

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 37-4267
Date Received: 9/16/1988
Receipt No: S002238
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

IDAHO RANCH LLC Phone: (949) 675-1590
2296 CHANNEL RD
NEWPORT BEACH CA 92661

2. Date of Priority: 04/01/1935

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	35	NW NE	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	0.3	

7. Total Quantity Appropriated is:
0.3 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
02N	18E	35	NW	NE	IRRIGATION	9
					Section Acres	9
					Total Acres	9

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

P/D & P/U WITHIN TAX LOT 97.

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 4, 2004

IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH CA 92661

Re: SRBA Claim(s) 37-4267

Dear Claimants:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,



Trish Fawcett
Technical Records Specialist

Enc.

37-4267

Claimants Names:
Idaho Ranch, LLC

RECEIVED
DEC 08 2005
Department of Water Resources
Southern Region

Attorney Name & Address:
James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752

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

In Re SRBA

Case No. 39576

)
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)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

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

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Idaho Ranch, LLC, for the following water rights which are not the subject of any subcases: 37-4267.

DATED this 6th day of December, 2005.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of December, 2005, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

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

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

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

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

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

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


JAMES P. SPECK

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
APR 15 2004
WATER RESOURCES
WESTERN 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>37-11337</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>37-11338</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>37-4267</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>

RECEIVED
APR 19 2004
 Department of Water Resources
 Western Region

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) THE EVANS REVOCABLE TRUST
42 FOX HOLLOW GULCH, BELLEVUE, ID 83313
4. New Owner/Claimant(s) IDAHO RANCH, LLC - Edward J. Lobel, MM
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
2296 Channel Road
 New Mailing Address
Newport Beach, Ca 92661
 City, State and ZIP Code
949-675-1590
 New Telephone Number
 5. Date you acquired the property March 18, 2004

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) _____
(include title if applicable) MANAGING MEMBER

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 <u>DB</u>	Date <u>4.15.04</u>	Fee <u>\$25 - Ea.</u>	
Receipted by <u>DB</u>	Date <u>4-15-04</u>	Receipt No. <u>W031546</u>	
Processed by _____	AJ Date _____	WR _____	Date _____



BCT #19924069

This form furnished by
Blaine County Title, Inc.

WARRANTY DEED

For Value Received WELLINGTON WESLEY IVIE AND DIXIE IVIE, HUSBAND AND
WIFE,the Grantor hereby grants, bargains, sells, conveys and warrants unto WILLIAM H. AND HELEN
EVANS, OR THEIR SUCCESSORS, TRUSTEES OF THE EVANS 1992 REVOCABLE
TRUST DATED MAY 14, 1992

the Grantee whose current address is: P.O. BOX 2408, SUN VALLEY, ID 83353

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE
INCORPORATED HEREIN.Subject to adverse claim to any portion of the land herein
described which lies below the mean high water mark of the
Broadford slough, aka the Rockwell Bypass Waterway, or on the
northerly or easterly side thereof and matters as shown on
that record survey prepared by Benchmark Associates, dated
April 8, 1992, and easements of record.

340878
BLAINE CO. REQUEST
BLAINE COUNTY TITLE
Recd
'92 MAY 18 AM 9 16
MARY GREEN, CLERK
Fees \$ 12.00
MJP

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

Dated:

May 14, 1992

Wellington W. Ivie
WELLINGTON WESLEY IVIE

Dixie Ivie by Wellington Wesley Ivie Her
DIXIE IVIE BY WELLINGTON WESLEY IVIE HER
ATTORNEY IN FACT *Wellington Wesley Ivie*

Attorney in Fact

STATE OF IDAHO, COUNTY OF

C. 15th day of MAY, 1992,
before me a Notary Public in and for said State, personally appeared

WELLINGTON WESLEY IVIE

identified to me on the basis of satisfactory evidence or known to me
to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he executed the same.

Wesley Ivie
Notary Public,
Residing at *Hailey*
Idaho.

STATE OF IDAHO, COUNTY OF

HEREBY CERTIFY That this instrument was filed for record at the
request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____,
19 _____, in my office and duly recorded in Book _____
of _____ pages at page _____

Ex-Officio Recorder.

By _____ Deputy

Fees, \$
Mail to:

Township 2 North, Range 18 East of the Boise Meridian, Blaine County, Idaho,

Section 35: That portion of the NW 1/4 NE 1/4 designated on Blaine Count Tax assessor's Rolls as Tax Lot 97, being more particularly described as follows: Beginning at a point 531.1 feet South of the N 1/4 corner of Section 35, Township 2 North, Range 18 EBM; thence

South 768.9 feet to the Southwest corner of the NW 1/4 NE 1/4 of Section 35; thence
East 1320 feet to the Southeast corner of said NW 1/4 NE 1/4; thence
North 560 feet to a point on the South side of Broadford slough; thence
South 65 degrees 14' West 212 Feet; thence
South 16 degrees 28' West 131.3 feet; thence
South 54 degrees 34' West 184.7 feet; thence
South 78 degrees 47' West 126.5 feet; thence
South 44 degrees 31' West 63 feet; thence
South 21 degrees 36' West 93.6 feet; thence
South 70 degrees 51' West 81.9 feet; thence
North 63 degrees 37' West 90.2 feet; thence
North 17 degrees 13' West 94.8 feet; thence
North 13 degrees 12' East 261 feet; thence
North 4 degrees 18' West 115.3 feet; thence
North 7 degrees 09' East 175 feet; thence
North 73 degrees 40' West 360 feet; thence
South 78 degrees 34' West 283.4 feet to the point of the beginning,
being 15.498 acres, more or less

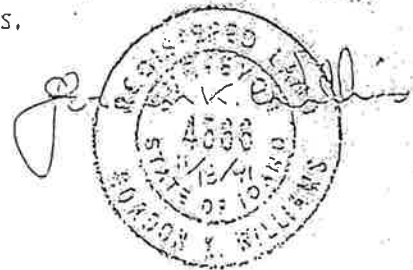
EXHIBIT

A PARCEL OF LAND LOCATED IN SECTION 35, TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the North quarter corner of said section 35; thence $S00^{\circ}15'12''W$, 551.1 feet along the center of section line to the TRUE POINT OF BEGINNING.

Thence $N00^{\circ}15'12''E$, 46.49 feet along said center of section line to the Southwest corner of tax lot 6467; thence along the South line of said tax lot 6467 $N78^{\circ}34'00''E$, 278.09 feet to the Southwest corner of tax lot 6460; thence along the South boundary of said tax lot 6460 $S73^{\circ}40'00''E$, 330.40 feet to the Southeast corner of said tax lot 6460 which is also a point on the West line of tax lot 6459; thence $S73^{\circ}40'00''E$, 22.40 feet to an angle point on the west line of said tax lot 6459; thence $S07^{\circ}09'00''W$, 23.51 feet along said west line to a point on the North line of tax lot 6429; thence $N73^{\circ}40'00''W$, 339.71 feet to an angle point on the North line of said tax lot 6429; thence $S75^{\circ}12'09''W$, 292.10 feet along the North line of tax lot 6429 to the TRUE POINT OF BEGINNING.

The above described parcel contains 0.43 acres.

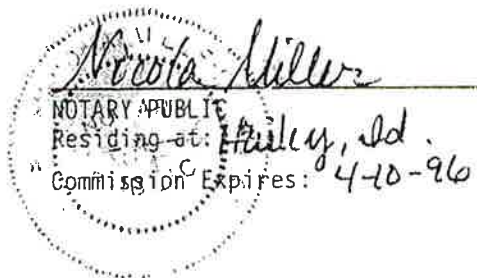


TOGETHER WITH any and all water rights appurtenant thereto

EXHIBIT
15

STATE OF Idaho
COUNTY OF Blaine

On this 15th day of May, 19 92, before me,
the undersigned, a Notary Public, in and for said State, personally
appeared Wellington Wesley Ivie
known to me to be the person whose name is subscribed as the Attorney-
in-Fact of Dixie Ivie,
and known to me to be the person whose name is subscribed to the within
instrument and acknowledged to me that he executed the same on behalf of
Dixie Ivie.



