

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-2556A  
Date Received: 3/1/1989  
Receipt No: S006425  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BASELINE PUMP ASSOCIATION # 2 Phone: (208)788-2772

C/O RUTH SCHOESSLER  
067 SCHOESSLER LANE  
BELLEVUE ID 83313

2. Date of Priority: 09/21/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    |    | County | Type |
|----------|-------|---------|-----------------------|----|----|--------|------|
| 01N      | 19E   | 31      | SW                    | SW | SW | BLAINE |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 4/01 | 11/01 | 6.76   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 | of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|--------|-----|---------------|-------|
| 01N      | 18E   | 36      | NW  | NW     |     | IRRIGATION    | 26    |
|          |       |         | SW  | NW     |     | IRRIGATION    | 27    |
|          |       |         |     |        |     | Section Acres | 53    |
| 01N      | 19E   | 31      | NE  | SW     |     | IRRIGATION    | 38    |
|          |       |         | NW  | SW     | 3   | IRRIGATION    | 40    |
|          |       |         | SW  | SW     | 4   | IRRIGATION    | 40    |
|          |       |         | SE  | SW     |     | IRRIGATION    | 32    |
|          |       |         |     |        |     | Section Acres | 150   |
| 01S      | 19E   | 6       | SW  | NE     | 2   | IRRIGATION    | 5     |
|          |       |         | SE  | NE     | 1   | IRRIGATION    | 7     |
|          |       |         | NE  | SW     |     | IRRIGATION    | 38    |
|          |       |         | NW  | SW     | 5   | IRRIGATION    | 21    |
|          |       |         | SW  | SW     | 6   | IRRIGATION    | 21    |
|          |       |         | SE  | SW     |     | IRRIGATION    | 38    |
|          |       |         | NE  | SE     |     | IRRIGATION    | 13    |
|          |       |         | NW  | SE     |     | IRRIGATION    | 12    |
|          |       |         | SW  | SE     |     | IRRIGATION    | 13    |
|          |       |         | SE  | SE     |     | IRRIGATION    | 13    |
|          |       |         | SE  | NW     | 3   | IRRIGATION    | 18    |
|          |       |         | SW  | NW     | 4   | IRRIGATION    | 11    |
|          |       |         |     |        |     | Section Acres | 210   |
| 01S      | 19E   | 7       | NE  | NE     |     | IRRIGATION    | 13    |
|          |       |         | NW  | NE     |     | IRRIGATION    | 11    |
|          |       |         | SW  | NE     |     | IRRIGATION    | 11    |
|          |       |         | SE  | NE     |     | IRRIGATION    | 13    |
|          |       |         | NE  | NW     |     | IRRIGATION    | 35    |
|          |       |         | NW  | NW     | 1   | IRRIGATION    | 35    |
|          |       |         |     |        |     | Section Acres | 118   |
|          |       |         |     |        |     | Total Acres   | 531   |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

6/4/02, DJ: PLACE OF USE CORRECTED IN 1S 19E S6 TO DESCRIBE TRACTS IN LOTS 3 AND 4 PROPERLY AND IN AGREEMENT WITH OTHER CLAIMS HELD BY CLAIMANT.

TRANS. 2391.

A PORTION OF THESE LANDS ARE IRRIGATED FROM WATER EXCHANGED WITH THE BASELINE CANAL. THESE LANDS ARE ALSO PROVIDED WATER FROM A37-04109 AND BY A37-01206 & A37-00891B AS WELL AS FROM OTHER RIGHTS HELD BY THE INDIVIDUALS SURVED BY THE ASSOCIATION. THE LANDS ARE OWNED BY THE INDIVIDUAL LAND OWNERS SURVED BY THE ASSOCIATION.

15. Basis of Claim: License

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: A37-02556A

Date Received: 2/10/1989

Receipt No: 5006425

Received By:                      *Adm*

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: BASELINE PUMP ASSOCIATION # 2 208-788-2772  
Address: C/O RUTH SCHOESSLER  
067 SCHOESSLER LANE  
BELLEVUE, ID 83313

2. Date of Priority: SEP 21, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01N      | 19E   | 31      | SW     | SW     | SW     |     | BLAINE |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 6.760 |      |        |

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

8. Total consumptive use is 1327.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 01N      | 18E   | 36      | NW     | NW     |     | IRR | 26.0  |
|          |       |         | SW     | NW     |     | IRR | 27.0  |

Section Acres 53.0

A37-02556A

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Date: 02/10/89

MICROFILMED  
FEB 23 1993

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 01N      | 19E   | 31      | NE  |    | SW  |     | IRR | 38.0  |
|          |       |         | NW  |    | SW  | 3   | IRR | 40.0  |
|          |       |         | SW  |    | SW  | 4   | IRR | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR | 32.0  |

Section Acres 150.0

|     |     |   |    |    |   |     |      |
|-----|-----|---|----|----|---|-----|------|
| 01S | 19E | 6 | SW | NE | 2 | IRR | 5.0  |
|     |     |   | SE | NE | 1 | IRR | 7.0  |
|     |     |   | NW | NW | 4 | IRR | 11.0 |
|     |     |   | SW | NW | 3 | IRR | 18.0 |
|     |     |   | NE | SW |   | IRR | 38.0 |
|     |     |   | NW | SW | 5 | IRR | 21.0 |
|     |     |   | SW | SW | 6 | IRR | 21.0 |
|     |     |   | SE | SW |   | IRR | 38.0 |
|     |     |   | NE | SE |   | IRR | 13.0 |
|     |     |   | NW | SE |   | IRR | 12.0 |
|     |     |   | SW | SE |   | IRR | 13.0 |
|     |     |   | SE | SE |   | IRR | 13.0 |

Section Acres 210.0

|   |    |    |     |      |
|---|----|----|-----|------|
| 7 | NE | NE | IRR | 13.0 |
|   | NW | NE | IRR | 11.0 |
|   | SW | NE | IRR | 11.0 |
|   | SE | NE | IRR | 13.0 |
|   | NE | NW | IRR | 35.0 |
|   | NW | NW | IRR | 35.0 |

Section Acres 118.0

Total Acres 531.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:  
SEE REMARKS

14. Remarks:

TRANS. 2391.

A PORTION OF THESE LANDS ARE IRRIGATED FROM WATER EXCHANGED WITH THE BASELINE CANAL. THESE LANDS ARE ALSO PROVIDED WATER FROM

14. Remarks: Continued

A37-04109 AND BY A37-01206 & A37-00891B AS WELL AS FROM OTHER RIGHTS HELD BY THE INDIVIDUALS SURVED BY THE ASSOCIATION. THE LANDS ARE OWNED BY THE INDIVIDUAL LAND OWNERS SURVED BY THE ASSOCIATION.

15. Basis of Claim: LICENSE

Water Right Number: 25174

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 Director of Baseline Pump Assoc. #2, that I have signed the foregoing document in the space below as Director of Baseline Pump Assoc. #2 and that the statements contained in the foregoing document are true and correct.

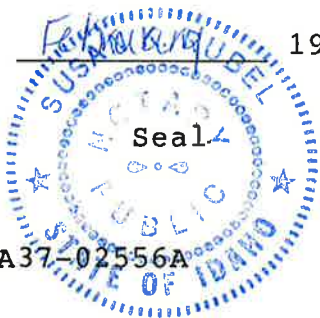
[Signature]  
Signature of Authorized Agent  
Director  
Title and Organization  
2/17/89  
Date

State of Idaho )  
County of Blaine ) SS.

Subscribed and sworn (or affirmed) before me this 17 day

of February 19 89

Susan K Rubel  
Notary Public



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Residing at Hailey

My Commission Expires 3-11-93  
Date: 02/10/89

MICROFILMED  
FEB 23 1989



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

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

### SOUTHERN REGION

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

February 7, 2007

Baseline Canal Co & Baseline Pump Assn #2  
C/O Cathy Zaccardi  
PO Box 743  
Hailey, ID 83333

RE: NOE for Recommendation for 37-2556A

Dear Mrs. Zaccardi:

Our office has received your "Notice of Error" for the above listed recommendation.

Based on your "Notice of Error" we have reviewed our recommendations associated with the original license 37-2556 of which you now indicate you should get 8.23 cfs or the entire original licensed amount.

As you may know the original license has been split by numerous transfers. The recommendations listed below are based in part by approved transfers or splitting up of the Schoessler portion of the original license you contend was illegally transferred.

| <u>Recommendation</u> | <u>Owner</u>      | <u>Amt (cfs)</u> |
|-----------------------|-------------------|------------------|
| 37-2556A              | Baseline Canal Co | 6.76             |
| 37-20621              | Robert Hoffman    | 0.17**           |
| 37-20822              | David Rendahl     | 0.25             |
| 37-20826              | Andrew Diges      | 0.15             |
| 37-21273              | PB Investments    | 0.40             |
| 37-21274              | Gary Slette       | <u>0.40</u>      |
| Total Recommended     |                   | 8.13             |

\*\*Currently involved in a pending protested transfer

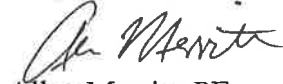
Please note that your claim in the SRBA claimed 6.76 cfs and that what was recommended. If you wish to amend your claim please formally do so. Even if you file an amended claim it will not automatically change your recommendation.

At this juncture it does not appear this matter can be resolved in the simple "Notice of Error" procedure. The Department currently lacks sufficient information to unravel the approved transfers these recommendations are based. To resolve the issue you will need

to file objections with the SRBA court to the above listed recommendations. We look forward to working with you and the other parties to resolve this matter.

By copy of this letter I am giving notice of this issue to the owners of the affected recommendations.

