

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-4248
Date Received: 12/21/1988
Receipt No: C004271
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

EVERGREEN VENTURES LLC Phone: (206)910-2039
228 108TH AVE NE SUITE 320
BELLEVUE WA USA 98004

Amended

2. Date of Priority: 06/01/1940

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	18E	19	NW SE SE	BLAINE	

5. Description of diverting works:

WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.08	
DOMESTIC	1/01	12/31	0.1	
RECREATION	1/01	12/31	0.002	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	18E	19	SE SE	RECREATION	
			SE SE	IRRIGATION	2.8
			SE SE	DOMESTIC	
				Section Acres	2.8
				Total Acres	2.8

COPY

11. Place of use in counties: BLAINE
12. Do you own the property listed above as place of use? No
13. Other Water Rights Used:
14. Remarks:

FIRST HOUSE WAS BUILT AND THE WELL DRILLED APPROX. 6/1/1940.
THE OTHER MAIN RESIDENCES WERE BUILT IN 1949 AND 1950. THE SWIMMING POOL WAS ADDED WITH THE GUEST HOUSE IN 1978.

CONFORMED ATTORNEY MAILING ADDRESS DMS

Claim amended to increase the place of use to 2.8 acres and the diversion rate for irrigation to 0.03 cfs per acre.

15. Basis of Claim: Statutory Claim

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.

For Organizations:

I do solemnly swear or affirm that I am power of attorney of
Evergreen Ventures, LLC that I have signed the foregoing
Organization

document in the space below as power of attorney of
Evergreen Ventures, LLC and that the statements contained in the
Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Heavenly & Heavenly, PLLC
Title and Organization

12/1/06
Date

State of Idaho)

County of Twin Falls)

SS.

Subscribed and sworn (or affirmed) before me this 1st day of Dec 2006



Kelly K. Christensen
Notary Public

Residing at Twin Falls ID

My commission Expires 4-2-2010

COPY

POWER OF ATTORNEY

STATE OF WASHINGTON,)
) ss.
 County of King)

KNOW ALL MEN BY THESE PRESENTS, that I, CATHRYN FORTUNE, Member, Evergreen Ventures, LLC, the undersigned, of Kirkland, WA, do hereby make, constitute, and appoint FRITZ X. HAEMMERLE, my true and lawful attorney in fact for me and in my name, place, and on my behalf, and for my use and benefit:

1. To execute any and all documents, necessary for filing a claim(s) for a water right, owned by Evergreen Ventures, LLC in Blaine County, Idaho, including, but not limited to, filing an amended claim for water right 37-04248.

2. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in fact, or substitute or substitutes, shall lawfully do or cause to be done by virtue of this Power of Attorney and rights and powers herein granted;

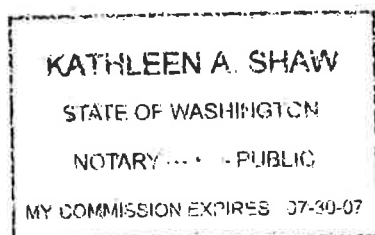
3. The rights, powers, and authority of said attorney in fact herein granted shall commence and be in full force and effect on this 25 day of November, 2006, and such rights, powers, and authority shall remain in full force and effect thereafter for a period not to exceed sixty (60) days, unless earlier terminated by the undersigned.

DATED this 25th day of November 2006.

Evergreen Ventures, LLC

Cathryn Fortune
 By: Cathryn Fortune, Member

SUBSCRIBED AND SWORN TO before me this 25th day of November 2006.



Kathleen A. Shaw
 NOTARY PUBLIC FOR WASHINGTON
 Residing at: Mukilteo, WA
 Commission Expires: 07/30/07

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-4248
Date Received: 12/21/1988
Receipt No: C004271
Received By:

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

1. Name of Claimant(s)

EVERGREEN VENTURES LLC Phone: (206) 910-2039
228 108TH AVE NE SUITE 320
BELLEVUE WA 98004

2. Date of Priority: 06/01/1940

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	18E	19	NW SE SE	BLAINE	

5. Description of diverting works:

WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.02	
DOMESTIC	1/01	12/31	0.1	
RECREATION	1/01	12/31	0.002	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
04N	18E	19	SE	SE		RECREATION	
			SE	SE		IRRIGATION	1
			SE	SE		DOMESTIC	
						Section Acres	1
						Total Acres	1

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

FIRST HOUSE WAS BUILT AND THE WELL DRILLED APPROX. 6/1/1940.
THE OTHER MAIN RESIDENCES WERE BUILT IN 1949 AND 1950. THE SWIMMING POOL WAS ADDED
WITH THE GUEST HOUSE IN 1978.
CONFORMED ATTORNEY MAILING ADDRESS DMS

15. Basis of Claim: Statutory Claim



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

June 21, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FRITZ HAEMMERLE
HAEMMERLE & HAEMMERLE PLLC
PO BOX 1800
HAILEY ID 83333

Re: SRBA Claim(s) 37-4248 / Evergreen Ventures LLC

Dear Counselor:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership as requested. Please find the enclosed copy of the computer record of the claim noting the change in claimant as well as the addition of an attorney of record. Review the record and if there is an error, or you have any questions, please contact this office.

I am also returning your check 4513 in the amount of \$25.00. No fee is due to change ownership on records that are still actively involved in the adjudication. Ownership on water right records with corresponding adjudication claims are not updated, as they will be replaced with the adjudication record once a partial decree is issued. The filing fee is applicable once a decree has been issued or the water right is not required to be included in the adjudication. Again, please feel free to call with any questions you may have.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

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

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

RECEIVED
JUN 20 2005
 Department of Water Resources
 Southern Region

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-04248</u>	<u>A 37-04248</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Jeanne Lane Moritz
P.O. Box 612, Ketchum, ID 83340
4. New Owner/Claimant(s) Evergreen Ventures, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 228 108th Ave. NE, Suite 320
- City, State and ZIP Code Bellevue, WA 98004
- New Telephone Number () 206-910-2039
5. Date you acquired the property September 19, 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Evergreen Ventures, LLC
(include title if applicable)

By: Cathryn Fortune, Managing Member

Cathryn Fortune

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

HAEMMERLE & HAEMMERLE, P.L.L.C.

Attorneys & Counselors at Law

Fritz X. Haemmerle
Jennifer L. K. Haemmerle

P. O. Box 1800
Hailey, ID 83333

400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

June 15, 2005

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

RECEIVED
JUN 20 2005
Department of Water Resources
Southern Region

Re: Name Change – Adjudication

To Whom It May Concern:

Please find enclosed a Notice of Change in Water Right Ownership for water right 37-04248, along with the \$25.00 filing fee. I am also enclosing a Notice of Appearance for the water right.

I have also enclosed the deeds showing the chain of title from the listed owner Jeanne Lane, to the new owner, Evergreen Ventures, L.L.C. To assist, the right was claimed by Jeanne Lane. Thereafter, she married and took the name Jeanne Lane Moritz. Thereafter, Ms. Moritz died leaving the property to her three children, Jack, Patricia and Susan. The three Lane children then deeded their respective one-third undivided interests to Evergreen Ventures, L.L.C.

Finally, the Department has requested information on this water right's priority date. I am in the process of obtaining that information, but I will likely provide the information shortly after the deadline of June 17, 2005. I understand that the Department will accept information up to the date of the Director's Report.

If anything else is required, please do not hesitate to call. Thank you.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.



Fritz X. Haemmerle

FXH: fxh
Encl.
cc: client
Terry Hogue, Esq. (w/o encl.)

**FRITZ X. HAEMMERLE
HAEMMERLE & HAEMMERLE
P.O. Box 1800
400 South Main Street, Suite 102
Hailey, Idaho 83333
Tel: (208) 578-0520
Fax: (208) 578-0564
ISB #3862**

Attorneys for Claimants

**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

Water Right 37-04248

NOTICE OF APPEARANCE

TO: THE CLERK OF THE DISTRICT COURT:

PLEASE TAKE NOTICE that Fritz X. Haemmerle, HAEMMERLE & HAEMMERLE, P.L.L.C., hereby enters an appearance as the attorney of record for Evergree Ventuures, L.L.C., for water right 37-04248. The Clerk of the Court is hereby requested to make such entries as may be required to record such appearance. All further pleadings, notices, and correspondence of any kind filed hereafter in this matter should be sent to Fritz X. Haemmerle, HAEMMERLE & HAEMMERLE, P.L.L.C, P.O. Box 1800, Hailey, Idaho 83333.

DATED this 15 day of June, 2005.

HAEMMERLE & HAEMMERLE, P.L.L.C.

