

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: **A37-02705B**  
Date Received: 10/ 5/1988  
Receipt No: X777777  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

1. Name: ROBERT STILO  
Address: 420 GANNETT RD  
BELLEVUE ID

83313

AND/OR

Name: MARIE STILO  
Address: 420 GANNETT RD  
BELLEVUE ID

83313

2. Date of Priority: JAN 29, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01N      | 19E   | 20      | NW     | NW     | SW  |     | BLAINE |

5. Description of diverting works:  
WELL AND 100 HP PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 0.780 |      | 108.80 |

7. Total Quantity Appropriated is:  
0.780 C.F.S. (and/or) 108.80 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 01N      | 19E   | 20      | NE     | SE  |     | IRR | 3.0   |

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 01N           | 19E   | 20      | NW         | SE  | IRR | 36.0  |
| Section Acres |       |         |            |     |     | 39.0  |
| Total Acres   |       |         |            |     |     | 39.0  |

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:  
A37-00667V

14. Remarks:

WHEN COMBINED WITH ALL OTHER RTS. FOR THE SAME LAND THE MAXIMUM  
RATE OF DIVERSION SHALL BE 6.7 CFS AND VOLUME OF 1005.00 AFA.

|  
THIS CLAIM IS SPLIT BY CHANGE OF OWNERSHIP FROM 37-02705.  
3/1/00 SCC.

15. Basis of Claim: LICENSE

Water Right Number: 32263



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

RECEIVED

NOV 08 1999

Department of Water Resources

DATE OF CLOSING: 10/29/99

LEGAL DESCRIPTION OF PROPERTY: Township 1N Range 19 EBM  
 Section 20, 1/4 of 1/4 of 1/4, Govt. Lot       , BM.  
 Lot       , Block       , Subdivision/Townsite       .  
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)  
Assigned by IDWR: A37-00667H A37-02705B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):  
Robert Struthers Jr.  
388 Gannett Road  
Bellevue ID 83313
- ☐ New Owner/Claimant (Purchaser):  
Robert Stilo and Marie Stilo
- ☐ New Mailing Address:  
420 Gannett Road  
Bellevue ID 83313
- ☐ New Telephone Number: (    )        -
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Robert Stilo Date 10/28/99  
Marie E. Stilo Date 10/28/99
- ☐ Signature of Former Owner/Claimant(s): Robert Struthers Jr. Date 10-28-99  
       Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
 Copies to Former Owner and New Owner

WARRANTY DEED

FOR VALUE RECEIVED

**ROBERT J. STRUTHERS, JR., an unmarried man**

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

**ROBERT STILO and MARIE E. STILO, husband and wife**

the grantees, whose current address is **420 Gannett Road  
Bellevue, ID 83313**

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

PLEASE SEE ATTACHED EXHIBIT "A"

Together with these appurtenances.

39 miners inches or .78 cfs of June 15, 1891 priority decreed right number 37-00667H SRBA  
claime A37-00667H

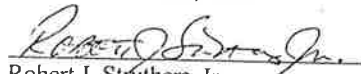
39 miners inches or .78 cfs of January 29, 1965 priority ground water license number 37-02705  
SRBA claime number A37-02705

**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 Grantor does hereby covenant to and with the  
said Grantees, that he 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: October 26, 1999

  
Robert J. Struthers, Jr.

COPY

State of Idaho  
County of Blaine

On this 28th day of Oct, 1999, Before me a Notary Public in and for said State, personally  
appeared Robert J. Struthers, Jr. known or identified to me to be the person whose name is subscribed to the within  
instrument, and acknowledged to me that he executed the same.

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



**EXHIBIT "A"**

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 20: A parcel of land more particularly described as follows:

Commencing at the SE corner of Section 20; thence  
S.  $89^{\circ}54'59''$  W., 172.56 feet to the west side of Gannett Road; thence  
N.  $30^{\circ}50'32''$  W., 1,525.24 feet along Gannett Road to the POINT OF  
BEGINNING; thence  
N.  $30^{\circ}50'32''$  W., 1,525.24 feet; thence  
S.  $89^{\circ}54'57''$  W., 925.48 feet; thence  
S.  $0^{\circ}31'25''$  E., 1,310.71 feet; thence  
N.  $89^{\circ}54'58''$  E., 1,695.46 feet.