(SEAL)

POWER OF ATTORNEY ACKNOWLEDGEMENT

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

James R. Laski
Lawson & Laski, PLLC
Post Office Box 3310
Ketchum, Idaho 83340

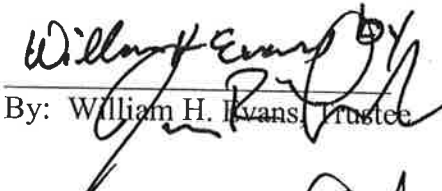
(SPACE ABOVE LINE FOR RECORDER'S USE)

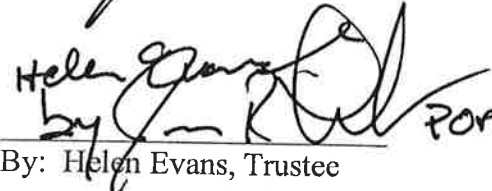
QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the Evans 1992 Revocable Trust dated May 14, 1992, William H. Evans and Helen Evans, Trustees, does hereby bargain, sell, remise, release, convey and forever quitclaim to IDAHO RANCH, LLC, an Idaho limited liability company, whose address is 2296 Channel Road, Newport Beach, CA 92661 ("Grantee"), all right, title and interest in and to those water rights identified in the records of the Idaho Department of Water Resources as Water Rights Nos. 37-11337, 37-11338 and 37-4267, and no others, for beneficial use upon the property conveyed to Grantee this same date by Warranty Deed recorded as Instrument No. 500509, records of Blaine County, Idaho.

DATED this 17th day of March, 2004.

EVANS 1992 REVOCABLE
TRUST, dated May 14, 1992


By: William H. Evans, Trustee POA


By: Helen Evans, Trustee POA

STATE OF IDAHO

)
) ss.
)

County of Blaine

On this 17 day of March, in the year of 2004, before me, a Notary Public in and for said State, personally appeared James R. Laski, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of William H. Evans, Trustee of the Evans 1992 Revocable Trust dated May 14, 1992, and acknowledged to me that he subscribed the name of William H. Evans thereto as principal, and his own name as attorney in fact.

WITNESS my hand and official seal.



A handwritten signature of Kathy Seal in cursive script.

Notary Public for Idaho

Residing at KETCHUM

My Commission expires 7.9.2005

STATE OF IDAHO

)
) ss.
)

County of Blaine

On this 17 day of March, in the year of 2004, before me, a Notary Public in and for said State, personally appeared James R. Laski, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Helen Evans, Trustee of the Evans 1992 Revocable Trust dated May 14, 1992, and acknowledged to me that he subscribed the name of Helen Evans thereto as principal, and his own name as attorney in fact.

WITNESS my hand and official seal.



A handwritten signature of Kathy Seal in cursive script.

Name: KATHY SEAL

Notary Public for Idaho

Residing at KETCHUM

My commission expires 7.9.2005

April 12, 2004

RECEIVED

APR 15 2004

WATER RESOURCES
WESTERN REGION

IDAHO DEPARTMENT OF WATER RESOURCES
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

APR 19 2004

Department of Water Resources
Southern Region

Re: Water Right Transfer/Idaho Ranch LLC

Dear Ladies/Sir:

Please find attached a signed Notice of Change in Water Right Ownership and documentation to transfer the water rights to the above referenced entity.

In addition, please find attached our check in the amount of \$75.00 which represents the transfer fees for the three (3) transfers.

Should you have any additional questions, please feel free to contact me.

Kind regards,



Kathy Seal
Closer

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: **A37-04267**
Date Received: 9/16/1988
Receipt No: S002238
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: EVANS REVOCABLE TRUST
Address: 42 FOX HOLLOW GULCH
BELLEVUE ID

208-488-4475

83313

2. Date of Priority: APR 1, 1935

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	35	NW	NE			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	04/01	11/01	0.300		

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

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
02N	18E	35	NW	NE		IRR	9.0

Section Acres

Total Acres

9.0

9.0

MICROFILMED
OCT 26 1994

11. Place of use in counties: BLAINE
12. Do you own the property listed above as place of use? YES
13. Other Water Rights Used:
14. Remarks:
P/D & P/U WITHIN TAX LOT 97.
15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
OCT 26 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: MAY 15, 1992

RECEIVED

LEGAL DESCRIPTION OF PROPERTY: Township 2N Range 18E
Section 35, 1/4 of NW 1/4 of NE 1/4, Govt. Lot , BM.

Lot , Block , Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

MAY 22 1992
Department of Water Resources
Southern Region Office

- [] 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: A37-04267, A37-11338, A37-11337
- [] Name and Address of Former Owner/Claimant(s)(Seller): WELLINGTON WESLEY IVIE
P. O. BOX 266
BELLEVUE, IDAHO 83333
- [] New Owner/Claimant (Purchaser): ~~XXXXXXXXXXXXXXXXXX~~ THE EVANS 1992 REVOCABLE TRUST DATED MAY 14, 1992
- [] New Mailing Address: ~~XXXXXX EAST LOWE MOUNTAIN ROAD~~ 42 FOX HOLLOW GULCH
~~XXXXXX CREEK, ARIZONA 85301~~ BELLEVUE, ID 83313
- [] New Telephone Number: (602) 488 - 4475
- [] 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) William H. Evans, Trustee Date 5/14/92
Reyes Evans, Trustee Date 5/14/92
- [] Signature of Former Owner/Claimant(s): Wellington Wesley Ivie Date 5/15/92

(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: 02-18-93 By: HL

Claim Numbers of Split, if any:

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

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

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

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

May 21, 1992

RECEIVED

MAY 23 1992

Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Department of Water Resources
222 Shoshone Street
Twin Falls, Idaho 83301

Re: W. W. (Mike) Ivie - William H. Evans

Dear Loren:

On May 15, 1992, William H. Evans as trustee of the Evans 1992 Revocable Trust dated May 14, 1992, purchased certain property from Mr. W. W. (Mike) Ivie together with the appurtenant water right. Enclosed you will find a Notice of Change of Water Right Ownership for those water rights claimed by Mr. Ivie in the Snake River Basin Adjudication and an Assignment of Permit for Idaho Water Permit No. 37-08058. Please record these documents in the Department's computer database and other records.

My client would like to schedule the field examination for Permit No. 37-08058 this summer. Please contact Mr. Evans at the following telephone number: (208) 788-2683.

Thank you very much for your continuing cooperation and assistance in these matters. Please call me if you have any questions.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS\dmk
Enclosures

cc: Mr. W. Evans (w/encls.)
Mr. J. Phillips (w/encls.)

MICROFILMED
OCT 26 1994



BCT #19924069

This form furnished by
Blaine County Title, Inc.

RECEIVED

MAY 22 1992

Department of Water Resources
Southern Region Office

WARRANTY DEED

For Value Received WELLINGTON WESLEY IVIE AND DIXIE IVIE, HUSBAND AND WIFE,

the Grantor hereby grants, bargains, sells, conveys and warrants unto THE WILLIAM H. EVANS AND HELEN EVANS TRUST DATED MAY __, 1992,

the Grantee whose current address is: P.O. BOX 2408, SUN VALLEY, ID 83353

the following described premises, to-wit:

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

ACCEPTED AND APPROVED BY:

ACCEPTED AND APPROVED BY:

Subject to adverse claim to any portion of the land herein described which lies below the main high water mark of the Broadford slough, aka the Rockwell Bypass Waterway, or on the northlery or easterly side thereof and matters as shown on that record survey prepared by Benchmark Associates, dated April 8, 1992, and easements of record.

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

Dated: May 14, 1992

WELLINGTON WESLEY IVIE

DIXIE IVIE BY WELLINGTON WESLEY IVIE
HER ATTORNEY IN FACT

STATE OF IDAHO, COUNTY OF Blaine
On this day of May, 19 92,
before me, a Notary Public in and for said State, personally appeared

Wellington Wesley Ivie

identified to me on the basis of satisfactory evidence or known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Residing at
Comm. Expires

Notary Public,
Idaho.

STATE OF IDAHO, COUNTY OF
I HEREBY CERTIFY That this instrument was filed for record at the request of

at minutes past o'clock M.,
this day of
19, in my office and duly recorded in Book
of Mortgages at page

Ex-Officio Recorder.

