

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: **A37-02637**
Date Received: 11/ 5/1992
Receipt No: **C025940**
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MATS WILANDER
Address: 18 RICHMOND HILL RD
GREENWICH CT

208-622-6666

AND/OR

Name: SONYA WILANDER
Address: 18 RICHMOND HILL RD
GREENWICH CT

06831

208-622-6666

06831

2. Date of Priority: OCT 14, 1960

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot
04N 19E 32 NW NE

County
BLAINE

5. Description of diverting works:
TWO HORIZONTAL WELLS AND DIVERSION DAM WITH DITCHES FOR DISTRIB.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.700		

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

A.F.A.

8. Total consumptive use is

87.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	19E	32	NW NE		IRR	35.0

A37-02637

Page

1

Date: 02/24/98

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	35.0
					Total Acres	35.0

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:

DIVERSION WORKS ARE PART OF A SYSTEM OF COLLECTOR DITCHES WHICH
GRAVITY FEED AND NATURALLY FLOOD IRRIGATE THE PLACE OF USE.

2-24-98: CHANGE OF OWNERSHIP COVE CREEK TO WILANDER PER NOTICE
REC'D 11-17-97 - VH

15. Basis of Claim: LICENSE

Water Right Number: 28895

NOV 17 1997

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

RECEIVED

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

SEP 15 1997

RECEIVED

NOV 17 1997

Department of Water Resources
 Southern Region

1. Water Right Number(s) _____
 Adjudication Claim Number(s) A37-02637
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.
 - 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 Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimants Cove Creek Limited Partnership
Post Office Box 4620 Ketchum, Idaho 83340
4. New Owner/Claimant(s) Mats Wilander and/or Sonya Wilander
 Name connector (check one): [] AND, [] OR, [X] AND/OR
 New Mailing Address 18 Richmond Hill Road
 City, State and ZIP Code Greenwich, CT 06831
 New Telephone Number (208) 622-6666
5. Date you acquired the property June 10, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) MATS WILANDER Date 9/8/97
Sonya Wilander Date 9/8/97
SONYA WILANDER
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Order No. 22754

WARRANTY DEED

FOR VALUE RECEIVED

COVE CREEK LIMITED PARTNERSHIP, a Washington Limited Partnership

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

MATS WILANDER and SONYA WILANDER, husband and wife

GRANTEE(s) whose address is: **18 Richmond Hill Road, Greenwich, CT 06831**

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

Lot 4, COVE CREEK RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 360463, records of Blaine County, Idaho.

TOGETHER WITH ALL WATER RIGHTS APPURTENANT THERETO INCLUDING BUT NOT LIMITED TO WATER RIGHT NO. 37-02637.

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

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

Dated: **June 10, 1997**

COVE CREEK LIMITED PARTNERSHIP

By: *Robert Allison*, general partner

By: *Thomas Drougas*, general partner

22
29
R 1997
5470
By: *Page Jenner*, general partner

State of Idaho

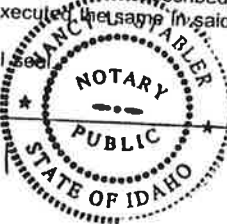
County of Blaine

On this 10th day of June, in the year 1997, before me, the undersigned, personally appeared **Robert Allison, Thomas Drougas and Page Jenner** known or identified to me to be the general partners of **Cove Creek Limited Partnership** and the general partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

WITNESS my hand and official seal

Nancy K. Staher
Notary Public

Commission Expires: 11-17-01



ASSIGNMENT OF PERMITS
(Cove Creek Partnership/Wilander)

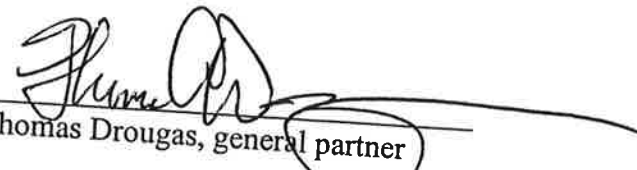
COVE CREEK LIMITED PARTNERSHIP, a Washington limited partnership (the "Assignor"), hereby assigns to MATS WILANDER and SONYA WILANDER, husband and wife, (the "Assignees"), all of its right, title and interest in and to the following: (i) the Stream Alteration Permit issued June 2, 1997 by the Blaine County Board of Commissioners evidenced by Exhibit A attached hereto and incorporated herein by this reference; (ii) the Stream Channel Alteration Permit issued March 20, 1997 by the State of Idaho Department of Water Resources evidenced by Exhibit B attached hereto and incorporated herein by this reference; (iii) the conditional approval issued April 14, 1997 by the Idaho Department of Health and Welfare, Division of Environmental Quality evidenced by Exhibit C attached hereto and incorporated herein by this reference; and (iv) the Nationwide Permit Verification issued April 22, 1997 by the United States Corps of Engineers evidenced by Exhibit D attached hereto and incorporated herein by this reference. Each of the foregoing have been issued for the purpose of authorizing the placement of a thirty-foot (30') clear span, stiff leg culvert across the East Fork of the Big Wood River and construction of a driveway across wetland areas on Lot 4, Cove Creek Ranch Subdivision, Blaine County, Idaho.

IN WITNESS WHEREOF, the Assignor has signed and executed this Assignment of Permits on the ____ day of June 1997.

COVE CREEK LIMITED PARTNERSHIP

By 
Robert Allison, general partner

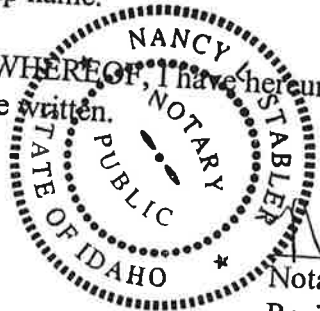
By 
Page Jenner, general partner

By 
Thomas Drougas, general partner

STATE OF Idaho)
County of Blaine) ss.
)

On this 10th day of June 1997, before me the undersigned notary public in and for said state, personally appeared Robert Allison, known or identified to me to be one of the partners in the Cove Creek Limited Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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



Nancy L. Stabler
Notary Public for Idaho
Residing at: Ketchum
Comm. Expires: 10-17-01

STATE OF Idaho)
County of Blaine) ss.
)

On this 10th day of June 1997, before me the undersigned notary public in and for said state, personally appeared Page Jenner, known or identified to me to be one of the partners in the Cove Creek Limited Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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



Nancy L. Stabler
Notary Public for Idaho
Residing at: Ketchum
Comm. Expires: 10-17-01

STATE OF Idaho)
) ss.
County of Blaine)

On this 10th day of June 1997, before me the undersigned notary public in and for said state, personally appeared Thomas Drougas, known or identified to me to be one of the partners in the Cove Creek Limited Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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



Nancy L. Stabler
Notary Public for Idaho
Residing at: Lethum
Comm. Expires: 10-17-01



East Fork

Hymen Creek

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: **A37-02637**
Date Received: 11/ 5/1992
Receipt No: C025940
Received By: _____

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

1. Name: COVE CREEK LTD PARTNERSHIP
Address: PO BOX 4620
KETCHUM ID 83340 208-726-6000

2. Date of Priority: OCT 14, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	19E	32	NW	NE			BLAINE

5. Description of diverting works:
TWO HORIZONTAL WELLS AND DIVERSION DAM WITH DITCHES FOR DISTRIB.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.700		

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

8. Total consumptive use is 87.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	19E	32	NW	NE		IRR	35.0

Section Acres 35.0

Total Acres 35.0

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:

DIVERSION WORKS ARE PART OF A SYSTEM OF COLLECTOR DITCHES WHICH GRAVITY FEED AND NATURALLY FLOOD IRRIGATE THE PLACE OF USE.