Respectfully,

A handwritten signature in black ink, appearing to read "Allen Merritt", is written over the typed name.

Allen Merritt, PE  
Southern Region Manager

CC: Robert Hoffman, 120 Baseline Rd, Bellevue, ID 83313  
David Rendahl, PO Box 3104, Hailey, ID 83333  
Andrew Diges, PO Box 834, Bellevue, ID 83313  
Gary Slette, 3381 Willow Way, Twin Falls, ID 83301  
PB Investments, PO Box 1906, Twin Falls, ID 83303-1906

01/06/2007

RECEIVED

FEB 02 2007

DEPARTMENT OF  
WATER RESOURCES

NOTICE OF ERROR  
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/19/2007**

Water right number: 37-2556A

BASELINE CANAL CO  
C/O CATHY ZACCARDI  
PO BOX 743  
HAILEY ID 83333  
Telephone Number: (208)678-5003

BASELINE PUMP ASSN # 2  
C/O CATHY ZACCARDI  
PO BOX 743  
HAILEY ID 83333  
Telephone Number: (208)578-5003

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

\*\*\* SEE BELOW \*\*\*

2. Describe the changes you wish to make in the proposed recommendation:

\*\*\* SEE BELOW \*\*\*

3. Give a brief explanation as to why you disagree with these portions:

\*\*\* SEE BELOW \*\*\*

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 23 Jan 2007 SIGNATURE: Cathy Zaccardi  
Please print your name: Cathy Zaccardi

IDWR Regional Office, 322 E Front St  
PO Box 83720, Boise, ID 83720-0098, 2082874800

This was an illegal transfer. Ken Schoessler transferred approximately 1.47 CFS from Baseline Pump #2 to his own personal well. This is a supplemental well that is used on a rotation basis. Water cannot be taken out of the well; it must stay in the rotation system for use by the Association members. When the transfer was applied for, the Association was not contacted, resulting in an illegal transfer. Consequently, those who have been paying Association dues all of these years had no idea that water was transferred out. In addition, at the time of the transfer, there were 1000 shares in Pump #2. The water that was taken out was taken out in inches not shares, meaning no water can be taken out of the well.

The CFS is lower than it should be.

The CFS should read 8.23

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 37-20621 V1

WATER RIGHT NUMBER: 37-20621 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Original Owner    | WILLIAM SHERBINE                                                           |
|                   | , ID                                                                       |
| Original Owner    | NANCY SHERBINE<br>153 BASELINE RD<br>BELLEVUE, ID 83313<br>(208)788-2806   |
| Original Owner    | KENNETH J SCHOESSLER<br>PO BOX 712<br>WELLS, NV 89835<br>(775)752-3184     |
| Original Owner    | KATHY SCHOESSLER<br>PO BOX 712<br>WELLS, NV 89835-0712<br>(775)752-3184    |
| Current Owner     | ROBERT B HOFFMAN<br>120 BASELINE RD<br>BELLEVUE, ID 83313<br>(208)877-8534 |
| Current Owner     | SALLY J HOFFMAN<br>120 BASELINE RD<br>BELLEVUE, ID 83313<br>(208)877-8534  |

Priority Date: 09/21/1954

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
|---------------|------------------|

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 11/01          | 0.170 CFS             | 42.00 AF             |
|                       | <u>Total Diversion:</u> | 0.170 CFS             | 42.00 AF             |

Location of Point(s) of Diversion

|               |                 |         |          |               |
|---------------|-----------------|---------|----------|---------------|
| GROUND WATER  | NW1/4NW1/4NE1/4 | Sec. 7, | Twp 01S, | Rge 19E, B.M. |
| BLAINE County |                 |         |          |               |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE                | NW                | SW                | SE                | Totals |
|-----|-----|-----|-------------------|-------------------|-------------------|-------------------|--------|
| 01S | 19E | 6   | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | 12.0   |
|     |     |     | 10.0              |                   |                   | 2.0               |        |
|     |     |     | L 2               |                   |                   |                   |        |

Total Acres: 12

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20621 V1

Total Acres: 12

Conditions of Approval:

1. 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.
2. P21 This right is a split from former Right 37-2556B.
3. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
4. E55 Right Nos. 37-11749, 37-11750, 37-11751, 37-11752, 37-20619 and 37-20621 are limited to the irrigation of a combined total of 12 acres in a single irrigation season.
5. 104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. Rights 37-20619 and 37-20621 when combined shall not exceed a total diversion rate of 0.19 cfs, and a total annual maximum diversion volume of 42.0 af at the field headgate.
7. The point of diversion is located in Lot 3 Blk 1 of the Schoessler Subdivision.

Remarks:Comments:

## 1. jstanton 11/15/2006 POU

Comment: This right was licensed for 13 acres in Lot 2 based on a 1960 field exam; the pou was owned by several farmers that shared a well under the Baseline Pump Assn. In 1979, Ken Schoessler applied for his own permit to water his portion of the licensed ground from a well on his own land; the field exam for that permit was done in 1984. The 1974 orthoquad shows the home in Lot 2, which I believe to be the original home on this property. It appears that the original field exam was just not sophisticated enough to pay attention to non-irrigated areas like farmsteads, so there was never 18 acres irrigated in this tract. The 1984 exam found only 10 acres, which is about what the 2004 ArcView photo shows as irrigable (not covered by structures, roads, etc.) So I am recommending the 10 acres licensed under the second right (Claim 37-20619) as the total for Lot 2; 3 acres of the claimed 13 acres are recommended for disallowal due to failure to put water to beneficial use for 5 or more consecutive years.

## 2. jstanton 11/15/2006 Div Volume

Comment: This license was issued without a volume amount, and the 1989 transfer did not add volume. Two transfers approved in 2003 involved portions of the 2 claims on this property, but appears to contain volume errors. No volume was established for the 1954 right, so I am recommending the standard 3.5 afa/ac for this right and as the total groundwater volume allowance. The 4 surface rights on the property will not have a volume recommendation.

## 3. jstanton 11/16/2006 POD

Comment: While there is a pending transfer to change the pod for this use, it has been protested. A formal hearing has not yet been held. I am recommending the pod in Sec. 7 per a 1989 transfer that changed the pod to that location for the Schoessler portion of the original license. The other claimed well is the pod for the Baseline Pump Association under Right 37-2556A, which is not licensed to this property; it is therefore not recommended as a pod for Hoffman.

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 37-20621 V1

Dates and Other Information:

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

Combined Use Limits:

Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 37-20822 V1

WATER RIGHT NUMBER: 37-20822 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                  |
|-------------------|--------------------------------------------------------------------------|
| Original Owner    | KENNETH J SCHOESSLER<br>PO BOX 712<br>WELLS, NV 89835<br>(775)752-3184   |
| Original Owner    | WILLIAM SHERBINE<br><br>, ID                                             |
| Original Owner    | NANCY SHERBINE<br>153 BASELINE RD<br>BELLEVUE, ID 83313<br>(208)788-2806 |
| Current Owner     | DAVID W RENDAHL<br>PO BOX 3104<br>HAILEY, ID 83333<br>(208)720-4231      |
| Current Owner     | DORINDA J RENDAHL<br>PO BOX 3104<br>HAILEY, ID 83333<br>(208)788-6477    |
| Original Owner    | KATHY SCHOESSLER<br>PO BOX 712<br>WELLS, NV 89835-0712<br>(775)752-3184  |

Priority Date: 09/21/1954

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
|---------------|------------------|

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 11/01          | 0.250 CFS             | 70.00 AF             |
|                       | <u>Total Diversion:</u> | 0.250 CFS             | 70.00 AF             |

Location of Point(s) of Diversion

|               |                 |         |          |               |
|---------------|-----------------|---------|----------|---------------|
| GROUND WATER  | SW1/4NW1/4SE1/4 | Sec. 6, | Twp 01S, | Rge 19E, 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   |        |
| 01S | 19E | 6   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 20.0 | 20.0   |

Total Acres: 20

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 37-20822 V1

Total Acres: 20

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. E60 Right Nos. 37-20822 and 37-20824 are limited to a total combined diversion rate of 0.30 cfs, a total combined annual diversion volume of 70 AF.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.
5. E55 Right Nos. 37-20822 and 37-20824 are limited to the irrigation of 20 acres in a single irrigation season.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. This is a split from former Right 37-2556B.
8. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Remarks:Comments:

1. PSKAGGS 2/11/2003 7:47:54 AM Transferred Right  
 Comment: This is now a approved transfer, transfer number = 70245

2. jstanton 11/16/2006 POD  
 Comment: The exact location of the pod is unknown, but is assumed to be near the home and probably near the power line along the county road.

Dates and Other Information:

Decreed Date:  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Defendant:  
 Plaintiff:  
 Civil Case Number:  
 Judicial District:  
 Notice of Error Flag:  
 State or Federal: S  
 Owner Name Connector: AND  
 Water District Number:  
 Generic Max Rate Per Acre: 0.02  
 Generic Max Volume Per Acre: 3.5  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Carey Act Number:  
 Mitigation Plan: False

Combined Use Limits:

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
| 0.3         | 70            | 20           |

Combined Water Rights: 37-20822 , 37-20824

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 37-20822 V1

Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 37-20826 V1

WATER RIGHT NUMBER: 37-20826 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                 |
|-------------------|-------------------------------------------------------------------------|
| Current Owner     | ANDREW DIGES<br>PO BOX 834<br>BELLEVUE, ID 83313<br>(208)622-3399       |
| Original Owner    | KATHY SCHOESSLER<br>PO BOX 712<br>WELLS, NV 89835-0712<br>(775)752-3184 |
| Original Owner    | KENNETH J SCHOESSLER<br>PO BOX 712<br>WELLS, NV 89835<br>(775)752-3184  |

Priority Date: 12/12/1979

Basis: License

Status: Active

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

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 11/01          | 0.150 CFS             | 58.50 AF             |
|                       | <u>Total Diversion:</u> | 0.150 CFS             | 58.50 AF             |

Location of Point(s) of Diversion

|               |                 |         |          |               |
|---------------|-----------------|---------|----------|---------------|
| GROUND WATER  | NW1/4SW1/4SE1/4 | Sec. 6, | Twp 01S, | Rge 19E, 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   |        |
| 01S | 19E | 6   |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 4.0 | 16.0 | 20.0   |

Total Acres: 20

Conditions of Approval:

1. 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.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. J01 The property is also known as Lot 2 of the Schoessler Subdivision.