By Deputy

Fees. \$
Mail to:

Township 2 North, Range 18 East of the Boise Meridian, Blaine County,
Idaho,

Section 35: That portion of the NW 1/4 NE 1/4 designated on
Blaine Count Tax assessor's Rolls as Tax Lot 97,
being more particularly described as follows:
Beginning at a point 551.1 feet South of the N 1/4
corner of Section 35, Township 2 North, Range 18
EBM; thence

South 768.9 feet to the Southwest corner of the NW 1/4 NE 1/4 of Section
35; thence
East 1320 feet to the Southeast corner of said NW 1/4 NE 1/4; thence
North 560 feet to a point on the South side of Broadford slough; thence
South 65 degrees 14' West 212 Feet; thence
South 16 degrees 28' West 131.3 feet; thence
South 54 degrees 34' West 184.7 feet; thence
South 78 degrees 47' West 126.5 feet; thence
South 44 degrees 31' West 63 feet; thence
South 21 degrees 36' West 93.6 feet; thence
South 70 degrees 51' West 81.9 feet; thence
North 63 degrees 37' West 90.2 feet; thence
North 17 degrees 13' West 94.8 feet; thence
North 13 degrees 12' East 261 feet; thence
North 4 degrees 18' West 115.3 feet; thence
North 7 degrees 09' East 175 feet; thence
North 73 degrees 40' West 360 feet; thence
South 78 degrees 34' West 283.4 feet to the point of the beginning
being 15.498 acres, more or less

(X)

MICROFILMED

OCT 26 1994

EXHIBIT
"A"

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: A37-04267
Date Received: 9/16/1988
Receipt No: S002238
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. W. IVIE 208-788-4480
Address: P. O. BOX 266
BELLEVUE, ID 83313

2. Date of Priority: APR 01, 1935

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	35	NW	NE			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	04/01	11/01	0.300		

7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) 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
02N	18E	35	NW	NE		IRR	9.0

Section Acres 9.0

Total Acres 9.0

A37-04267

Page 1

Date: 09/16/88

MICROFILMED

MAR 01 1993

MICROFILMED
MAR 01 1993

01/23/2007

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

RIGHT NUMBER: 37-4267

NAME AND ADDRESS: IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH CA 92661

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS
30.800 AFY

PRIORITY DATE: 04/15/1956

POINT OF DIVERSION:

T02N R18E S35 NWNWNE 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	0.180 CFS 30.80 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S35 NWNE 8.80

8.8 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



Idaho Department of Water Resources

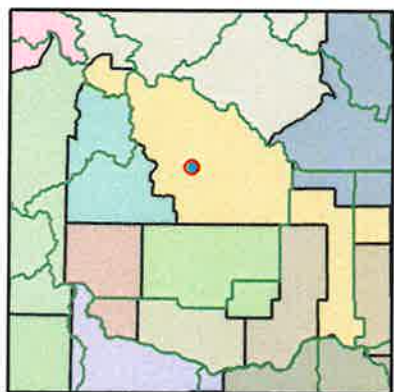
SRBA Recommendation:

37-4267

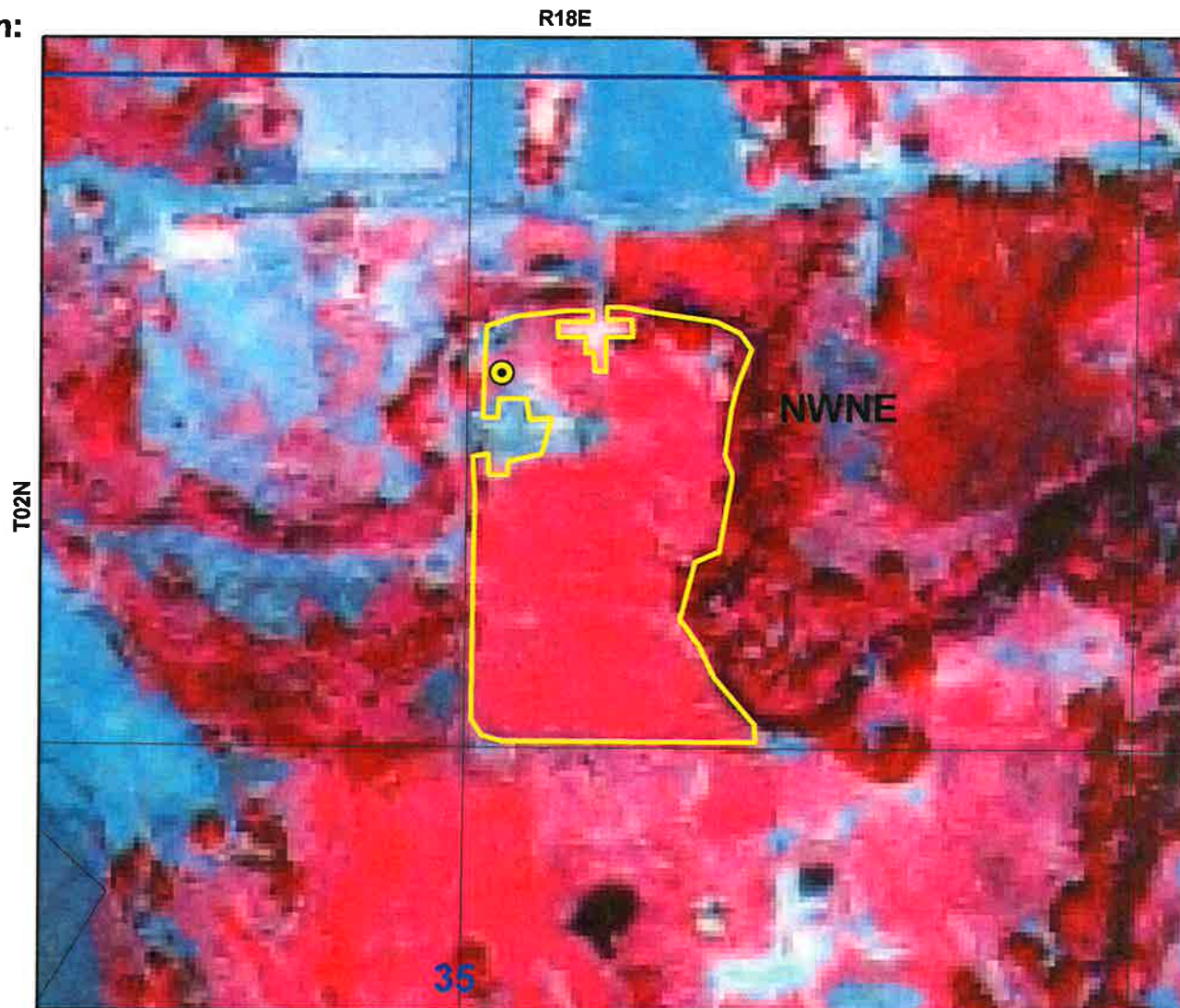
(Irrigation)

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 K. Walker
On Tuesday, January 23, 2007
1987/88 Aerial Photography

Keen, Shelley

From: Jim Speck [jim@speckandaanestad.com]
Sent: Friday, December 22, 2006 1:47 PM
To: Keen, Shelley
Cc: coastal_eddy@yahoo.com; wevans1123@earthlink.net
Subject: Re: Evans and Idaho Ranch LLC

Shelley,

I have attached a file with your maps for the 4 different areas of the adjacent properties owned by Bill & Helen Evans and Idaho Ranch LLC on which we have marked additional lands we believe should be included in the places of use. We base these assertions on:

1. 37-21734 and 37-21736 - land to the east of the proposed place of use has been irrigated since the early 1980's and is currently irrigated.
2. 37-21733 and 37-21735 - the proposed place of use omits land in the southeast corner of the parcel that has always been irrigated. In addition, the riding arena and other hardscape improvements other than the original home were not added until 1985 and those areas were irrigated in 1984. Since the claims were filed in 1988 the irrigation use in 1984 should protect those areas from the forfeiture statute.
3. 37-4267 - the additional area in the northwest corner as well as the lands east and north of the house and barn are now and have always been irrigated and should be included in the place of use.
4. 37-2752B - (a) the southeast side of the property between the access road and the property line is now and always has been irrigated to our knowledge; (b) the same applies to the portion of the property extending north from the access road - this water right irrigates all of it while License 37-8143 irrigates the parcel to the east with ground water; (c) the northwest corner of the property on the other side of the grove of trees was historically irrigated by this water right and a new system has been put in since this photograph was taken to resume the irrigation of those lands; and (d) the well which is the source for this right is located immediately north of the access road on the property boundary - it is not the well over by the house.