15. Basis of Claim: LICENSE

Water Right Number: 28895

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name

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 _____

Date _____

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 RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-2637

Date Received

Receipt Number C025940

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 05 1992

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Cove Creek Limited Partnership Phone (208) 726-6000
Mailing Address c/o P.O. Box 4620 Ketchum, Idaho Zip 83340

2. Date of Priority (Only one (1) per claim) October 14, 1960

3. Source of water supply (a) Horizontal wells (2) - subterranean water
which is tributary to (b)

4. a. Location of existing point of diversion is: Township 4 North Range 19 East Section 32 ,
1/4 of NW 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 enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Two (2) horizontal wells (drain ditches) and diversion dam with ditches
for distribution

MICROFILMED

FEB 23 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

BWS (acre feet)

For irrigation purposes from 4/15 to 10/15 amount 0.7 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.7 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0.7 87.5 BWS 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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4 N	19 E	32		35															35

Total number of acres irrigated 35

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

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 described above.
_____ or None (X)

14. Remarks: Diversion works are part of a system of collector ditches which gravity
feed and naturally flood irrigate the place of use

MICROFILMED

FEB 23 1993

Cove Creek Limited
Last Name Partnership Ident No. 37-2637

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

SEC. 32, T4N R19E

MICROFILMED

FEB 23 1963

Ident No. 37-2637

Copies: White-State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number 37-2637 (formerly G-28895)
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 _____

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

Signature of Claimant (s) COVE CREEK LIMITED PARTNERSHIP Date 10/30/92

By [Signature] Date 10/30/92

For Organizations: I do solemnly swear or affirm that I am a general partner
Title _____

of COVE CREEK LIMITED PARTNERSHIP, that I have signed the foregoing
Organization
document in the space below as general partner of COVE CREEK LIMITED PARTNERSHIP
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

A general partner of
Title and Organization COVE CREEK LIMITED PARTNERSHIP Date _____

State of Idaho/or Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 30th day of October 19 92

SEAL

Notary Public Deborah L. Erickson

Residing at Hailey Idaho

My Commission Expires 09/24/98

Please Print Name

17. Notice of Appearance: Brian L. Ballard of the firm of
Notice is hereby given that I, Hawley Troxell Ennis & Hawley 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]
Brian L. Ballard/Hawley Troxell Ennis & Hawley

Address P. O. Box 1617, Boise, Idaho 83701 Ph. (208) 344-6000

Date _____

MICROFILMED
FEB 23 1993

Cove Creek Limited
Last Name Partnership Ident. Number 37-2637

Copies White-State, Yellow-Claimant

Order No. 15900

A37-02637

WARRANTY DEED

For Value Received Rosita Lecertua, Personal Representative of the Estate of Jan Lecertua, Deceased

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Cove Creek Limited Partnership, a Washington Partnership
whose address is: 6808 Lake Washington N.E., Kirkland, WA, 98033

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

SE1/4, S1/2 SW1/4 Section 20; N1/2 NE1/4 Section 32; N1/2 Section 33;
Township 4 North, Range 19 East, Boise Meridian, Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in simple of said premises; that said premises are free from all encumbrances except current years taxes, leases, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: July 28, 1992

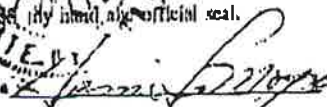

Rosita Lecertua

State of Idaho

County of Blaine

On July 28, 1992 before me, the undersigned, a Notary Public in and for said State, personally appeared Rosita Lecertua, Personal Representative of the Estate of Jan Lecertua, Deceased personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same as Personal Representative.

Witness my hand and official seal.

Signature 

Commission Expires: 5-6-98

BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.

1992 AUG -3 P 4:04

CLERK
3

343324
Deed

Post-It™ brand fax transmittal memo 7671		# of pages >
To <u>DEAN BOLAND</u>	From <u>Bob B</u>	
Co. <u>FALCO</u>	Co. <u>FALCO</u>	
Dept.	Phone #	
Fax # <u>344-6505</u>	Fax #	

MICROFILMED

FEB 23 1993

State of Idaho
License and Certificate of Water Right

37-2637
Water License No. G-28895

Amount 0.7 c.f.s.

Water District No.

Priority October 14, 1960

THIS IS TO CERTIFY that MITCHELL LECERTUA of Shoshone, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 26, 1960; that Permit No. G-28895 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.7 second feet, was issued thereunder on October 18, 1966, showing that said works were completed on the 14th day of October, 1965; and that on the 14th day of October, 1965, MITCHELL LECERTUA

of Shoshone, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a horizontal well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-28895 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 13 of Licenses at page 8569, on the 18 day of October, 1966; The right hereby confirmed dates from October 14, 1960;

The Point of Diversion is located in the NW 1/4 NE 1/4, Sec. 32, Twp. 4 N, R. 19 E, B. M. County Blaine

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 0.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N	19 E	32	NW 1/4 NE 1/4	35	35
Note: 0.7 c.f.s., not to exceed actual seepage flow.					

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 18th day of October, 1966.

S/ R. Keith Higginson
State Reclamation Engineer.

(SEAL)

37 2637

37-2637

State of Idaho

License and Certificate of Water Right

37-2637
 Water License No. G-28895 Priority October 14, 1960 Amount 0.7 c.f.s.

THIS IS TO CERTIFY that

MITCHELL LECERTUA

of Shoshone, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 26, 1960; that Permit No. G-28895 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.7 second feet, was issued thereunder on October 18, 1966, showing that said works were completed on the 14th day of October, 1965; and that on the 14th day of October, 1965

MITCHELL LECERTUA

of Shoshone, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a horizontal well

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-28895 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 13 of Licenses, at Page 8569, on the 18th day of October, 1966.

The right hereby confirmed dates from October 14, 1960.

The Point of Diversion is located

in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32, Twp. 4 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 0.7 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N	19 E	32	NW $\frac{1}{4}$ NE $\frac{1}{4}$	35	35
Note: 0.7 c.f.s., not to exceed actual seepage flow.					

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 18th day of October, 1966.

R. Keith Higgins
 State Reclamation Engineer.

37-2637

Form 23

2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-28895

REPORT ON PROOF OF Completion of Works & Beneficial Use

U.S. DEPT. OF AGRICULTURE
BUREAU OF RECLAMATION

37-2637
28895

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

Permit No. G-28895

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Mitchell Lecertua
2. Source of water supply: 2 Horizontal well (drain ditches)
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32
T. 4 N. R. 19 E.B.M. County of Blaine

4. Describe works as they exist, giving dimensions and capacities of same:
Drain ditches and diversion dams & ditches for distribution

5. Water is used for: Irrigation

6. 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):

75 acres in N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 32., Twp. 4 N., Rge. 19 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: It appears that this water is actually used on 35 A NW NE & 15 A SW NE & not at all on NENE allow Q = .70 cfs not to exceed actual seepage flow - which appears to be quite a small flow.

Water from East fork of Wood River mingles in drain from surface runoff of higher lands and is also used

This examination was made on the 21st day of June, 1966

(Signed) Don Watto Examiner.

1/17/54

No. 11

171100

to Hailey

Top 4/10



Found

not irrigated
from this source

32

Area 35A

Subd - 1

$Q = 0.7 \text{ cfs}$

NOT TO BE
REPRODUCED

Mitchell Lecertua ✓
P. O. Box 427
Shoshone, Idaho
Permit No. G-28895 ✓

Examination for Completion of Works & Beneficial Use

County Blaine

Sec. 32 T. 4N R. 19 EBM

Quantity: 1.5

Source: Shoshone River

P.D.: Not a P.D.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: July 25, 1960

Due: July 26, 1965

Made: October 14, 1965

Printed: October 14 1960

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUN 28 1966

Department of Reclamation

RECEIVED

37-2637
28895

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAY 2 AM 11 54

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

In Re SRBA

Case No. 39576

) SUBCASE NO. 37-2637
)
)
)
)
)

B-19
**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

5/1/07

Douglas Jones
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/2, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

James P Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340



Signature of person or attorney mailing the form

04/05/2007

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

RIGHT NUMBER: 37-2637

NAME AND ADDRESS: SONYA WILANDER
104 COVE CREEK RD
HAILEY ID 83333

MATS WILANDER
104 COVE CREEK RD
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.700 CFS
122.50 AFY

PRIORITY DATE: 10/14/1960

POINT OF

DIVERSION: T04N R19E S32 NWNE Within BLAINE County

T04N R19E S32 NWNE Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

05/01 10/31

0.700 CFS

122.50 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T04N R19E S32

NENE

8.00

T04N R19E S32

NWNE

14.00

22 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.

Water from this right resulted from horizontal wells, also known as drains.

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



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

SOUTHERN REGION

May 2, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
~~Interim~~ Director

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

RE: SRBA Claim(s) 37-2637

Dear Counselor:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

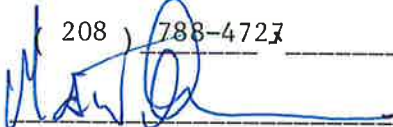
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 04 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

ORIGINAL IN RED

- [] Water Right Number(s): 37-2637
- [] Name(s): Mats Wilander and/or Sonya Wilander
- [] Old Mailing Address: 18 Richmond Hill Road
Greenwich, CT 06831
- [] New Mailing Address: 104 Cove Creek Road
East Fork
Hailey, Idaho 83333
- Telephone Number: 208 788-4727
- [] Signature(s) of Owner(s) 

(Include your title if on behalf of company or organization)

Date: March 29, 2007

Send to:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

March 30, 2007

RECEIVED
APR 04 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
Southern Region
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301

**Re: Change in Address;
Owner: Mats Wilander and/or Sonya Wilander;
Water Right No.: 37-2637**

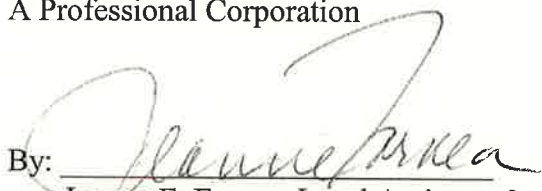
Dear IDWR:

Enclosed please find a Change in Address for the above-referenced Water Right along with one copy. Please receipt date-stamp the copy and return it to our office in the postage prepaid, self-addressed envelope provided for that purpose.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
Jeanne E. Farnea, Legal Assistant for
James P. Speck

Enclosures

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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
02 1A \$ 00.87
0004389393 NOV 24 2001
MAILED FROM ZIP CODE 83701

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

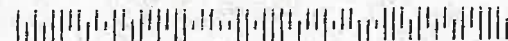
FOE

37-2637

By 19

MATS WILANDER

SONYA WILANDER
18 RICHMOND HILL RD
GREENWICH CT 06831



01/17/2007

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

RIGHT NUMBER: 37-2637

NAME AND ADDRESS: SONYA WILANDER
18 RICHMOND HILL RD
GREENWICH CT 06831

MATS WILANDER
18 RICHMOND HILL RD
GREENWICH CT 06831

SOURCE: GROUND WATER

TRIBUTARY:

Water from this right resulted from horizontal wells, also known as drains.

