

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 37-2611C
Date Received: 5/12/88
Receipt No:
Received By:

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

1. Name of Claimant(s)

COLLISTER INC
ATTN RICHARD D HEATON
4414 S GEKELER LN
BOISE ID USA 83716

Phone: (208)342-8901

2. Date of Priority: 03/26/1959

3. Source: GROUND WATER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
01S	18E	23	NE SW NE	BLAINE

5. Description of diverting works:

ARTESIAN WELL WITH PUMP, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.09	

7. Total Quantity Appropriated is:
1.09 C.F.S. and/or 162 A.F.A.

8. Total consumptive use:

37-2611C

12/15/2000

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	18E	23	SW	NE	IRRIGATION	37
			SE	NW	IRRIGATION	17
					Section Acres	54
					Total Acres	54

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

P/U IS WEST OF HWY. 75
SEE TRANSFER NO. 3950

12/15/00 tf; ownership changed Fredrickson to Collister Inc per 1409(6) and warranty deed received 12/7/00.

15. Basis of Claim: License

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

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

RECEIVED
DEC 07 2000
 Department of Water Resources
 Southern Region

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-02611C</u>	<u>A37-02611C</u>				
<u>37-14294</u>	<u>A37-14294</u>				

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

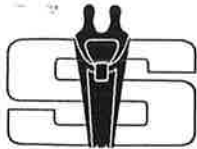
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Edith Fredrickson, 17833 US Hwy 20,
Gannett, ID 83329
4. New Owner/Claimant(s) Collister, Inc., an Idaho corporation
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address ATTN: Richard D. Heaton
4414 S. Gekeler Lane
- City, State and ZIP Code Boise, ID 83716
- New Telephone Number (208) 342-8901
5. Date you acquired the property November 20, 2000

RECEIVED

DEC 06 2000

WATER RESOURCES
 WESTERN REGION



Order No. 00009794
This form furnished by
Blaine County Title Associates

WARRANTY DEED

Instrument # 445282

HAILEY, BLAINE, IDAHO

2000-11-20

03:01:00 No. of Pages: 3

Recorded for: BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

For Value Received **EDITH FREDRICKSON, an unmarried woman**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **COLLISTER, INC., an Idaho corporation**

the Grantee whose current address is: **C/O YANKEE MACHINE SHOP, 4414 S. GEKELER LANE, BOISE ID**

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.



Engineers Surveyors Planners

Property Description

for

EDITH FREDRICKSON
(118 Acre Tract)

A tract of land located in the South Half of the North Half of Section 23, Township 1 South, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of said Section 23;

THENCE South $00^{\circ} 17' 28''$ West a distance of 1313.93 feet along the westerly boundary of the Northwest Quarter of said Section 23 to the Northwest corner of said $S1/2 N1/2$ Section 23 and the True Point of Beginning;

THENCE North $89^{\circ} 29' 02''$ East a distance of 2666.16 feet along the northerly boundary of said $S1/2 N1/2$ to the centerline of said Section 23;

THENCE North $89^{\circ} 49' 32''$ East a distance of 1011.71 feet along the northerly boundary of said $S1/2 N1/2$;

THENCE South $10^{\circ} 58' 17''$ West a distance of 165.00 feet;

THENCE North $89^{\circ} 49' 32''$ East a distance of 400.00 feet to the westerly boundary of State Highway 75;

THENCE South $10^{\circ} 58' 17''$ West a distance of 1184.21 feet along the westerly boundary of said Highway 75 to the southerly boundary of said $S1/2 N1/2$;

THENCE South $89^{\circ} 44' 08''$ West a distance of 1162.84 feet along the southerly boundary of said $S1/2 N1/2$ to the centerline of said Section 23;

THENCE South $89^{\circ} 44' 08''$ West a distance of 2664.86 feet along the southerly boundary of said $S1/2 N1/2$ Section 23 to the Southwest corner thereof;

THENCE North $00^{\circ} 17' 28''$ East a distance of 1313.93 feet along the westerly boundary of said $S1/2 N1/2$ to the Northwest corner thereof and the True Point of Beginning.

The above-described tract contains 118.41 acres more or less and is subject to the rights of the Bellevue Cemetery Maintenance District and also subject to an access easement more particularly described as follows:



A twenty (20) foot wide existing ingress, egress, and roadway access easement located within the S1/2 NE1/4, the SE1/4 NW1/4, and the SW1/4 NW1/4, Section 23, Township 1 South, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows and located upon the right hand side (North and East) of the following described line:

Commencing at an iron pin by L.S. 792 marking the center one-quarter corner of said Section 23;

THENCE North 89° 43' 30" East, 80.00 feet to the Real Point of Beginning;

THENCE South 89° 43' 30" West, 1412.56 feet along the south boundary of said S1/2 NE1/4, and the SE1/4 NW1/4 to the southwest corner of said SE1/4 NW1/4;

THENCE North 00° 18' 42" East, 1000 feet more or less, along the west boundary of said SE1/4 NW1/4;

THENCE South 89° 30' 44" West, 200 feet more or less, to the Timmerman Pioneer Cemetery, which point is the point of ending of said easement.



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: **A37-02611C**
Date Received: 5/12/1988
Receipt No: X777777
Received By: _____

AMENDED

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

AMENDED

1. Name: EDITH FREDRICKSON 208-788-2582
Address: 17833 U. S. HWY. 20
GANNETT ID 83329

AND/OR

Name: RUTH FREDRICKSON
Address: GANNETT ID 83329

2. Date of Priority: MAR 26, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	18E	23	NE	SW	NE		BLAINE

5. Description of diverting works:
ARTESIAN WELL WITH PUMP, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.090		

7. Total Quantity Appropriated is:
1.090 C.F.S. (and/or) 162.00 A.F.A.

8. Total consumptive use is 162.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use
01S	18E	23	SW	NE		IRR

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	18E	23	SE	NW	IRR	17.0
Section Acres						54.0
Total Acres						54.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/U IS WEST OF HWY. 75.
SEE TRANSFER NO. 3950.

15. Basis of Claim: LICENSE

Water Right Number: 27850

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FEB 23 1993

Water Right Number - R37-02611C

Prefix Translation: RESEARCH

Old (D) Number - 27850

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

*** C - CURRENT OWNER ***
FREDRICKSON

EDITH

1 - 17833 U. S. HWY. 20

2 -

3 -

City- GANNETT

State- ID Zip- 83329

Phone - 208-788-2582

FREDRICKSON

RUTH

1 -

2 -

3 -

City- GANNETT

State- ID Zip- 83329

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/26/1959 ERROR IN REGION L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

01S 18E 23 NE SW NE (13) BLAINE

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

01 - IRRIGATION 04/01 11/01 1.090

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.090 162.00 162.0+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County01S 18E 23 SW NE 37.0 01 IRRIGATION (13) BLAINE
01S 18E 23 SE NW 17.0 01 IRRIGATION (13) BLAINE

Total Acres: 54.0

+ - - Diversion Means - ARTESIAN WELL WITH PUMP, MAINLINE TO SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +

P/U IS WEST OF HWY. 75.
SEE TRANSFER NO. 3950.MICROFILMED
FEB 23 1993

Water right number - R37-02611C

Prefix Translation: RESEARCH

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

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

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - +

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - +

Date: 12/11/1992 User Id: MERRITT Subject: AMENDED CLAIM A37-02611B PURSUANT TO TRANS. 3950
RESULTING IN CREATION OF 37-02611C & D. PART B "Z"ED.

+ - - Audit Fields - - +

12/11/92 MERRITT

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

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 05/12/1988

Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 00/00/0000
Last Amended Date - 12/11/1992
Receipt Number - X777777
POU Ownership Flag - Y
Name Connector - AND/OR

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - S
Presumption Flag -
Notice of Error Flag -

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

11-Dec-1992 14:10

Emer Wood
PO Box 1540
Hailey, ID 83333

RE: Amendment of SRBA Claim A37-02611B (Fredrickson's original)
has been split into the following:
A37-02611C (Fredrickson)
A37-02611D (Wood)

Dear Mr. Wood:

Pursuant to the approval of your Transfer No. 3950 the original Fredrickson Notice of Claim in the Snake River Basin Adjudication which was numbered A37-02611B has been amended to conform with the transfer. As a result of the transfer A37-02611B has been replaced with Notices numbered A37-02611C & A37-02611D. Please find enclosed copies of printouts of the way these claim records has been modified. Please look the modified records over carefully to be sure it correctly reflects the intended change. If you have questions please feel free to contact this office.

Sincerely

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

Allen Merritt, P.E.
Water Right Supervisor

Encl:

CC: Edith or Ruth Fredrickson
17833 US HWY 20
Gannett, ID 83329

MICROFILMED
FEB 23 1993

Water Right Number - R37-02611B

Prefix Translation: RESEARCH

Old (D) Number - 27850

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

*** C - CURRENT OWNER ***
SPLIT CLAIM1 -
2 -
3 -

City- X

State- ID Zip- 0

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
FREDRICKSON

EDITH

1 - 17833 U. S. HWY. 20

2 -
3 -

City- GANNETT

State- ID Zip- 83329

Phone - 208-788-2582

FREDRICKSON

RUTH

1 -
2 -
3 -

City- GANNETT

State- ID Zip- 83329

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/26/1959 ERROR IN REGION Z - SEE REMARKS+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER
SPLIT CLAIM+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
01S 18E 23 NE SW NE (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.210+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.210 180.00 180.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 18E 23 SW NE 37.0 01 IRRIGATION (13) BLAINE
01S 18E 23 SE NW 23.0 01 IRRIGATION (13) BLAINE

Total Acres: 60.0

+ - - Diversion Means - ARTESIAN WELL WITH PUMP, MAINLINE TO SPRINKLERS

+ - - Non-Irrigation Use -

FEB 23 1993
MICROFILMED

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

+ Remarks

P/U IS WEST OF HWY. 75.

SPLIT BY TRANSFER NO. 3950.

SEE NO. 37-02611C & 37-02611D.

+-----+
No Old Water Right Numbers Found Old Water Right Numbers

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

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

	Comments
Date: 12/11/1992 User Id: MERRITT Subject: SPLIT INTO 36-02611C & 36-02611D PURSUANT TO APPROVED TRANSFER NO. 3950.	

+ - - Audit Fields - - +
12/11/92 MERRITT

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/12/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000195	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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FEB 23 1993

Water Right Number - A37-02611B Prefix Translation: ADJUDICATION CLAIM Old (D) Number - 27850

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

*** C - CURRENT OWNER ***
SPLIT CLAIM

1 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
FREDRICKSON

EDITH

1 - 17833 U. S. HWY. 20
2 -
3 -
City- GANNETT State- ID Zip- 83329
Phone - 208-788-2582

FREDRICKSON

RUTH

1 -
2 -
3 -
City- GANNETT State- ID Zip- 83329
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/26/1959 ERROR IN REGION Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER
SPLIT CLAIM

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
01S 18E 23 NE SW NE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.210

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.210 180.00 180.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 18E 23 SW NE 37.0 01 IRRIGATION (13) BLAINE
01S 18E 23 SE NW 23.0 01 IRRIGATION (13) BLAINE

Total Acres: 60.0

+ - - Diversion Means - ARTESIAN WELL WITH PUMP, MAINLINE TO SPRINKLERS

+ - - Non-Irrigation Use -

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FEB 23 1993

MICROFILMED
FEB 23 1993

AJ5809NP
No. A37-02611B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/11/92
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDITH FREDRICKSON 17833 U. S. HWY. 20 GANNETT ID 83329 (208) 788-2582	03/26/1959	IRRIGATION	04-01 11-01	1.21 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					1.21 CFS	180.0 AFA 180.0 AFA
C	RUTH FREDRICKSON GANNETT ID 83329					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01S R18E S23

NESW

BLAINE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
01S	18E	23	:				37	:				23	:					:						:	60.0
																							TOTAL ACRES	60.0	

POU County: BLAINE

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of use:
A37-10387

Remarks: P/U IS WEST OF HWY. 75.