By:


FRITZ X. HAEMMERLE

K24332

WARRANTY DEED

For Value Received Susan S. Lane, as to an undivided 1/3 interest, Patricia C. Lane, as to an undivided 1/3 interest, and John R. Lane, as Trustee of the John R. Lane Revocable Trust dated January 31, 1997, as to an undivided 1/3 interest,

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Evergreen Ventures, LLC

whose address is: 701 Fifth Avenue, Suite 3460, Seattle, WA 98104

Instrument # 466686
HAILEY, BLAINE, IDAHO
2001-08-10 03:41:00 No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE
MARSHA RICHMAN Fee: 12.00
Ex-Clerk Recorder Deputy
MAIL ROOM/RECORDS

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

Parcel I

Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho.
Section 19: A parcel of land more particularly described as follows:

Commencing at the Southeast corner of said Section 19, from which the S1/4 corner lies North 89° 44' 07" W., 2668.40 feet distance; thence N. 64° 53' 27" W., 942.36 feet to the True Point of Beginning; thence S. 71° 00' 45" W., 646.50 feet to the Easterly boundary of State Highway 75; thence N. 18° 59' 15" W., 300.00 feet along said highway boundary; thence N. 71° 00' 45" E., 646.50 feet; thence S. 18° 59' 15" E., 300.00 feet to the True Point of Beginning.

Parcel II

Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho.
Sections 19 and 30: A parcel of land more particularly described as follows:

Commencing at the southeast corner of said Section 19, from which the S1/4 corner lies North 89° 44' 07" West, 2668.40 feet distance; thence N. 82° 46' 15" W., 754.36 feet to the True Point of Beginning; thence S. 71° 00' 45" W., 366.50 feet; thence N. 18° 59' 15" W., 322.50 feet; thence N. 71° 00' 45" E., 366.50 feet; thence S. 18° 59' 15" E., 322.50 feet to the True Point of Beginning.

Together with an easement and right of way for ingress and egress and all utility purposes (until alternate access is provided through the land to the East) which easement and right of way is described as follows:

A strip of land 20.00 feet in width running from State Highway 75, the centerline of which is described as follows:

Commencing at the most Southerly corner of Tax Lot No. 5993; thence N. 18° 59' 15" W., 150.00 feet along the Easterly boundary of State Highway 75 to the True Point of Beginning; thence N. 76° 50' 46" E., 243.96 feet; thence S. 73° 15' 00" E., 214.36 feet to the Southerly Boundary of Tax Lot No. 5992, and the side lines said 20.00 foot easement to be extended or shortened to meet at the angle points and to terminate at the East Boundary of State Highway 75.

Along with any and all water rights pertinent to said property.

SUBJECT TO those matters shown as exceptions to title on Exhibit A attached hereto.

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 fee simple of said premises; that said premises are free from all encumbrances except those matters shown as exceptions to title on Exhibit A attached hereto.

Dated: September 18, 2001

Susan S. Lane
Susan S. Lane

Patricia C. Lane
Patricia C. Lane

John R. Lane, Trustee of the John R. Lane
Revocable Trust

STATE OF Idaho

)ss.

COUNTY OF BLAINE

On this 18th day of September, 2001, before me, Paige McAllister, personally appeared Susan S. Lane, known or identified to me (or proved to me), to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

J. Paige McAllister
Notary Public of Idaho
Residing at Ketchum, Idaho
Commission Expires: 02/07/07



STATE OF Idaho

)ss.

COUNTY OF BLAINE

On this 18th day of September, 2001, before me, Paige McAllister, personally appeared Patricia C. Lane, known or identified to me (or proved to me), to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

J. Paige McAllister
Notary Public of Idaho
Residing at Ketchum, Idaho
Commission Expires: 02/07/07



STATE OF

)ss.

COUNTY OF

On this _____ day of September, 2001, before me, the undersigned Notary in and for said state, personally appeared John R. Lane, known or identified to me (or proved to me), to be the person whose name is subscribed to the within instrument as trustee of the John R. Lane Revocable Trust dated January 31, 1997, and acknowledged to me that he executed the same as such trustee.

Notary Public of
Residing at:
Commission Expires:

SEP-18-01 TUE 12:01

1ST AM-B. SERVICE

FAX NO. 208726

P. 15/23

Dated: September 18, 2001

Susan S. Lane
Susan S. Lane

Patricia C. Lane
Patricia C. Lane

John R. Lane X
John R. Lane, Trustee of the John R. Lane
Revocable Trust

STATE OF Idaho

) ss.

COUNTY OF BLAINE

On this 18th day of September, 2001, before me, Paige McAllister, personally appeared Susan S. Lane, known or identified to me (or proved to me), to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Paige McAllister
Notary Public of Idaho
Residing at Ketchum, Idaho
Commission Expires: 02/07/07



STATE OF Idaho

) ss.

COUNTY OF BLAINE

On this 18th day of September, 2001, before me, Paige McAllister, personally appeared Patricia C. Lane, known or identified to me (or proved to me), to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Paige McAllister
Notary Public of Idaho
Residing at Ketchum, Idaho
Commission Expires: 02/07/07



STATE OF Idaho

)

COUNTY OF Blaine

)

) ss:

On this 18th day of September, in the year of 2001, before me, Paige McAllister, the undersigned Notary Public in and for said state, personally appeared John R. Lane, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the John R. Lane Revocable Trustee dated January 31, 1997, and acknowledged to me that he executed the same as such Trustee.

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

Paige McAllister
Notary Public for Idaho
Residing at: Ketchum, Idaho
My Commission: 02/07/07



ORIGINAL IN RED

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

HOGUE & DUNLAP, L.L.P.
P.O. BOX 460
HAILEY, ID 83333

Instrument # 446389

HAILEY, BLAINE, IDAHO

2000-12-28 11:40:00 No. of Pages: 3

Recorded for : HOGUE & DUNLAP

MARSHA RIEMANN

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

(space above line for Recorder's use)

QUITCLAIM DEED

This Deed is executed by JOHN R. LANE, as Successor Trustee of the Trust established by the Last Will and Testament of John C. Lane dated September 3, 1974, hereinafter referred to as "Grantor," to carry out the terms of such Trust.

RECITALS

A. John C. Lane is the father of Patricia C. Lane, Susan S. Lane, and John R. Lane. Patricia C. Lane, Susan S. Lane, and John R. Lane, as Trustee of the John R. Lane Revocable Trust dated January 31, 1997, collectively are currently the owners of an undivided one-third (1/3) interest, and John R. Lane, as Successor Trustee of the Trust established by the Last Will and Testament of John C. Lane dated September 3, 1974, is currently the owner of an undivided two-thirds (2/3's) interest in the following described improved real property located in Blaine County, Idaho:

A parcel of land in Township 4 North, Range 18 East, Section 19,
Boise Meridian, Blaine County, Idaho.

Commencing at the Southeast corner of said Section 19, from which the
S1/4 corner lies N 89°44'07" W, 2668.40 feet distant;
Thence N. 64°53'27" W, 942.35 feet to the TRUE POINT OF
BEGINNING;

Thence S 71°00'45" W, 646.50 feet to the Easterly boundary of
State Highway 75;
Thence N 18°59'15" W, 300 feet along said highway boundary;
Thence N 71°00'45" E, 646.50 feet;
Thence S 18°59'15" E, 300 feet to the TRUE POINT OF BEGINNING.

The improved real property described above shall hereinafter be referred to as the "Property."

QUITCLAIM DEED - 1

EXHIBIT A

1. 2000 taxes are now due and payable. The first one-half is not delinquent until after December 20 of the current year, the second one-half is not delinquent until after June 20 of the following year. Taxes which may be assessed and entered on the property roll for 2000 with respect to new improvements and first occupancy, which may be included on the regular property, which are an accruing lien, not yet due and payable.

General taxes as set forth below. Any amounts not paid when due will accrue penalties and interest in addition to the amount stated herein:

Year	Original Amount	Amount Paid	Parcel Number	Covers
2000	\$3886.20	\$3,886.20	04N18019719A	Parcel I
2000	\$2,738.64	\$2,738.64	04N18019718A	Parcel II

Homeowners Exemption is in effect for 2000.

General taxes for the year 2001 not yet due or payable.

