Claimant(s):
(include title, if applicable)

Chris E. Dunning
Power of attorney

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

Department of Water Resources
Snake River Region

SEP 22 2004

RECEIVED

FOR OFFICE USE ONLY

Received by: _____ Date: _____
Received by: *clw* Date: *clw*
Processed by: _____ AJ Date: _____

Fee: *2500*
Receipt No: *5029095*
WR: _____ Date: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Nov-1993

CAL-PACIFICO OF CALIFORNIA
PO BOX 40
BELLEVUE ID 83313

RE: Snake River Basin Adjudication (SRBA)
Cassia County - #A37-01227
Identification Number Change

Dear Claimants:

The Identification Number of your Notice of Claim to a Water Right has been changed from A37-01227 to A37-01227A. The suffix has been added to the number in order to distinguish your claim from other claims that may claim a portion of the same original water right. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this record number in any future inquiries or correspondence.

Sincerely,

A handwritten signature in cursive script that reads 'Jeanie'.

Jeanie Robertson
Records Clerk

/jlr
Enclosures:
Claim A37-01227A

MICROFILMED
AUG 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Aug. 25, 1989

Re: A37-01228C
A37-01227

JAMES P SPECK
P O BOX 987
KETCHUM ID 83340

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

FEB 23 1993

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Alexia Maresi Phone 208/726-4421

Post Office address c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Box 987, Ketchum, ID 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes See Addendum _____

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-------------------|-------------------|--------------------|-------------------|--|
| <u>37-01227</u> | <u>6/1/1883</u> | <u>0.9 cfs</u> | <u>irrigation</u> | <u>Apr. 1</u> to <u>Nov. 1</u> |
| <u>37-01228</u> | <u>5/1/1905</u> | <u>0.3 cfs</u> | <u>irrigation</u> | <u>Apr. 1</u> to <u>Nov. 1</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
2. Total amount of water being transferred 1.2 cubic feet per second and/or acre-feet per annum.
3. Source of water Townsend Gulch tributary to Big Wood River
4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	18E	2									25	25							50

MICROFILMED
FEB 23 1993

Total acres 50

A37-01227
A37-01228

#1

MICROFILMED
FEB 23 1993

PART 1**6. General Information:**

a. Description of diversion system 5HP pump in creek; flood and sprinkler irrigation

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes XXXXX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Other lands in Townsend Gulch will not be irrigated. Cal Pacifico has other
rights to irrigate its lands

d. Remarks:

See Addendum

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-01227 Decreed to Thomas Werry
in case of Werry vs. Newman & Teuscher
dated 10/02/1924 in Blaine county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other See Addendum

3. Source of water Townsend Gulch tributary to Big Wood River

4. Date or priority 6/1/1883

5. Water is used for the following purpose:

amount 0.9 for irrigation purposes from Apr. 1 to Nov. 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.9 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NE	2	1N	18E	Blaine	N/A

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	18E	2	13	14		23													50

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FEB 23 1993

Total acres 50

9. Describe any other water rights used for the same purpose as described above 37-00315B; 37-00686B

37-00713A; 37-00688D; 37-00688E; 37-02468A; 37-04076A; 37-01228

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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Abstract The purpose of this study was to determine the effect of a 12-week training program on the physical fitness of 10-year-old children. The study was conducted in a primary school in Ankara, Turkey. The study group consisted of 20 children (10 boys and 10 girls) who were randomly selected from the school. The children were divided into two groups: a control group and an experimental group. The control group did not participate in any physical education program, while the experimental group participated in a 12-week training program. The physical fitness of the children was measured at the beginning and at the end of the 12-week period. The measurements included heart rate, blood pressure, and body mass index. The results of the study showed that the experimental group had significantly higher heart rates and blood pressures at the end of the 12-week period compared to the control group. The body mass index of the children in the experimental group also increased significantly. These findings suggest that a 12-week training program can improve the physical fitness of 10-year-old children.