Dates: Exam Made Date:

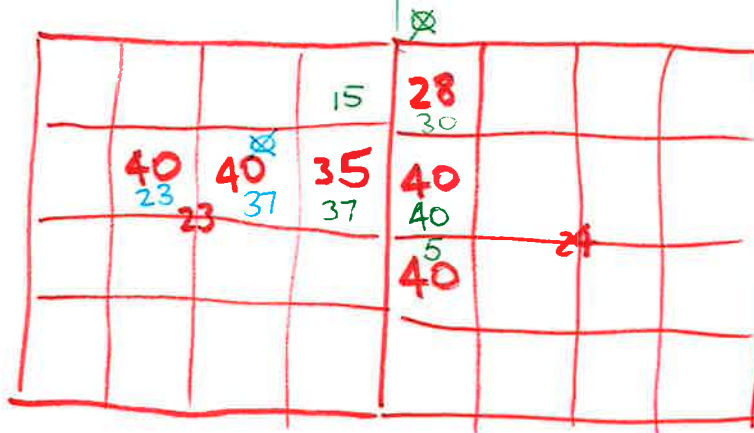
Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

37-02611 License

2.56 223 Acres



A37-02611A — 127
A37-02611B — 60
1.21 cfs
187

C 1.09 54
D 0.12 6
60

MICROFILMED
FEB 23 1993

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: A37-02611B
Date Received: 5/12/1988
Receipt No: 5060/95

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDITH FREDRICKSON
Address: 17833 U. S. HWY. 20
GANNETT, ID 83329 208-788-2582

AND/OR

Name: RUTH FREDRICKSON
Address: GANNETT, ID 83329

2. Date of Priority: MAR 26, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01S	18E	23	NE SW NE		BLAINE

5. Description of diverting works:
ARTESIAN WELL WITH PUMP, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.210		

7. Total Quantity Appropriated is:
1.210 C.F.S. (and/or) 180.00 A.F.A.

8. Total consumptive use is 180.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	18E	23	SW NE		IRR	37.0

A37-02611B

Page 1

Date: 05/12/88

COPY

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	18E	23	SE NW		IRR	23.0
Section Acres						60.0
Total Acres						60.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/U IS WEST OF HWY. 75.

15. Basis of Claim: LICENSE
Water Right Number: 27850

COPY

MICROFILMED
FEB 23 1993

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Eileen Fredrickson Date: 5/12/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 12th day

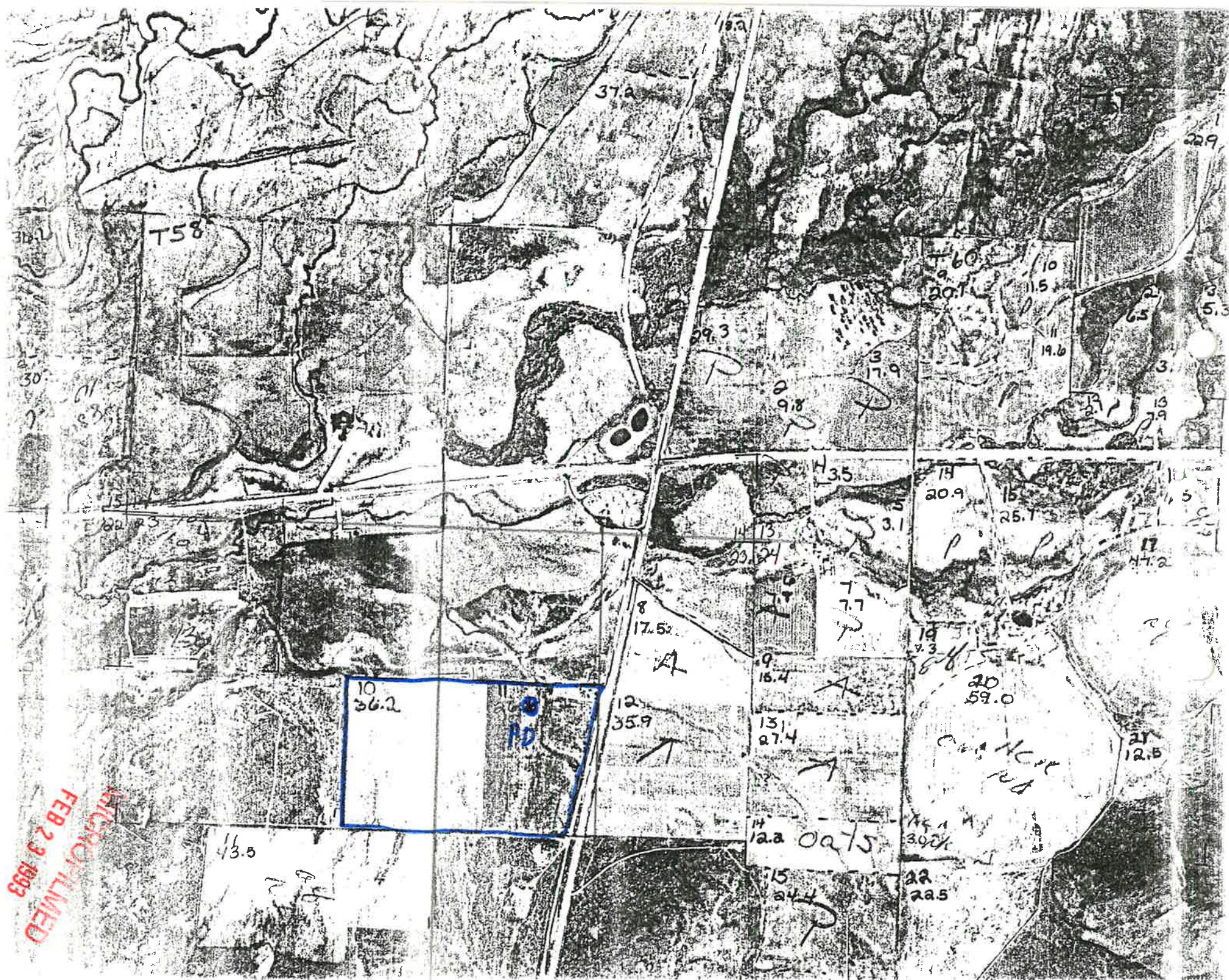
of May 19 88

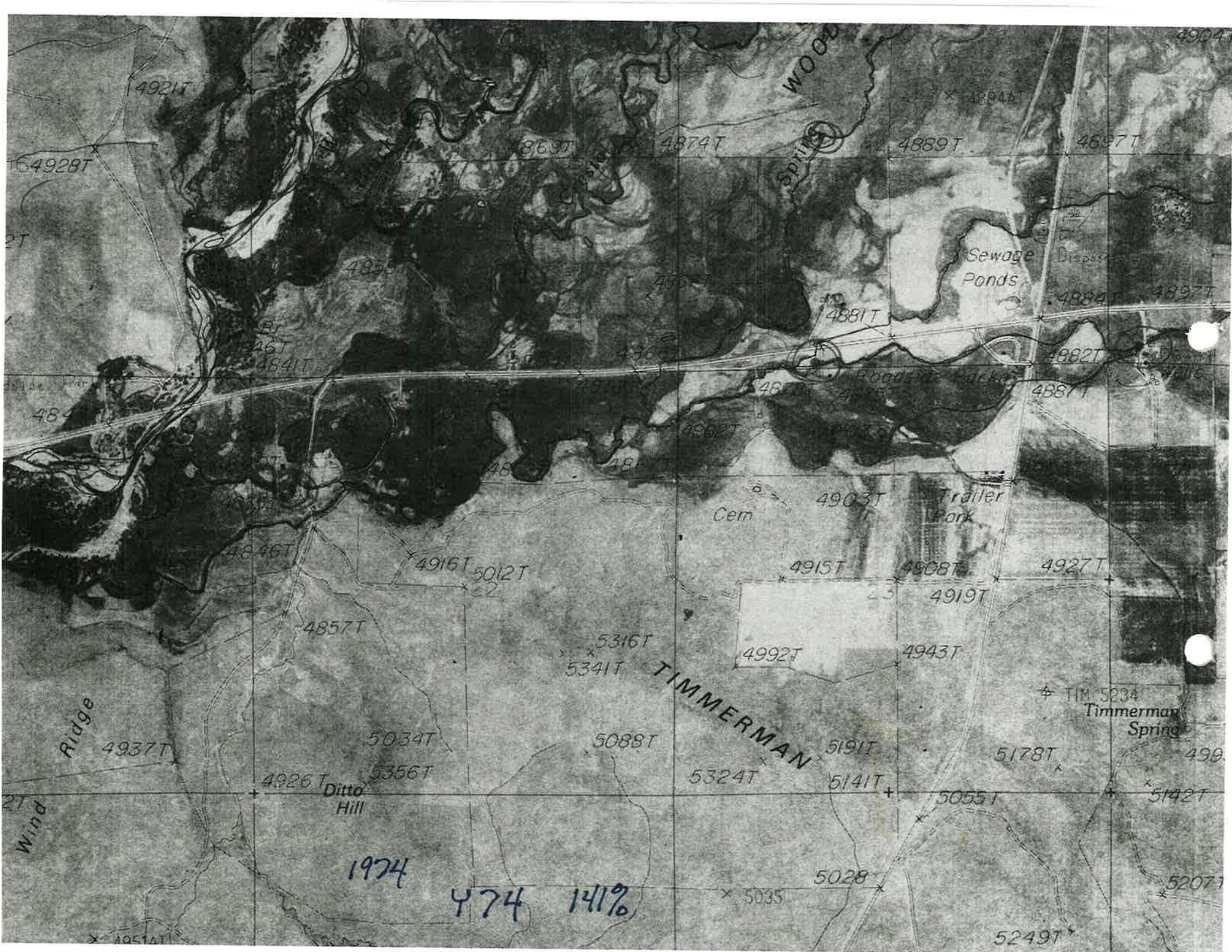
Mary A. Baldwin
Notary Public

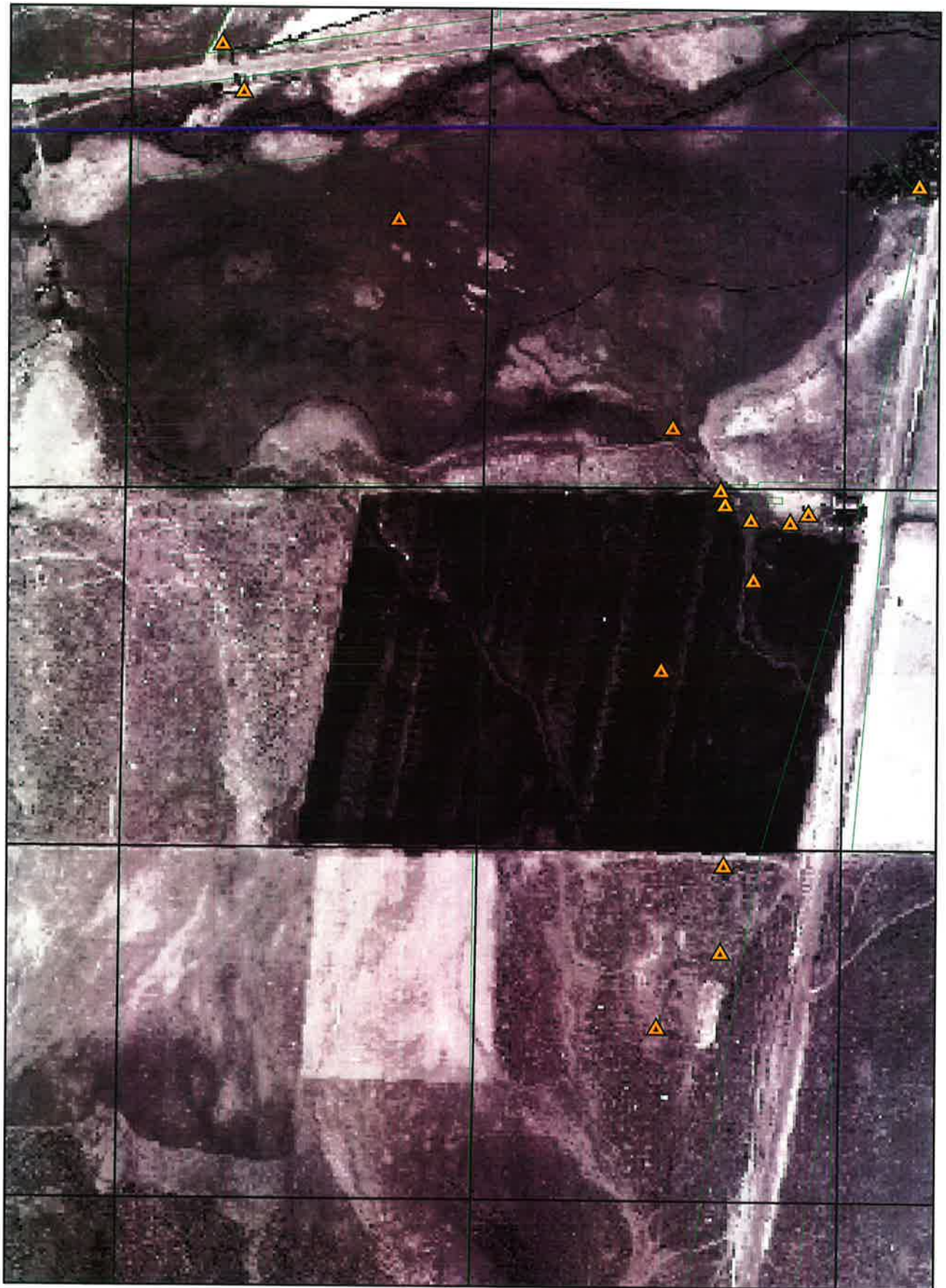
Seal

Residing at Gooding, ID
My Commission Expires 10/16/1992

MICROFILMED
FEB 23 1993







9/3/1964

GIVENS PURSLEY LLP

LAW OFFICES

601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

MICHAEL P. LAWRENCE

DIRECT DIAL: 208 388-1294
EMAIL: MichaelLawrence@givenspursley.com

Gary G. Allen
Peter G. Barton
Christopher J. Beeson
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W. Hugh O'Riordan, LL.M.
G. Andrew Page
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J. Will Varin
Conley E. Ward
Robert B. White

RETIRED

Kenneth L. Pursley
Raymond D. Givens
James A. McClure

Via Email and U.S. Mail

October 10, 2008

RECEIVED

OCT 14 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Chris M. Bromley
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Subcase No. 37-2611C – proposed settlement to objection
Our file: 10006-1

Dear Chris:

As you know, this firm represents Collister, Inc., the claimant in subcase number 37-2611C. This letter explains the reasoning behind our objection to the Amended Director's Report issued in that subcase. We would appreciate your assistance in resolving our objection through a Standard Form 5 for the reasons set forth below.