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 37-20826 V1

4. X35 Rights 37-20826 and 37-20828 when combined shall not exceed a total diversion rate of 0.30 cfs, a total annual maximum diversion volume of 70.0 af at the field headgate.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. E55 Right Nos. 37-20826 and 37-20828 are limited to the irrigation of a combined total of 20 acres in a single irrigation season.
7. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Remarks:Comments:

1. PSKAGGS 2/11/2003 1:21:35 PM Transferred Right  
Comment: This is now a approved transfer, transfer number = 70246

2. jstanton 11/14/2006 POD  
Comment: The verified pod is the domestic well on this property. The Wells layer in ArcView shows the irrigation well on the west side of the property. I have updated the legal description to the qqg, and have redone the SDE work to show the correct point.

Dates and Other Information:

Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Defendant:  
Plaintiff:  
Civil Case Number:  
Judicial District:  
Notice of Error Flag:  
State or Federal: S  
Owner Name Connector:  
Water District Number:  
Generic Max Rate Per Acre: 0.02  
Generic Max Volume Per Acre: 3.5  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 37-21274 V1

WATER RIGHT NUMBER: 37-21274 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                       |
|-------------------|-------------------------------------------------------------------------------|
| Original Owner    | NANCY SHERBINE<br>153 BASELINE RD<br>BELLEVUE, ID 83313<br>(208)788-2806      |
| Previous Owner    | KENNETH J SCHOESSLER<br>PO BOX 712<br>WELLS, NV 89835<br>(775)752-3184        |
| Current Owner     | GARY D SLETTE<br>3381 WILLOW WAY<br>TWIN FALLS, ID 83301<br>(208)734-9393     |
| Original Owner    | WILLIAM SHERBINE<br><br>, ID                                                  |
| Previous Owner    | KATHY SCHOESSLER<br>PO BOX 712<br>WELLS, NV 89835-0712<br>(775)752-3184       |
| Current Owner     | KATHLEEN H SLETTE<br>3381 WILLOW WAY<br>TWIN FALLS, ID 83301<br>(208)734-9393 |

Priority Date: 09/21/1954

Basis: License

Status: Active

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

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 11/01          | 0.400 CFS             | 108.50 AF            |
|                       | <u>Total Diversion:</u> | 0.400 CFS             | 108.50 AF            |

Location of Point(s) of Diversion

|               |                 |         |          |               |
|---------------|-----------------|---------|----------|---------------|
| GROUND WATER  | NW1/4NW1/4NE1/4 | Sec. 7, | Twp 01S, | Rge 19E, 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 |        |
| 01S | 19E | 6   |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 5.0 |    | 5.0    |

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 37-21274 V1

|           |           |      |
|-----------|-----------|------|
| 01S 19E 7 | 13.0 13.0 | 26.0 |
|-----------|-----------|------|

**Total Acres: 31**

Conditions of Approval:

1. 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.
2. J01 Place of use is also known as Lot 4 Blk 1 of Schoessler Subdivision.
3. P21 This right is a split from former right 37-2556B.
4. The point of diversion is located in Lot 3 Blk 1 of Schoessler Subdivision.
5. Rights 37-21272 and 37-21274 when combined shall not exceed a total diversion rate of 0.47 cfs, and a total annual maximum diversion volume of 108.5 af at the field headgate.

Remarks:

Comments:

1. jstanton 11/14/2006 POD & POU

Comment: This claim is just a proportional split of the original license based on acres owned by claimant. Original well still irrigates property.

Dates and Other Information:

Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Defendant:  
Plaintiff:  
Civil Case Number:  
Judicial District:  
Notice of Error Flag:  
State or Federal: S  
Owner Name Connector: AND  
Water District Number:  
Generic Max Rate Per Acre: 0.02  
Generic Max Volume Per Acre: 3.5  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

**Combined Use Limits:**

| <u>Rate</u>                                | <u>Volume</u> | <u>Acres</u> |
|--------------------------------------------|---------------|--------------|
| 0.47                                       | 108.5         | 31           |
| Combined Water Rights: 37-21272 , 37-21274 |               |              |

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 37-21274 V1

Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 37-21273 V1

WATER RIGHT NUMBER: 37-21273 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                     |
|-------------------|-----------------------------------------------------------------------------|
| Original Owner    | NANCY SHERBINE<br>153 BASELINE RD<br>BELLEVUE, ID 83313<br>(208)788-2806    |
| Original Owner    | KENNETH J SCHOESSLER<br>PO BOX 712<br>WELLS, NV 89835<br>(775)752-3184      |
| Previous Owner    | KATHY SCHOESSLER<br>PO BOX 712<br>WELLS, NV 89835-0712<br>(775)752-3184     |
| Original Owner    | WILLIAM SHERBINE<br>, ID                                                    |
| Current Owner     | PB INVESTMENTS<br>PO BOX 1906<br>TWIN FALLS, ID 83303-1906<br>(208)734-0700 |

Priority Date: 09/21/1954

Basis: License

Status: Active

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 11/01          | 0.400 CFS             | 108.50 AF            |
|                       | <u>Total Diversion:</u> | 0.400 CFS             | 108.50 AF            |

Location of Point(s) of Diversion

GROUND WATER                      NW1/4NW1/4NE1/4                      Sec. 7,    Twp 01S,    Rge 19E, 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 |        |
| 01S | 19E | 6   |    |    |      |      |    |    |    |    |    |    |    |    |    |    | 5.0 |    | 5.0    |
| 01S | 19E | 7   |    |    | 13.0 | 13.0 |    |    |    |    |    |    |    |    |    |    |     |    | 26.0   |

Total Acres: 31

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 37-21273 V1

Conditions of Approval:

1. P21 This right is a split from former Right 37-2556B.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. Rights 37-21271 and 37-21273 when combined shall not exceed a total diversion rate of 0.47 cfs, and a total annual maximum diversion volume of 108.5 af at the field headgate.
4. J01 Property is also known as Lot 3 Blk 1 of Schoessler Subdivision.
5. The point of diversion is located in Lot 3 Blk 1 of Schoessler Subdivision.

Remarks:Comments:

1. jstanton 11/14/2006 POD & POU

Comment: This is just a proportional split of the original water right based on acres owned by the claimant. The original well still irrigates the property.

Dates and Other Information:

Decreed Date:  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Defendant:  
 Plaintiff:  
 Civil Case Number:  
 Judicial District:  
 Notice of Error Flag:  
 State or Federal: S  
 Owner Name Connector:  
 Water District Number:  
 Generic Max Rate Per Acre: 0.02  
 Generic Max Volume Per Acre: 3.5  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Carey Act Number:  
 Mitigation Plan: False

Combined Use Limits:

| <u>Rate</u>                                | <u>Volume</u> | <u>Acres</u> |
|--------------------------------------------|---------------|--------------|
| 0.47                                       | 108.5         | 31           |
| Combined Water Rights: 37-21271 , 37-21273 |               |              |

Water Supply Bank:

## Adjudication Recommendation Report 37-2556A V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                    |
|-------------------|--------------------------------------------------------------------------------------------|
| Current Owner     | BASELINE CANAL CO<br>C/O CATHY ZACCARDI<br>PO BOX 743<br>HAILEY, ID 83333<br>(208)678-5003 |

Status: Active

|                                          |                 |                                 |
|------------------------------------------|-----------------|---------------------------------|
| <u>Location of Point(s) of Diversion</u> |                 |                                 |
| GROUND WATER                             | SW1/4SW1/4SW1/4 | Sec. 31, Twp 01N, Rge 19E, B.M. |
| BLAINE County                            |                 |                                 |

| 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 | 36  | X  | X  | X        | X        | X  | X  | X        | X        | X  | X        | X        | X  | X  | X  | X  | X  |        |
| 01N | 19E | 31  |    |    |          |          |    |    |          |          | X  | X<br>L 3 | X<br>L 4 | X  | X  | X  | X  | X  |        |
| 01S | 18E | 1   |    |    | X<br>L 2 | X<br>L 1 |    |    |          | X<br>L 3 | X  |          |          | X  | X  | X  | X  | X  |        |
| 01S | 18E | 12  | X  | X  |          |          | X  | X  | X        | X        |    |          |          |    |    |    |    |    |        |
| 01S | 19E | 3   |    |    |          |          |    |    | X<br>L 4 |          |    |          |          |    |    |    |    |    |        |
| 01S | 19E | 4   |    |    | X<br>L 2 | X<br>L 1 |    |    | X<br>L 4 | X<br>L 3 | X  | X        | X        | X  |    |    |    | X  |        |

## Adjudication Recommendation Report 37-2556A V1

[illegible]

**Total Acres: 2859.2**

**Conditions of Approval:**

1. This right is supplemental to decreed surface water rights.
2. The Baseline Canal Co. distributes privately held decreed rights of shareholders from the Big Wood River as well as rights owned by the Baseline Canal Co. to shareholders. The Baseline Canal Co. also distributes ground water rights of the Baseline Pump Assn. No. 1 and Baseline Pump Assn. No. 2 to various shareholders. These Assn. are a subset of Baseline Canal Co.
3. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
4. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
5. 188 This right is limited to the irrigation of 535.5 acres within the boundary of the Baseline Canal Co.
6. 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.
7. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. E56 The rights listed below are limited to the irrigation of a combined total of 2859.2 acres in a single irrigation season. Combined Right Nos.: 37-891B, 37-1206, 37-2556A and 37-4109.