2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-01228 Decreed to S.P. Newman
in case of Werry vs. Newman & Teuscher
dated 10/02/1924 in Blaine county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Townsend Gulch tributary to Big Wood River

4. Date or priority 5/01/1905

5. Water is used for the following purpose:

amount 0.3 for irrigation purposes from Apr. 1 to Nov. 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.3 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	SW	2	1N	18E	Blaine	N/A
	NE	NW	SW	2	1N	18E	Blaine	N/A

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	18E	2									18	4				25			47

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FEB 23 1993

Total acres 47

9. Describe any other water rights used for the same purpose as described above None

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

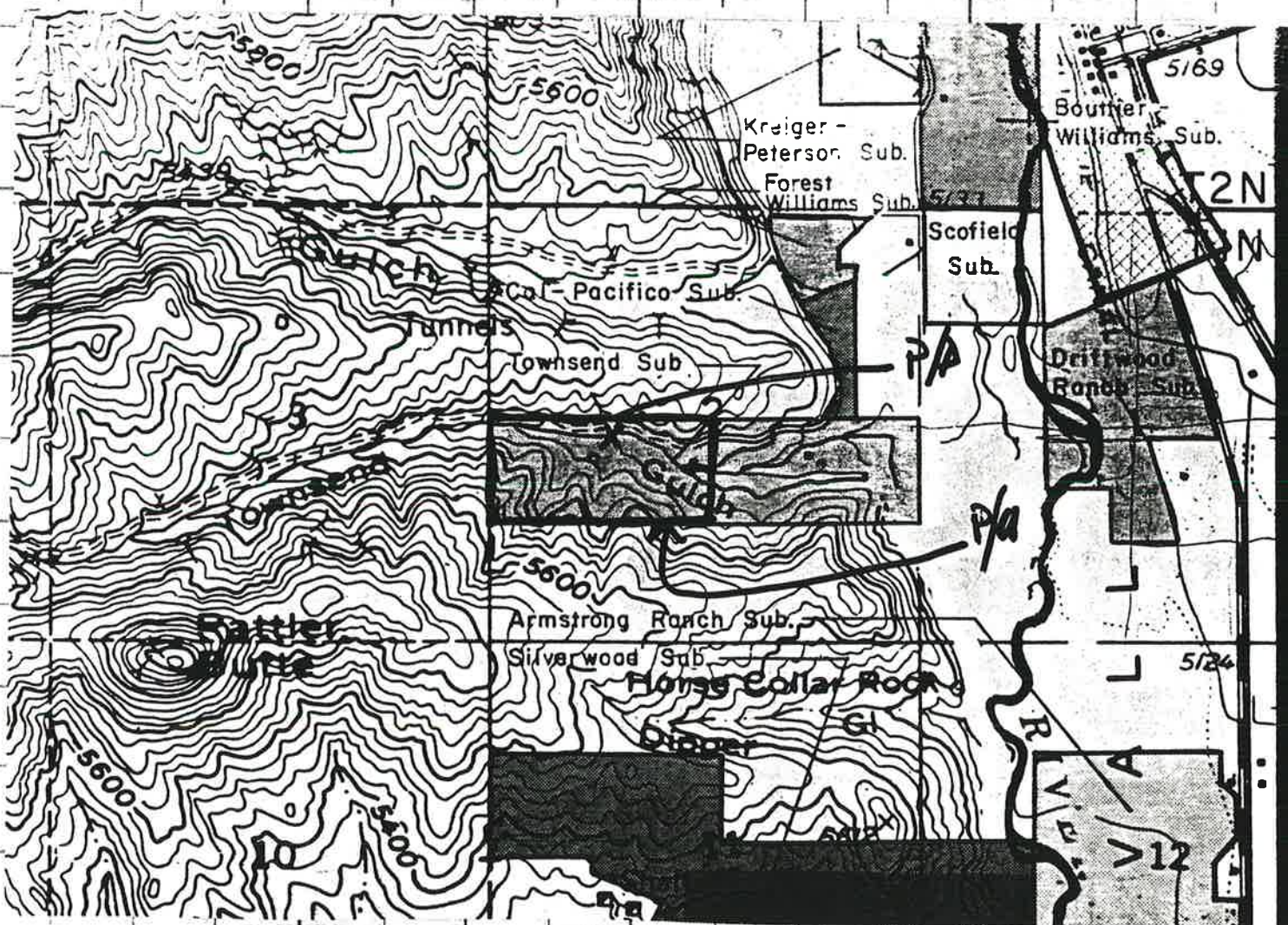
Total acres _____

MICROFILMED
FEB 23 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

R. 18 E., B.M., BLAINE COUNTY



MICROFILMED

FEB 23 1993

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Alexis A. Martin, by James A. Spade her attorney in fact
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of November, 19 90.