QUANTITY: 0.700 CFS

PRIORITY DATE: 10/14/1960

POINT OF DIVERSION:

T04N R19E S32 NWNE Within BLAINE County

T04N R19E S32 NWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	0.700 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R19E S32	NENE	16.00	T04N R19E S32	NWNE	18.30
T04N R19E S33	NWNW	0.70			

35 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

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



Idaho Department of Water Resources

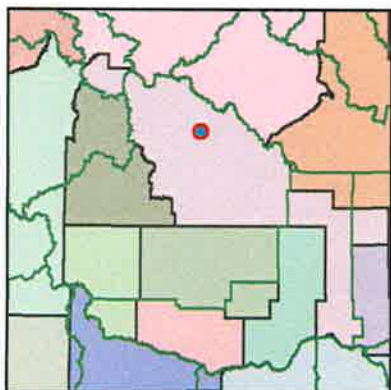
SRBA Recommendation:

37-2637

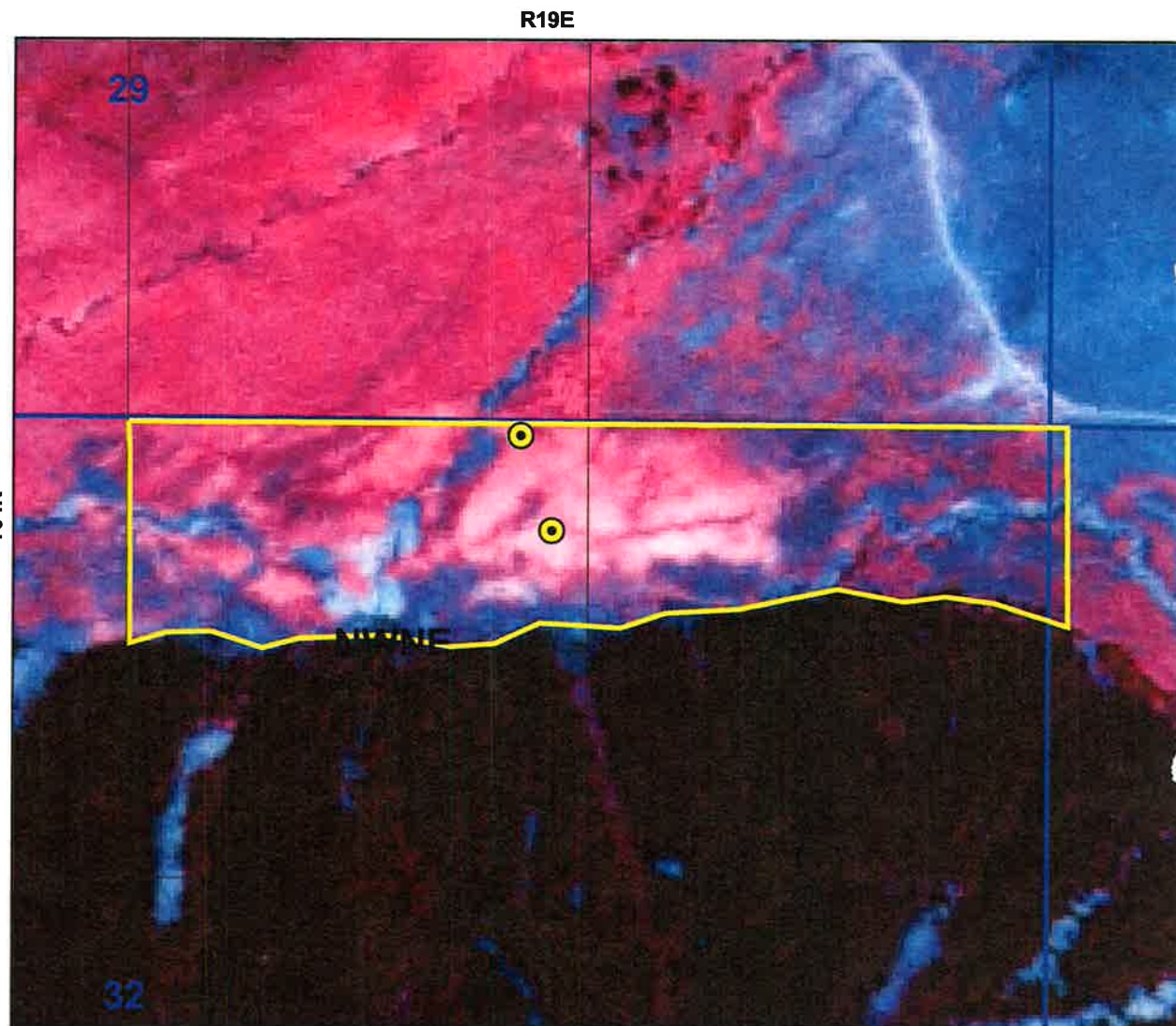
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles



Prepared by C. Clark
On Wednesday, January 17, 2007
1987/88 Aerial Photography

Clark, Cynthia (Bridge)

From: Jim Speck [jim@speckandaanestad.com]
Sent: Friday, December 22, 2006 3:08 PM
To: Clark, Cynthia (Bridge)
Cc: mats@sunvalley.net
Subject: Re: Wilander - 37-2637

Cynthia,

Attached is a copy of the plat for the Cove Creek Subdivision. The Wilander's own Lot 4 which includes the N1/2 NE1/4 of Section 32. I agree with you that there has been an accomplished transfer to include irrigation in the NE1/4NE1/4 so that the place of use will equal the licensed amount of 35 acres.

However, I disagree with the proposed source. The original field exam describes the source as a "horizontal well" which I understand to be a long ditch dug into the water table to capture and divert ground water that would otherwise remain underground and not flow to the surface. Thus the source should continue to be ground water. This is important as someday it may be appropriate to change the point of diversion to a new (and real) well. Please let me know what you think about this.

MERRY CHRISTMAS!!!

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

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CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