## Remarks:

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 37-2556A V1

Dates and Other Information:

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

Combined Use Limits:

Water Supply Bank:

01/05/2007

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

RIGHT NUMBER: 37-2556A

NAME AND ADDRESS: BASELINE CANAL CO  
C/O CATHY ZACCARDI  
PO BOX 743  
HAILEY ID 83333

BASELINE PUMP ASSN # 2  
C/O CATHY ZACCARDI  
PO BOX 743  
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 6.760 CFS  
1,874.300 AFY

PRIORITY DATE: 09/21/1954

POINT OF DIVERSION:

T01N R19E S31 SWSWSW 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          | 6.760 CFS<br>1,874.30 AFY |

PLACE OF USE:

2859.2 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

This right is limited to the irrigation of 535.5 acres within the boundary of the Baseline Canal Co.

The rights listed below are limited to the irrigation of a combined total of 2859.2 acres in a single irrigation season. Combined Right Nos.: 37-891B, 37-1206, 37-2556A and 37-4109.

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.

01/05/2007

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is supplemental to decreed surface water rights.

The Baseline Canal Co. distributes privately held decreed rights of shareholders from the Big Wood River as well as rights owned by the Baseline Canal Co. to shareholders. The Baseline Canal Co. also distributes ground water rights of the Baseline Pump Assn. No. 1 and Baseline Pump Assn. No. 2 to various shareholders. These Assn. are a subset of Baseline Canal Co.

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



# Baseline Canal Co

SRBA Recommendations: 37-891B, 37-1206, 37-2556A and 37-4109

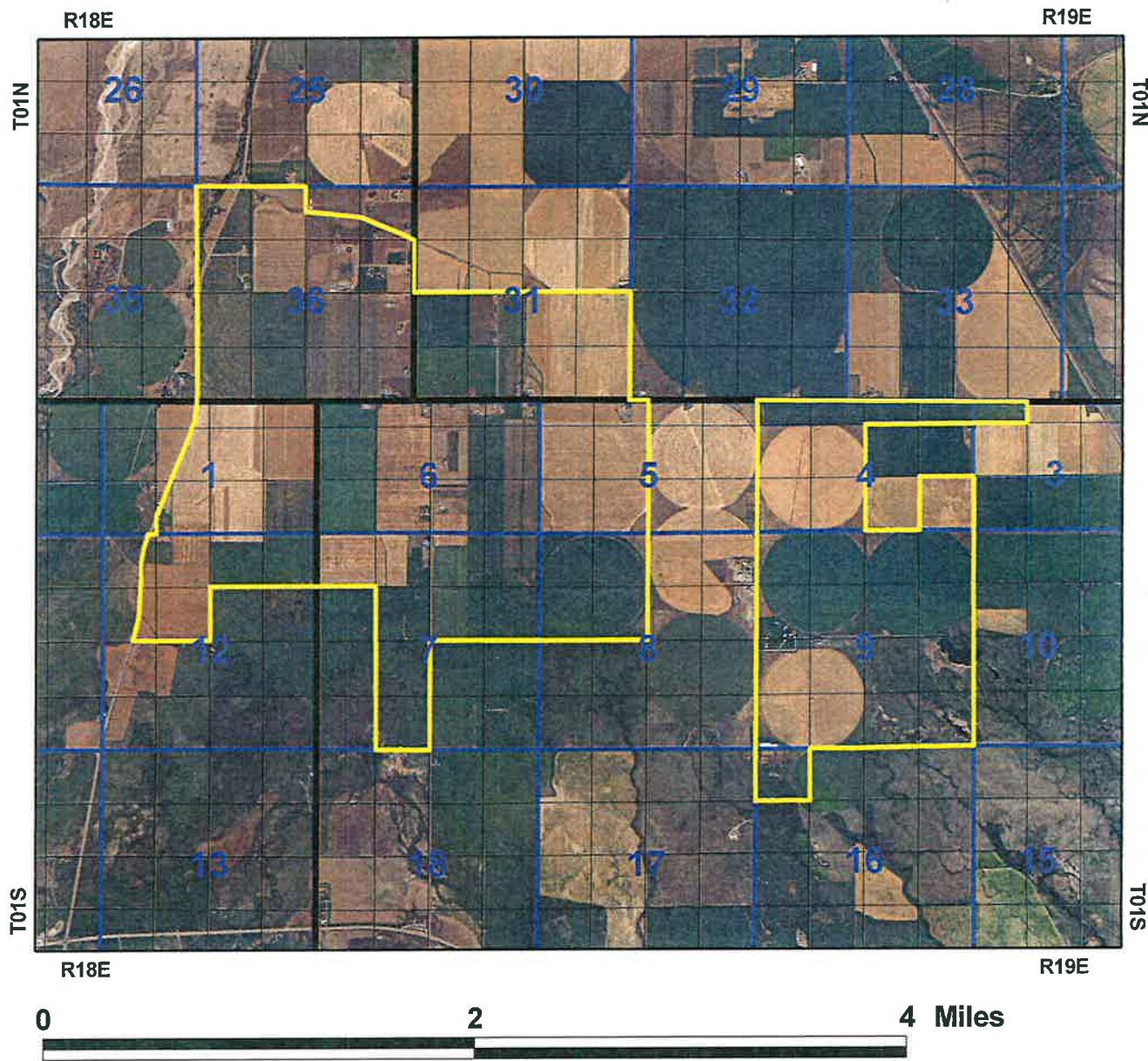
Service Area Boundary  
GIS Place of Use Illustration

## Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County  
IDWR Basin 37



Prepared by A. Merritt  
On Friday, January 5, 2007  
2004 Aerial Photography

37-2556 A

Review  
AK  
1/5/07

This represents unchanged portion of  
Lic 37-2556.

Original license did not set season or volume.

Allow 9/15 to 10/31 23 standard

Allow 3.5 x 2000

$$3.5 \times 535.5 = 1874.3$$

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2556A

WATER RIGHT NUMBER: 37-2556A

| <u>Owner Type</u> | <u>Name and Address</u>                                                      |
|-------------------|------------------------------------------------------------------------------|
| Original Owner    | EDITH WINGARD                                                                |
|                   | , ID                                                                         |
| Original Owner    | NANCY SHERBINE<br>153 BASELINE RD<br>BELLEVUE, ID 83313<br>(208)788-2806     |
| Original Owner    | WILLIAM SHERBINE                                                             |
|                   | , ID                                                                         |
| Current Owner     | NANCY SHERBINE<br>153 BASELINE RD<br>BELLEVUE, ID 83313<br>(208)788-2806     |
| Current Owner     | WILLIAM L SHERBINE<br>153 BASELINE RD<br>BELLEVUE, ID 83313<br>(208)788-2806 |

Priority Date: 09/21/1954

Basis: License

Status: Active

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

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 11/01           | 6.760 CFS             |                      |
|                       | <u>Total Diversion:</u> | 6.760 CFS             |                      |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| GROUND WATER  | SW1/4SW1/4 | Sec. 31, Twp 01N, Rge 19E, 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 | 36  |    |    |     |     | 26.0 | 27.0 |      |      |      |      |      |      |      |      |    |    | 53.0   |
| 01N | 19E | 31  |    |    |     |     |      |      | 39.0 | 40.0 | 38.0 | 38.0 |      |      |      |      |    |    | 155.0  |
| 01S | 19E | 6   |    |    | 5.0 | 7.0 |      |      | 38.0 | 21.0 | 21.0 | 38.0 | 13.0 | 12.0 | 13.0 | 13.0 |    |    | 210.0  |
|     |     |     |    |    | L 2 | L 1 |      |      |      |      | L 5  | L 6  |      |      |      |      |    |    |        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right Report 37-2556A

|           |  |      |      |      |      |  |      |      |  |  |  |  |  |       |
|-----------|--|------|------|------|------|--|------|------|--|--|--|--|--|-------|
| 01S 19E 7 |  | 13.0 | 11.0 | 11.0 | 13.0 |  | 35.0 | 35.0 |  |  |  |  |  | 118.0 |
|           |  |      |      |      |      |  |      |      |  |  |  |  |  |       |

Total Acres: 536

Conditions of Approval:

1. TRANS. 2391.  
AC. IRR. = 535.5.

Remarks:Comments:Dates and Other Information:

Licensed Date: 6/10/1980  
Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal:  
Owner Name Connector:  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number:  
Judicial District:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

# State of Idaho License and Certificate of Water Right

Water License No. G-25174Amount 8.23 c.f.s.

Water District No. \_\_\_\_\_

Priority September 21, 1954

THIS IS TO CERTIFY that EDITH WINGARD, et al - assignee - WILLIAM & NANCY SHERBINE, et al of Gannett, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 21, 1954; that Permit No. G-25174 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 8.23 second feet, was issued thereunder on November 22, 1960, showing that said works were completed on the 27th day of November, 1959; and that on the 27th day of November, 1959,

WILLIAM &amp; NANCY SHERBINE, et al

of Gannett, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation

, under Use Permit No. G-25174 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 7016, on the 22 day of November, 1960;

The right hereby confirmed dates from September 21, 1954;

The Point of Diversion is located

in the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 31, Tp. 1 N., R. 19 E., B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 8.23 cubic feet per second.

## Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                          | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|------|-------------------------------------------|-------------------------------|------------------------------|
| 1 N. | 18 E  | 36   | NW $\frac{1}{4}$ NW $\frac{1}{4}$         | 28                            | 26                           |
|      | 19 E  | 31   | SW $\frac{1}{4}$ NW $\frac{1}{4}$         | 25                            | 27                           |
|      |       |      | NE $\frac{1}{4}$ SW $\frac{1}{4}$         | 39                            | 39                           |
|      |       |      | (Lot 3) NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 39                            | 39.5                         |
|      |       |      | (Lot 4) SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 38.5                          | 38                           |
|      |       |      | SE $\frac{1}{4}$ SW $\frac{1}{4}$         | 38                            | 38                           |
| 1 S. | 19 E  | 6    | (Lot 1) SE $\frac{1}{4}$ NE $\frac{1}{4}$ |                               | 7                            |
|      |       |      | (Lot 2) SW $\frac{1}{4}$ NE $\frac{1}{4}$ |                               | 18                           |
|      |       |      | (Lot 3) SW $\frac{1}{4}$ NW $\frac{1}{4}$ |                               | 18                           |
|      |       |      | (Lot 4) NW $\frac{1}{4}$ NW $\frac{1}{4}$ |                               | 11                           |
|      |       |      | NE $\frac{1}{4}$ SW $\frac{1}{4}$         | 50                            | 38                           |
|      |       |      | (Lot 5) NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 25                            | 21                           |
|      |       |      | (Lot 6) SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 24                            | 21                           |
|      |       |      | SE $\frac{1}{4}$ SW $\frac{1}{4}$         | 48                            | 38                           |
|      |       |      | NE $\frac{1}{4}$ SE $\frac{1}{4}$         | 49                            | 13                           |
|      |       |      | NW $\frac{1}{4}$ SE $\frac{1}{4}$         | 48                            | 26 (38)                      |
|      |       |      | SW $\frac{1}{4}$ SE $\frac{1}{4}$         | 46                            | 26 (39)                      |
|      |       |      | SE $\frac{1}{4}$ SE $\frac{1}{4}$         | 50                            | 13                           |
|      |       |      | NE $\frac{1}{4}$ NE $\frac{1}{4}$         | 32                            | 13                           |
|      |       |      | (NW $\frac{1}{4}$ NE $\frac{1}{4}$ )      | 38                            | 26                           |
|      |       |      | (SW $\frac{1}{4}$ NE $\frac{1}{4}$ )      | 37                            | 26                           |
|      |       |      | SE $\frac{1}{4}$ NE $\frac{1}{4}$         | 23                            | 13                           |
|      |       |      | NE $\frac{1}{4}$ NW $\frac{1}{4}$         | 35                            | 35                           |
|      |       |      | NW $\frac{1}{4}$ NW $\frac{1}{4}$         | 35                            | 35                           |

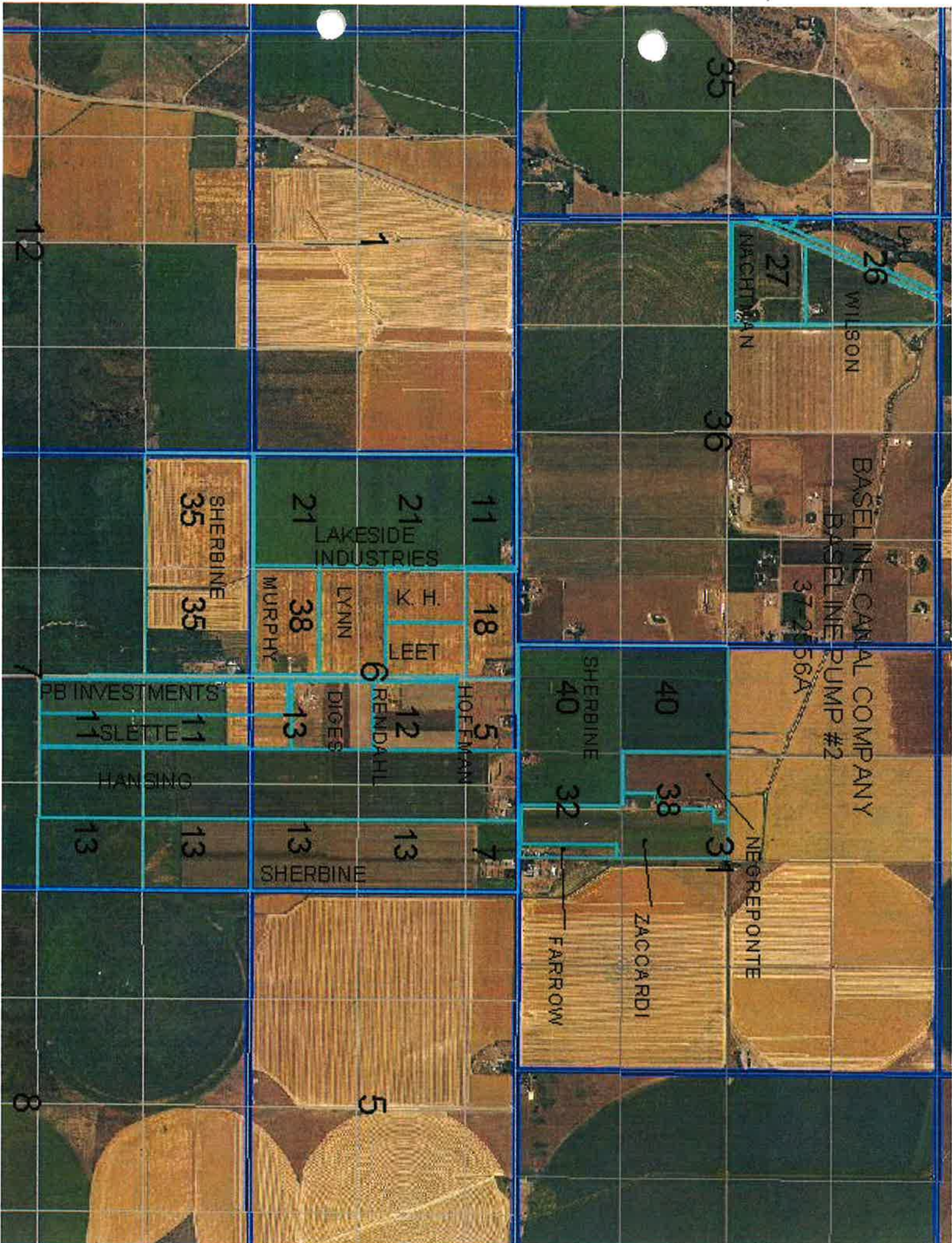
Total number of acres to be irrigated: 652.5 acer.

(SEAL)