James A. Spade
(Notary Public)

My commission expires January 13, 1995**FOR DEPARTMENT USE ONLY**

Transfer contains 8 pages and 6 attachments

Received by JRP Date 11-28-90 10:30AM Protest filed by Circ # 11629 300

Prelim. check by _____ Fee \$50, 50/2854

Receipted by JF Stanton Date 11-28-90

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 3/27 - 3/6/91 Hearing held by _____ Date _____

Watermaster recommendation requested on 3/19/91 Recommended for ☐ approval ☐ denial

_____ rec'd. 3/25/91 by _____

Copy of transfer sent to lien holder _____

**ADDENDUM TO
APPLICATION FOR TRANSFER OF WATER RIGHT
BY
ALEXIA MARESI**

PART 1

A. PURPOSE OF TRANSFER

2. Describe the reason for the proposed change:

Applicant has purchased 37-01227 from Cal-Pacifico contingent upon approval of a transfer to her property. Applicant has sold a portion of the lands irrigated by her portion of 37-01228 and reserved the water rights which she wishes to transfer to lands retained by her in Townsend Gulch.

6. General Information.

d. Remarks: The place of use is Lots 1 and 2 of the Townsend Ranch Subdivision (see plat - Attachment 1). Applicant has sold Lot 3 and desires to transfer her portion of 37-01228 (0.3 cfs claimed in the Adjudication as A37-01228A) to Lots 1 and 2. Applicant has also entered into an agreement to purchase the only other water right on Townsend Gulch (37-01227) from Cal-Pacifico, contingent upon approval of this request to transfer the place of use and point of diversion to Lots 1 and 2 of Townsend Ranch Subdivision. Both water rights will be used on the same lands. In a normal year, Townsend Gulch sinks before it reaches the Big Wood River.

j\mrsixfr.add
9/29/90

MICROFILMED

FEB 23 1993

Recorded in North 1/2, South 1/2, Section 2, T.1 N., R.18 E., BM
Blaine County, Idaho
November 1985

Scale 1" = 40'

NOTES

1. Building Footprints
2. Lot Lines
3. Section Lines
4. All rights reserved to the State of Idaho
5. All rights reserved to the State of Idaho
6. All rights reserved to the State of Idaho
7. All rights reserved to the State of Idaho
8. All rights reserved to the State of Idaho
9. All rights reserved to the State of Idaho
10. All rights reserved to the State of Idaho
11. All rights reserved to the State of Idaho

Due to the width and condition of Townsend Gulch Road, approval of this subdivision does not obligate the County to improve the road, nor to provide services beyond what is currently provided.

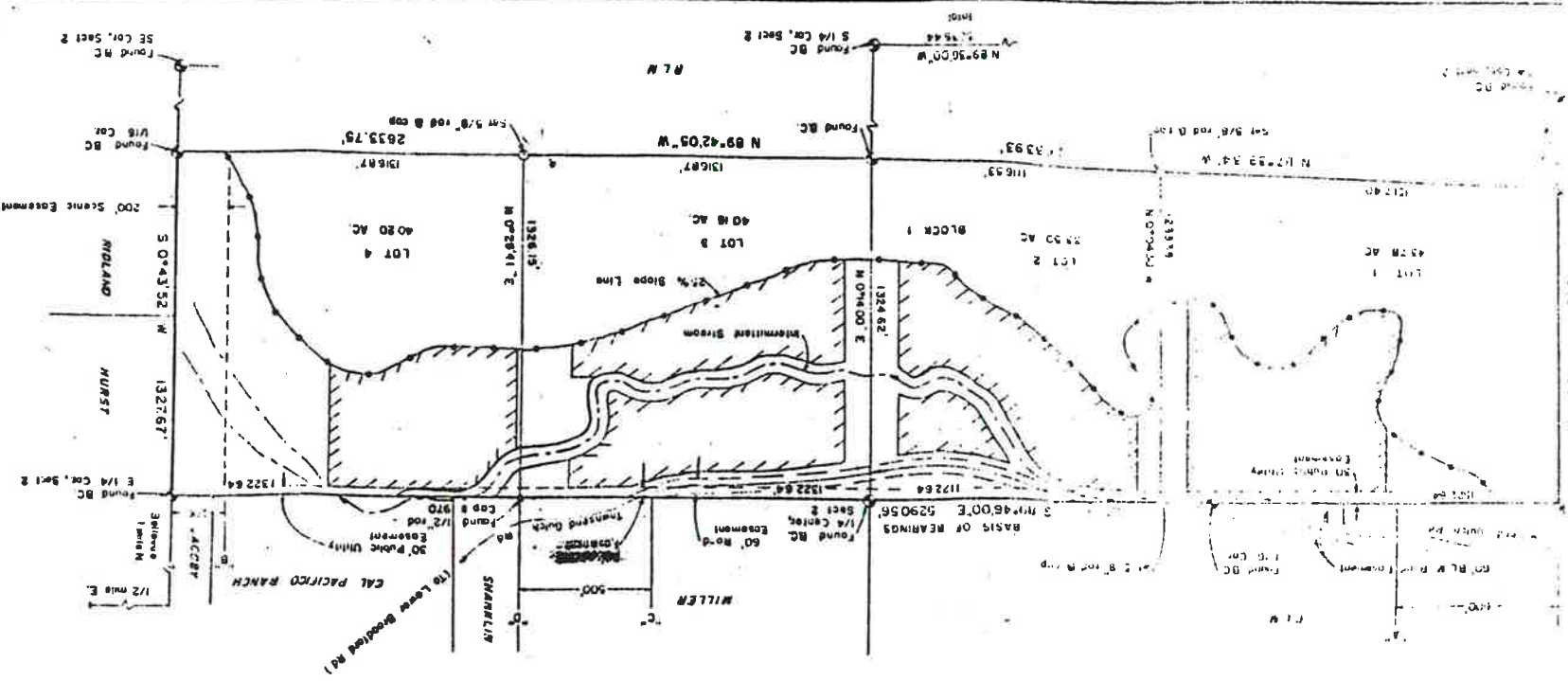
Roads within the subdivision shall be built to meet private road specifications, Section 9171 of the Blaine County Subdivision Ordinance 77-6. Each plat shall contain the following statement:

"The purchaser and/or owner of this lot or parcel understands and agrees that private road construction and snow removal shall be the obligation of the owner, his successors in interest, or homeowners' association, and that Blaine County is in no way obligated to occupy, maintain or improve these roads until the roads are brought up to County standards, dedicated and accepted by the County, and that each owner shall notify in writing any successor in interest of these facts."

The attached notice, restrictions, and conditions are recorded with the Blaine County Recorder's Office as instrument Number 20123.

For "A", "B", "C" and "D", see Declaration (Easements)

This map is a photographic reproduction of that on file in either the Recorder's Office or the Surveyor's Office. The company assumes no liability for variation, if any, with another or re-survey. Country Of:



PRELIMINARY
DISCUSSION PURPOSES ONLY

SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)

I, ALEXIA A. MARESI, designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 22 day of October, 1990.

Alexia A. Maresi
ALEXIA A. MARESI

STATE OF IDAHO)
) ss.
County of Blaine)

On this 22 day of October, 1990, before me, the undersigned notary public in and for said state, personally appeared ALEXIA A. MARESI, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

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

Ron J. Carter
Notary Public for Idaho
Residing at: Ketchum Idaho

maresi.pwr

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-1227B

WATER RIGHT NUMBER: 37-1227B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAWRENCE WARNER 155 TOWNSEND GULCH RD BELLEVUE, ID 83313 (208)788-9753

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
TOWNSEND GULCH CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.100 CFS	17.50 AF
	<u>Total Diversion:</u>	0.100 CFS	17.50 AF

<u>Location of Point(s) of Diversion</u>		
TOWNSEND GULCH CREEK	NW1/4SW1/4	Sec. 2, Twp 01N, Rge 18E, B.M.
BLAINE County		

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	2																	5.0
																			5.0

Total Acres: 5

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-1227B

1. General ORIGINALLY DECREED TO THOMAS WERRY IN WERRY v. NEWMAN & TEUSCHER, DATED 10-02-1924. USED IN COMBINATION WITH RIGHTS DESCRIBED IN PARP GRAPH 13, ABOVE, TO IRRIGATE THE SAME LANDS. THE PLACE OF USE IS CLAIMED PURSUANT TO IDAHO CODE 42-1416(1) TO THE EXTENT IT DIFFERS FROM THE DECREE.
- ***** PURSUANT TO APPROVED
- TRANSFER NO. 3802: 1. USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.
2. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.
3. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
4. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SRBA.
5. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THIS TRANSFER SHOULD NOT BE RESCINDED.
- ***P/U IS LOT 1, TOWNSEND GULCH SUBDIVISION***

Dates and Other Information:

Claim Received Date: B
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: 0
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre: 17.5
Swan Falls Trust or Nontrust: False
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan:



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

May 16, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LAWRENCE WARNER
155 TOWNSEND GULCH RD
BELLEVUE ID 83313

RE: Water Right 37-11541 Owner change
SRBA Claims 37-1227B, 37-1228A Address Change

Dear Mr. Warner:

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

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Nov-1993

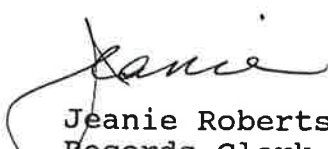
LAWRENCE W WARNER
C/O JAMES P SPECK ESQ
PO BOX 987
KETCHUM ID 83340

RE: Amendment of SRBA Claim #A37-01227B

Dear Claimant:

Pursuant to the approval of Transfer No. 3802, your above referenced Notice of Claim in the Snake River Basin Adjudication has been amended to conform with the transfer. Please find enclosed a printout of the way the claim record has been modified. Please look the modified record over carefully to be sure it correctly reflects your intended change. If you have questions please feel free to contact this office.

Sincerely,


Jeanie Robertson
Records Clerk

Encl:

MICROFILMED
AUG 24 1994

RECEIVED

NOV 09 1993

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Region Adjunct

TRANSFER OF WATER RIGHT

TRANSFER NO. 3802
WATER RIGHT NO. 37-01227B

This is to certify that: **LAWRENCE W WARNER**
C/O JAMES P SPECK ESQ
PO BOX 987
KETCHUM ID 83340

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.10 CFS	17.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
TOWNSEND GULCH	BIG WOOD RIVER

Priority: 06/01/1883

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 2, Township 01N, Range 18E
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>
01N	18E	2	NWSW	5		5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

MICROFILMED
AUG 24 1994

TRANSFER NO. 3802
WATER RIGHT NO. 37-01227B

Dated this 26th day of October, 1993.

F. Glen Saxton
Chief, Water Alloc. Bureau

MICROFILMED

AUG 24 1993

Form 1-222
12-92

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 09 1993

Transfer No. 2802

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Lawrence W. Warner Phone (208)726-4421
Post Office address c/o James P. Speck, HOGUE, SPECK & AANESTAD, P.O. Box 987, Ketchum, ID 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant has purchased a portion of 37-01227
contingent upon approval of transfer to his land

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-01227</u>	<u>6/1/1883</u>	<u>0.1 cfs</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Nov. 1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.1 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Townsend Gulch tributary to Big Wood River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	2	IN	18E	Blaine	N/A

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
IN	18E	2										5							5

MICROFILMED
AUG 24 1994

PART 1**6. General Information:**

- a. Description of diversion system 5HP pump in creek; flood and sprinkler irrigation

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Other lands in Townsend Gulch will not be irrigated. Cal Pacifico has other rights to irrigate its lands

- d. Remarks:

Place of use is Lot 1, Townsend Ranch Subdivision(a copy of the plat is Attachment 1).
For a normal year, Townsend Gulch sinks before it reaches the Big Wood River.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____

MICROFILMED

AUG 24 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-01227 Decreed to Thomas Werry
in case of Werry vs. Newman & Teuscher
dated 10/02/1924 in Blaine county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other Oral contract of purchase

3. Source of water Townsend Gulch tributary to Big Wood River

4. Date or priority 6/1/1883

5. Water is used for the following purpose:

amount 0.9 for irrigation purposes from Apr. 1 to Nov. 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.9 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NE	2	IN	18E	Blaine	N/A

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
IN	18E	2	13	14		23													50

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50

9. Describe any other water rights used for the same purpose as described above

37-00713A; 37-00688D; 37-00688E; 37-02468A; 37-04076A; 37-01288

37-00315B; 37-00685B

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.1 for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NE	2	IN	18E	Blaine	N/A

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
IN	18E	2	5																5

Total acres 5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.8 for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NE	2	IN	18E	Blaine	N/A