October 29, 1999

**SUN VALLEY  
TITLE**  
C O M P A N Y



Idaho Department of Water Resources  
Southern Region  
222 Shoshone Street East  
Twin Falls ID 83301

Re: 99-15585  
Robert J. Struthers, Jr./Robert Stilo  
SEC 20-T1N-R19E

Regarding the above, I have enclosed the following:

- Water Transfer Form
- Warranty Deed

**RECEIVED**

**NOV 08 1999**

Department of Water Resources  
Twin Falls, Idaho

Sincerely,

Carolyn Baird  
Escrow Closing Agent



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

RECEIVED

NOV 08 1999

Department of Water Resources  
P.O. Box 37000DATE OF CLOSING: 10/29/99

LEGAL DESCRIPTION OF PROPERTY: Township 1N Range 19 EBM  
Section 20, 1/4 of 1/4 of 1/4, Govt. Lot       , BM.  
Lot       , Block       , Subdivision/Townsite       .  
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)  
Assigned by IDWR: A37-00667H, A37-02705B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Robert Struthers Jr.  
388 Gannett Road  
Bellevue ID 83313
- ☐ New Owner/Claimant (Purchaser): Robert Stilo and Marie Stilo
- ☐ New Mailing Address: 420 Gannett Road  
Bellevue ID 83313
- ☐ New Telephone Number: (    )        -
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Robert Stilo Date 10/28/99  
Marie E. Stilo Date 10/28/99
- ☐ Signature of Former Owner/Claimant(s): Robert Struthers Jr. Date 10-28-99  
Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, If any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

WARRANTY DEED

FOR VALUE RECEIVED

**ROBERT J. STRUTHERS, JR., an unmarried man**

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

**ROBERT STILO and MARIE E. STILO, husband and wife**

the grantees, whose current address is **420 Gannett Road  
Bellevue, ID 83313**

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

PLEASE SEE ATTACHED EXHIBIT "A"

Together with these appurtenances.

39 miners inches or .78 cfs of June 15, 1891 priority decreed right number 37-00667H SRBA  
claime A37-00667H

39 miners inches or .78 cfs of January 29, 1965 priority ground water license number 37-02705  
SRBA claime number A37-02705

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 Grantor does hereby covenant to and with the  
said Grantees, that he 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: October 26, 1999

Robert J. Struthers, Jr.  
Robert J. Struthers, Jr.

COPY

State of Idaho  
County of Blaine

On this 28th day of Oct, 1999, Before me a Notary Public in and for said State, personally  
appeared Robert J. Struthers, Jr. known or identified to me to be the person whose name is subscribed to the within  
instrument, and acknowledged to me that he executed the same.

Carolyn Baird  
Notary Public  
Residing at Merley  
Comm. Expires 3-14-2003

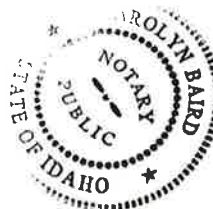


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N.  $89^{\circ}54'58''$  E., 1,695.46 feet.

# FAX

Date 11-14-99

Number of pages including cover sheet 4

TO:

STEVE CLELAND

Phone

Fax Phone 208-736-3037

FROM:

Robert Struthers  
Horseshoe S Ranch Inc.  
062 Picabo Desert Road  
Bellevue, Idaho  
83313

Phone

208-788-4613

Fax Phone

208-788-2375

CC:

REMARKS:

☐

Urgent

☒

For your review

☐

Reply ASAP

☐

Please Comment

RE STRUTHERS PARCEL 1 SALE  
WARRANTY DEED W/LEGAL DESC.  
CHANGE OF WATER RIGHT OWNERSHIP

THANKS



## WARRANTY DEED

FOR VALUE RECEIVED

**ROBERT J. STRUTHERS, JR., an unmarried man**

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

**ROBERT STILO and MARIE E. STILO, husband and wife**the grantees, whose current address is **420 Gannett Road  
Bellevue, ID 83313**the following described premises, in **BLAINE COUNTY, IDAHO**, to wit:

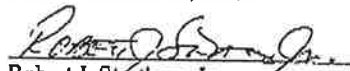
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Together with these appurtenances.