1. Summary of proceedings

This subcase involves the claim for a portion of licensed water right number 37-2611 (the "Parent right"). The Parent right was split into 37-2611A and 37-2611B through claims filed in the SRBA. Subsequently, 37-2611B was split into 37-2611C and 37-2611D through administrative transfer number 3950. For ease of reading, I will refer to these various split rights as parts A, B, C, and D.

As is discussed in more detail below, the original SRBA claims for parts A and B did not correctly split the Parent right. This error continued through the split (i.e. transfer) of part B into parts C and D. The original Director's Report recommendation for part C—Collister's portion of the Parent right—reflected this error.¹

¹ There is no reason to dispute the claim or recommendation for part D, since its elements were defined in the transfer proceeding. Collister also has no reason to dispute the recommendation for part A.

To rectify the error, Collister filed an objection to the original recommendation for part C and also filed an amended claim. An Amended Director's Report for part C was recently issued but, unfortunately, it does not resolve Collister's issues and Collister has objected to it as well.

2. Water rights background

A. Licensed water right 37-2611

Water right license 37-2611 was issued in 1975 with a diversion rate of 2.56 cfs to irrigate 223 acres. Of the 223 acres, 80 acres were located in the SWNE and SENW of Section 23, T1S, R18E—the same quarter-quarters in which Collister's place of use predominantly lies.²

B. SRBA claims split 37-2611 into parts A and B

The original SRBA claims were, as far as we can tell, filed by the Parent right's owner. These claims split the Parent right into parts A and B. Part B was claimed as appurtenant to what is now Collister's property. The claims split the Parent right's 2.56 cfs diversion rate into 1.35 cfs and 1.21 cfs portions, respectively. As for the acres, the claims accounted for only 187 of the 223 acres in the Parent right's place of use. Specifically, part A claimed 127 acres and part B claimed 60 acres. It is not clear why 36 acres of the Parent right's 223 acres were not claimed.

C. Transfer 3950 split part B

In 1992, transfer number 3950 split part B into parts C and D. As mentioned above, part B was claimed for 1.21 cfs to irrigate 60 acres. Part D reflects the transferred portion of the right, while part C reflects the residual. The transfer involved the sale of 0.12 cfs to irrigate 6 acres at a different place of use. The remaining 1.09 cfs and 54 acres of part B became part C.

The upshot is that parts A, C, and D are the active SRBA claims. The splits described above are summarized in the following diagram:



² Doug Jones has identified 0.3 acres in an adjacent quarter-quarter (SENE Sec. 23) that is also irrigated. To the extent the Parent right's license did not include this land, water rights to irrigate this land have been established by virtue of an accomplished transfer of rights from lands no longer irrigated under the license. I.C. § 42-1425. Because of the small amount of land involved, this letter does not address these lands further. However, I would be happy to discuss these lands with you if need be.

3. IDWR's recommendations

Except for part A, IDWR's original recommendations mirrored the diversion rates and number of irrigable acres in the original claims. For part A, IDWR recommended only 0.78 cfs (not 1.35 cfs, as claimed). This means that 0.57 cfs of diversion rate in the Parent right's license was unaccounted for under IDWR's original recommendations.

The recommendations for parts A and D were not objected to. Collister objected to the recommendation for part C for the reasons discussed in this letter.

4. Collister's amended claim

Collister irrigates approximately 64 acres at its place of use. As noted above, however, the original SRBA claim for part B was for 1.21 cfs to irrigate 60 acres of Collister's property. The subsequent split of part B left Collister with only 1.09 cfs to irrigate 54 acres. Collister's amended claim for part C is intended to rectify this shortcoming.

Collister amended its claim for part C to reflect 1.28 cfs to irrigate 64 acres. Part C should be decreed with these elements in light of the Parent right's license and the recommendations (and probable decrees) for parts A and D. The recommendations for parts A and D account for 0.9 cfs and 133 acres of the Parent right's 2.56 cfs and 223 acres. This leaves ample room under the Parent right's license for part C to be decreed for 1.28 cfs to irrigate 64 acres. That is, with Collister's amended claim, the total combined diversion rate for parts A, C, and D is 2.18 cfs and the total number of irrigated acres is 197 (i.e. quantities within the limits of the Parent right's license).³

Additionally, Collister's amended claim comports with the specific acreage limits within each quarter-quarter in the Parent right's license. The Parent right's license recognized 40 acres of irrigation in each of the SENW and SWNE quarter-quarters. Collister's amended claim for part C claims 23 acres in SENW and 40 acres in SWNE. The amended claim thus falls within the terms of the Parent right's license. This is true even considering the six acres in SENW that were sold and transferred away in 1992.

Exhibit A enclosed with this letter summarizes how the original splits of the water rights compare to the splits under Collister's amended claim.

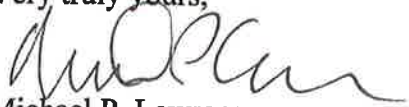
I believe we can resolve Collister's objection to the Amended Director's Report for 37-2611C by executing a Standard Form 5 reflecting the elements described in Collister's amended

³ Indeed, this still leaves 0.38 cfs and 26 acres of the Parent right's license unaccounted for. Some of this unclaimed/unrecommended portion of the Parent right was appurtenant to Collister's property in the SENW of Section 23, but Collister does not irrigate that land. Collister has no information about the remainder of the Parent right that was not appurtenant to Collister's property that has not been claimed.

Chris Bromley
October 10, 2008
Page 4

claim. Once you have had the chance to review this analysis, please contact me to discuss it further.

Very truly yours,


Michael P. Lawrence

Enclosure

cc: John Marshall
Kit Clark
Doug Jones

MPL:la S:\CLIENTS\10006\1\Ltr to C Bromley re Collister objection.doc

EXHIBIT A

DIVERSION RATE														
Original Splits														
basis			cfs	acres	basis			cfs	acres	basis			cfs	acres
37-2611	License	2.56	223	{	37-2611A	SRBA Claim	1.35	127	{	37-2611C	SRBA Claim	1.09	54	
					SRBA Rec	0.78	127	SRBA Rec		1.09	54			
					37-2611B	SRBA Claim	1.21	60		37-2611D	SRBA Claim	0.12	6	
								SRBA Rec			0.12	6		
Amended Splits														
basis			cfs	acres	basis			cfs	acres	basis			cfs	acres
37-2611	License	2.56	223	{	37-2611A	SRBA Claim	1.35	127	{	37-2611C	SRBA Claim	1.28	64	
					SRBA Rec	0.78	127	(amended claim)						
					37-2611B	SRBA Claim	1.40	70		37-2611D	SRBA Claim	0.12	6	
					(should have been)			SRBA Rec			0.12	6		

ACRES										
Original Splits										
Sec 23 SEnw	Sec 23 SWNE	Sec 23 SENE		Sec 23 SEnw	Sec 23 SWNE	Sec 23 SENE		Sec 23 SEnw	Sec 23 SWNE	Sec 23 SENE
37-2611	40	40	35	37-2611A			37 38	37-2611C SRBA Claim 17 37 0 SRBA Rec 17 37 0		
				SRBA Claim						
				SRBA Rec						
				37-2611B						
				SRBA Claim 23 37 0						
							37-2611D 6 acres transferred away			
Amended Splits										
Sec 23 SEnw	Sec 23 SWNE	Sec 23 SENE		Sec 23 SEnw	Sec 23 SWNE	Sec 23 SENE		Sec 23 SEnw	Sec 23 SWNE	Sec 23 SENE
37-2611	40	40	35	37-2611A			37 38	37-2611C SRBA Claim 23 40 1 (amended claim)		
				SRBA Claim						
				SRBA Rec						
				37-2611B						
				SRBA Claim 29 40 1						
				(should have been)						
							37-2611D 6 acres transferred away			

Jones, Doug

From: Spencer, Nick
Sent: Wednesday, August 06, 2008 3:14 PM
To: Jones, Doug; Merritt, Allen
Cc: Kelly, Vicki
Subject: 37-2611C (Collister, Inc.) and 37-51, -663, 1231, and 7113A (Y-3 Ranch)

Gentlemen:

Michael Lawrence indicates that he has been in discussions with you regarding these and that you are already familiar with them. He had previously filed motions for leave to file late objections and motions to file amended claims in all of these. The hearings on his motions were held this afternoon. All the motions were granted. SM Bilyeu even treated the hearings as also being the initial hearings for the subcases.

Anyway, 37-2611C, claimed by Collister, Inc., appears on the surface to be pretty straightforward in that Michael Lawrence's position is that approximately 10 acres of the place of use and proportionate water got overlooked and not recommended when the right was split into A and B portions, and the B portion then got split into C and D portions. Michael intimated that you were already familiar with the situation. SM Bilyeu set a deadline for IDWR to file an amended director's report for this amended claim of September 26th, an objection deadline of October 28th, and a response deadline of November 14th. If the due date for the amended director's report simply isn't workable for you let me know and I will get it moved.

The situation with the four Y-3 Ranch rights looks more complicated because according to the Lawrence they involve accomplished transfers and maybe some enlargements. Again, he indicated that you were already familiar with the situation, apparently because it was discovered when Y-3 was notified by IDWR that it was irrigating acres it didn't have a water right for. Anyway, I was able to prevail upon SM Bilyeu to grant some extra time for getting the amended director's reports on these done. The due date for them is October 28th. Objection deadline is November 28th. Response deadline is December 12th. I pointed out that if it turned out there were enlargement rights that IDWR had to advertise the October 28th deadline for the amended director's reports likely wouldn't work. She suggested that she could set a different ADR due date for any enlargements and run them down their own track. On the other hand, if it turns out that it makes sense to file the ADRs for both the enlargements and the other claims as a single package, let me know, and I am sure I can get the October 28th ADR due date moved back.

Please let me know if this schedule looks workable to you at this point. Thanks. NBS

09/25/2008

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

RIGHT NUMBER: 37-2611C

NAME AND ADDRESS: COLLISTER INC
4414 S GEKELER LN
BOISE ID 83716

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.110 CFS
165.900 AFY

PRIORITY DATE: 03/26/1959

POINT OF DIVERSION:

T01S R18E S23 NESWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.110 CFS 165.90 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R18E S23	SWNE	39.00	T01S R18E S23	SENE	0.30
T01S R18E S23	SENE	16.00			

55.3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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



Idaho Department of Water Resources

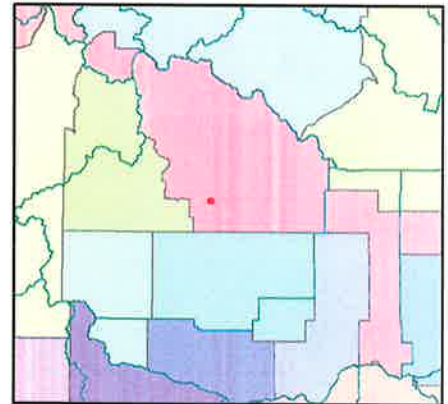
SRBA Recommendation

37-2611C

(IRRIGATION)

Legend

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



Blaine County
IDWR Basin 37

R18E

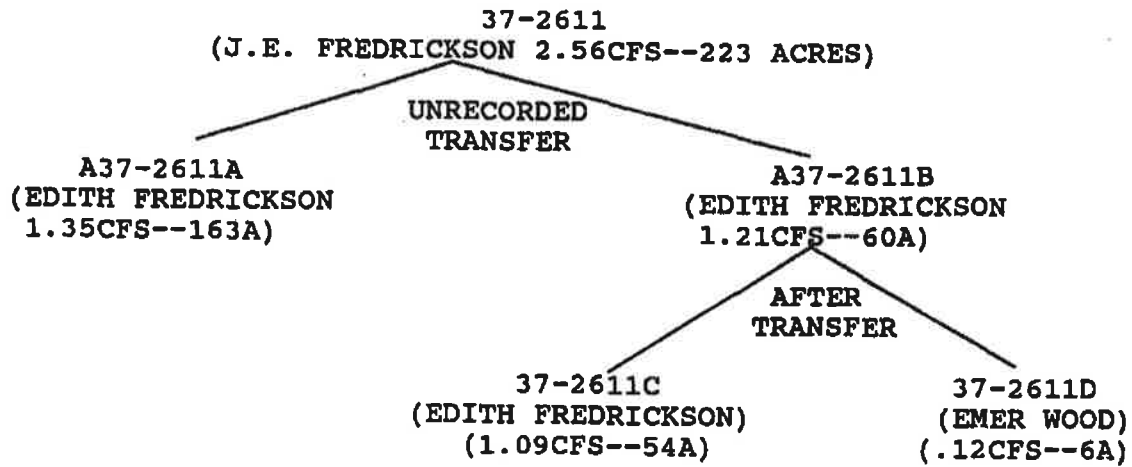


Prepared by Doug Jones
On September 25, 2008
2004 Aerial Photography

0 0.05 0.1 0.2
Miles

T # 3950

EMER WOOD TRANSFER APPLICATION
SPLIT TREE



MICROFILMED

NOV 18 1967

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHT TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-2611C

Date Received

Receipt Number

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

Please type or print clearly

1. Name of Claimant(s) COLLISTER INC Phone (208) 342-8901
Mailing Address 4414 S Gekeler Ln, Boise, ID Zip 83716
2. Date of Priority (only one (1) per claim) 3/26/1959
3. Source of water supply (a) Ground Water
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 1S Range 18E Section 23,
1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Blaine
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
Artesian well with pump, mainline to sprinklers

6. Water is claimed for the following purposes

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from 04/01 to 11/01 amount 1.28 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.28 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number Of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	18E	23			40	1				23									64

Total number of acres irrigated _____

11. In which county(ies) are lands listed above as place of use located? Blaine

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as describe above.

or None ()

14. Remarks:

Parent water right 37-2611 (licensed; 2.56 cfs for 223 acres) was split to parts A and B. Part A was claimed as 1.35 cfs for 127 acres and was recommended for 0.78 cfs for 127 acres. This recommendation was not objected to.