3. Lands irrigated or place of use:

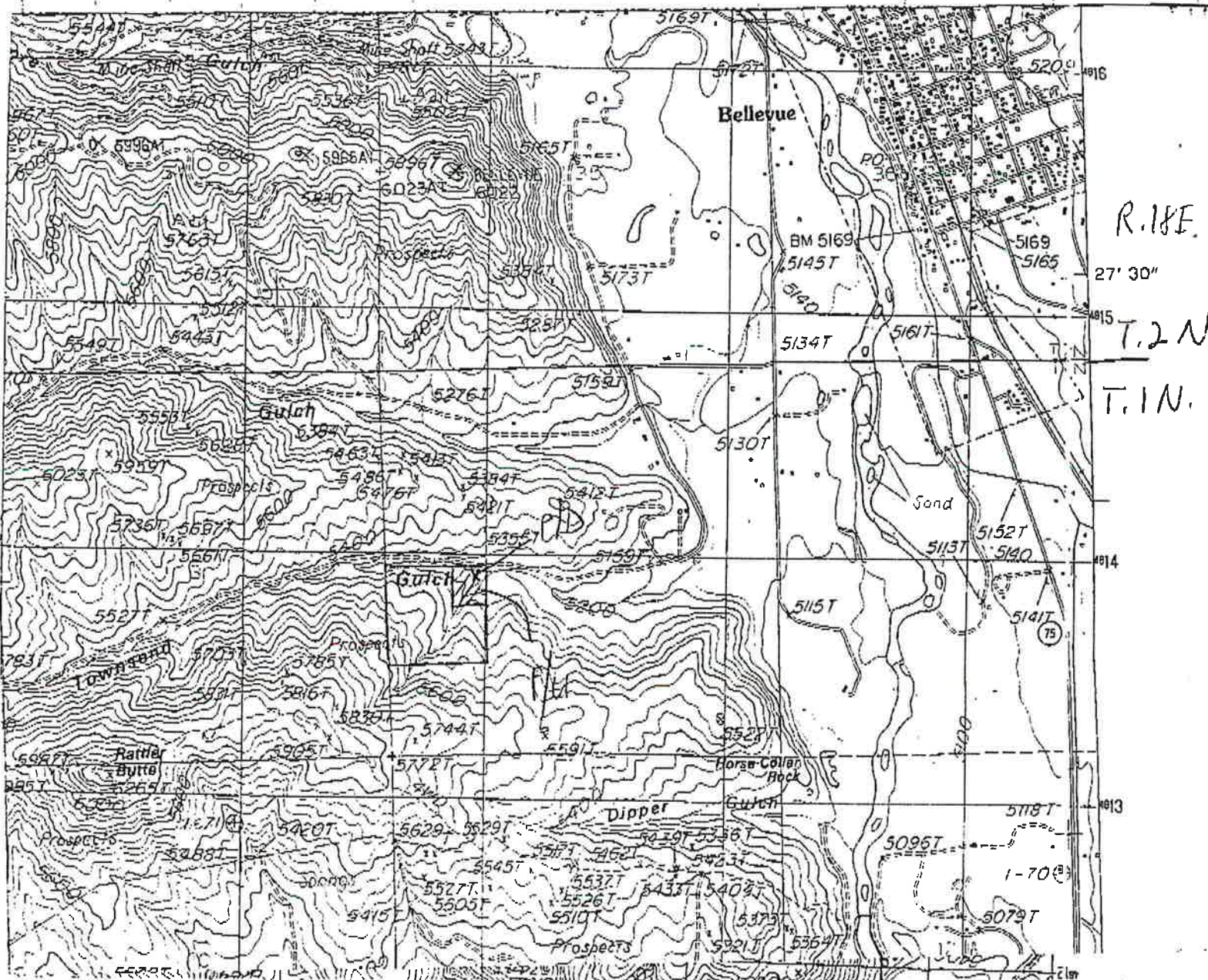
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
IN	18E	2	8	14		23													45

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Total acres 45

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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Transfer No. 3802

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

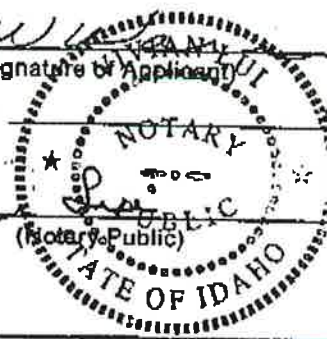
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this October 1st day of October, 19 93.



My commission expires 8/3/98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments
 Received by Amended Application Date 9-9-93 Protest filed by _____
 Prelim. check by _____ Fee \$50.00 5012854 - original
\$20.00 6028530 - Amended
 Receipted by _____ Date _____
 Published in _____ Copies of protest forwarded by _____
 Pub. dates _____ Hearing held by _____ Date _____
 Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
 _____ rec'd. _____ by _____
 Copy of transfer sent to lien holder _____

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