12/26/2006

A PLAT SHOWING COVE CREEK RANCH SUBDIVISION

LOCATED WITHIN SECTIONS 28, 32, AND 33, T4N, R19E, B.M., BLAINE COUNTY, IDAHO

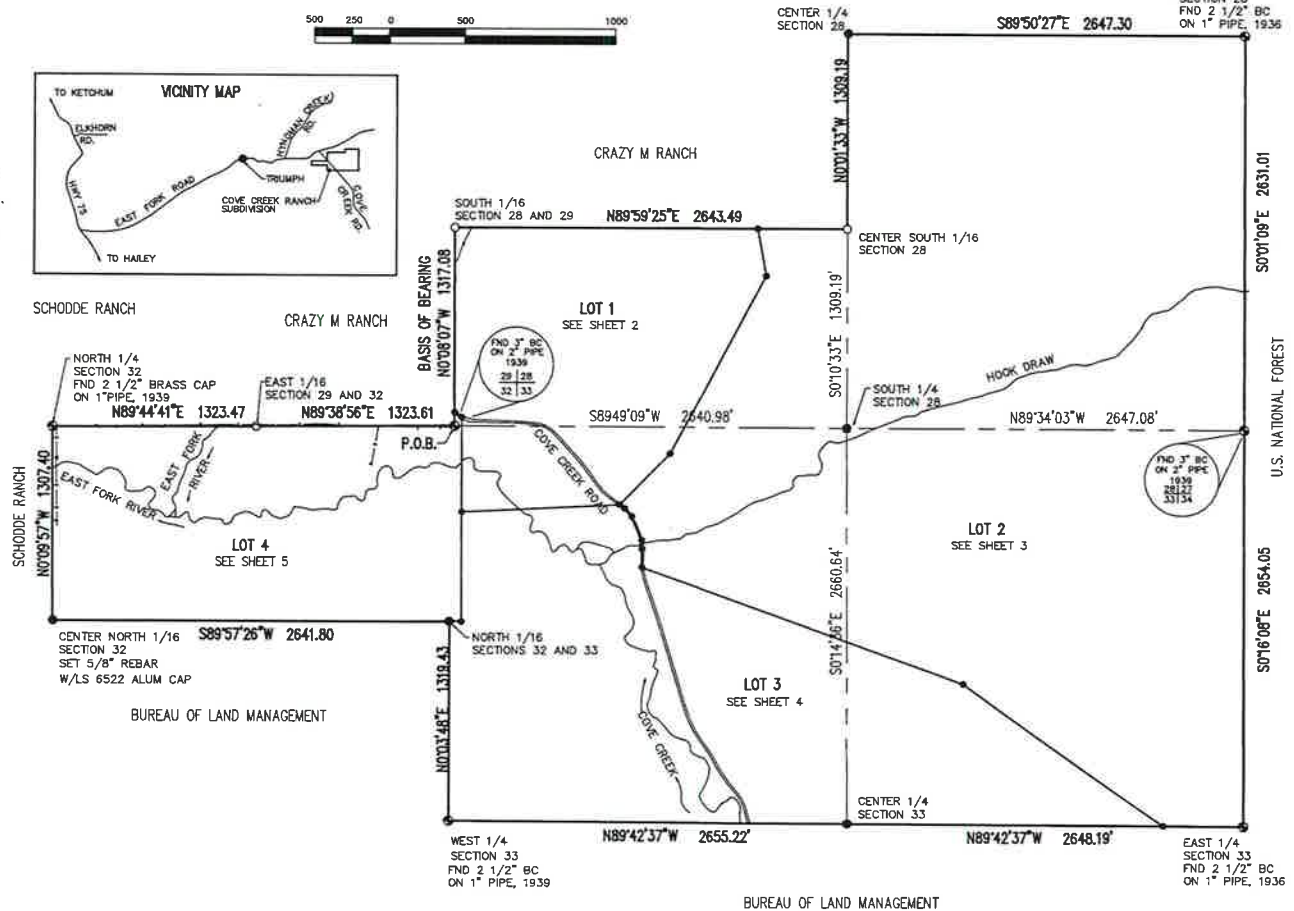
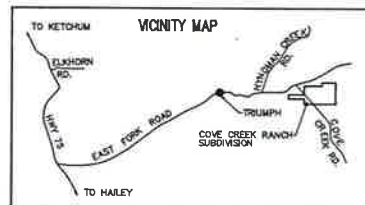
NOVEMBER, 1993

NOTE

- Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval. *Recorded under Instrument No. 360462.*
- The Conditions, Covenants and Restrictions are recorded within the Blaine County Recorder's Office under Instrument No. 360461
- Development Agreement is recorded with the Blaine County Recorder's Office under Instrument No. 360461A
- For further notes see page 6 of 7.

LEGEND

- FOUND BRASS CAP AS DESCRIBED
- FOUND 5/8" BAR W/MILAZZO ALUM. CAP
- SET 5/8" BAR W/LS 6522 CAP
- SET 1/2" BAR W/LS 6522 CAP
- x-x- EXISTING FENCE



COVE CREEK RANCH SUBDIVISION
GALENA ENGINEERING, INC.
KETCHUM, IDAHO
JOB NO. 3294
SHEET 1 OF 7

CURVE DATA

CURVE	△	R	L	T	Ch.	Ch. Bearing
C-1	3° 19' 23"	232.23'	13.47'	6.74'	13.47'	S 59° 09' 45" E
C-2	27° 25' 42"	232.23'	111.17'	56.67'	110.11'	S 74° 32' 18" E
C-3	45° 40' 00"	213.75'	170.37'	90.00'	165.89'	S 65° 25' 09" E
C-4	7° 00' 00"	817.49'	99.88'	50.00'	99.81'	S 39° 05' 09" E
C-5	18° 46' 08"	302.54'	99.10'	50.00'	98.66'	S 44° 58' 13" E

LINE DATA

LINE	BEARING	DIST.
L-1	S 57° 30' 03" E	45.92'
L-2	S 88° 15' 09" E	359.19'
L-3	S 42° 35' 09" E	198.50'
L-4	S 35° 35' 09" E	170.94'
L-5	S 54° 21' 17" E	81.29'

SCALE: 1"=200'

CRAZY M RANCH

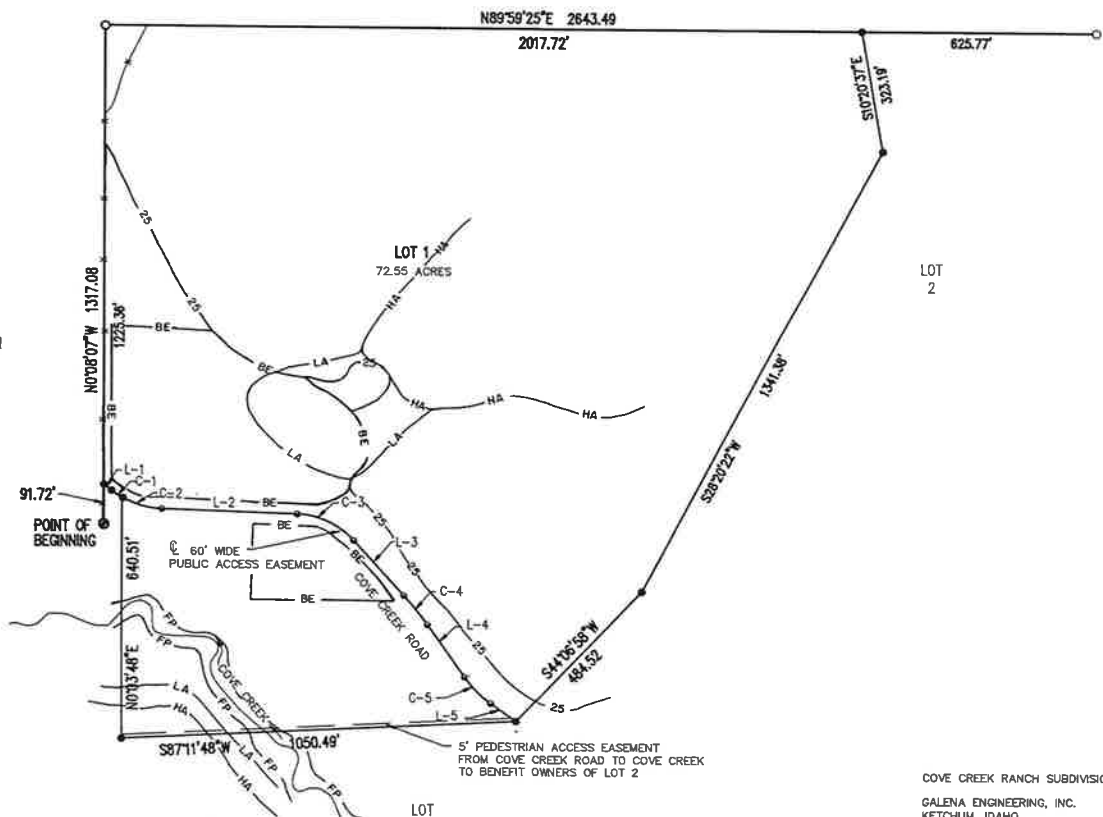
NOTE: SEE SHEET 6 OF 7 FOR NOTES

LEGEND

- ⊙ FOUND BRASS CAP
- FOUND 5/8" REBAR W/MILAZZO ALUM CAP
- SET 1/2" REBAR W/LS 6522 CAP
- NOT SET
- HA HIGH HAZARD AVALANCHE
- LA LOW HAZARD AVALANCHE
- FP 100 YEAR FLOODPLAIN
- BE BUILDING ENVELOPE
- x—x— EXISTING FENCE
- 25 25% SLOPE

CRAZY M RANCH

LOT 4



LOT 3

COVE CREEK RANCH SUBDIVISION
GALENA ENGINEERING, INC.
KETCHUM, IDAHO
JOB NO. 3294
SHEET 2 OF 7



SCALE: 1"=300'

NOTE: SEE SHEET 6 OF 7 FOR NOTES

LOT 3

CURVE DATA

CURVE	Δ	R	L	T	Ch.	Ch. Bearing
C-6	31° 57' 39"	157.14'	87.65'	45.00'	86.52'	S 38° 22' 28" E
C-7	25° 38' 12"	131.85'	59.00'	30.00'	58.50'	S 9° 34' 32" E