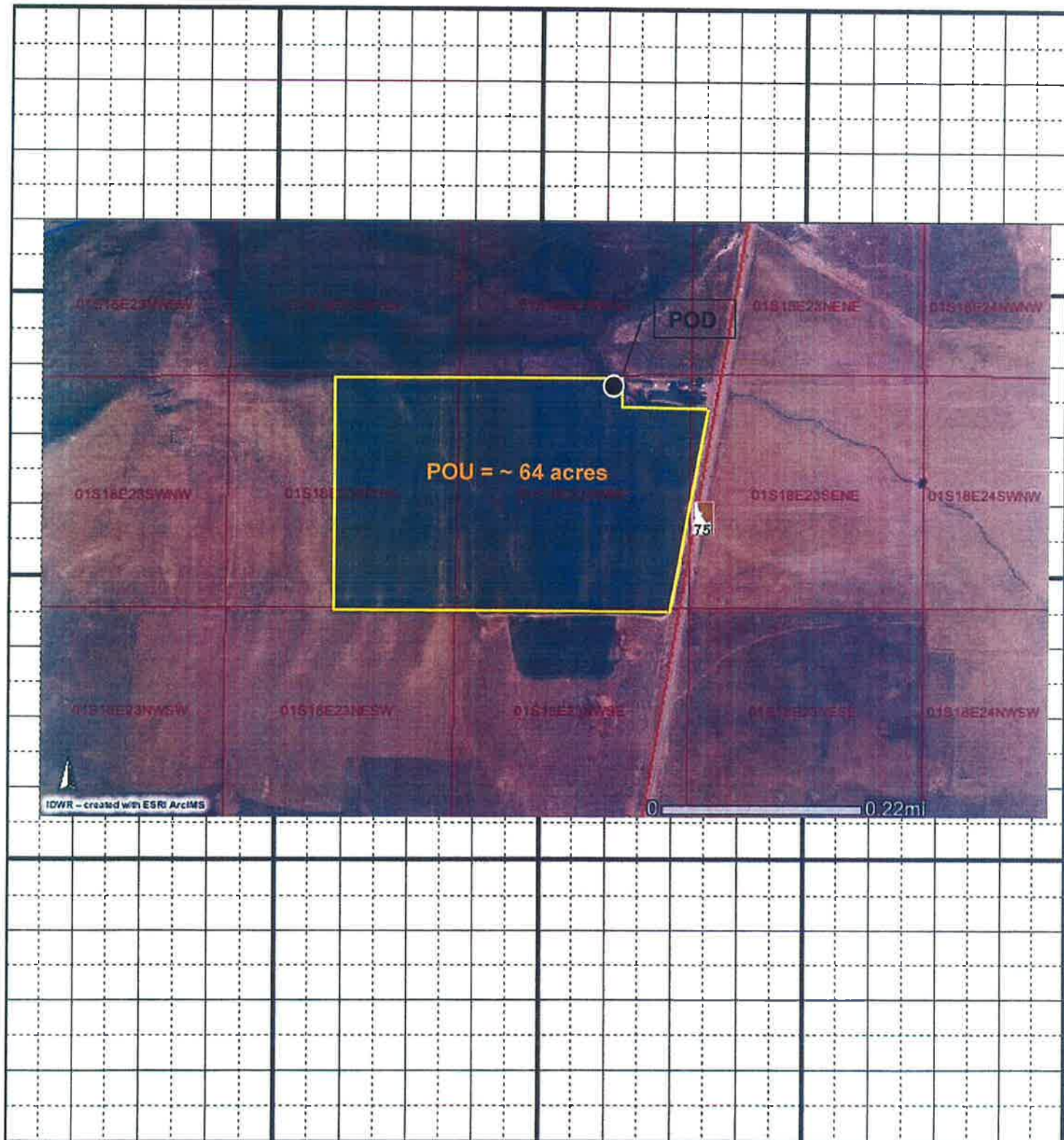
Part B (now split into Parts C and D) was claimed for 1.21 cfs for 60 acres, and Parts C and D were recommended accordingly. The place of use claimed in this application was historically irrigated under right number 37-2611.

The reduced diversion rate and acreage recommended for Part A show that the original split should have given Part B a higher diversion rate and more acres.

Last Name COLLISTER INC

Ident. No. 37-2611C

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.
Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 37-2611

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature(s)

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

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Attorney

_____ Title _____

of COLLISTER INC, that I have signed the foregoing

_____ Organization _____

document in the space below as

Attorney

of COLLISTER INC

_____ Title _____

_____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization Attorney, COLLISTER INC

Date 5/8/08

State of Idaho/or _____)

) SS.

County of Ada

Subscribed and sworn to before me this

8th

day of

May 2008

Notary Public

Residing at

My Commission Expires

Boise Idaho
Aug. 23, 2013

17. Notice of Appearance

Please Print Name

Notice is hereby given that Michael P. Lawrence

will be acting as attorney at law on behalf

of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Address 601 W. Bannock, P.O. Box 2720, Boise, ID 83702

Date

5/8/08

Last Name COLLISTER INC

Ident. Number

37-2611C

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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IN RE THE GENERAL ADJUDICATION
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Govt. Lot _____ B.M., County of _____
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1/4, Govt. Lot _____ B.M., County of _____
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For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) **1.28** (cfs) and/or (b) _____ (acre feet)

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01S	18E	23			40	1				23									64

Total number of acres irrigated _____

11. In which county(ies) are lands listed above as place of use located? **Blaine**

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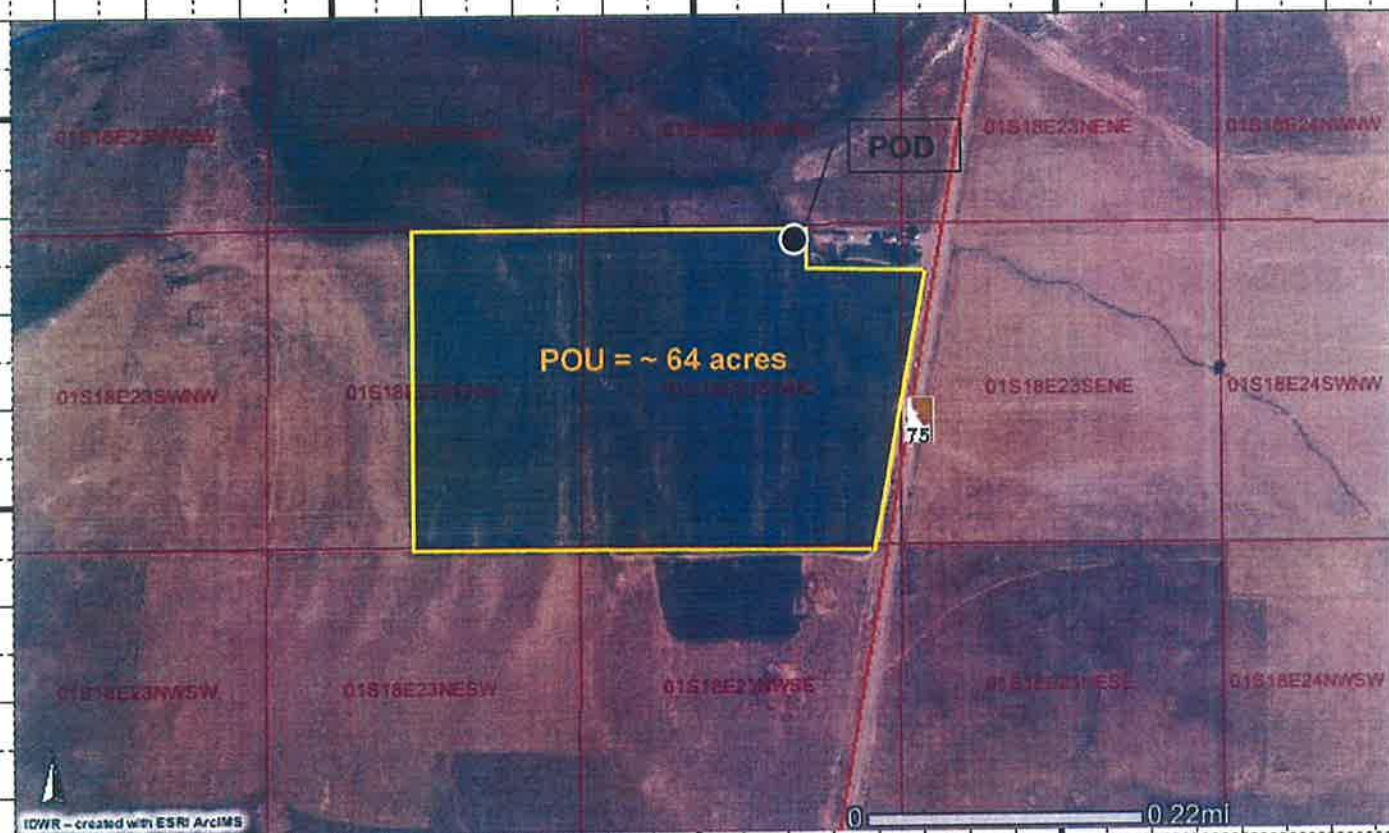
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Last Name **COLLISTER INC**

Ident. No. **37-2611C**

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 37-2611

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature(s)

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wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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

For Organizations: I do solemnly swear or affirm that I am Attorney
_____ Title _____

of COLLISTER INC _____, that I have signed the foregoing
_____ Organization _____

document in the space below as Attorney of COLLISTER INC
_____ Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization Attorney, COLLISTER INC Date 5/8/08

State of Idaho/or _____)
_____) SS.

County of Ada)
Subscribed and sworn (or affirmed) before me this 8th day of May 2008

Notary Public [Signature]
Residing at Boise Idaho
My Commission Expires Aug. 23, 2013

17. Notice of Appearance.

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

Signature [Signature]
Address 601 W. Bannock, P.O. Box 2720, Boise, ID 83702
Date 5/8/08

Last Name COLLISTER INC Ident. Number 37-2611C

APR 20 2009

**DEPARTMENT OF
WATER RESOURCES**

LAW OFFICES

601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

MICHAEL P. LAWRENCE

DIRECT DIAL: 208 388-1294
EMAIL: MichaelLawrence@givenspursley.com

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Angela M. Reed
Justin A. Steiner
Scott A. Tschirgi, LL.M.
J. Will Varin
Conley E. Ward
Robert B. White

RETIRED
Kenneth L. Pursley
James A. McClure
Raymond D. Givens (1917-2008)

April 17, 2009

Mr. Donald V. Shaff, MPA
Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Subcase 37-2611C
Our File: 10006-1

Dear Mr. Shaff:

This letter is in response to your March 31, 2009 letter to this firm requesting a new check for an amended claim filed in SRBA subcase 37-2611C. As required by the Standard Form 4 instructions, the first check was sent to the Clerk of the SRBA Court with the Motion to File Amended Notice of Claim form. I cannot tell you why it took so long for the SRBA Court to forward the check to you after the Motion was granted.

not #C088503

In any case, I am enclosing a newly issued check in the amount of \$20.00 for the Amended Claim in Subcase 37-2611C.