2. Easements, restrictions and notes, as disclosed in that certain survey, recorded July 7, 1981, as Instrument No. 216877, records of Blaine County, Idaho. (As to Parcels I and II)
3. Well agreement, by and between Jeanne R. Lane, a single woman, and Robert C. Hastings, Jr., and Mary B. Hastings, husband and wife, recorded January 2, 1985, as Instrument No. 259336, records of Blaine County, Idaho. (As to Parcel I)
4. Subject to the Easement and right-of-way for ingress and egress and all utility purposes for the Roger Parcel, as disclosed in that certain Deed recorded January 27, 1982, as Instrument No. 223292, records of Blaine County, Idaho. (As to Parcels I and II)
5. Easement agreement by and between Jeanne Rodger Moritz, formerly know as Jeanne Rodger Lane, a married woman dealing with her sole and separate property, as to an undivided $\frac{1}{2}$ interest, and Jeanne Rodger Moritz formerly known as Jeanne Rodger Lane, as trustee under the Will of John C. Lane dated September 3, 1974, as to the remaining undivided $\frac{1}{2}$ interest, (grantors), and Lane Ranch Association Inc. (grantees), recorded January 3, 1991, as Instrument No. 326703, records of Blaine County, Idaho. (As to Parcel I)
6. Easements as disclosed on the official plat of The Lane Ranch Subdivision First Phase, according to the official plat thereof, recorded as Instrument No. 306890, records of Blaine County, Idaho. (As to Parcel I)
7. Encroachment of Berms along the Westerly boundary of Parcel I onto State Highway 75, as disclosed by our inspection, dated September 17, 2001, 11:35 A.M.

B. Pursuant to the terms of the Trust established by the Last Will and Testament of John C. Lane dated September 3, 1974, the undivided two-thirds (2/3's) interest in the Property is to be conveyed in equal shares to the children of John C. Lane upon the death of John C. Lane's spouse, namely, Jeanne Lane Moritz. Jeanne Lane Moritz died on November 22, 2000.

C. Accordingly, by this Quitclaim Deed, the Successor Trustee of the Trust established by the Last Will and Testament of John C. Lane dated September 3, 1974, intends to transfer to the three (3) children of John C. Lane in equal shares, the undivided two-thirds (2/3's) interest in the Property. John R. Lane has requested his interest in the Property be titled in his name as the Trustee of the John R. Lane Revocable Trust. After this Quitclaim Deed is executed and recorded, Susan S. Lane, Patricia C. Lane, and John R. Lane, as Trustee of the John R. Lane Revocable Trust dated January 31, 1997, shall each own an undivided one-third (1/3) interest, as tenants-in-common, in the Property.

CONVEYANCE

1. Grantor hereby transfers, conveys, releases, remises, and quitclaims in equal shares to Susan S. Lane, Patricia C. Lane, and John R. Lane, as Trustee of the John R. Lane Revocable Trust dated January 31, 1997, hereinafter collectively referred to as "Grantee," as tenants-in-common, the undivided two-thirds (2/3's) interest owned by such Trust in the Property.

a. TOGETHER with all and singular tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

b. TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto Grantee, and to Grantee's heirs and assigns forever.

2. The mailing address for future real estate tax notices shall be Post Office Box 1603, Sun Valley, Idaho 83353.

Order No. 14860

WARRANTY DEED

For Value Received Jeanne Lane Moritz, formerly known as Jeanne Rodger Lane, a Widow, am a married woman dealing in my sole and separate property.

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
Jeanne Lane Moritz, Trustee of the John C. Lane Trust
whose address is: 7936 East Plaza Ave., Scottsdale, AZ, 85250

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

An undivided 1/6 interest in and to the following:

TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 19: A parcel of land more particularly described as follows:

COMMENCING at the Southeast corner of said Section 19, from which the S1/4 corner lies North 89° 44' 07" W., 2668.40 feet distant; thence N. 64° 53' 27" W., 942.35 feet to the TRUE POINT OF BEGINNING; thence S. 71° 00' 45" W., 646.50 feet to the Easterly boundary of State Highway 75; thence N. 18° 59' 15" W., 300.00 feet along said highway boundary; thence N. 71° 00' 45" E., 646.50 feet; thence S. 18° 59' 15" E., 300.00 feet to the TRUE POINT OF BEGINNING.

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 fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, 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:

Jeanne Lane Moritz
Jeanne Lane Moritz

State of ARIZONA

County of MARICOPA

On DECEMBER 27, 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Jeanne Lane Moritz 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.

WITNESS my hand and official seal.



BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.
Dad
90 DEC 28 PM 3 27
MARY GREEN, CLERK PS
FEES \$ 3.00

326581

Deeds No. 1220

X This Deed is being re-recorded to correct
the exhibit "A"
RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

326626

J. Stephen Crabtree, Esq.
HOGUE, SPECK & AANESTAD
P.O. Box 987
Ketchum, Idaho 83340

BLAINE CO. REQUEST

FIRST AMERICAN TITLE CO.

Deeds
'90 DEC 31 PM 4 05

(space above line for Recorder's Use

MARY GREEN, CLERK

GIFT DEED

326580

9⁰⁰

I, JEANNE LANE MORITZ, formerly known as Jeanne Rodger Lane, a widow, am a married woman dealing in my sole and separate property. My address is Post Office Box 12, Ketchum, Idaho 83340. I own an undivided one-half ($\frac{1}{2}$) interest in the real property, including improvements, described in Exhibit A attached hereto and incorporated herein by this reference. In consideration of love and affection, I hereby assign, convey, transfer, release, remise, and forever gift an undivided one-sixth ($\frac{1}{6}$) ownership interest in and to said improved real property, in equal undivided shares, to my three (3) children, namely JOHN RODGER LANE of 1123 Greenwich Street, San Francisco, California (94109), PATRICIA CRANDALL LANE of Post Office Box 1603, Sun Valley, Idaho (83353), and SUSAN SLOAN LANE of 1286 Carmelita Dr., Sierra Vista, Arizona (85635) as tenants-in-common.

DATED this 26 day of December, 1990.

DONOR:

Jeanne Lane Moritz
JEANNE LANE MORITZ, formerly
Jeanne Rodger Lane

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this 26th day of December, 1990, before me, the undersigned Notary Public in and for said state, personally appeared JEANNE LANE MORITZ, formerly Jeanne Rodger Lane, known

GIFT DEED -1

or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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


Notary Public for Arizona
Residing at: Scottsdale, Arizona
Comm. Expires: My Commission Expires Sept 30, 2004



Order No. 14860
Legal Description

Exhibit "A"

TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO.

Section 19: A parcel of land more particularly described as
follows:

COMMENCING at the Southeast corner of said Section 19, from which
the S1/4 corner lies North $89^{\circ} 44' 07''$ W., 2668.40 feet distant;
thence
N. $64^{\circ} 53' 27''$ W., 942.35 feet to the TRUE POINT OF BEGINNING;
thence
S. $71^{\circ} 00' 45''$ W., 646.50 feet to the Easterly boundary of State
Highway 75; thence
N. $18^{\circ} 59' 15''$ W., 300.00 feet along said highway boundary; thence
N. $71^{\circ} 00' 45''$ E., 646.50 feet; thence
S. $18^{\circ} 59' 15''$ E., 300.00 feet to the TRUE POINT OF BEGINNING.

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



Lois B. McDonald
Notary Public for
Residing at: *Scottsdale AZ*
Comm. Expires: *My commission expires Apr. 23, 1993*

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

✓ J. Stephen Crabtree, Esq.
HOGUE, SPECK & AANESTAD
P. O. Box 987
Ketchum, Idaho 83340

BLAINE CO. REQUEST

OF Hogue, SpeckDeed

1991 APR 26 P 2:55

329563

MARY GREEN, CLERK PS
FEES \$ 9.00

(space above line for Recorder's Use)

GIFT DEED

I, JEANNE LANE MORITZ, formerly known as Jeanne Rodger Lane, a widow, am a married woman dealing in my sole and separate property. My address is Post Office Box 612, Ketchum, Idaho 83340. I own an undivided one-sixth (1/6) interest in the real property, including improvements, described in Exhibit A attached hereto and incorporated herein by this reference. In consideration of love and affection, I hereby assign, convey, transfer, release, remise, and forever gift said undivided one-sixth (1/6) ownership interest in and to said improved real property, in equal undivided shares, to my three (3) children, namely JOHN RODGER LANE of 1123 Greenwich Street, San Francisco, California (94109), PATRICIA CRANDALL LANE of Post Office Box 1603, Sun Valley, Idaho (83353), and SUSAN SLOAN LANE of 1286 Carmelita Dr., Sierra Vista, Arizona (85635) as tenants-in-common.

DATED this 16 day of April, 1991.

DONOR:

Jeanne Lane Moritz
JEANNE LANE MORITZ, formerly
Jeanne Rodger Lane

STATE OF ARIZONACounty of MARICOPA

On this 16th day of April, 1991, before me, the undersigned Notary Public in and for said state, personally appeared JEANNE LANE MORITZ, formerly Jeanne Rodger Lane, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

EXHIBIT "A"

TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO.