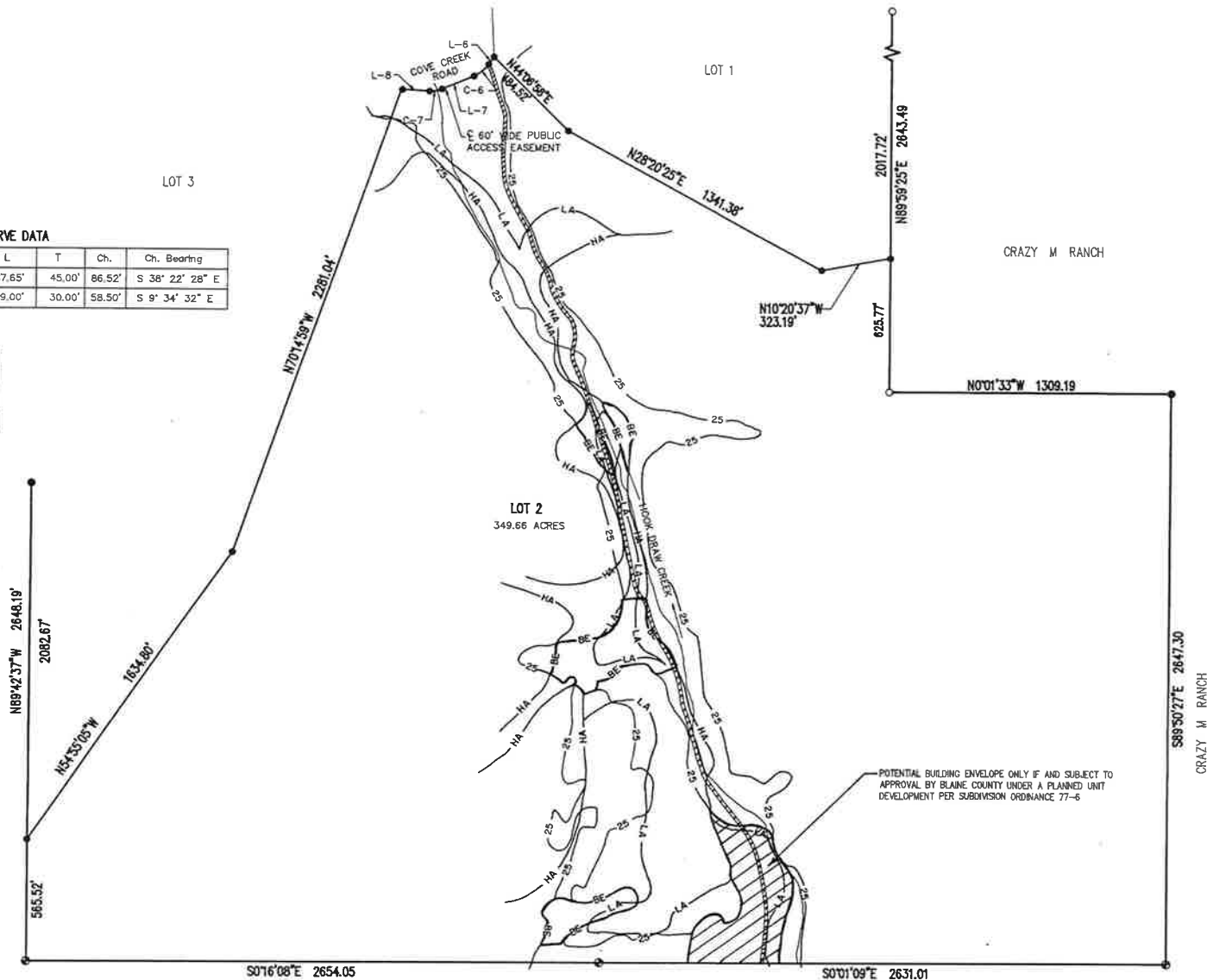
LINE DATA

LINE	BEARING	DIST.
L-6	S 54° 21' 17" E	42.24'
L-7	S 22° 23' 01" E	160.14'
L-8	S 3° 14' 34" W	125.41'

LEGEND

- FOUND BRASS CAP
- FOUND 5/8" BAR W/MILAZZO ALUM. CAP
- SET 5/8" BAR W/LS 6522 CAP
- SET 1/2" BAR W/LS 6522 CAP
- HA HIGH HAZARD AVALANCHE
- LA LOW HAZARD AVALANCHE
- FP 100 YEAR FLOODPLAIN
- 25 25% SLOPE LINE
- BE BUILDING ENVELOPE
- 20' ACCESS EASEMENT

BUREAU OF LAND
MANAGEMENT



COVE CREEK RANCH SUBDIVISION
GALENA ENGINEERING, INC.
KETCHUM, IDAHO
JOB NO. 3294
SHEET 3 OF 7



SCALE: 1"=300'

NOTE: SEE SHEET 6 OF 7 FOR NOTES

CURVE DATA

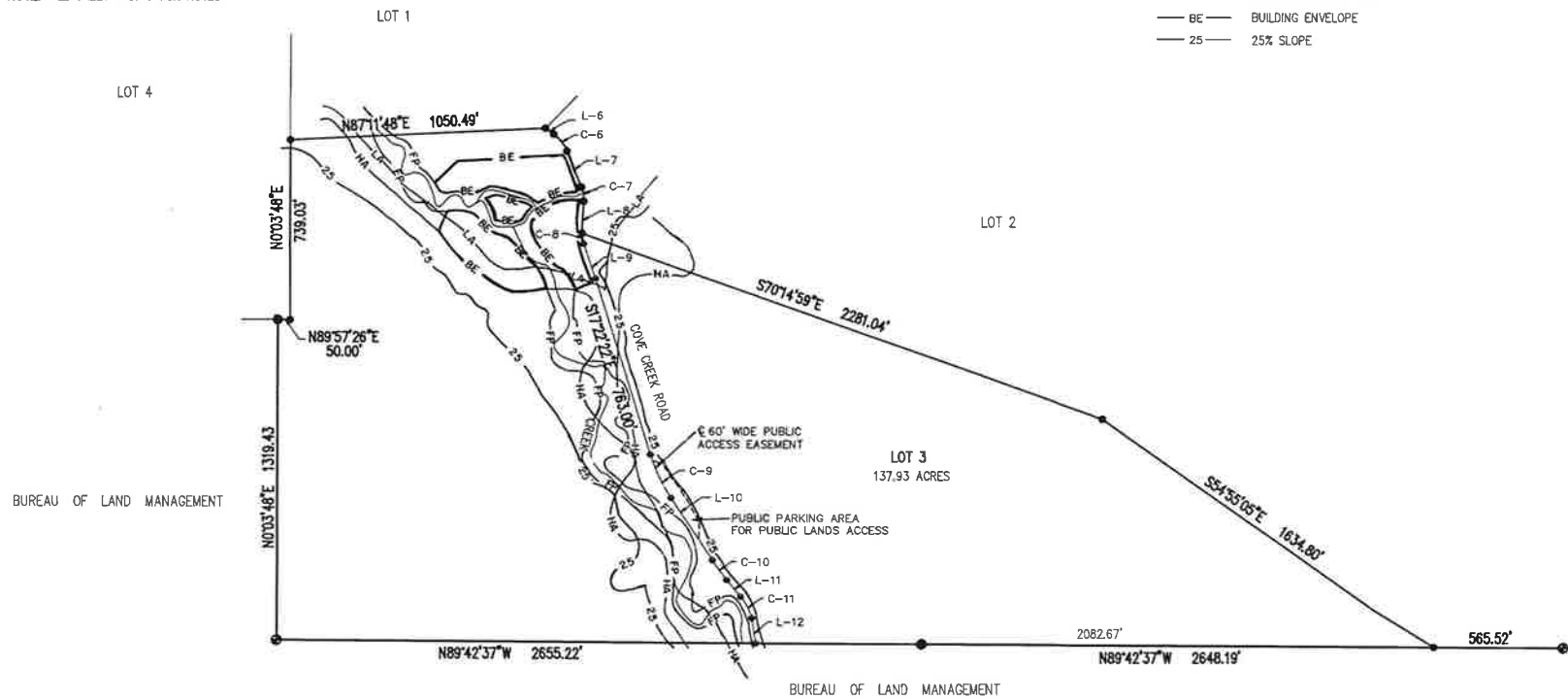
CURVE	△	R	L	T	Ch.	Ch. Bearing
C-6	31° 57' 39"	157.14'	87.65'	45.00'	86.52'	S 38° 22' 28" E
C-7	25° 38' 12"	131.85'	59.00'	30.00'	58.50'	S 9° 34' 32" E
C-8	22° 06' 56"	127.93'	49.38'	25.00'	49.07'	S 7° 48' 54" E
C-9	16° 15' 00"	700.45'	198.66'	100.00'	197.99'	S 25° 29' 52" E
C-10	6° 00' 00"	954.06'	99.91'	50.00'	99.86'	S 36° 37' 22" E
C-11	23° 24' 08"	246.84'	100.82'	51.12'	100.12'	S 27° 55' 18" E