| OWNER                            | BASLINE CANAL<br>COMPANY INCHES | CLAIM ACRES 37-891<br>& 37-1206 | MAX ACRES<br>ACCORDING TO<br>RECOMMENDATION<br>37-891 & 37-1206 | 37-4109 PUMP #1<br>(CLAIM ACRES) | MAX ACCORDING TO<br>RECOMMENDATION<br>CLAIM 37-4109 | TAXLOT | CLAIM ACRES 37-<br>2556A | MAX ACRES WITHIN 100<br>RECOMMENDATION<br>AND POU 37-2556A<br>PUMP #2 | RECOMMENDATION<br>S | COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------|---------------------------------|---------------------------------|-----------------------------------------------------------------|----------------------------------|-----------------------------------------------------|--------|--------------------------|-----------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LAKEIDE INDUSTRIES               | 154.0                           | 102.0                           | 102.0                                                           | 102                              | 102.0                                               | 105.8  | 53                       | 53.0                                                                  | 102.0               | C/O VIRGINIA HANSING, 59 ACRES IN SECTION 8 AND 7<br>ASSUMED HANSING GOT ALL THE ACRES, THE FOLLOWING<br>OWNERS WHERE NOT PART OF PUMP #1, PUMP#2, PB<br>INVESTMENTS, SLETTE DYER, RENDALL AND HOFFMAN -<br>NO S24 CONDITION & ALL GROUNDWATER<br>CURRENT OWNER WILLIAM L. SHERBINE C/O ROCKY<br>SHERBINE?                                                                                                    |
| VIRGINIA HANSING                 | 160.0                           | 116.0                           | 116.0                                                           | 116.9                            | 116.9                                               | 120.0  | 111                      | 111.0                                                                 | 116.9               |                                                                                                                                                                                                                                                                                                                                                                                                               |
| BILL SHERBINE (RUTH SCHOESSLER)  | 500/160                         | 124.0                           | 13.0                                                            | 12.0                             |                                                     | 15.2   |                          |                                                                       | 12.0                | PROPERTY ORIGINALLY OWNED BY DRUSSEL, TOTAL OF 20<br>ACRES IN SECTION 8 IRRIGATED WITH BASELINE PUMP #1<br>LEET DOES NOT OWN ALL 101 ACRES CURRENTLY OWNED<br>BY LEET, KETCHUM HORTICULTURE, LYNN, MURPHY<br>96.0 WILLIAM L. AND NANCY SHERBINE                                                                                                                                                               |
| ROCKY SHERBINE (HAROLD DRUSSEL)  | 199/120                         |                                 |                                                                 |                                  |                                                     | 122.5  |                          |                                                                       | 137.0               | ACRES IN SECTION 8 IRRIGATED WITH BASELINE PUMP #1<br>LEET DOES NOT OWN ALL 101 ACRES CURRENTLY OWNED<br>BY LEET, KETCHUM HORTICULTURE, LYNN, MURPHY<br>96.0 WILLIAM L. AND NANCY SHERBINE                                                                                                                                                                                                                    |
| BILL AND MARY LEET               | 5.0                             | 99.0                            | 97.0                                                            | 99                               | 97.0                                                | 100.9  | 94                       | 94.0                                                                  | 94.0                | ASSUME ROCKY GETS ALL 20 ACRES IN SECTION 8<br>ACCORDING TO CLAIM                                                                                                                                                                                                                                                                                                                                             |
| BILL SHERBINE                    | 200/4.4                         |                                 |                                                                 |                                  |                                                     |        |                          |                                                                       | 20.0                | FOUND 1 GROGERS WITH 0.0 ACRES, COUNT FIND<br>BUHLER<br>SILVER SPRINGS RANCH = OGARA<br>ORIGINAL MOLYNEUX? JOHN AND ALMA CURRENT<br>MOLYNEUX PROPERTY OWNERS? SEE COMBINED                                                                                                                                                                                                                                    |
| ROCKY AND TERI SHERBINE          | 5.0                             |                                 |                                                                 |                                  |                                                     | 205.3  |                          |                                                                       | 20.0                | FOUND 1 GROGERS WITH 0.0 ACRES, COUNT FIND<br>BUHLER<br>SILVER SPRINGS RANCH = OGARA<br>ORIGINAL MOLYNEUX? JOHN AND ALMA CURRENT<br>MOLYNEUX PROPERTY OWNERS? SEE COMBINED                                                                                                                                                                                                                                    |
| ROCKY AND TERI SHERBINE          | 300.0                           | 878.0                           | 885.0                                                           |                                  |                                                     | 94.0   |                          |                                                                       | 885.0               | FOUND 1 GROGERS WITH 0.0 ACRES, COUNT FIND<br>BUHLER<br>SILVER SPRINGS RANCH = OGARA<br>ORIGINAL MOLYNEUX? JOHN AND ALMA CURRENT<br>MOLYNEUX PROPERTY OWNERS? SEE COMBINED                                                                                                                                                                                                                                    |
| SILVER SPRINGS RANCH             | 590.0                           |                                 | 885.0                                                           |                                  |                                                     | 94.0   |                          |                                                                       | 885.0               | FOUND 1 GROGERS WITH 0.0 ACRES, COUNT FIND<br>BUHLER<br>SILVER SPRINGS RANCH = OGARA<br>ORIGINAL MOLYNEUX? JOHN AND ALMA CURRENT<br>MOLYNEUX PROPERTY OWNERS? SEE COMBINED                                                                                                                                                                                                                                    |
| BILL MOLYNEUX                    | 375.2                           |                                 |                                                                 |                                  |                                                     | 34.1   |                          |                                                                       | 31.0                | 33.0                                                                                                                                                                                                                                                                                                                                                                                                          |
| JEFF AND CATHY ZACCARDI          | 44.5                            | 33.0                            | 33.0                                                            |                                  |                                                     | 19.2   |                          |                                                                       | 18.0                | 18.0                                                                                                                                                                                                                                                                                                                                                                                                          |
| JEFF ANDERSON/CATHY EEN COOK     | 34.3                            | 18.9                            | 18.9                                                            |                                  |                                                     | 20.0   |                          |                                                                       | 18.9                | 18.9                                                                                                                                                                                                                                                                                                                                                                                                          |
| ROD KOTIGAWICKY SAL FIELD        | 34.3                            | 18.9                            | 18.9                                                            |                                  |                                                     | 20.0   |                          |                                                                       | 18.9                | 18.9                                                                                                                                                                                                                                                                                                                                                                                                          |
| C. REID LAU                      | 14.2                            | 8.0                             | 5.7                                                             |                                  |                                                     | 23.6   |                          |                                                                       | 10.1                | DONT KNOW HOW TO / BETWEEN LAU AND WILSON 1.1<br>ACRES TOO MANY, CLAIM 28 FOR NW/4 IN SECTION 36<br>FOUND 1 GARY HOFFMAN WITH 1 ACRE OF LAND<br>23.8 8.9 ACRES IN THE SW/4<br>60 ADDITIONAL ACRES UNDER CLAIM#37-891B AND 37-1206<br>FOR A TOTAL OF 84 ACRES<br>CLAIM BOTH PROPERTIES ARE INCLUDED? 37-706G USE<br>RECOMMENDED ACRES<br>108.1 RECOMMENDED ACRES<br>15.0 LENA NEGREPONTE = CHARLES NEGREPONTE? |
| DWIGHT AND CATHERINE WILSON      | 30.0                            | 25.5                            | 23.6                                                            |                                  |                                                     | 25.4   |                          |                                                                       | 23.8                | 23.8 8.9 ACRES IN THE SW/4<br>60 ADDITIONAL ACRES UNDER CLAIM#37-891B AND 37-1206<br>FOR A TOTAL OF 84 ACRES<br>CLAIM BOTH PROPERTIES ARE INCLUDED? 37-706G USE<br>RECOMMENDED ACRES<br>108.1 RECOMMENDED ACRES<br>15.0 LENA NEGREPONTE = CHARLES NEGREPONTE?                                                                                                                                                 |
| FRANK AND JANET NACHTMAN         | 192.0                           | 84.0                            | 84.0                                                            |                                  |                                                     | 25.5   |                          |                                                                       | 84.0                | 24.0 FOR A TOTAL OF 84 ACRES<br>CLAIM BOTH PROPERTIES ARE INCLUDED? 37-706G USE<br>RECOMMENDED ACRES<br>108.1 RECOMMENDED ACRES<br>15.0 LENA NEGREPONTE = CHARLES NEGREPONTE?                                                                                                                                                                                                                                 |
| MARK BROWN GUNBEAM HOLDING TRUST | 200.0                           | 53.2                            | 108.6                                                           |                                  |                                                     | 53.2   |                          |                                                                       | 108.1               | CLAIM BOTH PROPERTIES ARE INCLUDED? 37-706G USE<br>RECOMMENDED ACRES<br>108.1 RECOMMENDED ACRES<br>15.0 LENA NEGREPONTE = CHARLES NEGREPONTE?                                                                                                                                                                                                                                                                 |
| CHARLES NEGREPONTE               | 19.0                            | 15.0                            | 15.0                                                            |                                  |                                                     | 19.9   |                          |                                                                       | 15.0                | 15.0 LENA NEGREPONTE = CHARLES NEGREPONTE?                                                                                                                                                                                                                                                                                                                                                                    |
| ALMA AND MAXINE MOLYNEUX         |                                 | 285.0                           | 285.0                                                           |                                  |                                                     | 274.8  |                          |                                                                       | 275.0               | TOOK OVER BILL MOLYNEUX SHARES = A.W. MOLYNEUX?<br>IN SECTION 1 SCHMID HAS PROPERTY THAT WAS COVERED<br>UNDER CLAIM, BUT RECOMMENDS DONT HAVE S24<br>CONDITION FOR SCHMID                                                                                                                                                                                                                                     |
| JOHN MOLYNEUX                    |                                 | 218.0                           | 217.0                                                           |                                  |                                                     | 217.2  |                          |                                                                       | 217.0               | TOOK OVER BILL MOLYNEUX SHARES = A.W. MOLYNEUX?<br>IN SECTION 1 SCHMID HAS PROPERTY THAT WAS COVERED<br>UNDER CLAIM, BUT RECOMMENDS DONT HAVE S24<br>CONDITION FOR SCHMID                                                                                                                                                                                                                                     |
| JOHN AND TERRI MOLYNEUX          |                                 | 103.0                           | 99.0                                                            |                                  |                                                     | 103.0  |                          |                                                                       | 99.0                | TOOK OVER BILL MOLYNEUX SHARES = A.W. MOLYNEUX?<br>IN SECTION 1 SCHMID HAS PROPERTY THAT WAS COVERED<br>UNDER CLAIM, BUT RECOMMENDS DONT HAVE S24<br>CONDITION FOR SCHMID                                                                                                                                                                                                                                     |
| TOTAL SHERBINES                  |                                 | 727.0                           | 710.8                                                           | 169                              | 431.0                                               | 745.7  |                          |                                                                       | 165.0               | COMBINED INDIVIDUAL SHERBINES #31 FOR PUMP#1, PUMP<br>#2 175 (ACCORDING TO RECOMMENDATIONS LIMITED TO<br>HAS THE S24 CONDITION AS PART OF THE<br>RECOMMENDATION FOR 37-20585                                                                                                                                                                                                                                  |
| JEFF AND SHEILA KEYS             |                                 |                                 | 16.0                                                            | 53.4                             | 53.4                                                | 20     |                          |                                                                       | 431.0               | COMBINED INDIVIDUAL SHERBINES #31 FOR PUMP#1, PUMP<br>#2 175 (ACCORDING TO RECOMMENDATIONS LIMITED TO<br>HAS THE S24 CONDITION AS PART OF THE<br>RECOMMENDATION FOR 37-20585                                                                                                                                                                                                                                  |
| DYE                              |                                 |                                 |                                                                 | 53.4                             | 53.4                                                |        |                          |                                                                       |                     | See Sunbeam Holding                                                                                                                                                                                                                                                                                                                                                                                           |
| TOTALS                           |                                 |                                 | 2859.2                                                          | 1116.4                           | 589.9                                               |        |                          |                                                                       |                     |                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                  |                                 |                                 | UNABLE TO DIFFERENTIATE BETWEEN SHERBINES, SEE TOTAL SHERBINES  |                                  |                                                     |        |                          |                                                                       |                     |                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                  |                                 |                                 | NOT PART OF BASELINE CANAL #1 OR BASELINE CANAL #2              |                                  |                                                     |        |                          |                                                                       |                     |                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                  |                                 |                                 | NOT PART OF BASELINE CANAL #2                                   |                                  |                                                     |        |                          |                                                                       |                     |                                                                                                                                                                                                                                                                                                                                                                                                               |

WR Co- 535-S 2004

1/5/07



26

WILSON

27

NACHTRAMAN

35

36

BASELINE CANAL COMPANY

BASELINE PUMP #2

37-2556A

NEGREPONTE

40

38

34

ZACCARDI

SHERBINE

40

32

FARROW

11

18

5

7

HOFFMAN

21

K. H.

LEET

12

13

6

RENDRAHL

LAKESIDE INDUSTRIES

LYNN

21

38

13

13

MURPHY

DIGES

SHERBINE

35

35

11

13

SHERBINE

PB INVESTMENTS

11

13

HANSING

12

7

8

We, a group of farmers, are making application to the Farmers Home Administration for funds to purchase a pump and equipment for additional water for our farms. The water to be supplemented is obtained from Big Wood River, individual rights. A well has been drilled to pump supplemental water for approximately 350 acres. The pump will cost approximately \$3400.