Sincerely,



Michael P. Lawrence

Enclosure

MPL:la 533030_1

SCANNED

APR 21 2009

Idaho Department of Water Resources Receipt

Receipt ID: C088503

Payment Amount \$20.00 Date Received 4/20/09 11:06 Region STATE
Payment Type Check Check Number 6803
Payer GIVENS PURSLEY LLP

Comments SRBA Subcase 37-2611C

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$20.00	ADJUDICATION FILING FEE	0337		41503	1155

SR7
Signature Line (Department Representative)

SCANNED

APR 21 2009

09/25/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2611C

NAME AND ADDRESS: COLLISTER INC
4414 S GEKELER LN
BOISE ID 83716

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.110 CFS
165.90 AFY

PRIORITY DATE: 03/26/1959

POINT OF
DIVERSION:

T01S R18E S23 NESWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.110 CFS 165.90 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R18E S23	SWNE	39.00	T01S R18E S23	SENE	0.30
T01S R18E S23	SENE	16.00			

55.3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Jones, Doug

From: Michael P. Lawrence [mpl@givenspursley.com]
Sent: Friday, October 10, 2008 11:34 AM
To: Bromley, Chris; Jones, Doug
Cc: John M Marshall; 'Kit Clark'
Subject: RE: Collister - 37-2611C
Attachments: Ltr to C Bromley re Collister Objection.PDF

Chris and Doug,

Thanks for sending the explanation below, Doug. However, we respectfully disagree and have filed an objection to the Amended Director's Report.

Attached is a letter I sent to Chris today that outlines our reasoning as to why 37-2611C should be decreed with the elements stated in the amended claim. Please review it and let me know if IDWR will stipulate to those elements.

Thanks,
Mike

Michael P. Lawrence
Givens Pursley LLP
601 W. Bannock St.
P.O. Box 2720
Boise, Idaho 83702
phone: (208) 388-1294
fax: (208) 388-1300
website: www.givenspursley.com

CONFIDENTIALITY NOTICE: This e-mail contains confidential information that is protected by the attorney-client and/or work product privilege. It is intended only for the use of the individual(s) named as recipients. If you are not the intended recipient of this e-mail, please notify the sender, and please do not deliver, distribute or copy this e-mail, or disclose its contents or take any action in reliance on the information it contains.

From: Jones, Doug [mailto:Doug.Jones@idwr.idaho.gov]
Sent: Wednesday, October 08, 2008 9:52 AM
To: Michael P. Lawrence
Subject: Collister

Michael,

I did do the review and my conclusions are as follows:

At claims taking the right was split into two parts, west (60 ac, 121 cfs) and east of the highway. In 1992 the claimant sold a 6 acre portion of the western part of the right and this was transferred leaving 54 acres and 1.09 cfs. Your amendments to increase acres and flow allowed me to address some issue with the size and shape – within some limits. It was apparent that the western area was not irrigated in the 1987 and 1992 photos and the transfer was clear that the intent was to dry up land in the western area. Given that the place of use is irrigated by N-S ¼-mile sprinklers it was logical for me to parse out 6 acres across the entire QQ in the western end. As presently recommended it appears that the place of use includes lands owned by ITD along the highway. However, I could not recommend lands that were originally licensed and claimed in the eastern portion of the original right for use on the western portion, especially after 1987, even if not fully recommended under 2611A.

My investigation into the licensing didn't clarify what the flow rate for the western well was at that time and no info was

1/21/2009

available for other years either. The recommended flow rate is for 1"/acre even though the original right was not 1"/ac overall. The eastern portion (2611A) overlaps another ground water right for other flows.

Hope this explanation helps.

Doug

GIVENS PURSLEY LLP

LAW OFFICES
601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

MICHAEL P. LAWRENCE
DIRECT DIAL: 208 388-1294
EMAIL: MichaelLawrence@givenspursley.com

Gary G. Allen
Peter G. Barton
Christopher J. Beason
Clint R. Bolinder
Erik J. Bolinder
Jeremy C. Chou
William C. Cole
Michael C. Creamer
Amber N. Dina
Elizabeth M. Donick
Kristin Bjorkman Dunn
Thomas E. Dvorak
Jeffrey C. Fereday
Justin M. Fredin
Martin C. Hendrickson
Steven J. Hippler

Debora K. Kristensen
Anne C. Kunkel
Jeremy G. Ladle
Michael P. Lawrence
Franklin G. Lee
David R. Lombardi
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Mellillo
Christopher H. Meyer
I. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Deborah E. Nelson
Kelsey J. Nunez

W. Hugh O'Riordan, LL.M.
G. Andrew Page
Terri R. Pickens
Angela M. Reed
Justin A. Steiner
Scott A. Tschirgi, LL.M.
J. Will Varin
Conley E. Ward
Robert B. White

RETIRED
Kenneth L. Pursley
Raymond D. Givens
James A. McClure

Via Email and U.S. Mail

October 10, 2008

Chris M. Bromley
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Subcase No. 37-2611C – proposed settlement to objection
Our file: 10006-1

Dear Chris:

As you know, this firm represents Collister, Inc., the claimant in subcase number 37-2611C. This letter explains the reasoning behind our objection to the Amended Director's Report issued in that subcase. We would appreciate your assistance in resolving our objection through a Standard Form 5 for the reasons set forth below.

1. Summary of proceedings

This subcase involves the claim for a portion of licensed water right number 37-2611 (the "Parent right"). The Parent right was split into 37-2611A and 37-2611B through claims filed in the SRBA. Subsequently, 37-2611B was split into 37-2611C and 37-2611D through administrative transfer number 3950. For ease of reading, I will refer to these various split rights as parts A, B, C, and D.

As is discussed in more detail below, the original SRBA claims for parts A and B did not correctly split the Parent right. This error continued through the split (i.e. transfer) of part B into parts C and D. The original Director's Report recommendation for part C—Collister's portion of the Parent right—reflected this error.¹

¹ There is no reason to dispute the claim or recommendation for part D, since its elements were defined in the transfer proceeding. Collister also has no reason to dispute the recommendation for part A.

To rectify the error, Collister filed an objection to the original recommendation for part C and also filed an amended claim. An Amended Director's Report for part C was recently issued but, unfortunately, it does not resolve Collister's issues and Collister has objected to it as well.

2. Water rights background

A. Licensed water right 37-2611

Water right license 37-2611 was issued in 1975 with a diversion rate of 2.56 cfs to irrigate 223 acres. Of the 223 acres, 80 acres were located in the SWNE and SENW of Section 23, T1S, R18E—the same quarter-quarters in which Collister's place of use predominantly lies.²

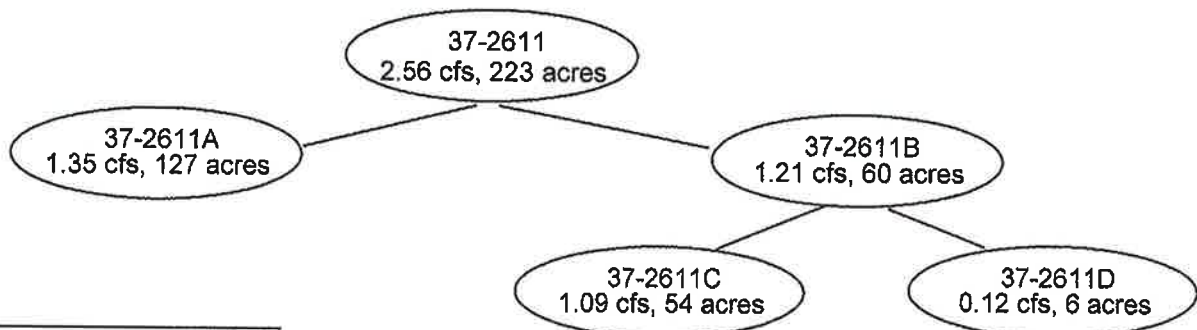
B. SRBA claims split 37-2611 into parts A and B

The original SRBA claims were, as far as we can tell, filed by the Parent right's owner. These claims split the Parent right into parts A and B. Part B was claimed as appurtenant to what is now Collister's property. The claims split the Parent right's 2.56 cfs diversion rate into 1.35 cfs and 1.21 cfs portions, respectively. As for the acres, the claims accounted for only 187 of the 223 acres in the Parent right's place of use. Specifically, part A claimed 127 acres and part B claimed 60 acres. It is not clear why 36 acres of the Parent right's 223 acres were not claimed.

C. Transfer 3950 split part B

In 1992, transfer number 3950 split part B into parts C and D. As mentioned above, part B was claimed for 1.21 cfs to irrigate 60 acres. Part D reflects the transferred portion of the right, while part C reflects the residual. The transfer involved the sale of 0.12 cfs to irrigate 6 acres at a different place of use. The remaining 1.09 cfs and 54 acres of part B became part C.

The upshot is that parts A, C, and D are the active SRBA claims. The splits described above are summarized in the following diagram:



² Doug Jones has identified 0.3 acres in an adjacent quarter-quarter (SENE Sec. 23) that is also irrigated. To the extent the Parent right's license did not include this land, water rights to irrigate this land have been established by virtue of an accomplished transfer of rights from lands no longer irrigated under the license. I.C. § 42-1425. Because of the small amount of land involved, this letter does not address these lands further. However, I would be happy to discuss these lands with you if need be.

3. IDWR's recommendations

Except for part A, IDWR's original recommendations mirrored the diversion rates and number of irrigable acres in the original claims. For part A, IDWR recommended only 0.78 cfs (not 1.35 cfs, as claimed). This means that 0.57 cfs of diversion rate in the Parent right's license was unaccounted for under IDWR's original recommendations.

The recommendations for parts A and D were not objected to. Collister objected to the recommendation for part C for the reasons discussed in this letter.

4. Collister's amended claim

Collister irrigates approximately 64 acres at its place of use. As noted above, however, the original SRBA claim for part B was for 1.21 cfs to irrigate 60 acres of Collister's property. The subsequent split of part B left Collister with only 1.09 cfs to irrigate 54 acres. Collister's amended claim for part C is intended to rectify this shortcoming.

Collister amended its claim for part C to reflect 1.28 cfs to irrigate 64 acres. Part C should be decreed with these elements in light of the Parent right's license and the recommendations (and probable decrees) for parts A and D. The recommendations for parts A and D account for 0.9 cfs and 133 acres of the Parent right's 2.56 cfs and 223 acres. This leaves ample room under the Parent right's license for part C to be decreed for 1.28 cfs to irrigate 64 acres. That is, with Collister's amended claim, the total combined diversion rate for parts A, C, and D is 2.18 cfs and the total number of irrigated acres is 197 (i.e. quantities within the limits of the Parent right's license).³

Additionally, Collister's amended claim comports with the specific acreage limits within each quarter-quarter in the Parent right's license. The Parent right's license recognized 40 acres of irrigation in each of the SENW and SWNE quarter-quarters. Collister's amended claim for part C claims 23 acres in SENW and 40 acres in SWNE. The amended claim thus falls within the terms of the Parent right's license. This is true even considering the six acres in SENW that were sold and transferred away in 1992.

Exhibit A enclosed with this letter summarizes how the original splits of the water rights compare to the splits under Collister's amended claim.

I believe we can resolve Collister's objection to the Amended Director's Report for 37-2611C by executing a Standard Form 5 reflecting the elements described in Collister's amended

³ Indeed, this still leaves 0.38 cfs and 26 acres of the Parent right's license unaccounted for. Some of this unclaimed/unrecommended portion of the Parent right was appurtenant to Collister's property in the SENW of Section 23, but Collister does not irrigate that land. Collister has no information about the remainder of the Parent right that was not appurtenant to Collister's property that has not been claimed.

Chris Bromley
October 10, 2008
Page 4

claim. Once you have had the chance to review this analysis, please contact me to discuss it further.