LINE DATA

LINE	BEARING	DIST.
L-6	S 54° 21' 17" E	42.24'
L-7	S 22° 23' 01" E	160.14'
L-8	S 3° 14' 34" W	125.41'
L-9	S 18° 52' 22" E	151.13'
L-10	S 33° 37' 22" E	309.00'
L-11	S 39° 37' 22" E	90.00'
L-12	S 8° 51' 38" E	104.04'

LEGEND

- FOUND BRASS CAP
- SET 5/8 BAR W/LS 6522 CAP
- SET 1/2" BAR W/LS 6522 CAP
- NOT SET
- HA — HIGH HAZARD AVALANCHE
- LA — LOW HAZARD AVALANCHE
- FP — 100 YEAR FLOODPLAIN
- BE — BUILDING ENVELOPE
- 25 — 25% SLOPE





SCALE: 1"=200'

NOTE: SEE SHEET 6 OF 7 FOR NOTES

LEGEND

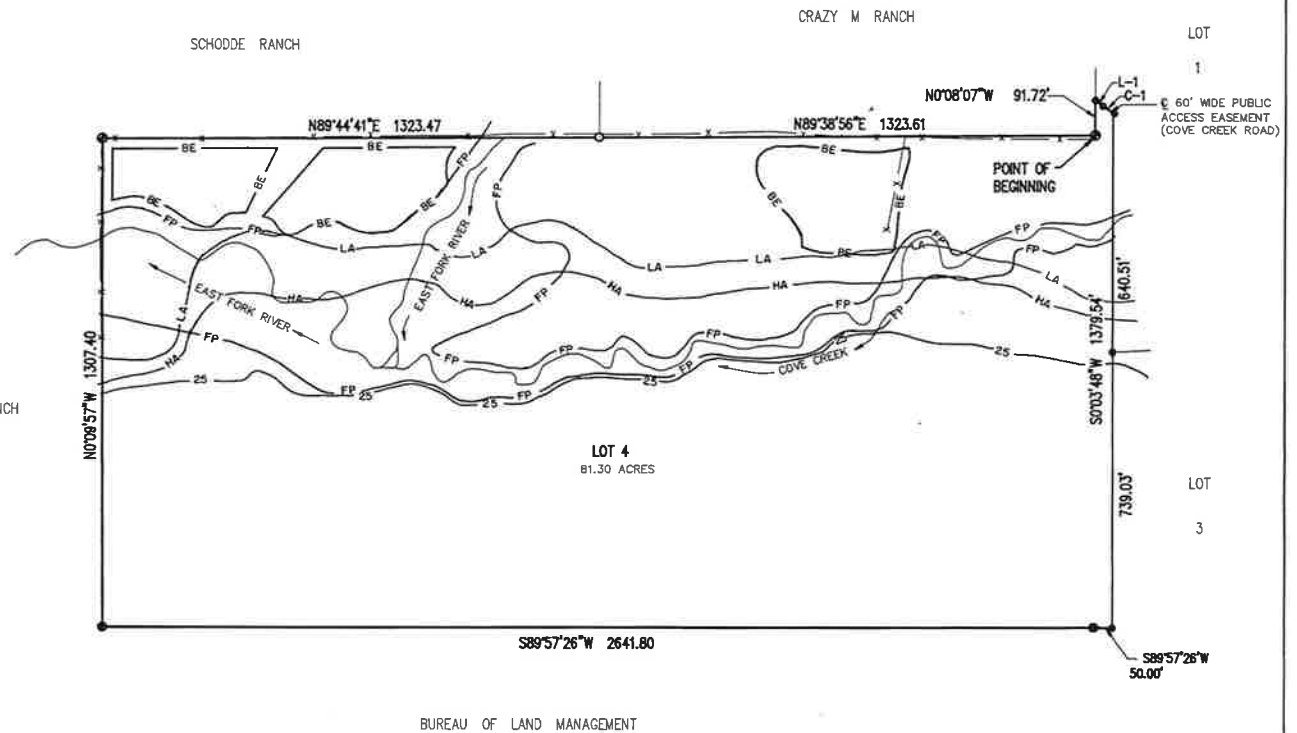
- FOUND BRASS CAP
- SET 5/8" REBAR W/LS 6522 CAP
- SET 1/2" REBAR W/LS 6522 CAP
- HA HIGH HAZARD AVALANCHE
- LA LOW HAZARD AVALANCHE
- FP 100 YEAR FLOODPLAIN
- BE BUILDING ENVELOPE
- *-* EXISTING FENCE
- 25 25% SLOPE

CURVE DATA

CURVE	△	R	L	T	Ch.	Ch. Bearing
C-1	3° 19' 23"	232.23'	13.47'	6.74'	13.47'	S 59° 07' 45" E

LINE DATA

LINE	BEARING	DIST.
L-1	S 57° 30' 03" E	45.92'



COVE CREEK RANCH SUBDIVISION
 GALENA ENGINEERING, INC.
 KETCHUM, IDAHO
 JOB NO. 3294
 SHEET 5 OF 6

NOTES

1. Setback requirements shall be maintained as shown by designated building envelopes on final plat, in part, so as not to be located in either the avalanche hazard, wetland, or hillside overlay districts. To move a building envelope requires submittal of a plat amendment application and Board approval.
2. Maintenance and weed control pursuant to State regulations for all lots are the responsibility of the developer until the lot is sold and thereafter the owners of the individual lots.
3. The avalanche danger area designated on this subdivision plat is considered by the owner, Blaine County, and Alpine Enterprises, Inc. reasonable for regulatory purposes. However, neither the owner, Blaine County, nor Alpine Enterprises, Inc. represents, guarantees, warrants or implies that areas outside the designated avalanche danger area are safe and free from avalanches or avalanche danger.
4. The floodplain area designated on this plat is considered by the owner, Blaine County, and Galena Engineering, Inc. as reasonable for regulatory purposes. However, neither the owner, Blaine County, nor Galena Engineering, Inc. represents, guarantees, warrants or implies that areas outside the designated floodplain area are safe and free from floods or flood danger. Sheet flooding can and will occur and that flooding may extend beyond the floodplain boundary lines identified.
5. Lot 4 road access will require state, federal and county wetland crossing permits obtained by the owner.
6. Subject to the Fire Chief's recommendations, all buildings shall be fire sprinklered with monitored alarm systems; shall be constructed with Class B roofs; shall be fitted with lightning protection; and shall have all chimneys constructed with spark arresters. All lots shall provide adequate on-site water supply for required fire protection systems. Landscape plans shall be reviewed by the rural fire chief for protection of adequate clear zone.
7. The HOA shall be responsible for road maintenance on and off-site to the extent identified in the Development Agreement.
8. The property may not be further subdivided except as a Planned Unit Development as described and defined in Blaine County Ordinance No. 77-6. In no event may any lot be improved with more than three (3) residential structures including a primary residence, guest house, and employee's quarters and any number of accessory structures, all of which must be within the building envelope depicted on the plat map. All development created by a P.U.D. within an original lot (Lot 1, 2, 3, and 4) may only be conveyed as a whole and not separately.

NOTES

9. The HOA shall plow and maintain the public access parking area as depicted on lot 3 on the plat.
10. A 60 foot wide Public Access Easement centered upon the alignment shown on this plat is given hereon. Said alignment follows Cove Creek Road.
11. A Non-motorized Public Access and Utility Easement from Cove Creek Road across Lot 2 to the Forest Service Boundary is given hereon. Said easement, which may be relocated by the owner, shall be no wider than the driveway surface or 20', whichever is less, except adjacent to the driveway gate there shall be five feet (5') of width in addition to the driveway width, and shall extend to the Forest Service boundary from where the driveway turns into the owners residence.
12. See the Conditions, Covenants and Restrictions regarding fire hazard mitigation, wildlife and habitat, seasonal road maintenance, restrictions on further subdivision, etc.
13. Perpetual easements of 100' in width on the East Fork River, 80' on Cove Creek, and 20' on Hook Draw, as centered upon the alignment shown on this plat, is given hereon to accommodate the natural drainageways of the stream.
14. The north orientation and the scales vary from sheet to sheet on this plat.
15. The lots contained in this plat are governed by the Floodplain Management District, contained in Blaine County Zoning Ordinance No. 77-5 to the extent they are affected by the floodplain as defined therein. A conditional use permit shall be obtained from Blaine County prior to issuance of a building permit. Further, said lots are subject to the regulations contained in the Riparian Setback District found in said Ordinance No. 77-5 which includes, but is not limited to, the prohibition of certain activities/uses in the required setback from the high water mark of the waterway. Potential buyers are advised to review said Zoning Ordinance No. 77-5 with respect to the application of the Floodplain and Riparian District regulations as well as all other regulations contained in said ordinance.
16. Verification shall be provided that the developer/owner has provided a water supply system sufficient to satisfy N.F.P.A. 1231 prior to issuance of a building permit.
17. Verification that roadway access to each subdivision lot complies with Section 10-207 of the Uniform Fire Code (1988) shall be provided prior to issuance of a building permit.
18. The proposed location of any building within the cross-hatched portion of the building envelope or the proposed size of the principal residence in excess of a 3500 square foot footprint on Lot 2 shall be proposed and approval obtained via the planned unit development regulations contained in the Blaine County Subdivision Ordinance No. 77-6 by the applicant prior to building permit.