We have contacted the First Security Bank of Idaho, NA, Hailey, Idaho for funds to finance the above. We were informed we could borrow the above for one year which is not time enough.

The facility consists of a drilled 20" - 72' well. The drop could go to 47' or in other words the draw down at test time was 10' when the water was the lowest. On the test 340' was pumped 2 hours. The draw downs went to 12' and came back to 10' while pumping.

We do not have natural storage in Big Wood and feel that we should have means of obtaining additional water when the natural flow is not enough.

Carl Schoessler

James A. White

Fred Cunningham

B. H. Barker

Edille Weinger

Lee R. Patterson

\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Clyde Baldwin*

ARTICLES OF ASSOCIATION OF THE BASE LINE PUMP  
ASSOCIATION NO. 2  
(Not Incorporated)

\* \* \* \* \*

ARTICLES OF ASSOCIATION MADE AND ENTERED Into  
this 20th day of April 1955,  
by and between the undersigned,  
WITNESSETH:

THAT WHEREAS, the undersigned, all being stockholders of Base Line Canal Company, and participants in the rotation system of water delivery now used by said Base Line Canal Company, but not being all the stockholders of said Base Line Canal Company, being desirous of supplementing the present water rights now held by them as individuals, and to assure a more adequate flow of water, having agreed to install and having installed a pump of capacity of 400", to deposit flow of said pump into the canal system of said Base Line Canal Company; and,

WHEREAS it is desired that the flow of said pump be apportioned to the undersigned, Pro Rata to the presently existing decreed water rights held by them, (or under contract of purchase by them); and

WHEREAS the undersigned are desirous of arranging for the payment of the cost of installing, purchasing, and powering said pump, and for the payment of maintenance and operation charges on said pump, and also to establish a reserve for the depreciation on said system; and,

WHEREAS, it is desired to establish method for the governing of the undersigned acting as an association, and for the methods of handling the affairs of said association; and

WHEREAS, the undersigned hold water permit No. 8-25774 which was issued on the 21st day of Sept 1954

by the Department of Reclamation, State of Idaho;

NOW THEREFORE, in consideration of the mutual covenants and agreements of each of the parties hereto, it is understood and agreed by each of the parties hereto, as follows, to-wit:

1- That this association shall be known as BASE LINE PUMP ASSOCIATION NO. 2, and shall continue for a period of ten (10) years from the date hereof.

2- That each of the parties hereto hereby agree to pay the proportionate cost of purchasing, equipping and installing of pump and power plant of adequate capacity to deliver approximately 400" of water, and also to pay necessary maintenance and operation charges, for present year 1955 and thereafter, to include sufficient for depreciation of equipment to replace during life of the equipment. Each party shall pay cost of purchase, equipping and installing said pump, including cost of drilling well, that the Decreed water rights held by him bear to the total Decreed water rights of all parties hereto. Costs of maintenance and operation shall be born by each party on the same proportion.

3- It is understood that any and all waters produced by any and all pumps installed by this association shall be deemed and considered as supplemental water to waters drawn from Big Wood River under decrees of the parties hereto, and shall be delivered to the parties hereto proportionate to their Decreed rights.

4- This association shall be governed by a board of trustees, with power to hold title to property, real and personal for and on behalf of all members of this association. Said Board of Trustees shall be the same individuals as are annually elected at the annual meeting of the Base Line Canal Company; the first Board of Trustees, shall be, CLYDE BALDWIN, BILL ALLRED and CARL SCHOESSLER,

who shall serve until their successors are elected and qualified as above mentioned. Trustees shall have authority to levy assessments for the purchase of all necessary equipment for the pumping of waters as provided herein, and to contract for the furnishing of necessary power, and rights of way for the delivery of waters in ditches and canals. Vacancies shall be filled in said Board by other members until next annual election. Trustees shall not, however, contract for the construction or drilling or equipping of any wells other than the well now constructed, without the consent of the members of this association expressed at meeting called by said Trustees.

5- Meetings of this association may be called by the Trustees at such times as they feel necessary or proper for the transaction of business of this association. Each member shall be entitled to one vote for each inch of decreed water rights held; majority vote of members present shall govern.

6- That this association is formed for the purpose of installing pump as above mentioned and doing of such acts and things as are requisite and necessary for the proper carrying out of this purpose, including purchasing and selling of real estate, water and water rights, leasing and renting of equipment, purchase and sale of personal property. However, the credit of this association or of its members shall not be pledged, or moneys borrowed, without the express consent of majority of its members expressed at meeting duly called on one days notice.

7- It is specifically understood and agreed that no waters produced by any pump or pumps operated by this association, shall be delivered to any member hereof, at any time that he is delinquent in any assessment duly levied by the Trustees hereof. Said Trustees shall, in

addition to authority granted in Paragraph 4 hereof, have the right to levy assessments for maintenance and operation and also construction and equipping, and to adopt such rules and regulations as they deem proper to collect the same; funds so raised shall be disbursed under the control of said Board of Trustees.

8- It is further understood and agreed that this agreement shall have no effect whatsoever upon any decreed right held by any member of this association, or other water rights, and failure to pay any assessment shall be in no way effect the delivery of decreed rights or other water rights;

9- This agreement shall be binding on the heirs, executors, administrators and assigns of the parties hereto; should any party hereto convey premises now held by him, in whole or in part, trustees shall be notified, and grantee also notified of the purport and existence of this agreement, and such granted substituted for Grantor, upon approval of Trustees.

IN WITNESS WHEREOF, the parties hereto have set their hands this \_\_\_\_\_ day of \_\_\_\_\_ 1955.

|                                                | Decreed Rights. |
|------------------------------------------------|-----------------|
| 1- <u>Wm H. Allred</u><br>Bill Allred          | 84              |
| 2- <u>Edwin Wingerd</u><br>Mrs. Edith Wingerd  | 44              |
| 3- <u>Ted Bren</u><br>Ted Bren                 | 64.5            |
| 4- <u>Adolph Bren</u><br>Adolph Bren           | <del>64.5</del> |
| 5- _____                                       | _____           |
| 6- <u>W. N. Patterson</u><br>Jack Barker       | 160             |
| 7- <u>Frank Cunningham</u><br>Frank Cunningham | 124             |
| 8- <u>Clyde Baldwin</u><br>Clyde Baldwin       | 107 - 202       |
| 9- <u>Clarence Bess</u><br>Clarence Bess       | 98              |
| 10- <u>Otto Osborne</u><br>Otto Osborne        | 78              |
| 11- <u>Claude Bess</u><br>Claude Bess          | 76              |
| 12- <u>Carl Schoessler</u><br>Carl Schoessler  | 50              |

## RESOLUTION

In accordance with the request of the Board Members of the Baseline Pump Association #1 and Baseline Pump Association #2 resolve to file Snake River Basin Adjudication claims with the Idaho Department of Water Resources, in the name of the Baseline Canal Company, on behalf of the Baseline Pump Association #1 and #2.

William T. Sherbine  
William T. Sherbine  
T. W.S.

William T. Sherbine  
William T. (Rocky) Sherbine  
T. W.S.

John Molyneux  
John Molyneux

SUBSCRIBED AND SWORN to before me this 12th day of Dec, 2006

Rustin Miller  
Notary Public for Idaho  
Residing at Hailey ID  
My Commission Expires: 12/26/2012



## Merritt, Allen

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**From:** Bromley, Chris  
**Sent:** Tuesday, November 28, 2006 3:55 PM  
**To:** Merritt, Allen; Tuthill, Dave  
**Cc:** Jones, Doug  
**Subject:** RE: Disposition of Base Line Canal Co.

It would seem to me that there would be a benefit to us and Baseline Canal Co. if we were to recommend as a company, which would also allow us to recommend a service area instead of individual places of use.

Given the relationship that's described between the Baseline Canal Co. and the Pump Assns, it also seems to me that the Base Line Canal Co.'s claims could take the place of claims filed by the Pump Assns.

I know that we've recommended rights to companies in Basin 67 that were no longer in existence with the Secretary of State, but were still organized and had officers that could bind its users. We did this for both storage and natural flow companies.