Section 19: A parcel of land more particularly described as
follows:

COMMENCING at the Southeast corner of said Section 19, from which
the S1/4 corner lies North 89° 44' 07" W., 2668.40 feet distant;
thence
N. 64° 53' 27" W., 942.35 feet to the TRUE POINT OF BEGINNING;
thence
S. 71° 00' 45" W., 646.50 feet to the Easterly boundary of State
Highway 75; thence
N. 18° 59' 15" W., 300.00 feet along said highway boundary;
thence
N. 71° 00' 45" E., 646.50 feet; thence
S. 18° 59' 15" E., 300.00 feet to the TRUE POINT OF BEGINNING.

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: A37-04248

Date Received: 12/21/1988

Receipt No: C004271

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEANNE LANE MORITZ
Address: P.O. BOX 612
KETCHUM, ID 83340
208-726-3489

2. Date of Priority: JUN 01, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	18E	19	NW	SE	SE		BLAINE

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.100		
RECREATION	01/01	12/31	0.002		
IRRIGATION	04/01	11/01	0.020		

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

A.F.A.

8. Total consumptive use is 2.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HOMES, R/SWIMMING POOL & JACUZZI

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	18E	19	SE	SE		DOMEST	

A37-04248

Page 1

Date: 01/25/89

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	19	SE	SE		IRR	1.0
			SE	SE		REC	
						Section Acres	1.0
						Total Acres	1.0

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:

14. Remarks:

FIRST HOUSE WAS BUILT AND THE WELL DRILLED APPROX. 6/1/1940.
THE OTHER MAIN RESIDENCES WERE BUILT IN 1949 AND 1950. THE
SWIMMING POOL WAS ADDED WITH THE GUEST HOUSE IN 1978.

15. Basis of Claim: STATUTORY CLAIM

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

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

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: 39356
Ident Number A37-04248
Date Received 10-4-88
Receipt Number C004271

RECEIVED

OCT 4 1988

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Jeanne Lane Moritz
Phone: (208) 726-3489
Mailing Address: P.O. Box 612, Ketchum, ID 83340
2. Date of Priority: June 1, 1940
3. Source of water supply (a) Groundwater
which is tributary to (b)
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
4N	18E	19	NW	SE	SE		Blaine

Additional points of diversion if any: None

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

5. Description of existing diversion works: Well and pump with underground pipeline distribution system to each residence and the pool.

COPY

MICROFILMED
FEB 23 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Domestic	January 1	December 31	0.10 cfs
Irrigation	April 1	November 1	0.02 cfs
Recreation	January 1	December 31	0.002 cfs

7. Total Quantity Claimed: 0.122 cfs

8. Total consumptive use claimed is 2.5 acre feet per annum.

9. Non-irrigation uses: Domestic - four (4) households; recreation - One (1) swimming pool and jacuzzi.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
4N	18E	19	SE	SE	I/D/R	1

Total number of irrigated acres: 1

11. Place of use is located in Blaine County.

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

13. Describe other water rights used? None.

14. Remarks: A single well provides water to four (4) households (three main residences and one guest house) for domestic use and the irrigation of approximately one acre of lawn. The first house was built and the well drilled approximately June 1, 1940. The other main residences were built in 1949 and 1950. The swimming pool was added with the guest house in 1978.

COPY

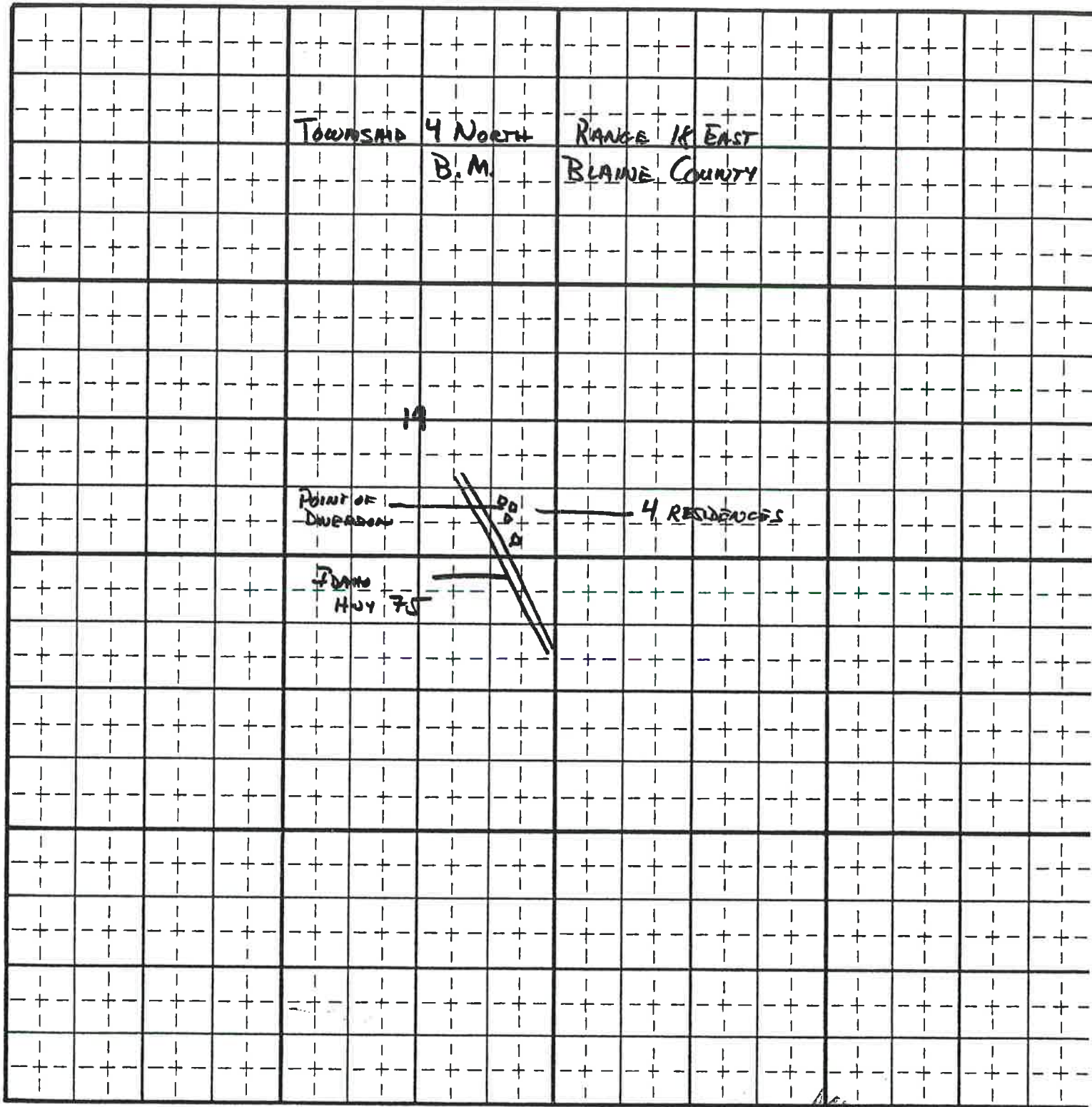
MICROFILMED
FEB 23 1993

Last Name: Moritz.

Ident No. _____

Map of Project: show clearly the place of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name

MORITZ

Ident No.

Copies: White-State, Yellow-Claimant

CCNY

MICROFILMED
FEB 23 1992

15. Basis of Claim: Beneficial use.
IDWR Water Right Number: 37-4248
Court:
Case Number:
Decree Date:
Plaintiff v. 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 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) Jeane Lane Moritz Date 9/29/88

Date _____

State of IDAHO)
County of BLAINE) ss.

Subscribed and sworn before me this 29th day of September, 19 88.