COVE CREEK RANCH SUBDIVISION

GALENA ENGINEERING, INC.
KETCHUM, IDAHO
JOB NO. 3294
SHEET 6 OF 7

CERTIFICATE OF OWNERSHIP

This is to certify that I, the undersigned am the owner in fee simple of the following described parcel of land:

A parcel of land located within Sections 28, 32 & 33, T.4N., R.19E., B.M., Blaine County, Idaho, more particularly described as follows:

SE1/4, S1/2 SW1/4 Section 28; N1/2 NE1/4 Section 32; N1/2 Section 33;
T.4N., R.19E., B.M., Blaine County, Idaho

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements. Protective covenants governing this Subdivision are recorded under County Recorder Instrument No.

It is the intent of the owner to hereby include said land in this plat.

Page Jenner
Page Jenner, General Partner

ACKNOWLEDGEMENT

STATE OF Idaho } ss
COUNTY OF Blaine

On this 13 day of October, 1993, before me, a Notary Public in and for said State, personally appeared Page Jenner known to me to be one of the partners in the partnership of Cove Creek Limited Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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



Christine H. Nelson
Notary Public



Robert K. Allison
Robert K. Allison, General Partner

ACKNOWLEDGEMENT

STATE OF Washington } ss
COUNTY OF King

On this 14th day of August, 1993, before me, a Notary Public in and for said State, personally appeared Robert Allison known to me to be one of the partners in the partnership of Cove Creek Limited Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

Christine H. Nelson
Notary Public

Thomas Draugas
Thomas Draugas, General Partner

ACKNOWLEDGEMENT

STATE OF Idaho } ss
COUNTY OF Blaine

On this 12 day of November, 1993, before me, a Notary Public in and for said State, personally appeared Thomas Draugas known to me to be one of the partners in the partnership of Cove Creek Limited Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

Christine H. Nelson
Notary Public

Residing at Blaine
Commission expires 3/5/98



SURVEYOR'S CERTIFICATION

I, Michael L. Broce, a duly licensed land surveyor in the State of Idaho, do hereby certify that this plat of Cove Creek Ranch Subdivision is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.



ACKNOWLEDGEMENT

STATE OF IDAHO } ss
COUNTY OF BLAINE

On this 5 day of November, 1993, before me, a Notary Public in and for said State, personally appeared Michael L. Broce, known to me to be the person whose name is subscribed to the above Surveyor's certificate and acknowledged to me that he executed the same.

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

Colleen H. Wilson
Notary Public in and for the State of Idaho
Residing at Blaine
Commission expires 3/5/98



COUNTY ENGINEER'S APPROVAL

I, Jim W. Koonce, County Engineer for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the state of Idaho relating thereto.



APPROVAL OF BLAINE COUNTY PLANNING AND ZONING

The foregoing plat was approved by the Blaine County Planning and Zoning Commission on this 23 day of December, 1993.

Spida Satharath
Administrator

APPROVAL OF BLAINE COUNTY COMMISSIONERS

The foregoing plat was approved by the Blaine County Board of Commissioners on this 23 day of December, 1993.

Burget Dancer
Chairman

COUNTY TREASURER'S APPROVAL

The taxes on the foregoing parcel of land have been paid to this date and this plat of Cove Creek Ranch Subdivision is hereby approved this 22nd day of December, 1993.

Vicki Dick by Hal Magnusson
Blaine County Treasurer

COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO } ss
COUNTY OF BLAINE

This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho on this 23 day of December, 1993, at 2:21 P.M., and duly recorded in Plat Book _____, at page _____.

Mike Anderson
Ex-officio Recorder

Cove Creek Ranch Subdivision
Galena Engineering, INC.
Ketchum, Idaho
Sheet 7 of 7

Job No. 3294

Clark, Cynthia (Bridge)

From: Clark, Cynthia (Bridge)
Sent: Friday, December 15, 2006 3:14 PM
To: Jim Speck (E-mail)
Subject: preliminary recommendations

Jim,

Attached are preliminary recommendations for SRBA claims 37-2165 and 37-2637. I will adjust the rate on 37-2165 as per our discussions. Please let me know if you have any comments regarding the POU and POD location recommended for 37-2637.

Thank you,
Cynthia

Cynthia Bridge Clark, P.E.

Staff Engineer, Water Allocation Bureau
Idaho Department of Water Resources
Phone (208) 287-4946
Fax (208) 287-6700
cynthia.clark@idwr.idaho.gov



37-2637.pdf



37-2637.jpg



37-2637 layout.jpg



37-2165.pdf

MEMORANDUM

To: Claim filed 37-2637

From: Cynthia Bridge Clark

Date: November 11, 2006

Re: SRBA Claim Review notes

POU

- Contacted Jim Speck regarding possible accomplished transfer. Claimed as licensed—35 acres in NWNE. Claimant owns property in NWNE and NENE but license exams notes that NENE irrigated by another source. Licensed 35 acres in NWNE, but half of the quarter quarter is hillside. Will recommend for 21 acres unless information submitted to substantiate accomplished transfer.

POD

- Have Jim Speck explain location and arrangement of POD. Claim describes collection of ditches used to flood irrigate. POD consists of two horizontal wells. Field exam notes water from East Fork commingles in drains from surface water runoff from other lands.

Left a message with Jim Speck to clarify place of use and point of diversion.

11/07/2006

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

RIGHT NUMBER: 37-2637

NAME AND ADDRESS: SONYA WILANDER
18 RICHMOND HILL RD
GREENWICH CT 06831

MATS WILANDER
18 RICHMOND HILL RD
GREENWICH CT 06831

SOURCE: UNNAMED DRAINS

TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.420 CFS

PRIORITY DATE: 10/14/1960

POINT OF DIVERSION:

T04N R19E S32 NWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
05/01 10/31

QUANTITY
0.420 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R19E S32 NWNE 21.00

21 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.

The remainder of this right was forfeited for non-use from 1960 to 1991.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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



Idaho Department of Water Resources

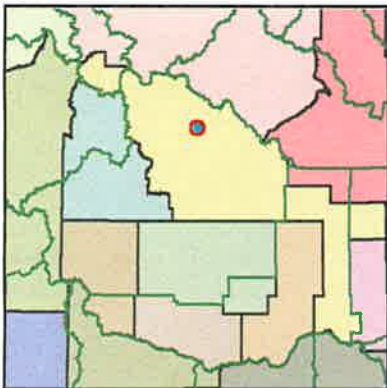
SRBA Recommendation:

37-2637

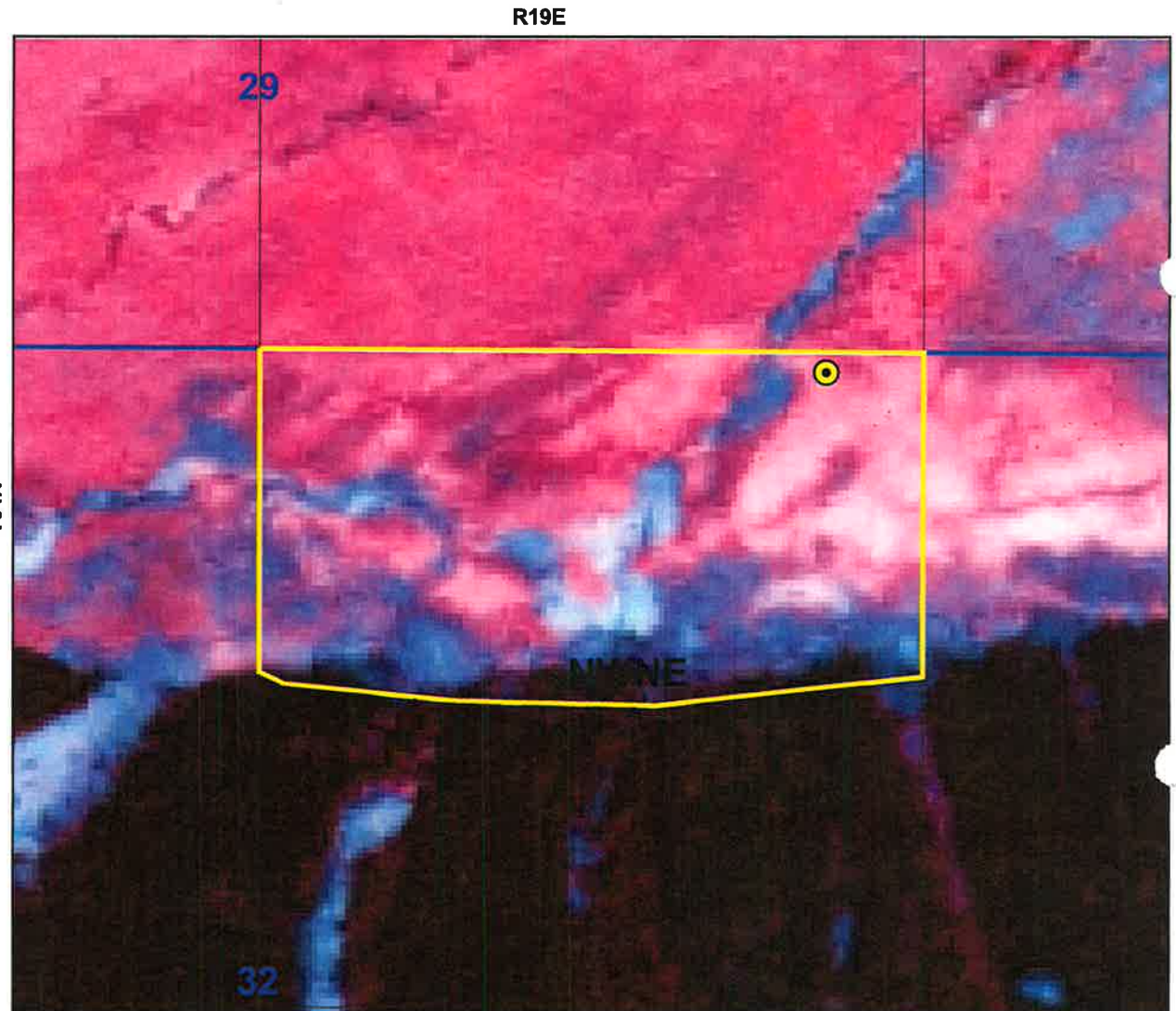
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by C. Clark
On Tuesday, November 7, 2006
1987/88 Aerial Photography