39 miners inches or .78 cfs of June 15, 1891 priority decreed right number 37-00667H SRBA  
claims A37-00667H39 miners inches or .78 cfs of January 29, 1965 priority ground water license number 37-02705  
SRBA claim number A37-02705SUBJECT 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 Grantor does hereby covenant to and with the  
said Grantees, that he 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: October 26, 1999

  
Robert J. Struthers, Jr.

COPY

State of Idaho  
County of BlaineOn this 28th day of Oct, 1999, Before me a Notary Public in and for said State, personally  
appeared Robert J. Struthers, Jr. known or identified to me to be the person whose name is subscribed to the within  
instrument, and acknowledged to me that he executed the same.  
Notary Public  
Residing at Idaho  
Comm. Expires 3-14-2003

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N. 30°50'32" W., 1,525.24 feet along Gannett Road to the POINT OF  
BEGINNING; thence  
N. 30°50'32" W., 1,525.24 feet; thence  
S. 89°54'57" W., 925.48 feet; thence  
S. 0°31'25" E., 1,310.71 feet; thence  
N. 89°54'58" E., 1,695.46 feet.

11/12/1999 14:18

208736

IDWR SOUTHERN REG.

PAGE 02

Form 42-1408(7)



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

DATE OF CLOSING: 10/29/99

RECEIVED

NOV 08 1999

Department of Water Resources  
P.O. Box 2000

LEGAL DESCRIPTION OF PROPERTY: Township 1N Range 19 EBM  
 Section 20 1/4 of 1/4 of 1/4 Govt. Lot        BM.  
 Lot        Block        Subdivision/Townsite         
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)  
Assigned by IDWR: A37-00667H, A37-02705
- ☐ Name and Address of Former Owner/Claimant(s) (Seller): Robert Struthers Jr.  
388 Gannett Road  
Bellevue ID 83313
- ☐ New Owner/Claimant (Purchaser): Robert Stilo and Marie Stilo
- ☐ New Mailing Address: 420 Gannett Road  
Bellevue ID 83313
- ☐ New Telephone Number: ( ) - -
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no  
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed  
 (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Robert Stilo Date 10/28/99  
Marie E. Stilo Date 10/28/99
- ☐ Signature of Former Owner/Claimant(s): Robert Struthers Jr. Date 10-28-99  
       Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

SPLITS: A37-00667H & V  
A37-02705 A & B

## FOR IDWR USE ONLY:

Initial Review and Data Entry

Date 3/1/00 By SC

Further Action Needed

NONE

Further Action Taken

Date

By:

Final Review and Data Entry

Date

By:

Claim Numbers of Split, if any

Original to be mailed to Idaho Department of Water Resources  
 Copies to Former Owner and New Owner

QUITCLAIM DEED

For Value Received

Margaret E. Struthers Limited Partnership  
do hereby convey, release, remise and forever quitclaim unto

Robert J. Struthers Jr.  
Whose current address is

388 Gannett Road, Bellevue, Idaho, 83313  
the following described property to-wit:

SEE ATTACHED EXHIBIT

together with these appurtenances.

39 miners inches or .78 cfs of June 15, 1891 priority decreed right  
number 37-00667H SRBA claim number A37-00667H

39 miners inches or .78 cfs of January 29, 1965 priority ground  
water license number 37-02705 SRBA claim number A37-02705

This conveyance is in conformance with the SRBA claims in the  
name of Margaret E. Struthers Ltd. Partnership. These SRBA claims  
are the amended SRBA claims that were filed by the Margaret E.  
Struthers Ltd. Partnership.

None of the ground water license number 37-02593 SRBA claim number  
A37-02593 is conveyed because that entire right was separately  
conveyed to Robert J. Struthers Jr.

Dated: December, 24, 1997

Margaret E. Struthers

Partner Margaret E. Struthers Ltd. Partnership

STATE OF Idaho  
COUNTY OF Blaine

On this 24th day of December  
1997, before me a Notary Public in  
and for said State, personally  
appeared Robert J. Struthers

known to me to be the  
person who subscribed to  
the within instrument, and  
acknowledged to me that he  
executed the same.

Margaret E. Struthers  
Notary Public

Residing at Blaine

Comm. expires 12-7-2000

409256

Deed

BLAINE CO. REQUEST

OF Robert Struthers

'97 DEC 26 AM 10 15

MART GREEN, CLERK

FEES \$

9.00

mpp

A PARCEL OF LAND LOCATED WITHIN SECTION 20, T1N, R19E.  
PARCEL 1.