Please call me with questions you may have and we can discuss what, if any, additional information you may need to make these changes. Thank you again.

MERRY CHRISTMAS!!!

Jim

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

CONFIDENTIAL COMMUNICATION

12/26/2006

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Idaho Department of Water Resources

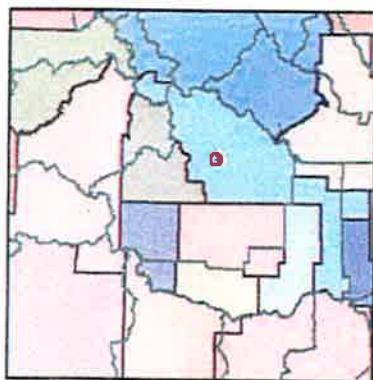
SRBA Recommendation:

37-4267

(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 M. Ciscell
On Monday, December 18, 2006
2004 Aerial Photography

12/17/2006

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

RIGHT NUMBER: 37-4267

NAME AND ADDRESS: IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH CA 92661

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.170 CFS
29.400 AFY

PRIORITY DATE: 04/15/1956

POINT OF DIVERSION:

T02N R18E S35 NWNWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.170 CFS
29.40 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S35 NWNE 8.40

8.4 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 - Statutory Claim



Idaho Department of Water Resources

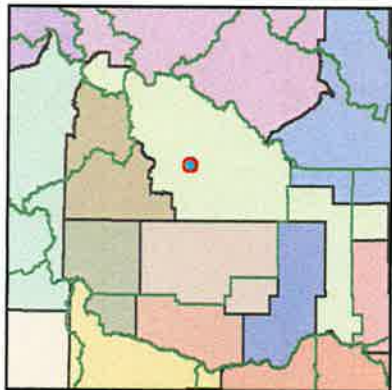
SRBA Recommendation:

37-4267

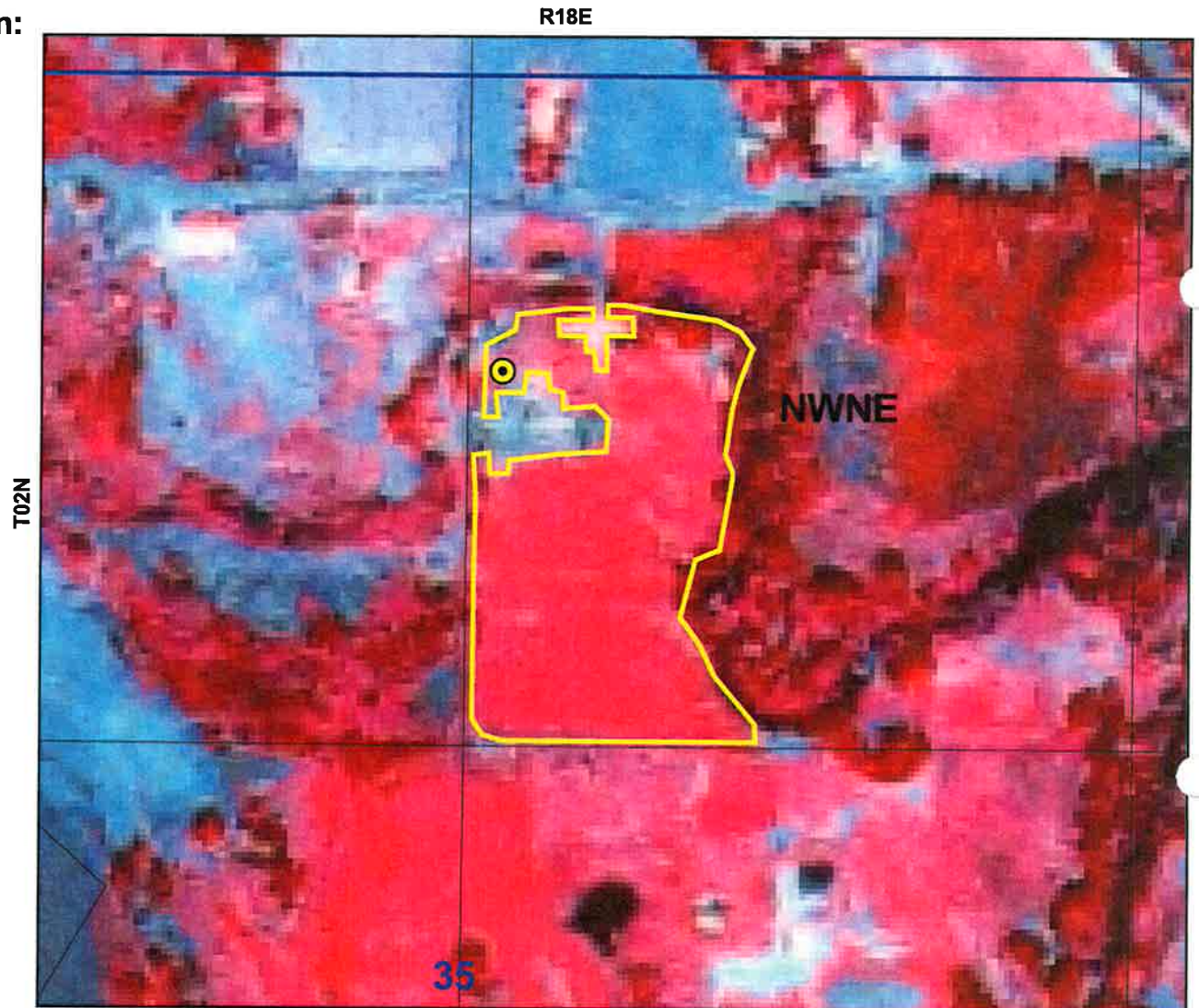
(Irrigation)

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 S. Keen
On Sunday, December 17, 2006
1987/88 Aerial Photography

37-4267 Claim Review

① Overlapping Rights

- 37-8058 GW 0.06 cfs 3.1 acres
0.27 cfs capacity
- App. for 37-8058 refers to "Decreed water rights which are presently not being used." No record of these rights is a POW comparison report or in field report for 37-8058.
- The POW for 37-8058 is the SE corner of the NUNE of Section 35. See SW rights 37-21734 + 37-21736 also.
- Conclusion: No overlapping rights

② Evidence of Use

- A. Field report says system is 11.4 acres, of which 3.1 acres are 37-8058. That leaves 8.3 acres covered under 37-4267 in 1992.
- B. Leroy Lewis letter suggests irrigation in 1956.

C. Aerial Photography

meander scars
& channels apparent,
but no solid
dark color.

{ 1987 - definitely irrigated
1990 - definitely irrigated
1974 DOQ - inconclusive
1968 - inconclusive
1957 - photo provided by Jim
Speck as evidence =
inconclusive

Conclusion: No evidence to substantiate the
claimed 1935 priority. Recommend
4/15/1956 based on the Leroy Lewis
letter.

POU - Digitized 8.4 acres. Very close to 8.3
acres found by Jim Stanton in 1992
exam for 37-8058

Quantity - System capacity was 0.27 cfs in 1992.
- No evidence for more than 0.02 cfs/acre
- 0.06 cfs for 3.1 acres on 37-8058
- $0.02 \text{ cfs/acre} \times 8.4 \text{ acres} = \text{about } 0.168 \text{ cfs}$
or $\approx 0.17 \text{ cfs}$
- Volume = $8.4 \text{ acres} \times 3.5 \text{ AF/acre} = 29.4 \text{ AF}$

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

June 3, 2005

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

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

Mr. Doug Jones
Idaho Department of Water Resources
1341 Filmore, Suite 200
Twin Falls ID 83301

RECEIVED
JUN 06 2005
Department of Water Resources
Southern Region

Re: Idaho Ranch, LLC - 37-4267

Dear Doug:

Mr. Ed Lobel from Idaho Ranch, LLC has asked me to respond to your April 15, 2005 request for priority evidence for the above-referenced water right. Enclosed please find the following:

1. March 8, 2004 To Whom It May Concern letter from Mr. Leroy Lewis;
2. May, 1972 Judgment in Werry vs. Kaufman *et al.*, and
3. 1957 aerial photograph from Blaine County's records.

Mr. Lewis's letter refers to "Bertie Kaufman" as the owner of the property in question during the 1950's. The Judgment shows that a Martha Ann Kaufman who is the same person acquired legal title to the property in the lawsuit resulting in a Judgment in 1972. The aerial photograph shows that the property then owned by Dora M. Werry included 9.7 irrigated acres represented by the symbol "IA" (irrigated agriculture) on the photograph. The land in question is outlined in red on the photograph.