Chris

-----Original Message-----

**From:** Merritt, Allen  
**Sent:** Tuesday, November 28, 2006 2:59 PM  
**To:** Bromley, Chris; Tuthill, Dave  
**Cc:** Jones, Doug  
**Subject:** Disposition of Base Line Canal Co.

Gents:

As discussed earlier today with Dave, Base Line Canal Co. (37-891B and 37-1206), Baseline Pump Assn. #1 (37-4109) and Baseline Pump Assn. #2 (37-2556A) have filed the referenced claims in the SRBA and I am trying to deal with them. They are intertwined in sort of a symbiotic relationship.

As you may already know, Baseline Canal #55C is a redirection from the Bypass Canal on the Big Wood River. The watermaster of WD37 delivers water to the Baseline Canal #55C headgate and then the water below that headgate is delivered by the Base Line Canal Co. The water being delivered is privately held decreed rights to individual decree holders as well as shareholders in the entities identified above. I understand that all water right holders that take delivery thru the Baseline Canal are share holders in the Base Line Canal Co. (Things match up well but I do not think that the Base Line Canal Co's list has been updated with the splits of the Molyneux property.)

I understand that none of these three entities are registered with the Secretary of State but at one time Base Line Canal Co. was registered. I talked to Cathy Zaccardi who is the secretary of all three entities and she may look into dealing with the Secretary of State. The entities share common boards or governance.

Attached are documents sent by Cathy at my request to describe the shareholders in these entities. It is my understanding that Base Line Canal Co. is sort of an umbrella organization and the pump associations operate within the boundary of the Base Line Canal Co. Each pump association is associated with operation and maintenance of a well that supplements water to the shareholders via the Baseline Canal system. Note that physically water from the wells can not get to the property of some of the shareholders but in practice water is exchanged within the Baseline Canal system. For example Lau has shares in the Baseline Pump Assn #2 but the well is actually miles down the canal and in practice he is delivered water only from the river through the Baseline Canal but the extra water he gets beyond his decree comes from someone else's decree that is replaced by the well downstream.

<< File: 20061128150214183.pdf >>

Attached is the Watermaster's delivery records I've been dealing with for the Baseline Canal.

<< File: Bypass.xls >>

We currently have a shape of the Base Line Canal Co. service area available in our GIS platform.

I need guidance with regards as to how to recommend these claims. Questions that come to mind.....

-Do I recommend the Base Line Canal Co. in a service area or only to the acres being recommended to the

individuals?

-If I recommend the Base Line Canal Co. in a service area can I recommend the Pump Assns in the same service area?

-If I do not recommend the Pump Assns in a service area how to I come up with acres...are they limited by share, limited by acres of their individual decrees, etc??

-Can I recommend all claims in the name of the Base Line Canal Co. and leave that entity to sort out their shares and charges internally?

If after studying this for a while maybe we can discuss further if you have questions.

Allen

## 2006 BASELINE PUMP #2

1057.70 SHARES @

\$ 00.00/SHARE

| NAME                             | SHARES | ASSESSMENT | PAID | DELINQUENT | DELINQUENT PAID |
|----------------------------------|--------|------------|------|------------|-----------------|
| Wood River Ranch                 | 154    | \$0.00     |      | \$847.00   |                 |
| Virginia Reed                    | 160    | \$0.00     |      |            |                 |
| Bill Sherbine (Ruth Schoessler)  | 50     | \$0.00     |      |            |                 |
| Rocky Sherbine (Harold Drussell) | 199    | \$0.00     |      |            |                 |
| Bill & Mary Leet                 | 202    | \$0.00     |      |            |                 |
| Bill Sherbine                    | 144    | \$0.00     |      |            |                 |
| Rocky & Teri Sherbine            | 5      | \$0.00     |      |            |                 |
| Jeff & Cathy Zaccardi            | 44.5   | \$0.00     |      |            |                 |
| C. Reid Lau                      | 14.2   | \$0.00     |      |            |                 |
| Dwight & Catherine Wilson        | 30     | \$0.00     |      |            |                 |
| Frank & Janet Nachtman           | 40     | \$0.00     |      |            |                 |
| Charles Negreponte               | 15     | \$0.00     |      |            |                 |

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| Frank & Janet Nachtman           | 40     | \$0.00     |      |            |                 |
| Charles Negreponte               | 15     | \$0.00     |      |            |                 |

## Merritt, Allen

---

**From:** Merritt, Allen  
**Sent:** Tuesday, November 21, 2006 9:07 AM  
**To:** 'Cathy Zaccardi'  
**Cc:** Merritt, Allen  
**Subject:** RE: Shareholders



SRBA%20Change  
'20in%20Address.p.

Cathy,

Thank you for the information about the shareholders of your organizations.

Please find attached a form that needs to be completed to let us know what address we need to correspond with you at since the claims in the name of "Base Line Canal Co" (Claim Nos. 37-1206 and 37-891B), "Baseline Pump Assn. #1" (Claim No. 37-4109) and Baseline Pump Assn. #2" (Claim No. 37-2556A) all list an address of Ruth Schoessler at 067 Schoessler Lane.

You can print it out three times (one for each entity) and then fill them out and mail them back to me or scan them and e-mail them back. If you have questions please feel free to call me at 736-3033.

Thanks,

Allen Merritt

-----Original Message-----

**From:** Cathy Zaccardi [mailto:czaccardi@blaineschools.org]  
**Sent:** Monday, November 20, 2006 9:37 AM  
**To:** Merritt, Allen  
**Subject:** Shareholders

Allen: here's the list of shareholders for Baseline Canal Association, Baseline Pump #1, and Baseline Pump #2. Please let me know if you need anything further. Thanks.

Cathy Zaccardi  
Clerk of the Board  
New E-Mail Address: czaccardi@blaineschools.org

**SNAKE RIVER BASIN ADJUDICATION  
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

**Water Right Number(s):** 37-2556A Baseline Pump Assoc. #2

**Previous Mailing Address:** Ruth Schoessler

067 Schoessler Lane

Bellevue ID 83313

**New Mailing Address:** Cathy Zaccardi

P.O. Box 743

Hailey ID 83333

**Telephone Number:** ( 208 ) 578-5003 (work)  
208 788-4619 (home)

**Signature of all Claimant(s):** Cathy Zaccardi

Please print your name below your signature.

Cathy Zaccardi

**Please mail or FAX this completed form to the office nearest you:**

**Adjudication Bureau**  
**Idaho Dept. of Water Resources**  
**1910 Northwest Blvd., Ste. 210**  
**Coeur d'Alene, ID 83814-2615**  
**Ph. 208/769-1450 or**  
**FAX 208/769-1454**

**Adjudication Bureau**  
**Idaho Dept. of Water Resources**  
**2735 Airport Way**  
**Boise, ID 83705-5082**  
**Ph. 208/334-2190 or**  
**FAX 208/334-2348**

**Adjudication Bureau**  
**Idaho Dept. of Water Resources**  
**1341 Fillmore St., Ste. 200**  
**Twin Falls, ID 83301-3380**  
**Ph. 208/525-7161 or**  
**FAX 208/736-3037**

**Adjudication Bureau**  
**Idaho Dept. of Water Resources**  
**900 N. Skyline, Ste. A**  
**Idaho Falls, ID 83402-3653**  
**Ph. 208/736-3033 or**  
**FAX 208/525-7177**

**Adjudication Bureau**  
**Idaho Dept. Of Water Resources**  
**322 E. Front St.**  
**P.O. Box 83720**  
**Boise, Id 83720-0098**  
**Ph 208/287-4800**  
**FAX 208/287-6701**

SS  
ADDRESS FM.doc  
Revised 12/3/04

IDWR Use Only:  
Data Entry: CJW

Date: 11/28/04

## Merritt, Allen

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**From:** Cathy Zaccardi [czaccardi@blaineschools.org]  
**Sent:** Tuesday, November 21, 2006 9:49 AM  
**To:** Merritt, Allen  
**Subject:** RE: Shareholders



change of  
address.pdf

Good morning, Allen. Attached please find the change in address forms for Baseline Canal Co., Baseline Pump #1, and Baseline Pump #2. I've scanned them all into one document. Please let me know if you need anything further.

Cathy Zaccardi  
Clerk of the Board  
New E-Mail Address: czaccardi@blaineschools.org

>>> "Merritt, Allen" <Allen.Merritt@idwr.idaho.gov> 11/21/2006 9:06 AM >>>  
Cathy,

Thank you for the information about the shareholders of your organizations.

Please find attached a form that needs to be completed to let us know what address we need to correspond with you at since the claims in the name of "Base Line Canal Co" (Claim Nos. 37-1206 and 37-891B), "Baseline Pump Assn. #1" (Claim No. 37-4109) and Baseline Pump Assn. #2" (Claim No. 37-2556A) all list an address of Ruth Schoessler at 067 Schoessler Lane.

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Thanks,

Allen Merritt

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To: Merritt, Allen  
Subject: Shareholders

Allen: here's the list of shareholders for Baseline Canal Association, Baseline Pump #1, and Baseline Pump #2. Please let me know if you need anything further. Thanks.

Cathy Zaccardi  
Clerk of the Board  
New E-Mail Address: czaccardi@blaineschools.org

2/10/89

Dear Ken;

Please find enclosed the draft claims I said I would send you based on our earlier meetings. Please look them over and if they suit your needs you can send them in and pay the required fees. The fee will be \$50<sup>00</sup> / claim and \$1 / unpaid acre.

Please note that 37-02556 was split up and I only filled out the B portion for the Pump Assoc. The A portion is in your name. We may need to discuss this at a later meeting.

If you have any questions let me know.

Allen Mervitt

On the Canal Co. we paid for two rights and 80 acres.

Ken

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