Notary Public James P. Speck
Residing at East Fork, ID
Commission Expires 1/22/91

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 9/29/88

Last Name: Moritz Ident No.: _____

COPY

MICROFILMED
FEB 23 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

AUGUST 5, 1982

JOHN C. LANE, MRS.
P. O. BOX 612
KETCHUM

ID 83340

RE: Claim No. 37-4248

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

Notice is hereby given that Mrs John C. Lane.
(Name of Claimant)

P.O. Box 612 Ketchum, IDA 83340 Telephone No. 726-3489
(Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) 1940

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

(2) Groundwater is a tributary to the river

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.16 cfs</u>	Use	<u>Domestic</u>	Period of Use From <u>JAN</u>	To <u>Dec</u>
Quantity	<u>0.04 cfs</u>	Use	<u>Recreation</u>	Period of Use From <u>JAN</u>	To <u>Dec</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) 0.70 GFS TOTAL QUANTITY USED.
(cfs, gpd, AFA)

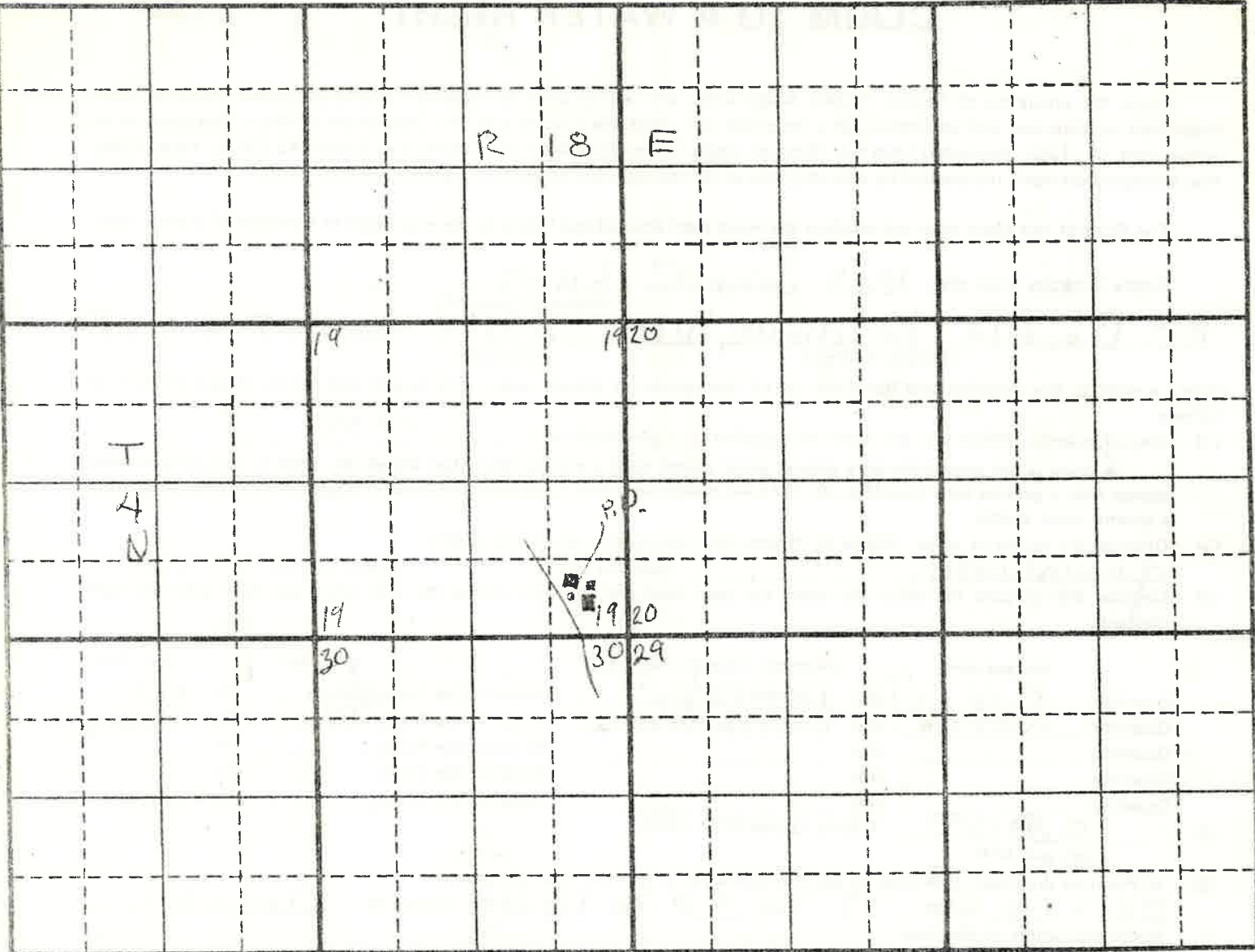
(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 19 Twp. 4 N, Rge. 18 E B.M., County of Blaine
 Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. pump motor well

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

x Mary A. Lane
(Claimant)

Sworn to before me this 15 day of June, 1982

Mary A. Rice
Notary Public
Residing at Twin Falls, id.

My commission expires Life

FOR DEPARTMENT USE ONLY			
Received by <u>Larry L. Lipp</u>	Date <u>6/15/82</u>	Exception filed by:	Date
Prelim. check by <u>FLS</u>	Date <u>6-21-82</u>	Forwarded to claimant by:	
30 \$20.00 fee received by <u>Mary A. Lane</u>	Date <u>6/17/82</u>	# <u>20831</u>	
Published in <u>Wood River Journal</u>			
Dates <u>7/15 & 7/22/82</u>			

03/17/2011

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

RIGHT NUMBER: 37-4248

NAME AND ADDRESS: EVERGREEN VENTURES LLC
228 108TH AVE NE STE 320
BELLEVUE WA 98004

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.110 CFS
5.80 AFY

PRIORITY DATE: 06/01/1950

POINT OF
DIVERSION:

T04N R18E S19 SESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.030 CFS
		4.00 AFY
DOMESTIC	01/01 12/31	0.080 CFS
		1.80 AFY

Domestic use is for 2 homes plus guest house and swimming pool with spa,
yard use is not included in domestic.

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S19 SESE 1.0

DOMESTIC in BLAINE County

T04N R18E S19 SESE

1.0 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 - Beneficial Use

03/17/2011

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

RIGHT NUMBER: 37-4248

NAME AND ADDRESS: EVERGREEN VENTURES LLC
228 108TH AVE NE STE 320
BELLEVUE WA 98004

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.110 CFS
5.80 AFY

PRIORITY DATE: 06/01/1950

POINT OF
DIVERSION:

T04N R18E S19 SESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.030 CFS 4.00 AFY
DOMESTIC	01/01 12/31	0.080 CFS 1.80 AFY

Domestic use is for 2 homes plus guest house and swimming pool with spa,
yard use is not included in domestic.