Very truly yours,



Michael P. Lawrence

Enclosure

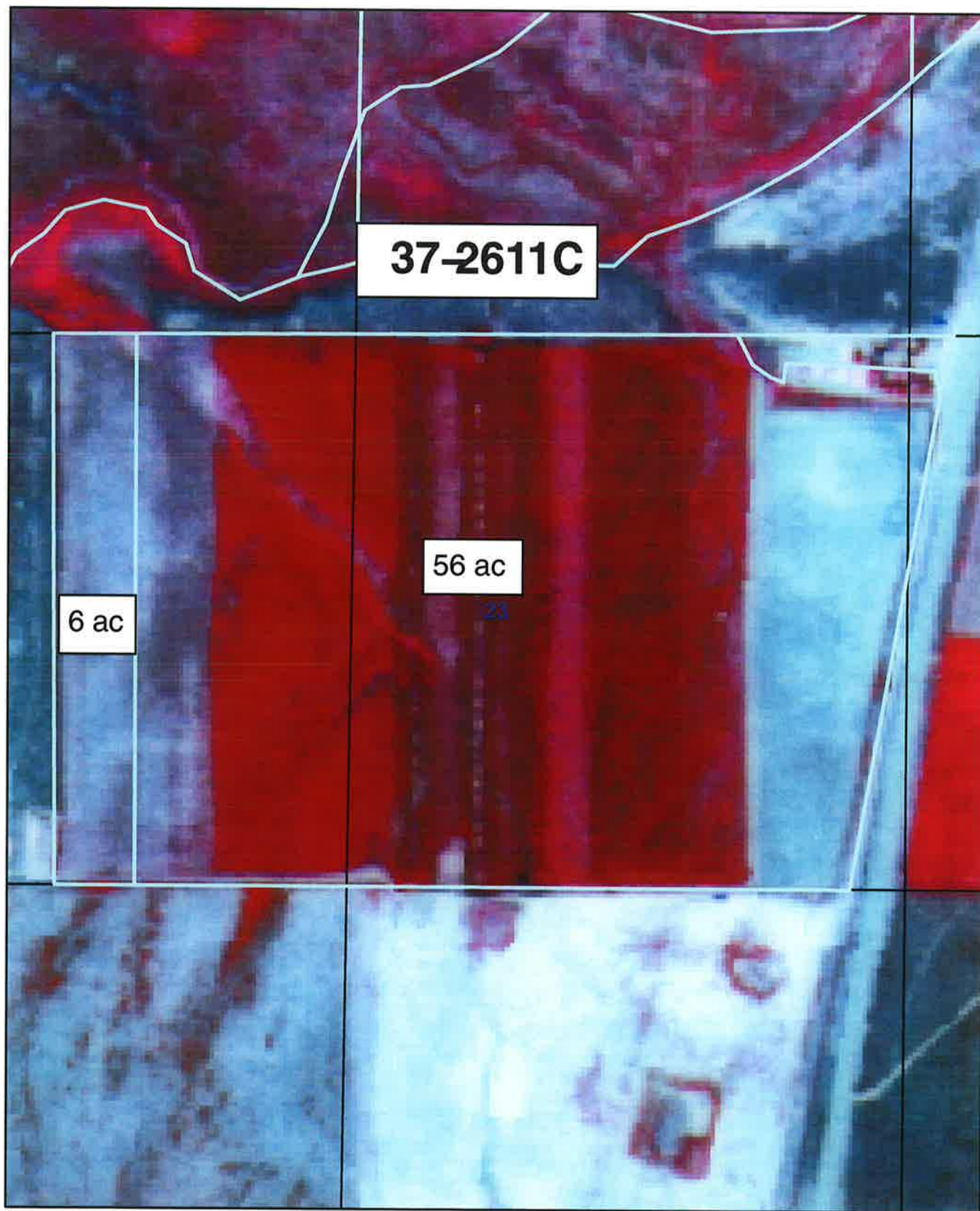
cc: John Marshall
Kit Clark
Doug Jones

MPL:la S:\CLIENTS\10006\1\ltr to C Bromley re Collister objection.doc



56 ac

D.Jones
8-7-08



Jones, Doug

From: Jones, Doug
Sent: Monday, February 23, 2009 9:32 AM
To: Bromley, Chris; Kelly, Vicki
Subject: Collister Images

Attachments: 37-2611C_1969.jpg; 37-2611c_1987.jpg; 37-2611c_1987-post transfer.jpg; 37-2611c_2006.jpg; 37-2611c_split-tree.pdf; 37-2611c_1964.pdf; 37-2611c_1974.pdf; 37-2611c_1982.pdf



37-2611C_1969.jpg
(542 KB)



37-2611c_1987.jpg
(540 KB)



37-2611c_1987-post transfer.jpg
(511 KB)



37-2611c_2006.jpg
(511 KB)



37-2611c_split-tree.pdf (31 KB...)



37-2611c_1964.pdf
(125 KB)

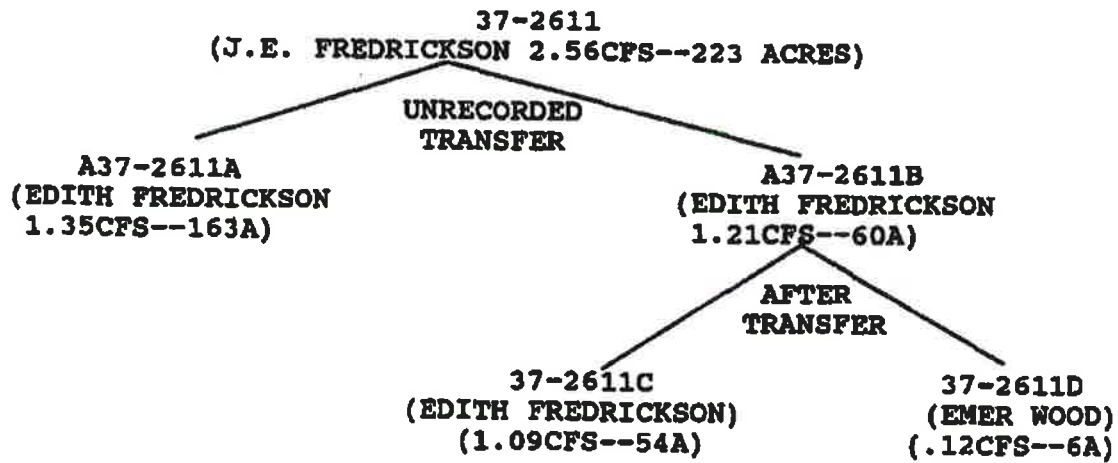


37-2611c_1974.pdf
(485 KB)



37-2611c_1982.pdf
(284 KB)