MEMORANDUM

To: Claim filed 37-2637

From: Cynthia Bridge Clark

Date: November 7, 2006

Re: SRBA Claim Review notes

The above referenced water right was licensed for a diversion rate of 0.7 cfs and irrigation of 35 acres. Based on available imagery, only 21 acres could have been irrigated with the described flood irrigation system (the remaining land is a heavily wooded hillside). The total authorized acres and diversion rate were reduced to 21 acres and 0.42 cfs respectively (one inch per acre as licensed). The source was also changed from Groundwater to Unnamed Drains based on the description of the collection of high water and runoff from Cove Creek and the East Fork Big Wood River.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

March 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Mats and Sonya Wilander
18 Richmond Hill Road
Greenwich, CT 06831

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): **A37-02637**
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased property with the above mentioned Adjudication claim(S), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

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

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

Claimants Names:

**Mats Wilander
Sonya Wilander**

Attorney Name & Address:

**James P. Speck
Hogue, Speck & Aanestad, P.A.
120 East Avenue
P. O. Box 987
Ketchum, Idaho 93340
(208) 726-4421
FAX: (208) 726-0752**

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

In Re SRBA

Case No. 39576

)
)
)
)
)
)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Hogue, Speck & Aanestad hereby enters its appearance in the action on behalf of Claimants Mats Wilander and Sonya Wilander for the following water right claim which is not the subject of any subcase: A37-02637.

DATED this 6th day of October, 1997.

HOGUE, SPECK & AANESTAD, P.A.

By


James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of November, 1997, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

CLAIMANT'S NAME	CLAIM FILING NO.	DATE RECEIVED	CK #	AMOUNT \$	YES	NO	Required Info?
Cove Creek Ld. Fed Partnership	A31-02637	11/5/92	CO25940	202.00			
1. Is the name and address complete with zip code?					☒	☐	*
2. Is a priority date entered?					☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?					☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.					☒	☐	*
3. (a) Is a source entered?					☒	☐	*
(b) Is a tributary to entered? (if required) N/A					☒	☐	*
4. Is the legal description of the p.d. sufficient?					☒	☐	*
5. Is there a description of the diverting works?					☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.					☒	☐	*
Is the period of use included?					☒	☐	*
Is a quantity claimed for each use?					☒	☐	*
7. Is a total quantity claimed entered?					☒	☐	
8. If required is a consumptive use entered? N/A					☒	☐	
Is the consumptive use correct? N/A					☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A					☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?					☒	☐	*
11. Is (are) the county(ies) entered?					☒	☐	
12. Is the ownership of p.u. checked?					☒	☐	
13. Are other water rights listed or "none" indicated?					☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A					☒	☐	
15. Is the basis of the claim indicated?					☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A					☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.					☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?					☒	☐	*
19. Was this claim filed on time, or was an extension granted?					☒	☐	*
20. Is the fee enclosed correct? Exempt					☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered? N/A					☒	☐	
22. Should this claim be data entered?					☒	☐	

Claim checked by: S.W. Keen Date: 11/4/92
 Claim must be returned to claimant: (Yes) ☒ (No)
 Claimant must be notified of modifications: (Yes) ☒ (No)

Receipt Prepared by: J. Tarbrough Date: 11/5/1992
 Claim data entered by: Sw. Keen Date: 11/6/1992 Checked by: _____ Date: FEB 23 1993
 Sent to claimant by: _____ Date: _____

Comments: $50 + 35 = \$85$ No late fee - Claimant purchased this property after Round 1 and filed the claim before Round 2. (See Memo # 2, Exception # 3)

AJ5809NP
No. A37-02637

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/23/93
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	COVE CREEK LTD PARTNERSHIP PO BOX 4620 KETCHUM ID 83340 (208) 726-6000	10/14/1960	IRRIGATION	04-15 10-15	0.70 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.70 CFS	87.5 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T04N R19E S32

NWNE

BLAINE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04N	19E 32	:		35	:													35.0
TOTAL ACRES																	35.0	

POU County: BLAINE

Other Rights: NONE

Remarks: DIVERSION WORKS ARE PART OF A SYSTEM OF COLLECTOR DITCHES WHICH
GRAVITY FEED AND NATURALLY FLOOD IRRIGATE THE PLACE OF USE.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 11/06/92 KEEN

Claim rec'd 11-05-92.

MICROFILMED

FEB 23 1993

AJ5809NP
No. A37-02327

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/23/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	COVE CREEK LTD PARTNERSHIP PO BOX 4620 KETCHUM ID 83340 (208) 726-6000	06/16/1916	IRRIGATION	04-15 10-15	0.14 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.14 CFS	17.5 AFA

Water Source: WILLOW SPRING

Tributary to: WOOD RIVER, EAST FORK

Stage: LICENSE

Point(s) of Diversion: T04N R19E S28 SWSE

BLAINE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04N	19E	33	:			05	:			02	:									7.0
TOTAL ACRES																			7.0	

POU County: BLAINE

Other Rights: LICENSE NO. 37-02354 (5 ACRES IN NENW, S.33, T4N, R19E)

Remarks: DIVERSION WORKS ARE PART OF ASYSTEM OF COLLECTOR DITCHES WHICH
GRAVITY FEED AND NATURALLY FLOOD IRRIGATE THE PLACE OF USE.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 37 Field Inspection Flag:
Presumption Flag:

Audit: 11/06/92 KEEN

claim read 11-05-92

MICROFILMED
FEB 23 1993

AJ5809NP
No. A37-02354

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/23/93
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	COVE CREEK LTD PARTNERSHIP PO BOX 4620 KETCHUM ID 83340 (208) 726-6000	08/18/1917	IRRIGATION	04-15 10-15	0.14 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.14 CFS	25.0 AFA

Water Source: COVE CREEK

Tributary to: BIG WOOD RIVER, EAST FORK

Stage: LICENSE

Point(s) of Diversion:

T04N R19E S33

NESW

BLAINE County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
T R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM
04N 19E 33	:				:	05			:	05			:				10.0
																	10.0

POU County: BLAINE

Other Rights: LICENSE NO. 37-02327 (2 AC. IN NENW, S33, T4N, R19E, B.M.)

Remarks: DIVERSION WORKS ARE PART OF A SYSTEM OF COLLECTOR DITCHES WHICH GRAVITY FEED AND NATURALLY FLOOD IRRIGATE THE PLACE OF USE.
DIVERSION WORKS: DAM, ROCK AND POLES, 15 FEET LONG, 2 FEET HIGH. HEADGATE, WOOD, 2 FEET WIDE, 2 FEET HIGH, 4 FEET LONG. DITCH, 1 FOOT BOTTOM, 1.5 FEET WIDE AT WATER LINE, 1 FOOT DEEP, CAPACITY 5.0 SECOND FEET.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 37

Field Inspection Flag:
Presumption Flag:

Audit: 11/06/92 KEEN

Claim read 11-05-92

MICROFILMED

FEB 23 1993