We hope you will find this evidence convincing. Unfortunately, Mr. W.W. (Mike) Ivie has passed away. Mr. Ivie was a life long resident of Blaine County who very likely had personal knowledge of all of the statements he made under oath in the statutory claim which he filed in December, 1982. Mr. Ivie became the owner of this property in 1978, but having lived in southern Blaine County all his life was undoubtedly familiar with it. However, it is unfortunate we are no longer able to get the required information from him. Hopefully, you will also take that into consideration as you consider the statutory claim for what evidence it may provide.

Please contact me if you have any questions.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
Enclosures
cc: Client

COPY / LER No. 0340:W.P. 3S LETTER
ORIGINAL SENT TO BUYER'S AGENT
3/19/04

March 8, 2004

RECEIVED

JUN 06 2005

Department of Water Resources
Southern Region

To Whom It May Concern:

I was recently approached about what I know about a piece of property located on Broadford Road that was owned by a Bertie Kaufman during the 1950's. That piece was on the south side of Broadford Road and was across the road from the Lester and LaVon Lewis place which we moved onto in late August of 1956. At that time I was 16 years old and had spent the summer working on farms in the Grand View, Idaho area and I had lived on hobby farms since I was 6. So I was aware of what was being farmed around us. The piece of land was being pastured and as I recall, it had a few head of cattle on it at the time that we moved there. It therefore had to have some water being used on it because there would have had to have been water for the cattle and to keep the grass green.

The next summer I worked for the Agricultural Stabilization and Control System which was a federal government agency in the Department of Agriculture whose primary function was price support programs which in that area was price control of wheat crops. It entailed going around to each farm and checking to make certain that the farmer was not growing any more wheat than was allotted to him. It amounted to making sure that the field's acreage was as was shown in aerial photographs so that the acreage could be accurately determined. As such it meant contacting the farmer to find out what was growing and getting a signature. If it was not in wheat the ASCS was not as interested. A small acreage such as the one in question did not have an allotment and could grow as much as 14 acres without an allotment. So this 9.7 acre piece would not have been a major concern except that we would have checked it. Again, it was in pasture, as I recall, and there were a few cattle there. The next summer I helped an elderly fellow who was cutting some grass hay off of several of the smaller patches in that area. One of them that summer was the one in question. The time period when I was helping him was in August and the grass was plentiful. So I am sure that he was irrigating it.

It would have been the time period between the summer of 1956 and the summer of 1959. After the summer of 1959, I was either in school or had research fellowships Oregon State University. So, I do not have any memory after that. It was in the mid 1970's when I started spending some time at our place, but I don't remember whether

there was anything going on at that time on that place and by then the trees and brush had grown up and so it was not as easy to see back into there.

Someone who would probably have a memory of that place would be Bill Kawamura because he moved onto my place in the early 1970s and was the manager of the ASCS office in Hailey. So he might have some recollection of what was going on during the 1970s and the 1980s. In the 1980s Bill had a friend who lived in the house behind Tidwells and it seemed to me that he had some cattle back there.



Leroy Lewis
3774 S. 5th W.
Idaho Falls, ID 83404

MAY 1 1972
 MAY 1 1972
 Main Line
 CLASS, DISTRICT, COUNCIL
 Hazel Carter
 CLARK, HAZEL, GUANO

DORA M. WERRY, a widow,
Plaintiff,

-vs-

MARTHA ANN KAUFMAN, a widow; all
the unknown heirs and devisees
of MARTHA ANN KAUFMAN; BOARD OF
COMMISSIONERS OF BLAINE COUNTY,
STATE OF IDAHO; and all OTHER
UNKNOWN CLAIMANTS, whether they
be persons, firms or corporations
who claim interest in or to the
property being subject to this
action; this pertains to a parcel
of land located in Section 35,
Township 2 North, Range 18 East,
Boise Meridian, Blaine Co., Idaho.,

Defendants.

Case No. 3463

JUDGMENT

The trial was thereupon had upon the issues of plaintiff's complaint and defendant, Martha Ann Kaufman's answer to the same, and upon the counterclaim of the defendant, Martha Ann Kaufman, and the plaintiff's answer to the same.

The plaintiff appeared in person and by Stephen W. Boller, her attorney. The defendant appeared in person and by Andrew F. James and Cecil D. Hobday, her attorneys. Whereupon witnesses for the respective parties were duly sworn and testified and all and other documentary evidence introduced and the Court having heard and considered all such testimony and evidence and being fully advised in the premises, and the Court having decided the same, prepared, signed and filed herein in writing its Findings of Fact and Conclusions of Law, in which said Findings of Fact and Conclusions of Law, the Court awarded Judgment to defendant, Martha Ann Kaufman, and against the plaintiff, Dora M. Werry and the defendants other than Martha Ann Kaufman, as set forth in said Findings of Fact and Conclusions of Law, and as herein decreed.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the defendant, Martha Ann Kaufman, be and she is hereby decreed to be the true and lawful owner and holder of the following described real estate, and the title to the same is forever quieted in the name of the defendant, Martha Ann Kaufman, as follows:

Beginning at a point 551.1 feet South of the North $\frac{1}{4}$ corner of Section 35, T 2 N, R 18 E, thence South 768.9 feet to the SW corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, thence East 1320 feet to the SE corner of said forty, thence North 560 feet to a point on the South side of Broadford Slough, thence S 65° 14' W 212 feet, thence S 16° 28' W 131.3 feet, thence S 54° 34' W 184.7 feet, thence S 78° 47' W 126.5 feet, thence S 44° 31' W 63 feet, thence S 21° 36' W 93.6 feet, thence S 70° 51' W 81.9 feet, thence N 63° 37' W 90.2 feet, thence N 17° 13' W 94.8 feet, thence N 13° 12' E 261 feet, thence N 4° 18' W 115.3 feet, thence N 7° 09' E 175 feet, thence N 73° 40' W 360 feet, thence S 78° 34' W 283.4 feet to the point of beginning. Containing 11.7 acres and being a part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, T 2 N, R 18 E., Blaine County, State of Idaho.

2. That the plaintiff, Dora M. Werry, and the above named defendants other than the defendant, Martha Ann Kaufman, be decreed to have no interest in said property of any type, nature or description and they are forever enjoined and barred from asserting any claim whatever in or to said land or premises adverse to the defendant, Martha Ann Kaufman.

3. That the plaintiff, Dora M. Werry, be and she is hereby entitled to receive from the Blaine County Treasury the sum of \$55.33 in cash, the same being on hand as duplicate payment of taxes for the years 1965, 1967 and 1970.

4. That the defendant, Martha Ann Kaufman, have judgment for costs fixed in the sum of \$

DATED this 4 day of May, 1972.

District Judge

The undersigned certifies that he is a resident attorney of the State of Idaho, that he deposited a correct copy of the hereto attached instrument, together with a copy of Findings of Fact and Conclusions of Law to Stephen Boller, Attorney for Plaintiff, in the United States mail at Gooding, Idaho, on the ____ day of May, 1972, in a properly stamped envelope.

Andrew F. James

3405

...

...

