

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 37-2624B
Date Received: 7/3/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

KATHERINE S MC CLATCHY Phone: (208)788-8941
PO BOX 3226
HAILEY ID 83333

JOHN K MC CLATCHY Phone: (208)788-8941
PO BOX 3226
HAILEY ID 83333

2. Date of Priority: 10/22/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	19E	10	NW SE NE	BLAINE	
01S	19E	10	SW NE NE	BLAINE	

5. Description of diverting works:

Single well in E1/2NE, S10, motor, pump, pipeline to sprinklers.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.44	70

7. Total Quantity Appropriated is:
0.44 C.F.S. and/or 70 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	10	NE	NE	IRRIGATION	0.4
			SE	NE	IRRIGATION	13.1
			NE	SE	IRRIGATION	6.5
					Section Acres	20
					Total Acres	20

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:

7/3/01 tf; Pursuant to approved transfer 68554:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

A single point of diversion is authorized within either the NWSENE or SWNESE, S10, T1S, R19E.

The right holder shall measure and annually report diversion of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

This right when combined with all other rights shall provide not more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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

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

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.

Place of use is located within Lot 2A, Block 1, Byington Acres Subdivision.

15. Basis of Claim: License

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

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

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SEP 20 2000

Department of Water Resources
Southern Region

1. Water Right Number(s) 22" of water right number A-37-02624
 Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Vernile J. Byington and Mary Byington
118 1st Ave S Gannett Rd, Bellevue ID 83313
4. New Owner/Claimant(s) John K. McClatchy and Katherine S. McClatchy
 Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address Box 3226, Hailey ID 83333
 City, State and ZIP Code _____
 New Telephone Number (208) 788 - 8941
5. Date you acquired the property 9/19/2000
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Please contact Mr. McClatchy
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Katherine S. McClatchy Date 9/19/2000
John K. McClatchy Date 9/19/2000
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to communicate directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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Department of Water Resources
Southern Region

WARRANTY DEED

FOR VALUE RECEIVED

VERNILE J. BYINGTON and MARY BYINGTON, husband and wife

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

JOHN K. MCCLATCHY and KATHERINE S. MCCLATCHY, husband and wife

the grantees, whose current address is ²PO Box 3236
Hailey, ID 83333-3236

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

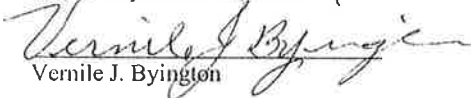
Lot 2A of Block 1 of REPLAT OF LOTS 2, 3, 4, & 5, BLOCK 1 OF BYINGTON ACRES
SUBDIVISION, BLAINE COUNTY, IDAHO, as shown on the official plat thereof, recorded
December 16, 1999, as Instrument No. 434482, records of Blaine County, Idaho.

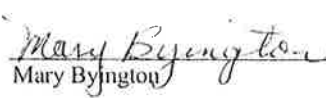
SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as
shown of record, if any.

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

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

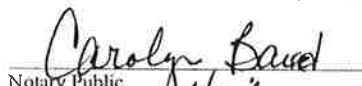
Dated: September 14, 2000


Vernile J. Byington


Mary Byington

State of Idaho
County of Blaine

On this 14th day of Sept, 2000, Before me a Notary Public in and for said State, personally
appeared Vernile J. Byington and Mary Byington known or identified to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at Hailey
Comm. Expires 3-14-2003



QUITCLAIM DEED

For Value Received **VERNILE J. BYINGTON and MARY BYINGTON, husband and wife**

Do hereby convey, release, remise and forever quitclaim unto

JOHN K. MCCLATCHY and KATHERINE S. MCCLATCHY, husband and wife

Whose current address is PO Box 32²~~26~~
Hailey, ID 83333-3236

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SEP 20 2000

Department of Water Resources
Southern Region

the following described premises, to-wit:

22" of water right number A-37-02624 pertaining to the following legal description:

Beginning at the Southwest corner of Lot 2A of Block 1 of REPLAT OF LOTS 2, 3, 4, & 5, BLOCK 1 OF BYINGTON ACRES SUBDIVISION; thence

N 0° 28' 05" W 2023.56 feet; thence

N 89° 25' 44" E 429.50 feet; thence

S 0° 32' 00" E 2024.57 feet; thence

S 89° 33' 49" W 431.20 feet to the Point of Beginning

Together with their appurtenances.