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S19 SESE 1.0

DOMESTIC in BLAINE County

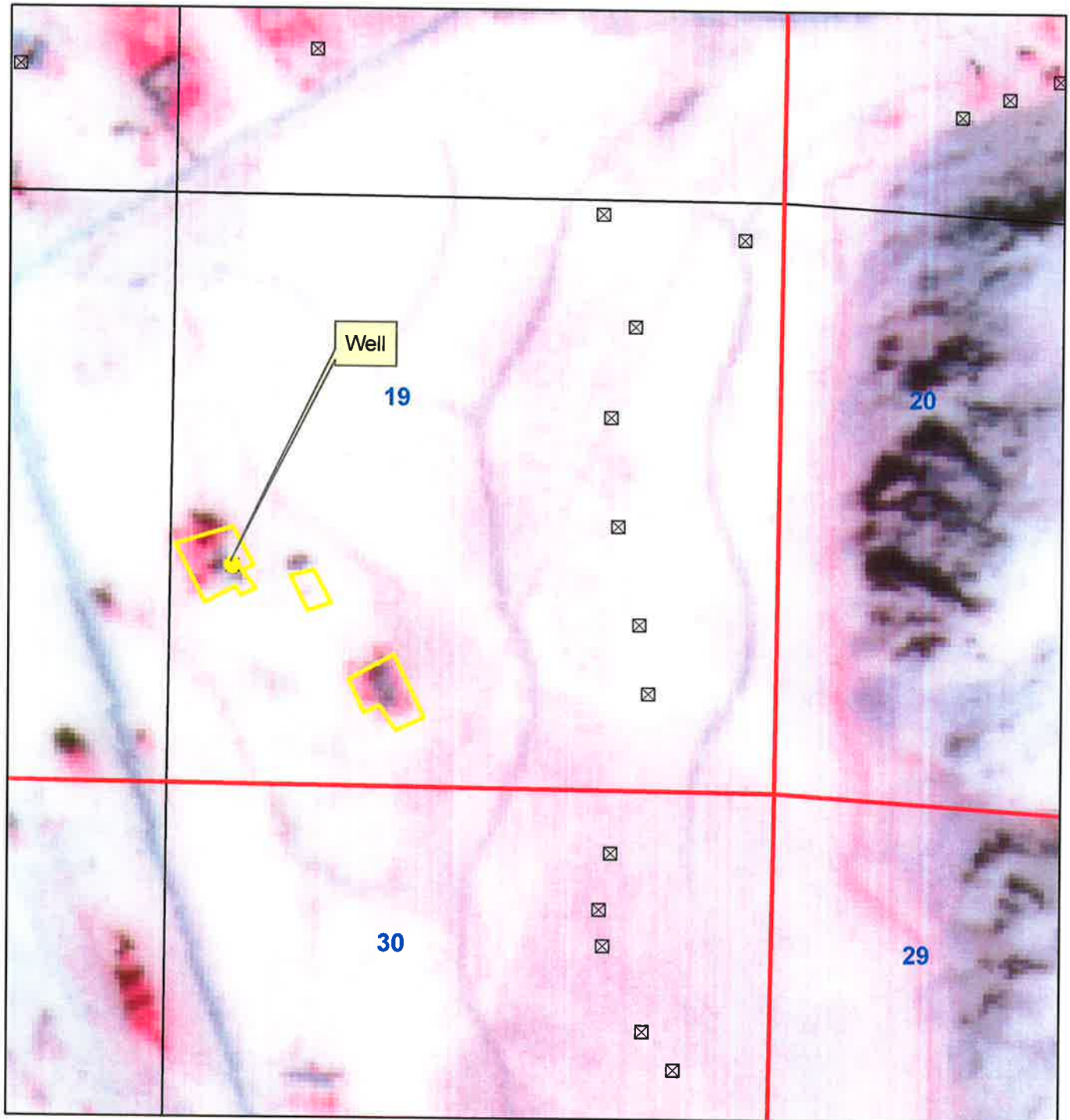
T04N R18E S19 SESE

1.0 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 - Beneficial Use



37-4248
Amended Director's Report

D.Jones
11-24-2008



37-4248
8-9-1969 Photo

D.Jones
11-24-2008



37-4248
8-7-2004 Photo

D.Jones
11-24-2008

11/24/2008

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

RIGHT NUMBER: 37-4248

NAME AND ADDRESS: EVERGREEN VENTURES LLC
228 108TH AVE NE SUITE 320
BELLEVUE WA 98004

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.130 CFS
4.300 AFY

PRIORITY DATE: 06/01/1950

POINT OF DIVERSION:

T04N R18E S19 SESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.030 CFS 2.50 AFY
DOMESTIC	01/01 12/31	0.100 CFS 1.80 AFY
Domestic use is for 4 homes and swimming pool, yard use is not included in domestic.		

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S19 SESE 0.70

DOMESTIC in BLAINE County

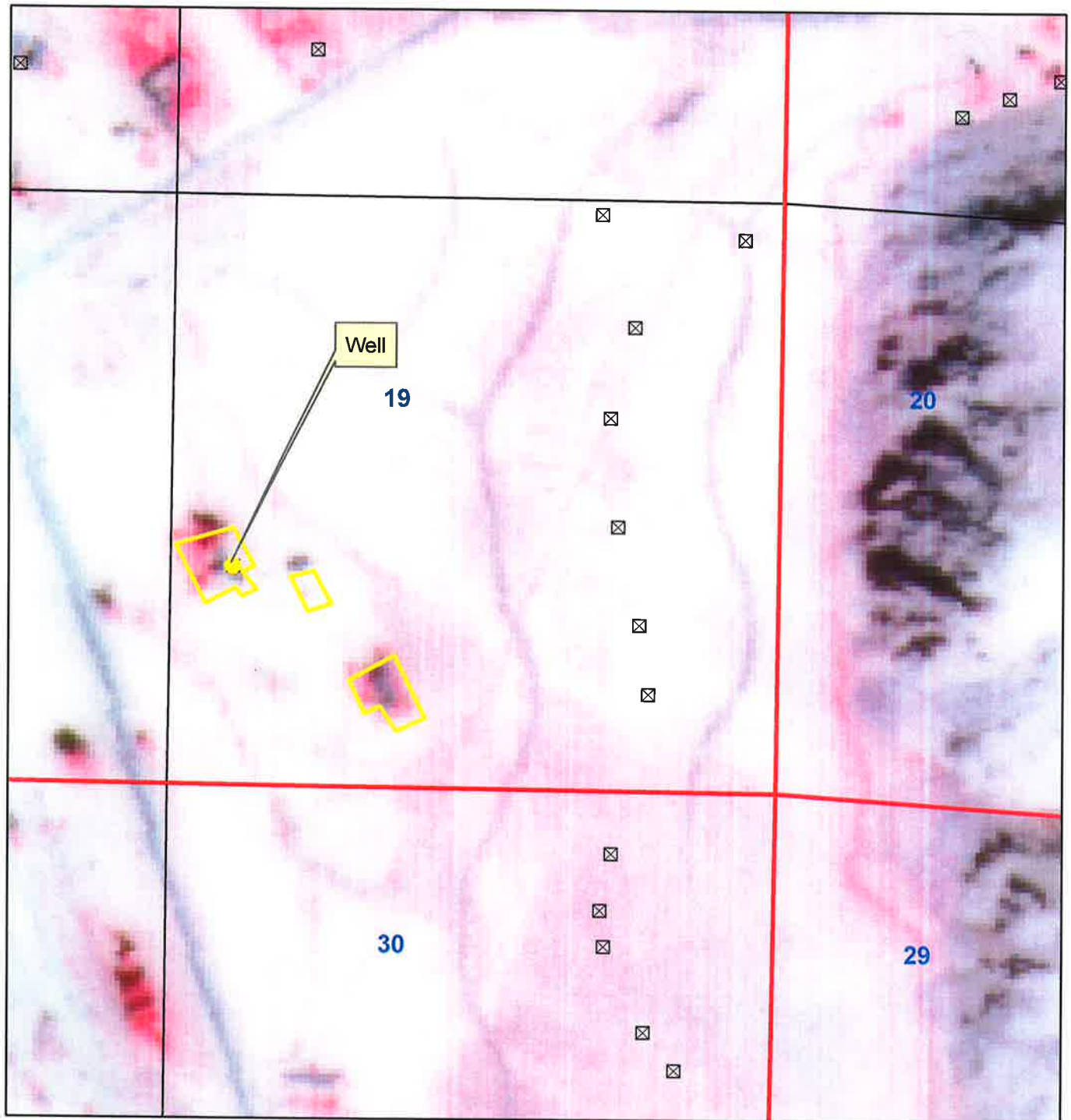
T04N R18E S19 SESE

0.7 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 - Beneficial Use



37-4248 Amended Director's Report

D.Jones
11-24-2008

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 0.08 cfs
4. ☒ **Priority Date**
Should be: June 1, 1940
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**

☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): Recommendation does not reflect actual and historical beneficial use.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4248 V1

WATER RIGHT NUMBER: 37-4248 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MRS JOHN C LANE PO BOX 612 KETCHUM, ID 83340
Current Owner	EVERGREEN VENTURES LLC 228 108TH AVE NE SUITE 320 BELLEVUE, WA 98004 (206)910-2039
Attorney	HAEMMERLE & HAEMMERLE PO BOX 1800 HAILEY, ID 83333 (208)578-0520
Previous Owner	JEANNE LANE MORITZ PO BOX 612 KETCHUM, ID 83340 (208)726-3489

Priority Date: 06/01/1950

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION	01/01 to 12/31	0.002 CFS	
IRRIGATION	04/15 to 10/31	0.060 CFS	9.80 AF
DOMESTIC	01/01 to 12/31	0.100 CFS	
	<u>Total Diversion:</u>	0.162 CFS	9.80 AF

Location of Point(s) of DiversionGROUND WATER
BLAINE County

SE1/4SE1/4

Sec. 19, Twp 04N, Rge 18E, B.M.

Place of Use

RECREATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	18E	19	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	X

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4248 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 18E 19																2.8	2.8

Total Acres: 2.8

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	18E	19																X	

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
3. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
4. X01 Domestic use is for 3 homes.

Remarks:Comments:

1. mciscell 12/30/2006 Priority Date

Comment: Changed priority date to date when all domestic use was using well per affidavit.

2. mciscell 12/30/2006 Receipt

Comment: Check on whether additional fees were paid for additional 1.8 acres.