Harold Tom Thompson

Andrew J. Jones

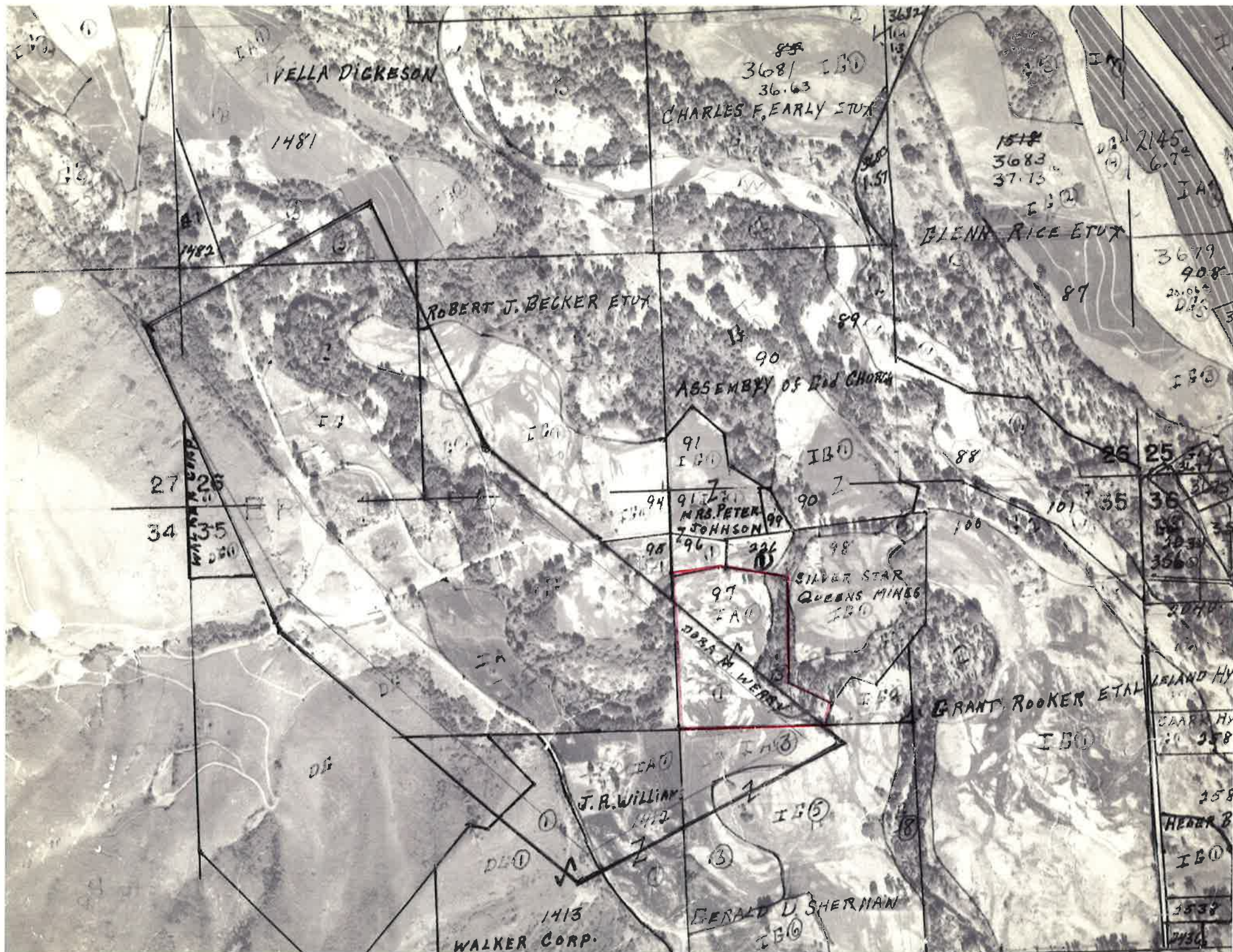
May 75

Indemnity
Marine Insurance

Hazel Barber

...

...





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

X
X
X
X

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

FIELD REPORT LOGCLAIM NUMBER: A37-04242

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
------------	-------------------	---------------------------------	---------------------	-------------------------

PRIORITY DATE	<u>YES</u>		<u>see</u> <u>5-17-90</u>	
POINT OF DIV.				
SOURCE				
PLACE OF USE				
DIV. AMOUNT				
CONSUMPTIVE USE				
USES				
PERIOD OF USE				
BASIS OF CLAIM				

REMARKS:

MICROFILMED
MAR 01 1993

GENERAL INFORMATION

Claim number: A37-04267

LAST: IVIE

FIRST: W. W.

ADDRESS: P.O. Box 266

CITY: BELLEVUE

STATE: ID

ZIP: 83313

PHONE: (208) 788-4480

OWNER CODE: C

OWNER CONNECTOR: _____

LAST: _____

FIRST: _____

ADDRESS: _____

CITY: _____

STATE: _____

ZIP: _____

PHONE: (____) ____-____

OWNER CODE: _____

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER (____) ____-____

DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE? Y(____) N(____), TIME: _____

ACCOMPANIED BY: _____ PHONE NUMBER (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

=====

MICROFILMED
MAR 01 1993

PRIORITY DATE REVIEW SHEET

A. SRBA CLAIM # A37-04267

PRIORITY DATE: 4 / 1 / 1935

STAGE 5

B. IDWR RECORD # 37-0467

PRIORITY DATE: 4 / 1 / 1935

STAGE 5

C. REVIEW - FIELD EXAM NEEDED? Y() N()

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE: / /

REVIEWED BY _____ DATE _____

MICROFILMED
MAR 01 1993

POINT OF DIVERSION AND SOURCE REVIEW SHEET

CLAIM # A37-04267

A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>35</u>		<u>NW</u>	<u>NE</u>		<u>BLAINE</u>

SOURCE: G.W.

TRIB: _____

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>35</u>		<u>NW</u>	<u>NE</u>		<u>13</u>

SOURCE: G.W.

TRIB: _____

C. REVIEW - FIELD EXAM NEEDED? Y() N()

		ATTACHED	OR	SEE FILE
VERIFIED	() TOPO MAP/ORTHO-PQ	YES() NO()		_____
WITH:	() ASCS MAP	YES() NO()		_____
	() WATERMASTER RECORDS	YES() NO()		_____
	() FIELD EXAM	YES() NO()		_____
	() OTHER _____	YES() NO()		_____

REMARKS: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____

TRIB: _____

REVIEWED BY _____

DATE _____

MICROFILMED

MAR 01 1993

CLAIM # A37-04267

FIELD EXAM REQUIRED: Y() N()

PRESUMPTION FLAG: Y() N()

ROOT WATER RIGHT NUMBERS 37-04267

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
<u>2N 18E 35 NW NE A37-00579 / 3</u>		<u>37-00579 / 3</u>	<u>12</u>		
<u>-04267 / 9</u>		<u>-04267 / 9</u>			
<u>-07178 / 14</u>		<u>-07178 / 14</u>			
<u>-00033 / 14</u>		<u>- /</u>			
<u>- /</u>		<u>-08058 / 5</u>			
<u>- /</u>		<u>- /</u>			
<u>- /</u>		<u>- /</u>			
<u>- /</u>		<u>- /</u>			
TOTAL ACRES					

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

REMARKS: _____

REVIEWED BY _____ DATE _____

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A. S.R.B.A CLAIMED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	<u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>0.3</u> CFS
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS

B. I.D.W.R. RECORDED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	<u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>0.3</u> CFS
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS

PRESUMPTION FLAG: _____

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON?

Y() N()

RECOMMENDED AS CLAIMED?

Y() N()

RECOMMEND TO IDWR STANDARDS OR OTHER?

Y() N()

REMARKS:

=====

RECOMMENDED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS

REVIEWED BY _____

DATE _____

=====

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PAGE 7.
DIVERSION AMOUNT REVIEW SHEET

CLAIM # A37-04267

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

SRBA CLAIMED RATE: 0.3 CFS IDWR ROOT RIGHT RATE: 0.3 CFS
IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required.

IS FLOW MEASUREMENT REQUIRED? Y(☒) N(☐)

B. FLOW MEASUREMENTS

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☐) If YES complete overlap review.