Commencing at SE corner of Section 20;  
Thence S89°54'59"W. 172.56 feet to West side of Gannett  
Road;

Thence N30°50'32"W. 1525.24 feet along Gannett Road to  
P.O.B.

Thence N30°50'32"W. 1525.24 feet;

Thence S89°54'57"W. 925.48 feet;

Thence S0°31'25"E. 1310.71 feet;

Thence N89°54'58"E. 1695.46 feet.

Cancels TL 152. Corrects description. Contains 39.43  
acres. Marg Struthers Survey #380595. 7-28-95.



# Idaho Department of Water Resources

SRBA Recommendation:

**37-2705B**

(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 A. Merritt  
On Thursday, November 9, 2006  
2004 Aerial Photography

12/19/2006

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

RIGHT NUMBER: 37-2705B

NAME AND ADDRESS: MARIE STILO  
420 GANNETT RD  
BELLEVUE ID 83313

ROBERT STILO  
420 GANNETT RD  
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

QUANTITY: 0.780 CFS  
136.500 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 at the field headgate for irrigation of the lands above.

PRIORITY DATE: 01/29/1965

POINT OF DIVERSION:

T01N R19E S20 NENWSE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 10/31          | 0.780 CFS<br>136.50 AFY |

PLACE OF USE: IRRIGATION in BLAINE County

|               |      |      |               |      |       |
|---------------|------|------|---------------|------|-------|
| T01N R19E S20 | NESE | 2.80 | T01N R19E S20 | NWSE | 36.20 |
|---------------|------|------|---------------|------|-------|

39 ACRES TOTAL

Right Nos. 37-667V and 37-2705B are limited to the irrigation of a combined total of 39 acres in a single irrigation season.

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

12/19/2006

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

---

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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

Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

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

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



# Idaho Department of Water Resources

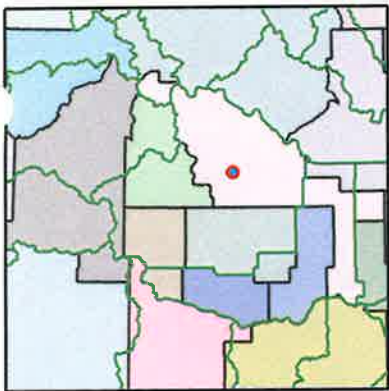
SRBA Recommendation:

**37-2705B**

(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 A. Merritt  
On Thursday, November 9, 2006  
2004 Aerial Photography

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 68500

RECEIVED  
APR 06 2001  
Department of Water Resources  
Southern Region

This is to certify that: ROBERT STILO  
420 GANNETT RD  
BELLVUE ID 83313

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. The right holder shall accomplish the authorized change within one (1) year of the date of this approval. Failure of the right holder to comply with the conditions of approval for each water right affected by this transfer is cause for the Director to rescind approval of all or part of the transfer.

**Summary of Water Rights Before the Proposed Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acres</u> | <u>Total</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|--------------|--------------|---------------|
| 37-2705B     | AJC/License         | 01/29/1965      | 0.78 cfs    | 108.8 af      | 39.0         | 39.0         | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

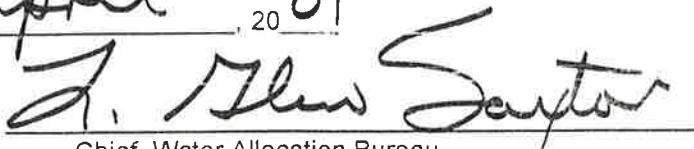
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 37-2705B              | NO           | YES        | NO         | NO             | NO                   | NO                   |

**Summary of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No. (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 37-2705B              | 37-2705B                         | 0.78 cfs             | 136.5 af               | 39.0              | 39.0               |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>TOTALS</b>         |                                  | <b>0.78 cfs</b>      | <b>136.5 af</b>        | <b>39.0</b>       | <b>39.0</b>        |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 3<sup>rd</sup> day of April, 2001

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-2705B**  
**As Modified by Transfer No. 68500**

In accordance with the approval of Transfer No. 68500, Water Right No. 37-2705B is now described as follows.