3. dfavreau 2/7/2007 Updated Conditions

Comment: Hi Carter, I was going through my notes and adding the comments as requested when I came across 2 rights that may need to be looked at: 37-4248 - Has N11, paid \$52.00 for 2.8 acres of irrigation. Shouldnt the codes be N10 and N12? [Fritschle, Carter] Yes, please make the changes 2-7-07

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4248 V1

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			12/30/2006	mciscell	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	11/3/2006 4:56:09 PM	CFRITSCH	Bulk Copy
POD	12/30/2006 1:38:30 PM	mciscell	Updated shape
POU	12/30/2006 1:19:18 PM	mciscell	Updated shape for Active POU
Summary	12/30/2006 1:43:53 PM	mciscell	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (Yes) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	12/30/2006 1:18:55 PM	mciscell	Updated shape for Active POU
POU	12/30/2006 1:17:51 PM	mciscell	Updated shape for Active POU

Idaho Department of Water Resources

SRBA Recommendation:

37-4248

(Irrigation)

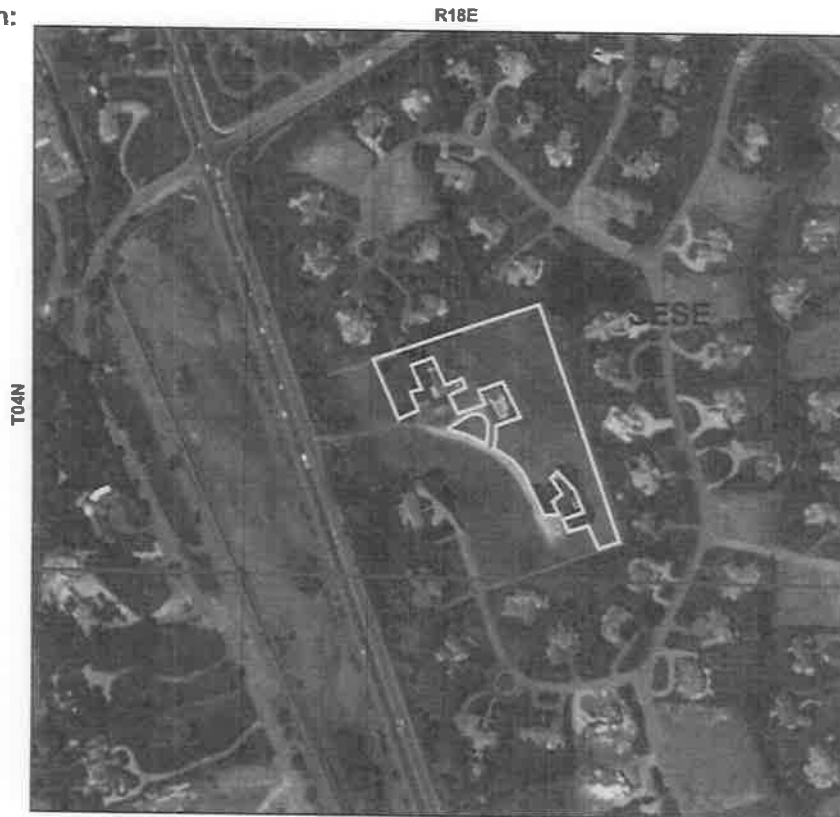
Legend

Place of Use
Townships
PLS Sections
Quarter Quarters



Line County
/R Basin 37

y M. Ciscell
y, January 6, 2007
Photography



0 0.1 0.2 Miles

Clark, Cynthia (Bridge)

From: Christensen, Kelly
Sent: Thursday, November 30, 2006 4:36 PM
To: Clark, Cynthia (Bridge)
Subject: FW: Lane Houses / Evergreen Ventures 37-4248

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

From: Fritz Haemmerle [mailto:fxh@haemlaw.com]
Sent: Thursday, November 30, 2006 2:58 PM
To: Christensen, Kelly
Subject: FW: Lane Houses / Evergreen Ventures

Kelly:

Here is the information we discussed.

I will be at your office (December 1st) with my power of attoreney to sign an amended claim

Thank you.

Fritz X. Haemmerle

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

From: CLPE2@aol.com [mailto:CLPE2@aol.com]
Sent: Friday, November 03, 2006 1:07 PM
To: fxh@haemlaw.com
Cc: doro@hdlaw.biz; Shared101@aol.com
Subject: Lane Houses / Evergreen Ventures

Fritz,

Attached please find a an aerial map from 1983 (in a .pdf format) that has the current Evergreen Ventures property boundary superimposed upon it. As directed, I have also closely reviewed the photos and made interpretations of where I believe the "historic" irrigation occurs on the property. (Note: mow lines, flood irrigation and other symmetrical patterns). Also, note the ball diamond just south of the (Ferdurko) house.

The calculation provided indicate that Cay and John could make a claim of 2.78 acres under irrigation versus the current claim of 1.0 acre under irrigation. As discussed, it is in Cay and John's best interest to amend their existing SRBA Claim (H20 Right 37-4248) using the attached photo as verified by affidavit from Patricia Lane.

To amend the claim, it my understanding that the following steps are required:

- attain Patricia Lane's affidavit, which would verify that subject 2.78 acres noted in the photo were indeed irrigated. There may be adjustments that she recommends and, accordingly, we would make these changes and amend note 3 on the photo to show Patricia as the attesting party.
- receive a limited power of attorney from Cay and John that would permit you to file the amendment before the December 14th IDWR filing deadline.

FYI - all the irrigation is occurring in the SESE of T4N, R18E, Section 19

To expedite matters I have copied both Terry Hogue's office and Cay/John on this e-mail. Let me know if you need anything further from me to file this amended claim.

Thanks, John

Corporation for Land Planning & Engineering

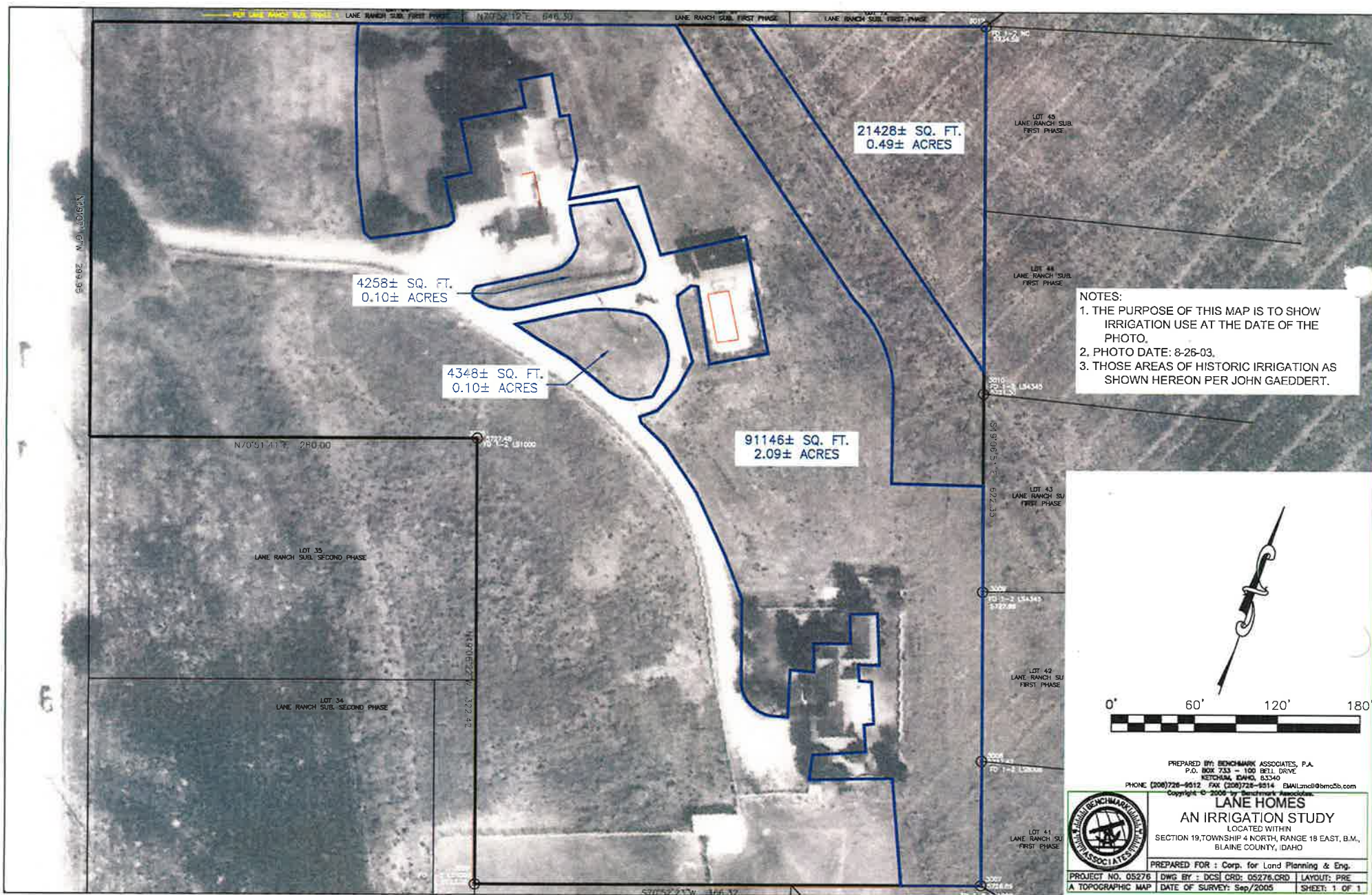
12/3/2006

John D. Gaeddert, AICP

[Handwritten signature]

1 Quigley Road, Box 2368, Hailey, ID 83333
(208) 788-2022 / 788-7772 Fax / 720-5049 Cell

clpe2@aol.com



FRITZ X. HAEMMERLE
HAEMMERLE & HAEMMERLE
P.O. Box 1800
400 South Main Street, Suite 102
Hailey, Idaho 83333
Tel: (208) 578-0520
Fax: (208) 578-0564
ISB #3862

Attorneys for Claimants

RECEIVED
JUN 29 2005
Department of Water Resources
Southern Region

RECEIVED
OCT 12 2006
DEPARTMENT OF
WATER RESOURCES

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,	)	Water Right 37-04248
	)	
Case No. 39576	)	AFFIDAVIT OF PATRICA C. LANE
	)	
	)	
	)	

STATE OF IDAHO,)
) ss.
County of Blaine.)