OTHER RIGHTS LISTED IN CLAIM: _____

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES _____ X 0.02 CFS/ACRE = _____ CFS.
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☐) N(☐)

IF YES EXCESSIVE WATER USE FORM FILED AND ATTACHED? Y(☐) N(☐)

2. ANNUAL IRRIGATION CONSUMPTIVE USE & FIELD HEADGATE DIVERSION VOLUME.

ACRES _____ X CONSUMPTIVE RATE FOR AREA _____ A.F./ACRE =

TOTAL CONSUMPTIVE USE _____ ACRE FEET/ANNUM

ACRES _____ X FIELD APPLIC. RATE FOR AREA _____ A.F./ACRE =

TOTAL FIELD APPLIC. _____ ACRE FEET/ANNUM

E. RATE/VOLUME CALCULATIONS: (OTHER USES)

CONTACT OWNER? Y(☐) N(☐) SEE ATTACHED SHEET? Y(☐) N(☐)

RECOMMENDED DIVERSION RATE: _____ CFS

RECOMMENDED CONSUMPTIVE USE: _____ AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: _____ AF/ANNUM

REVIEWED BY _____ DATE _____

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BASIS OF CLAIM ISSUES REVIEW SHEET

CLAIM # 137-04267

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
EXCESSIVE AMOUNT _____	()	()

THIS SRBA CLAIM CFS/ACRE

0.03

OTHER SRBA CLAIMS CFS/ACRE

_____ - _____

_____ - _____

_____ - _____

**Excessive water use form filed and ATTACHED? Y(E) N(E)

B. SPLIT WATER RIGHT REVIEW

ROOT RIGHT # _____	SPLITS # _____	_____ CFS
_____ CFS	# _____	_____ CFS
	# _____	_____ CFS
	# _____	_____ CFS
	# _____	_____ CFS
	TOTAL CFS _____	

**Do the sum of the parts equal the whole?

Y() N()

**IF NO is the written review sheet ATTACHED?

Y() N()

REMARKS: _____

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

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ADDITIONAL ACREAGE FORM

[illegible]

TOTAL NUMBER OF ACRES 9

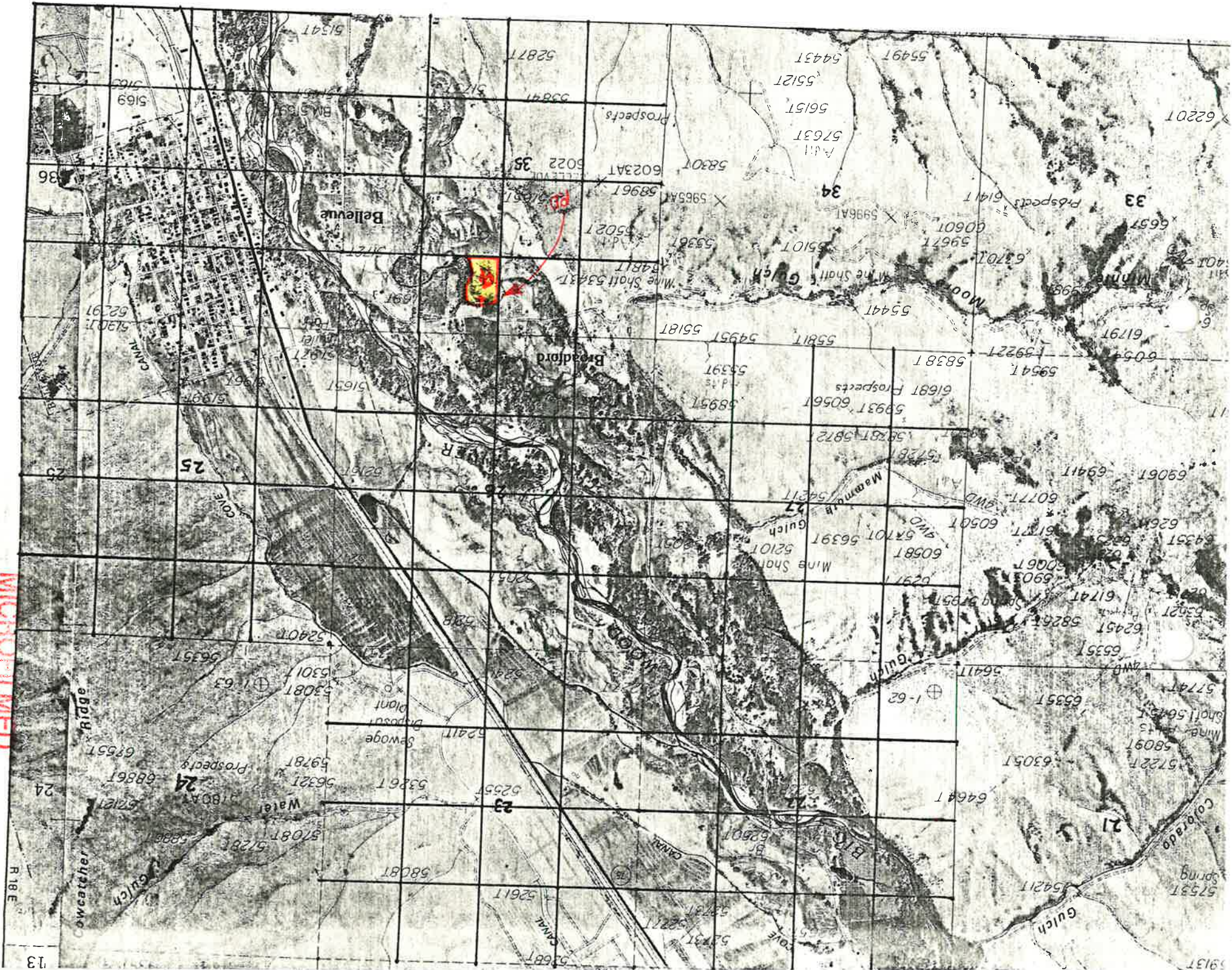
REMARKS: _____

REVIEWED BY _____

DATE _____

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MAR 01 1993

MICRO MED



BROADFORD ROAD

TAX LOT
6467

TAX LOT
6460

HOUSE

EXISTING BRIDGE

TAX LOT
6494

HOUSE

TAX LOT 6429

OUT BUILDINGS

ACREAGE BASED ON TAX LOT 6429 (INSTRUMENT NO. 179411)
AND JUDGEMENT NO. 16776 (INSTRUMENT NO. 337575)

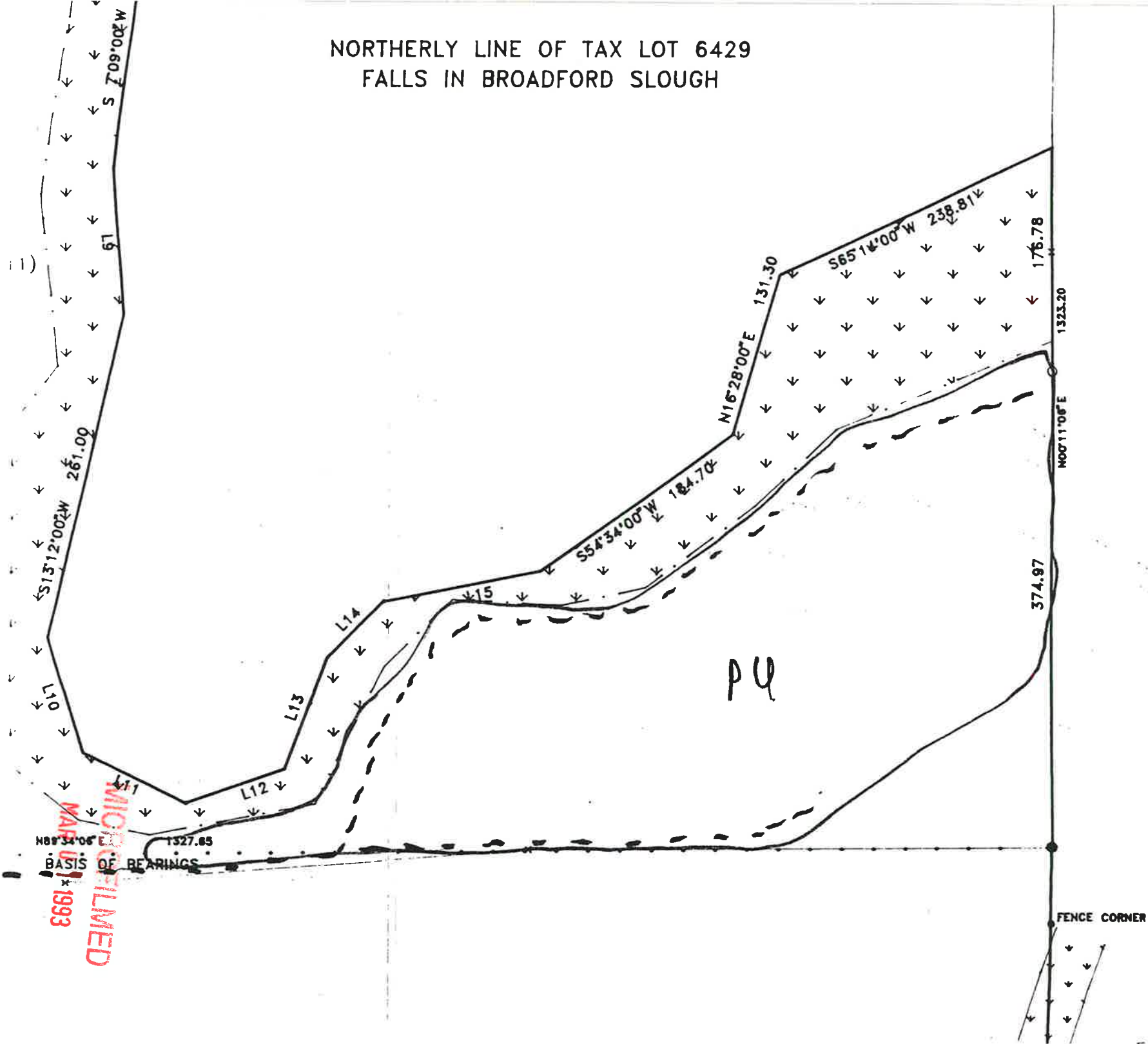
16.20 ACRES

TAX LOT
6698

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MAR 01 1993

NORTHERLY LINE OF TAX LOT 6429
FALLS IN BROADFORD SLOUGH

BROADFORD POLO SUBDIVISION





8.34c.