**Right Holder:** MARIE STILO  
 ROBERT STILO  
 420 GANNETT ROAD  
 BELLEVUE ID 83313

**Priority Date:** 01/29/1965

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 0.78 CFS              | 136.5 AF      |
|                       |             |           | 0.78 CFS              | 136.5 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NWSE Sec. 20 Twp 01N 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 |        |
| 01N 19E 20  |    |    |    |    |    |    |    |    |    |    |    |    | 2.8 | 36.2 |    |    | 39.0   |

Total Acres: 39.0

**CONDITIONS OF APPROVAL**

1. Right holder shall comply with the drilling permit requirements of section 42-235, Idaho Code.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. 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.

**WATER RIGHT NO. 37-2705B**  
**As Modified by Transfer No. 68500**

**CONDITIONS OF APPROVAL**

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

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 3<sup>rd</sup> day of April, 2001

  
Chief, Water Allocation Bureau

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT  
(REGIONAL)

Water Right Number - A37-02705B

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 32263

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

\*\*\* C - CURRENT OWNER \*\*\*

STILO

ROBERT

1 - 420 GANNETT RD  
2 -  
3 -

City- BELLEVUE  
Phone - 208-000-0000

State- ID Zip- 83313

STILO

MARIE

1 - 420 GANNETT RD  
2 -  
3 -

City- BELLEVUE  
Phone - 208-000-0000

State- ID Zip- 83313

\*\*\* O - ORIGINAL OWNER \*\*\*

STRUTHERS

MARGARET E

1 - C/O RJ STRUTHERS  
2 - BOX 610  
3 -

City- HAILEY  
Phone - 208-788-4613

State- ID Zip- 83333

+ - - Priority Date - - +  
01/29/1965

+ - - - Region - - - +  
17 SOUTHERN

+ - - - Stage - - - +  
L - LICENSE

+ - - - Status - - - +

+ - - - - Source - - - - - +  
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County

01N 19E 20 NW NW SW (13) BLAINE

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

01 - IRRIGATION 04/01 10/31 0.780 108.80

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
0.780 108.80 0.0

+ - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County

01N 19E 20 NE SE 3.0 01 IRRIGATION (13) BLAINE  
01N 19E 20 NW SE 36.0 01 IRRIGATION (13) BLAINE

Total Acres: 39.0

+ - - Diversion Means - WELL AND 100 HP PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-00667V



October 29, 1999

SUN VALLEY  
TITLE  
C O M P A N Y



Idaho Department of Water Resources  
Southern Region  
222 Shoshone Street East  
Twin Falls ID 83301

Re: 99-15585  
Robert J. Struthers, Jr./Robert Stilo  
SEC 20-T1N-R19E

RECEIVED

NOV 08 1999

Department of Water Resources  
Southern Region

Regarding the above, I have enclosed the following:

- Water Transfer Form
- Warranty Deed

Sincerely,

Carolyn Baird  
Escrow Closing Agent



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

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

SOUTHERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

March 1, 2000

**ROBERT & MARIE STILO  
420 GANNETT RD  
BELLEVUE ID 83313**

RE: Change of Ownership of SRBA claim 37-00667H & 37-02705

Dear Mr. & Mrs. Stilo,

Pursuant to your request for a change in ownership and/or the notification that you recently purchased portions of the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owner as requested for rights 37-00667H and 37-02705. This resulted in a split of the base right and your new portions are now labeled 37-00667V and 37-02705B.

Please find enclosed a copy of your adjudication report, as it now appears in our records. Please refer to this number in your future correspondence with IDWR.

Also enclosed is the form to file for a Transfer of Point of Diversion. This application is necessary if you plan to relocate the well used for this water right claim. In my discussion with Robert Struthers he indicated you would be re-drilling a new well for use with this right. This form will expedite your development of a new Point of Diversion when you are ready to change the system.

If you have any further corrections or questions please contact our office.

Sincerely,

STEVE CLELLAND  
Sr. Water Resource Agent

ENC:  
Cc: Robert Struthers

SPLIT REVIEW:

3/1/00  
SCC

A37-02705

6.7 cfs

(0.019 cfs/Ac)

1005 AFA

360 Acres

(2.79 AF/A)

A37-02705A

5.92 cfs

896.2 AFA

~~321.0~~ ACRES

317.0

← acre adjustment  
due to split,  
(actual vs claim)  
acres

A37-02705B

0.78 cfs

108.8 AFA

39.0 ACRES