Dated: September 14, 2000

September 19, 2000

SUN VALLEY
TITLE
C O M P A N Y



Idaho Department of Water Rights
1341 Filmore Suite 200
Twin Falls, ID 83301

Re: Order No. 00-16091
Vernile J. Byington
John & Katherine S. McClatchy
Lot 2A, Block 1 of A Replat Lots 2-5/1

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Department of Water Resources
Southern Region

To Whom It May Concern:

Regarding the above, I have enclosed the following:

- Notice of Change of Water Rights
- Quitclaim Deed
- Warranty Deed

Thank you for your assistance with this transaction.

Sincerely,

Carolyn Baird
Escrow Closing Agent

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: 37-2624B

KATHERINE S MC CLATCHY
PO BOX 3226
HAILEY ID 83333
Telephone Number: (208)788-8941

JOHN K MC CLATCHY
PO BOX 3226
HAILEY ID 83333
Telephone Number: (208)788-8941

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
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: Katherine S. McClatchy
Please print your name: KATHERINE S. MCCLATCHY

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

SCANNED
DEC - 5 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68554

This is to certify that: JOHN K MC CLATCHY And/Or
KATHERINE S MC CLATCHY
PO BOX 3226
HAILEY ID 83333
(208)788-8941

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JUN 29 2001

Department of Water Resources
Southern Region

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
37-2624	AJC/License	10/22/1959	2.22 cfs		111.0	111.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-2624	YES	YES	YES	NO	NO	- NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-2624	37-2624B	0.44 cfs	70.0 af	20.0	20.0	37-2624A	1.78 cfs	311.5 af	89.0	91.0
TOTALS		0.44 cfs	70.0 af	20.0	20.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 26th day of June, 2001

[Signature]
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-2624A
As Modified by Transfer No. 68554

In accordance with the approval of Transfer No. 68554, Water Right No. 37-2624A is now described as follows.

Right Holder: VERNILE J BYINGTON And
 MARY E BYINGTON
 118 1ST AVE SOUTH
 GANNETT ROUTE
 BELLEVUE ID 83313

Priority Date: 10/22/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	1.78 CFS	311.5 AF
			1.78 CFS	311.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENE Sec. 10 Twp 01S Rge 19E 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	10	30.6			26.9									33.5				91.0

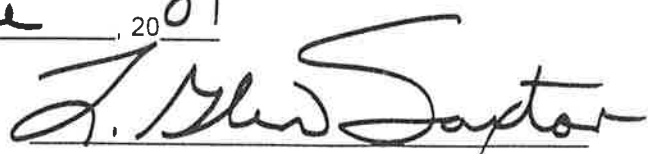
Total Acres: 91

CONDITIONS OF APPROVAL

- Right 37-2624A is limited to the irrigation of 89.0 acres within the place of use described above in a single irrigation season.
- 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 at the field headgate for irrigation of the lands above.
- The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- Approval of Transfer 68554 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 26th day of June, 2001


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-2624B
As Modified by Transfer No. 68554

in accordance with the approval of Transfer No. 68554, Water Right No. 37-2624B is now described as follows.

Right Holder: KATHERINE S MC CLATCHY And
 JOHN K MC CLATCHY
 PO BOX 3226
 HAILEY ID 83333

Priority Date: 10/22/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.44 CFS	70.0 AF
			0.44 CFS	70.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSENE Sec. 10 Twp 01S Rge 19E BLAINE County

GROUND WATER SWNENE Sec. 10 Twp 01S Rge 19E 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	10	4			13.1									6.5				20.0

Total Acres: 20

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A single point of diversion is authorized within either the NWSENE or SWNENE, S10, T1S, R19E.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

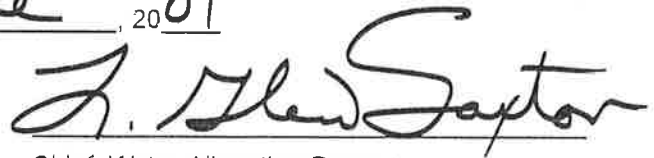
WATER RIGHT NO. 37-2624B
As Modified by Transfer No. 68554

CONDITIONS OF APPROVAL

7. 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.
8. Place of use is located within Lot 2A, Block 1, Byington Acres Subdivision.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 26th day of June, 2001



Chief, Water Allocation Bureau