**EMER WOOD TRANSFER APPLICATION
SPLIT TREE**

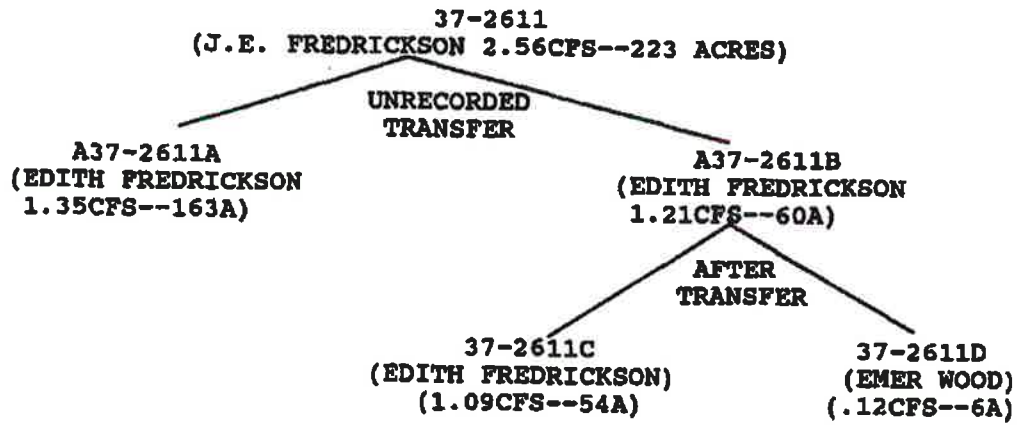


MICROFILM

NOV 13 1977

T # 3950

**EMER WOOD TRANSFER APPLICATION
SPLIT TREE**



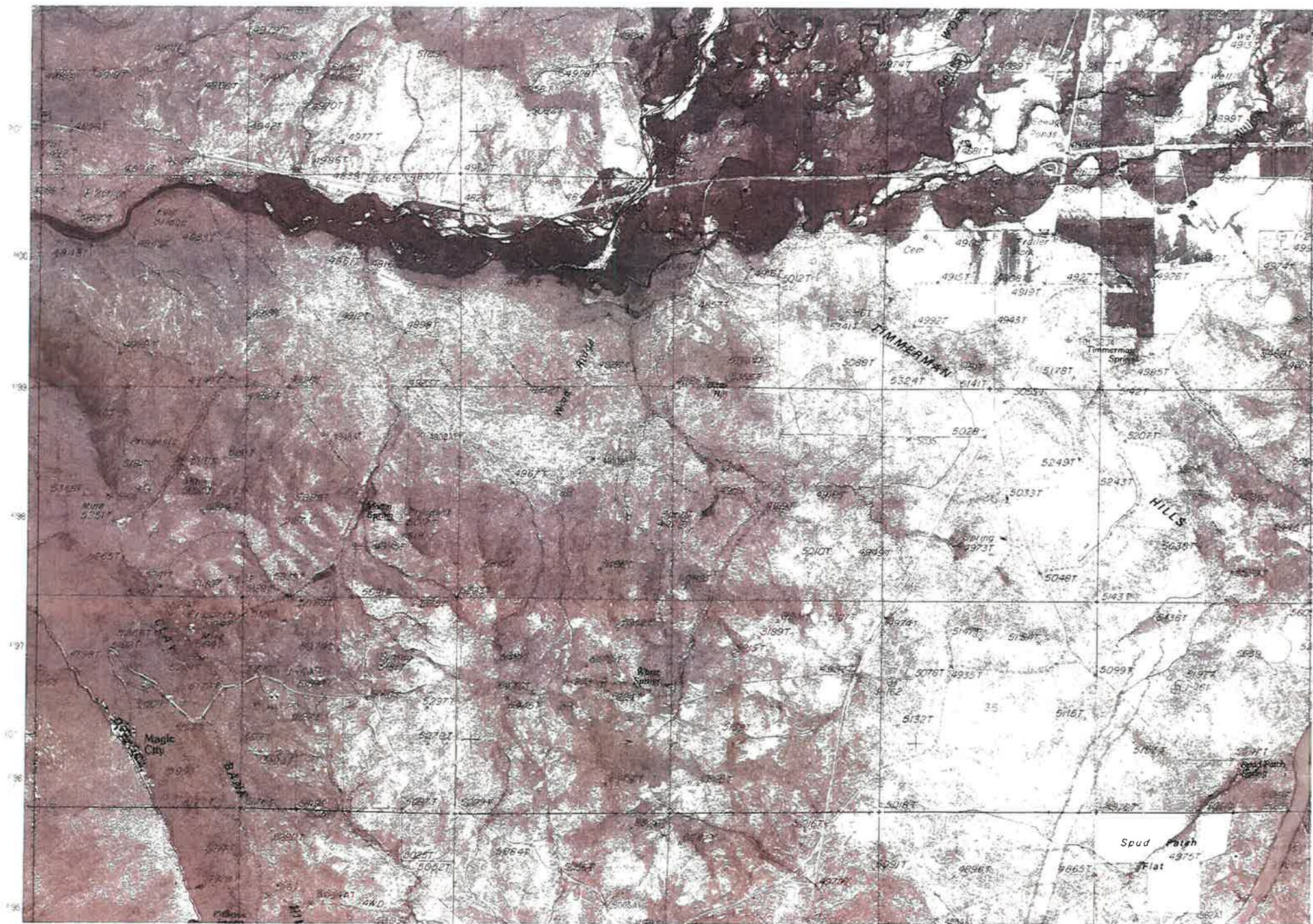
MICROFILM

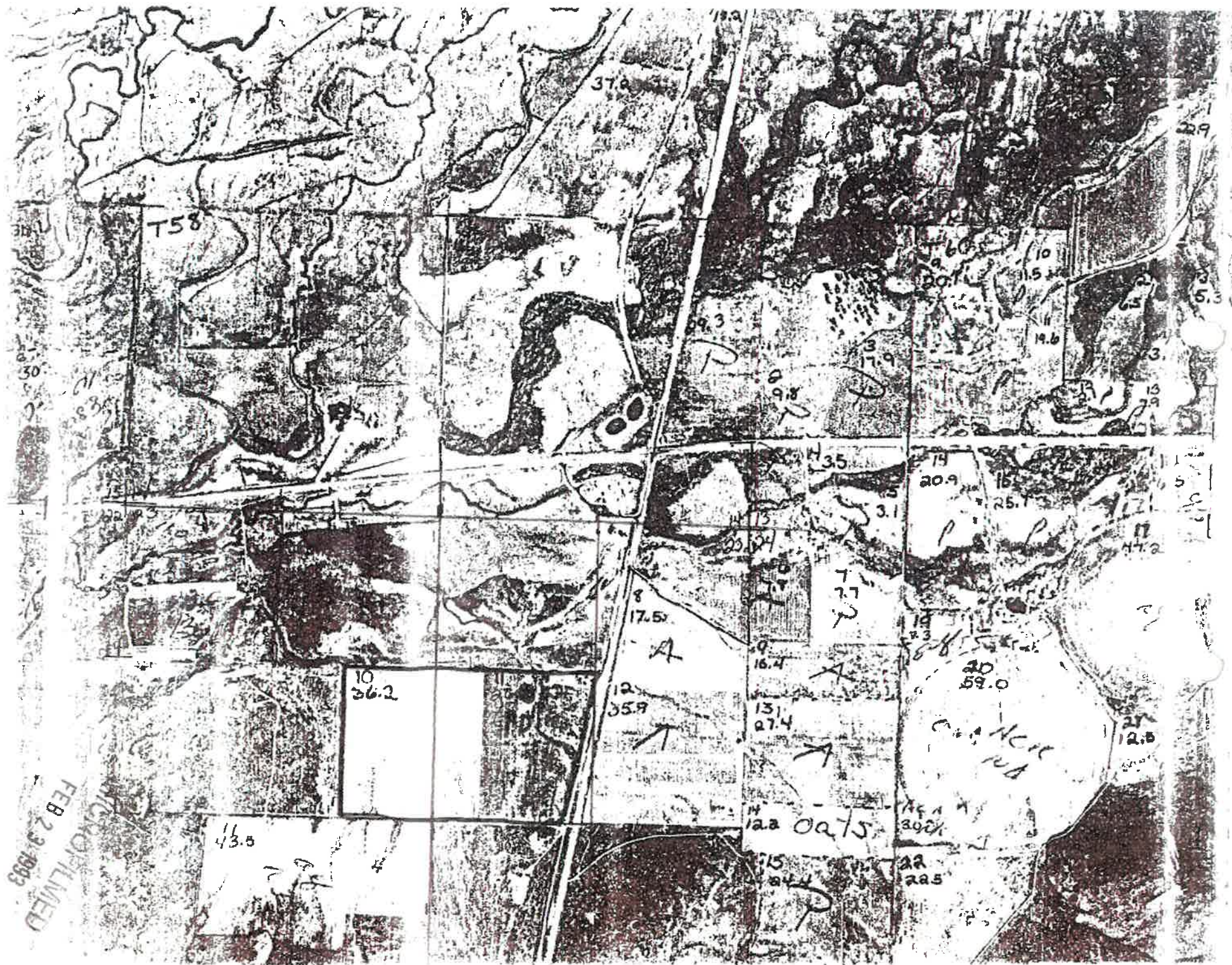
NOV 18 1973

Split
Tree

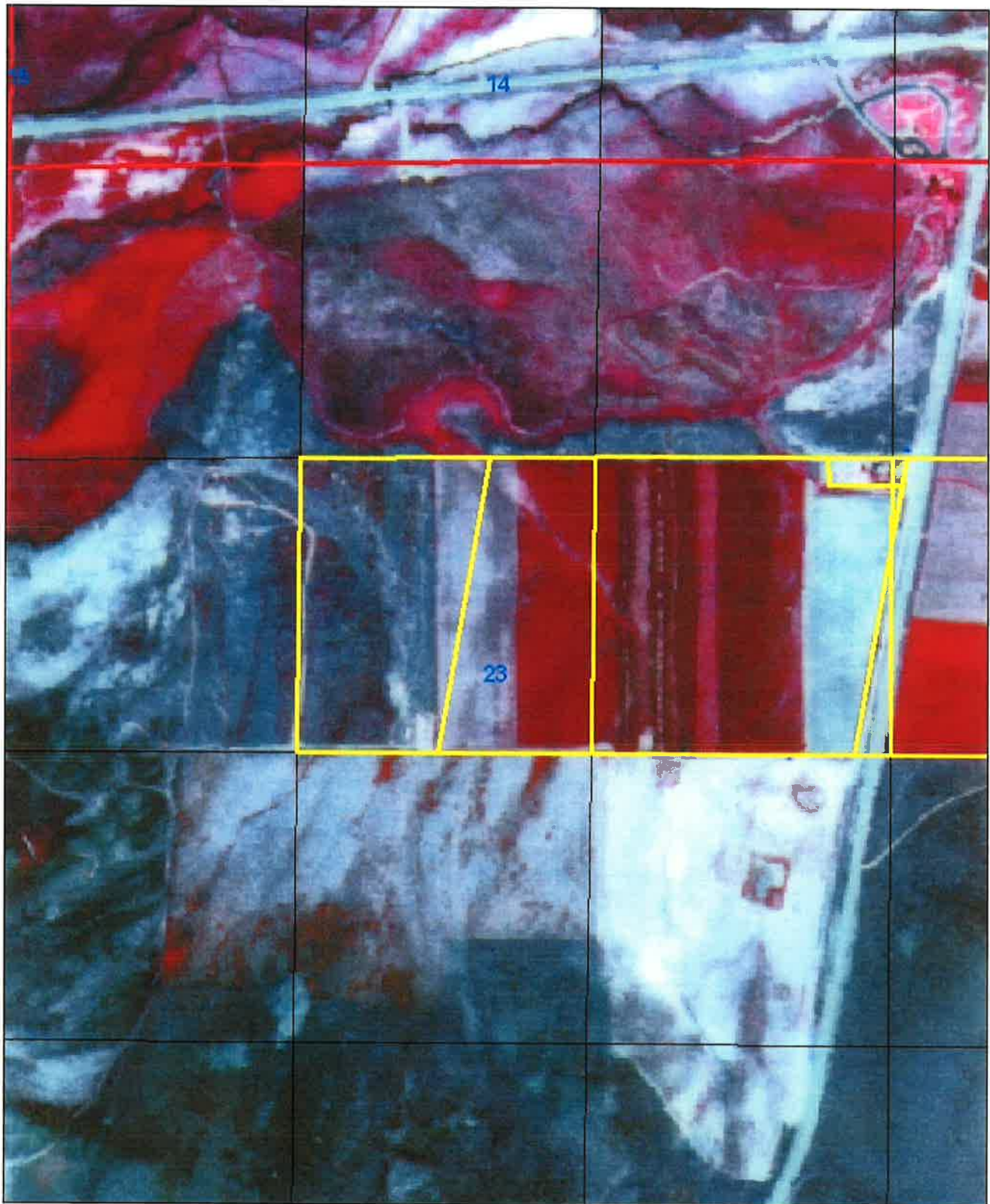
CV0-2EE-69



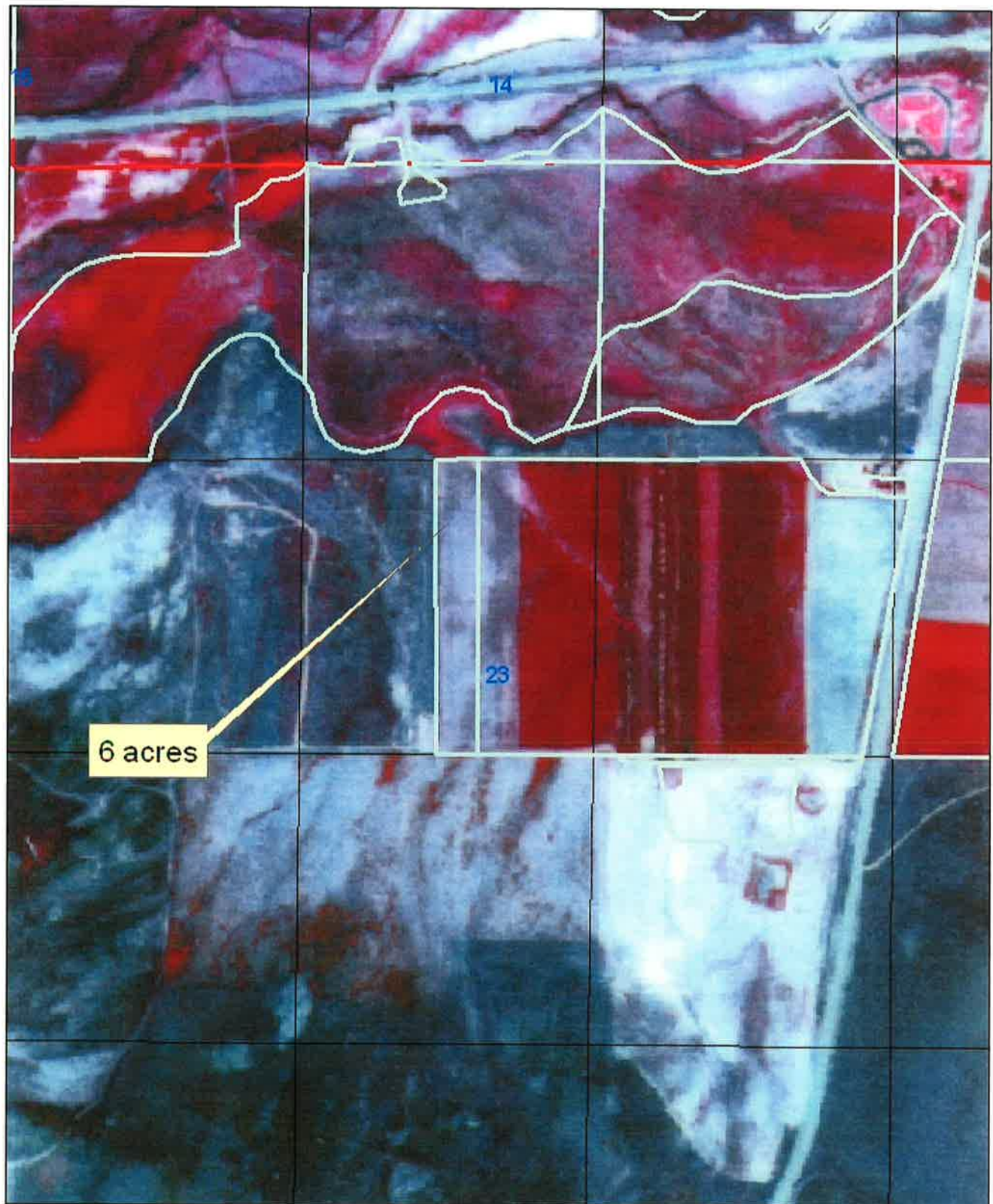




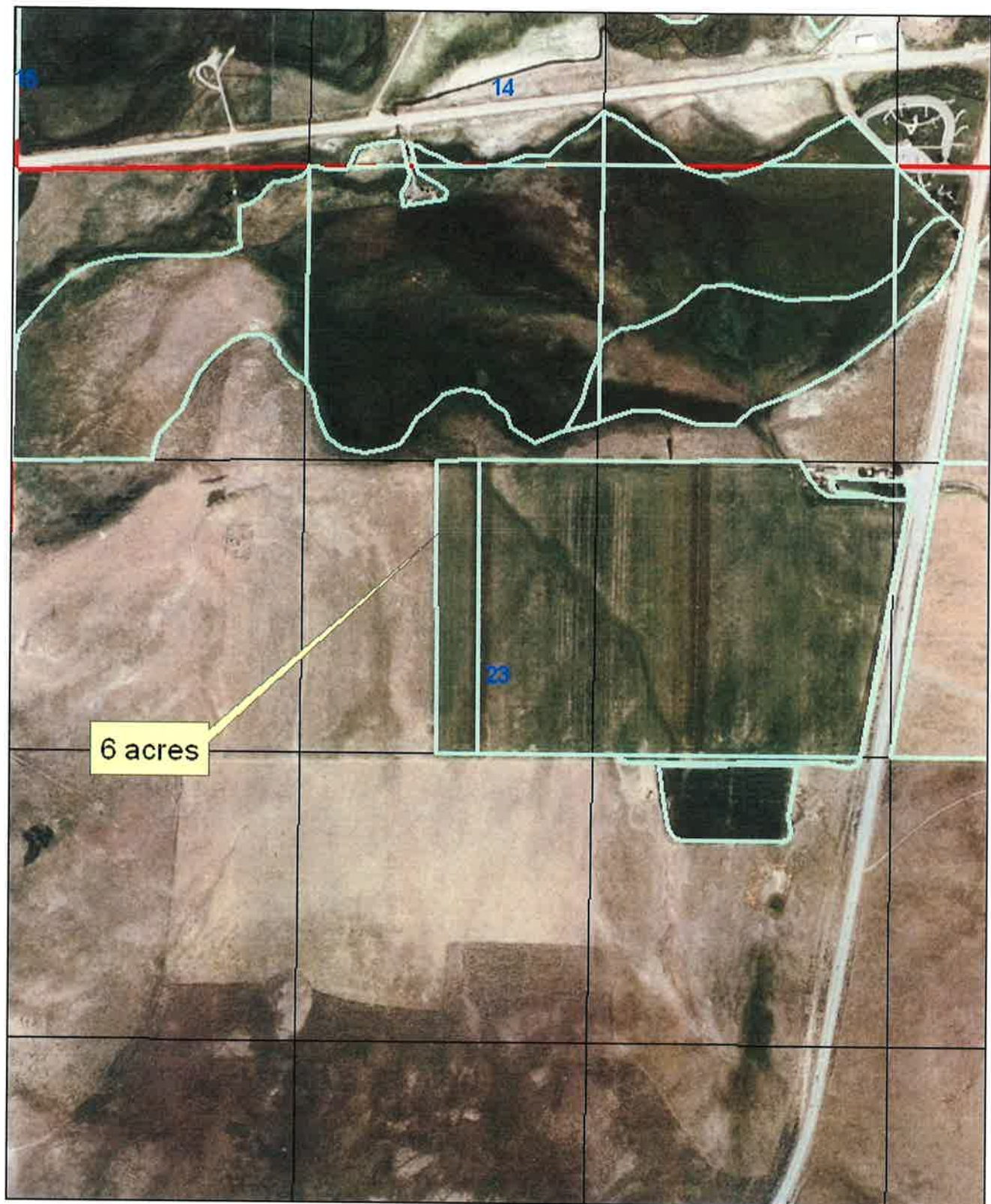
FEB 23 1993



Collister Place of Use
1987 Air Photo



Collister Place of Use
1987 Air Photo
Post Transfer



Collister Place of Use
2006 Air Photo
Irrigation Extent

11/21/2006

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: 12/13/2006

Water right number: 37-2611C

COLLISTER INC

~~ATTN RICHARD D HEATON~~

4414 S GEKELER LN

BOISE ID 83716

Telephone Number: (208)342-8901

RECEIVED
DEC 07 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

*See above
Delete Attn: Richard D. Heaton*

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

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

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

DATE: 11/30/06

SIGNATURE: COLLISTER, INC.