PATRICA C. LANE, being sworn upon oath, deposes and states as follows:

1. I am one of the daughters of the claimant, Jeanne Lane Mortiz, for water right 37-04248. I make the averments contained herein of my own personal knowledge and would testify to the facts as presented herein if called upon to do so.

2. I was born September 15, 1948, in Sun Valley, Idaho. After I was born, I lived in the residence (hereinafter "house") where water right 37-04248 was claimed. The land where the house was located originally belonged to my grandparents, John P. and Adeline C. Lane. The land was originally an operational sheep farm. Until the land was subdivided in the 1980's, our house along with homes owned by both sets of my grandparents where the only residences on the ranch.

AFFIDAVIT OF PATRICA C. LANE - 1

SCANNED
OCT 17 2006

The ranch is now known as the Lane Ranch Subdivision. My family retained approximately seven (7) acres where the residences described in this Affidavit are located.

3. During World War II, my father, John ("Pete"), was in the war, and my mother, Jeanne, lived in Chicago. After the war, in approximately 1945, my parents returned to the home where water right 37-04248 is located. I lived in the house, on and off, until my mother died in 2000. Based on what my parents told me, I believe the house was built at least as early as 1940. The yard and the house have remained the same since my childhood. The pool for the house was built in 1978.

4. Our house was the original house on the ranch. Again, I believe the house was built on or about 1940. Thereafter, my grandparents built their homes: one was built on or about 1949 and the other was built on or about 1950. All the houses were served by the one original well. The well has been in its current location since I can remember.

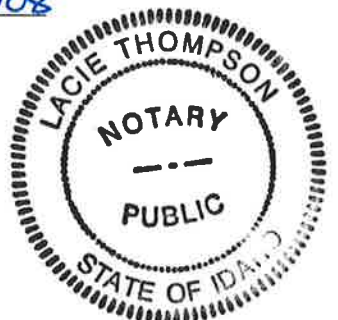
FURTHER YOUR AFFIANT SAYETH NOT.

DATED this 17 day of June, 2005.


PATRICA C. LANE

SUBSCRIBED AND SWORN to before me this 17th day of June, 2005.


NOTARY PUBLIC FOR IDAHO
Residing at: Ketchum, ID
Commission expires: 1/14/2008



HAEMMERLE & HAEMMERLE, P.L.L.C.

Attorneys & Counselors at Law

Fritz X. Haemmerle
Jennifer L. K. Haemmerle

P. O. Box 1800
Hailey, ID 83333

400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

June 17, 2005

RECEIVED
JUN 20 2005
Department of Water Resources
Southern Region

IDWR Southern Region
c/o Doug Jones
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Response to Request for Information – Water Right 37-04248

Dear Doug:

As requested, please find enclosed an Affidavit of Patricia C. Lane regarding evidence of priority date for water right 37-04248.

If anything else is required, please do not hesitate to call. Thank you.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.



Fritz X. Haemmerle

FXH: fxh
Encl.

SCANNED

Box 83720
83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
02 1A \$ 00.87⁰
0004310839 JAN 08 2007
MAILED FROM ZIP CODE 83702

RECEIVED

JAN 18 2007

DEPARTMENT OF
WATER RESOURCES

37-4248

EVERGREEN VENTURES LLC
AVE NE SUITE 320
0004



ATTEMPTED,
NOT KNOWN

EVER228 9800
UNABLE TO

NO FORWARD ORDER ON FILE

RETURN TO POSTMASTER
OF ADDRESSEE FOR REVIEW



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

April 15, 2005

37-4248
MORITZ
PO BOX 612
KETCHUM ID 83340

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-4248

WATER RIGHT NUMBER: 37-4248

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Original Owner	MRS JOHN C LANE PO BOX 612 KETCHUM, ID 83340
Current Owner	JEANNE LANE MORITZ PO BOX 612 KETCHUM, ID 83340 (208)726-3489

Priority Date: 06/01/1940

Basis: Statutory Claim

Status: Active

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

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION	1/01 to 12/31	0.002 CFS	
IRRIGATION	4/01 to 11/01	0.020 CFS	
DOMESTIC	1/01 to 12/31	0.100 CFS	
<u>Total Diversion:</u>		0.122 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4SE1/4	Sec. 19, Twp 04N, Rge 18E, B.M.
BLAINE County		

Place of UseRECREATION Within BLAINE County

T04N R18E S19 SESE

IRRIGATION Within BLAINE County

T04N R18E S19 SESE 1.0

Total Acres: 1

DOMESTIC Within BLAINE County

T04N R18E S19 SESE

Conditions of Approval:Remarks:

- General FIRST HOUSE WAS BUILT AND THE WELL DRILLED APPROX. 6/1/1940.
THE OTHER MAIN RESIDENCES WERE BUILT IN 1949 AND 1950. THE SWIMMING POOL
WAS ADDED WITH THE GUEST HOUSE IN 1978.
CONFORMED ATTORNEY MAILING ADDRESS DMS

Comments:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

POSTAGE
3361 \$00.370 APR 15 2005
4860 MAILED FROM ZIP CODE 83301

LANE612 833402012 1104 06 04/18/05
FORWARD TIME EXP RTN TO SEND
LANE 3739 N VERSAILLES AVE
DALLAS TX 75209-6231
RETURN TO SENDER

EVIDENCE OF PRIORITY

A GUIDE TO
SOURCES WHICH
MAY CONSTITUTE
PROOF OF THE
PRIORITY DATE
OF YOUR WATER RIGHT



IDAHO DEPARTMENT OF WATER RESOURCES
FEBRUARY 2005

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

September 30, 1988

Idaho Department Of Water Resources
2148 4th Ave. East
Twin Falls, ID 83301
Attn: Jim Stanton

RECEIVED

OCT 4 1988

Re: Snake River Basin Adjudication
Notices of Claims to Water Rights
Mrs. Jeanne Lane Moritz
37-4248

Department of Water Resources
Southern Region Office

Dear Jim:

Enclosed you will find the original and one copy of a Notice of Claim to Water Right which we have prepared on behalf of Mrs. Jeanne Lane Moritz for the following- described water right:

1. 37-4248.

Also enclosed is our check to cover the filing fee for this Claim.

Please stamp the copy of the claim to confirm its receipt and filing with the Department, and then return it to me in the stamped and addressed envelope which I have also enclosed for that purpose. Kindly call if you have any questions.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

Jim
James P. Speck

JPS/
cc: Mrs. Jeanne Lane Moritz

MICROFILMED
FEB 23 1993

Water Right Number - 37-04248

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***

LANE

MRS. JOHN C.

1 - P. O. BOX 612

2 -

3 -

City- KETCHUM

State- ID Zip- 83340

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/01/1940 17 S - STATUTORY CLAIM+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

04N 18E 19 SE SE (13) BLAINE

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.160
46 - RECREATION 01/01 12/31 0.040+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.200+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
04N 18E 19 SE SE 43 DOMESTIC (13) BLAINE

Total Acres:

+ - - Diversion Means - WELL, PUMP

+ - - Non-Irrigation Use - D/4 HOMES, R/SWIMMING POOL & JACUZZI

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
No Remarks found.+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Microfilm Rolls -

MICROFILMED
FEB 23 1993

Water right number - 37-04248

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields - 05/21/86

05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/21/1986	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED
FEB 23 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Moritz

CLAIM - INT. NO.

A37-04248

DATE RECEIVED

10-4-88

CK #

0004271

AMOUNT \$

1. Is the name and address complete with zip code?

YES

NO

2. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

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. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct?

Exempt

If this claim is based on an existing water right, has the identification number been entered?

N/A

Should this claim be receipted and data entered?

Claim checked by:

RLS

MICROFILMED
FEB 23 1988

Comments: possible disallowal due to remarks