Please print your name:

By: Richard D. Heaton

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

SCANNED

DEC - 5 2006



Order No. 0000979
This form furnished by
Blaine County Title Associates

WARRANTY DEED

Instrument # 445282

HAILEY, BLAINE, IDAHO

2000-11-20

03:01:00

No. of Pages: 3

Recorded for: BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WTYQCICORP DEED

For Value Received EDITH FREDRICKSON, an unmarried woman

the Grantor hereby grants, bargains, sells, conveys and warrants unto COLLISTER, INC., an Idaho corporation

the Grantee whose current address is: C/O YANKEE MACHINE SHOP, 4414 S. GEKELER LANE, BOISE ID

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: November 15, 2000

Edith Fredrickson

EDITH FREDRICKSON

State of IDAHO

ss.

County of BLAINE

On this 20 day of November, 2000, before me, the undersigned, a Notary Public, in and for said State, personally appeared EDITH FREDRICKSON

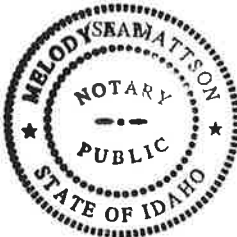
_____, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Melody Skamattson
Notary Public

Residing at: KETCHUM, ID

Commission Expires: September 24, 2002



07/19/2005

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

RIGHT NUMBER: 37-2611C

NAME AND ADDRESS: COLLISTER INC
ATTN RICHARD D HEATON
4414 S GEKELE LN
BOISE ID 83716

VERIFIED BY

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.090 CFS
162.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands described herein.

PRIORITY DATE: 03/26/1959

POINT OF DIVERSION:

T01S R18E S23 NESWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.090 CFS 162.00 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R18E S23	SWNE	37.0	T01S R18E S23	SENE	17.0
---------------	------	------	---------------	------	------

54 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Failure to comply with the conditions of Transfer No. 3950 is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

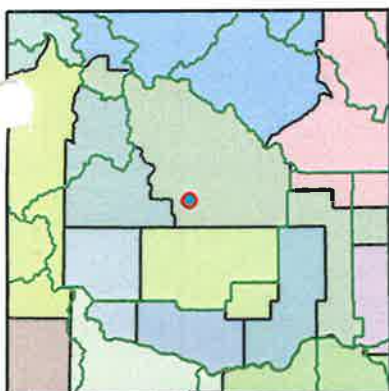
SRBA Recommendation:

37-2611C

(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



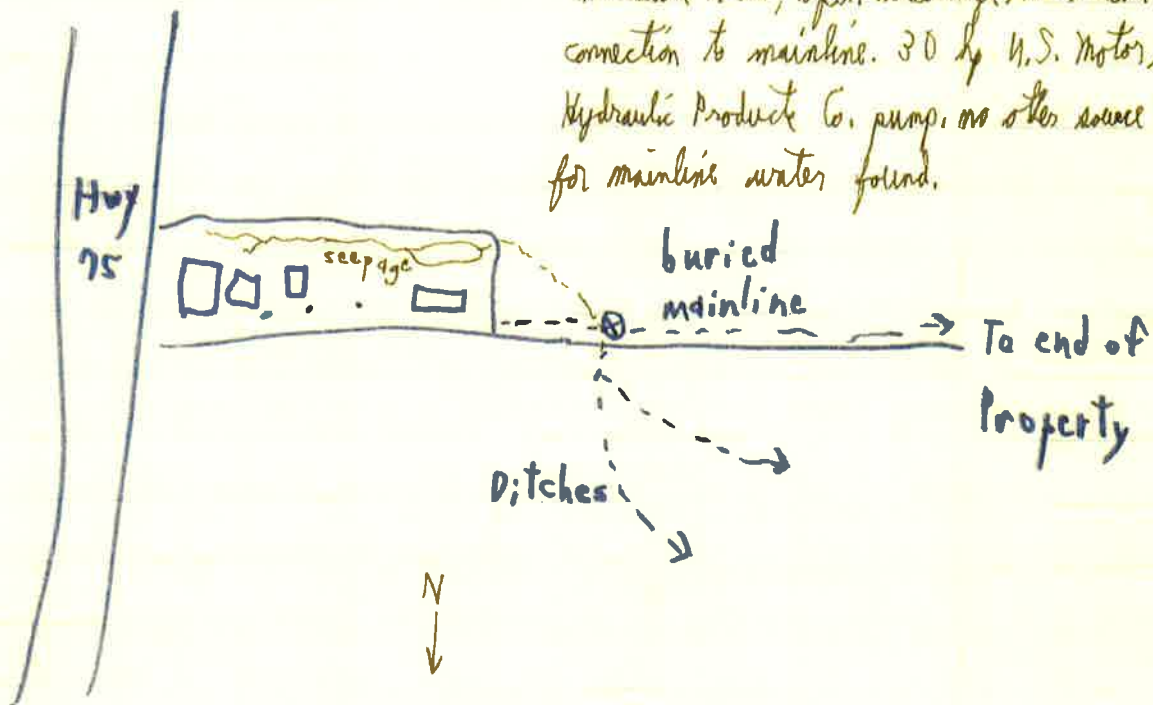
0 0.1 0.2 Miles

Prepared by A. Merritt
On Wednesday, November 8, 2006
1987/88 Aerial Photography

Owner: Collister Inc

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Artesian well, open discharge, no visible connection to mainline. 30 hp U.S. Motor, Hydraulic Products Co. pump, no other source for mainline water found.



3-19-92

MICROFILMED

NOV 13 1992



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 27850/37-2611 Priority March 26, 1959 Amount 2.56 cfs

THIS IS TO CERTIFY, that J. E. FREDRICKSON

of Gannett, Idaho, has complied with the terms and conditions of Permit No. 27850/37-2611 issued pursuant to Application for Permit dated March 26, 1959 and has submitted proof to the Department of Water Resources on March 27, 1964 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 2.56 cfs of water from a ground water source tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>1.2 acre feet</u>
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 30</u>	at <u>2.56</u> cfs and	<u>669 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	(both dates inclusive)		

Subject, however, to the condition that no more than 2.56 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 670.2 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13 and-
SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, Twp. 1 S, Rge. 18 E, B.M. in the County of Blaine

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 S	18 E	23			40	35				40									115
		24					28	40			40								108

Total number of acres irrigated 223

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25 day of November, 19 75.

Director

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-27850This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant J. E. Fredrickson, Gannett, Idaho2. Source of water supply: Subterranean3. Location of point of diversion: Is in the _____ of Section 23T. 1 S R. 18 E.B.M. County of Blaine

4. Describe works as they exist, giving dimensions and capacities of same: 6" x COLUMN
8" x 130' casing in flowing well depth 6" gate valve to 8" x 92' to 10" x 100' steel
pipe to pump and 2 booster units 60 H.P. U.S. Motor # 1343020 Jacuzzi pump #
6684 E WPF 225 to 6" check valve to 6" x 4' pipe to 10" x 'mainline 25 H.P. U.S. Motor #
882887 Pomler pump # 88368 4" check valve to mainline 15 H.P. U.S. Motor # 2537018
Pomler pump # 174176 5" check valve to 8" x 12' to mainline

5. Water is used for: irrigation and domestic6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S2NE2, S2NW2, Sec. 23, W2NW2, NW2SW2, Sec. 24, Twp. 1 S., Rge. 18 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mrs J. E. Fredrickson (wife) participated in the
examination

Measurement was made by taking pressure
readings along each lateral 140 nozzles size
13/64

This examination was made on the 13th day of August, 1964(Signed) Ray Nebo Examiner.

27850

Total acres _____

PART 1-**6. General Information:**

- a. Description of diversion system Well, pump, and sprinkler system
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Approximately 6 acres of marginal land will be removed from irrigation
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-02611B

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

APPROVED

NOV 13 1992

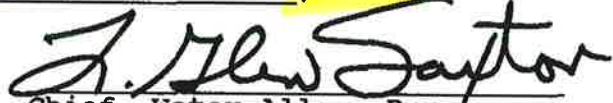
Witness my hand this 29 day of OCTOBER, 19 92

A. Glen Saylor
CHIEF, WATER ALLOC. BUREAU

CONDITIONS OF APPROVAL
Transfer of Water Right No. 37-02611B

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

Dated this 29th day of October, 1992.


Chief, Water Alloc. Bureau

MICROFILMED

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS. 37-02611, A37-02611B

Notice is hereby given that EMER WOOD of Hailey, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

This Application for Transfer proposes to change point(s) of diversion and change place of use.

WATER RIGHT AS RECORDED

Water Right No. 37-02611
Priority Date: 3/26/1959
Basis of right: License
Source: groundwater
Amount & Use: 2.56 cfs for irrigation from 4/1 to 11/1
.04 cfs for domestic from 1/1 to 12/31
Point(s) of diversion: SW1/4SW1/4, S13, T01S, R18E; SW1/4NE1/4, S23, T01S, R18E; Blaine County.
Place of use: 223 acres within S1/2NE1/4, SE1/4NW1/4, S23, T01S, R18E; W1/2NW1/4, NW1/4SW1/4, S24, T01S, R18E; Blaine County.

PORTION(S) OF RIGHTS TO BE CHANGED

Water Right No.: 37-02611
Amount: 0.12 cfs
Point of diversion: SW1/4NE1/4, S23, T01S, R18E; Blaine County.
Place of use: 6 acres within SE1/4NW1/4, S23, T01S, R18E; Blaine County.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A37-02611B
Priority Date: 3/26/1959
Name: Edith & Ruth Frederickson
Basis of right: Licensed Right No. 37-02611
Source: groundwater
Amount: 1.210 cfs
Use: irrigation
Points of Diversion: NE1/4SW1/4NE1/4, S23, T01S, R18E; Blaine County.
Place of Use: 60 acres within SW1/4NE1/4, SE1/4NW1/4, S23, T01S, R18E; Blaine County.

RECORDED

NOV 13 1992

Emer Wood 1

WATER RIGHT NO. 37-02611D & ADJUDICATION CLAIM NO. A37-02611D TO
BE CHANGED AS FOLLOWS:

Water Right No.: 37-02611D
Priority Date: 3/26/1959
Period of Use: 4/1 to 11/1
Water Use: irrigation
Amount: 0.12 cfs

Water Right No.: A37-02611D
Priority Date: 3/26/1959
Period of Use: 4/1 to 11/1
Water Use: irrigation
Amount: 0.12 cfs

Total amount being transferred: 0.12 cfs

Source: groundwater
Point of diversion: SE1/4SE1/4NE1/4, S36, T01N, R18E; Blaine
County.
Place of use: 6 acres within S1/2NE1/4, S36, T01N, R18E; Blaine
County.

Any protest against approval of the application for transfer must
be filed with the Department of Water Resources, 222 Shoshone
Street East, Twin Falls, ID 83301 on or before July 20, 1992.

R. Keith Higginson, Director

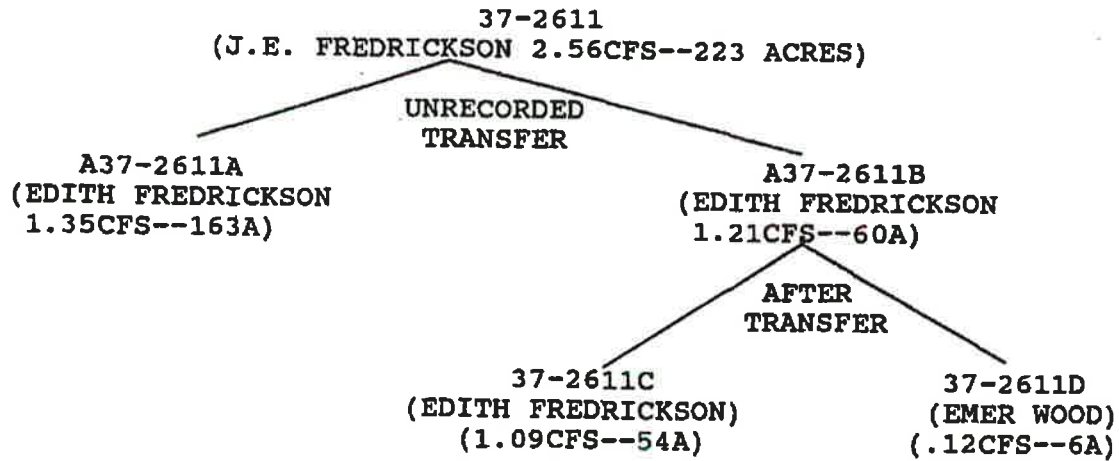
Published in Wood River Journal on 7/1 & 7/8/1992.

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Emer Wood 2

T # 3950

**EMER WOOD TRANSFER APPLICATION
SPLIT TREE**



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