APR 11 1950
MAR 11 1950

04267
A 37-~~8058~~



P/U

8-11-1992

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MAR 01 1993

04267
A37-8058



P/u
8-11-1992

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MAR 01 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-04267	02N	18E	35		NW	NE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A37-11301 NONE
A37-11302
A37-11337
A37-11338

WR RECORDS IN SAME 40 ACRE TRACT

37-04250
37-07178
37-08058

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-04267	02N	18E	35		NW	NE		BLAINE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

37-04250
37-07178
37-08058

A37-11301 R37-12539
A37-11302 R37-12538
A37-11337 R37-07178
A37-11338 R37-12540
A37-12539
A37-13370
A37-12538
A37-07178
A37-12540

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
			Y	_____
			N	_____

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MAR 01 1993

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: _____ DATE: _____

MICROFILMED
MAR 0 1 1993

Water Right Number - 37-04267

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
IVIE

W. W.

1 - P. O. BOX 266

2 -

3 -

City- BELLEVUE

State- ID Zip- 83313

Phone -

+ - - Priority Date - - +
04/01/1935+ - - Region - - - +
17+ - - Stage - - - +
S - STATUTORY CLAIM

+ - - Status - - - +

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

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

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
-----	-----	-----	-------	-----	------	--------	--------------------	---------------------------------------

02N	18E	35	NW NE			(13)	BLAINE	
-----	-----	----	-------	--	--	------	--------	--

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

01 - IRRIGATION		04/01	11/01		0.300	
-----------------	--	-------	-------	--	-------	--

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.300				

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
02N	18E	35	NW NE		9.0	01	IRRIGATION	(13) BLAINE

Total Acres: 9.0

+ - - Diversion Means - WELL, PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
P/D & P/U WITHIN TAX LOT 97+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 04/11/86 05/28/88 CONVERT

MICROFILMED
MAR 01 1993

Water right number - 37-04267

Adj. flag translation: Standard Water Right Number

+ - - - - 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	- 04/11/1986	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
MAR 0 1 1993

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

Water Right Number - A37-04267

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

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

*** C - CURRENT OWNER ***
IVIE

W. W.

1 - P. O. BOX 266

2 -

3 -

City- BELLEVUE

State- ID Zip- 83313

Phone - 208-788-4480

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/01/1935 17 S - STATUTORY CLAIM

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County (Blank if no Index Code)

02N 18E 35 NW NE (13) BLAINE

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

01 - IRRIGATION 04/01 11/01 0.300

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.300

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

02N 18E 35 NW NE 9.0 01 IRRIGATION (13) BLAINE

Total Acres: 9.0

+ - - Diversion Means - WELL, PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
P/D & P/U WITHIN TAX LOT 97

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

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

MICROFILMED
MAR 0 1 1993

MICROFILMED
MAR 11 1993

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

01/26/90 14:59:19
Page 2

Water right number - A37-04267

Adj. flag translation: Adjudication Temporary Work Area

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 04/11/1986	Old Judicial District	-
Claim Received Date	- 09/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S002238	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-		

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MAR 01 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

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—

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—

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

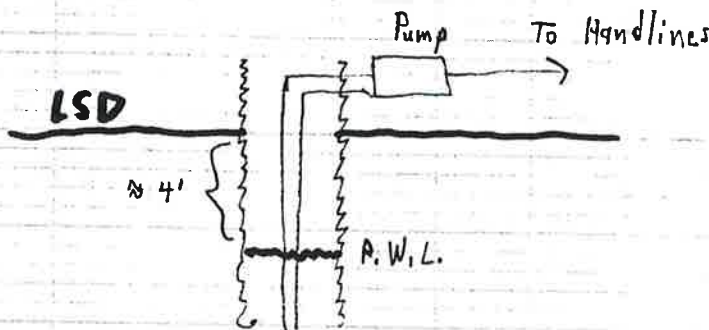
1. Owner: William H. Evans Permit No. 37-08058
Current Address: 42 Fox Hollow Gulch, Bellevue, ID 83313 Phone No. 288-2682
2. Accompanied by: Mr. Evans on 9-22-92 EXAM. DATE: 8-11-92 & 9-22-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: A37-04267 ☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Not measured. System waters 11.4 acres x .02 cfs/acre = 0.23 cfs. Theoretical capacity is 0.27 cfs.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

Recommend 3.1 ac. x 0.02 cfs/acre = 0.06 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 73 psi x 2.31 = 168.6 ft (1); Dynamic pumping level: 4 ft (2)

Total Head: (1) + (2) = 172.6 (3) ; Flow rate: 0.27 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.1 \times 3.5 = 10.9 \text{ AFA}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 10.9 \text{ AFA}$

2. Volume Calculations for Other Uses:

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3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

3" metal pipe in grc 1 surrounded by 4' culvert. Well sits in culvert pipe about 4' below LSD with pump on. Water level appears to be about 1' higher with pump off. Turbine pump pressurizes handlines & 1 garden hose, 26 Rainbirds & 1 lawn sprinkler were on during exam. 73 psi on well pump gauge. Various nozzle sizes. Water was being used on the large field but not on the smaller field during the exam

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Century	7.5	6-332988-04	Sta-Rite	2D86L T

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	NE	35	2N	18E	Blaine	

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	35																	
					3.1														3.1

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Do not use this space

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Claim A37-04267 is for 1 acre of irrigation with a 1935 priority from groundwater. The aerial photo shows 8.8 acres in this^{old} pasture. Mr. Evans^{home} property is directly south of the former Ivie property - is known as Rancho de Montano. Permit 37-8058 covers the additional 3.1 acres irrigated in the smaller pasture east of the main pasture. Since the small field is part of a larger system, recommend a flow rate of 1"/acre rather than 1 1/2"/acre that could be allowed for under 5 acres. Looked at well & large field on 8-11-92. Looked at small field on 9-22-92. Mr. Evans was not available during the first visit, so I was not aware of the small field then.

~~Pending resolution of the SRBA claim on this system, even should be held without meaning. If the claim is allowed, it will cover the full acreage irrigated.~~

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-15	10-15	0.06	10.9
Totals:			0.06	10.9

2. Recommended Amendments

- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

J. AUTHENTICATION

Field Examiner's Name J. E. Stanton
Signature J. E. Stanton
Certification Date _____
Field Report Preparation Date 9-23-92



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

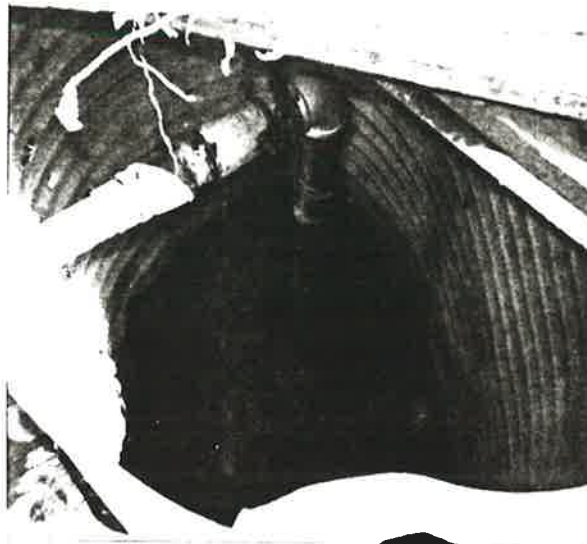
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POOR ORIGINAL



Diversion Works



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37-8058

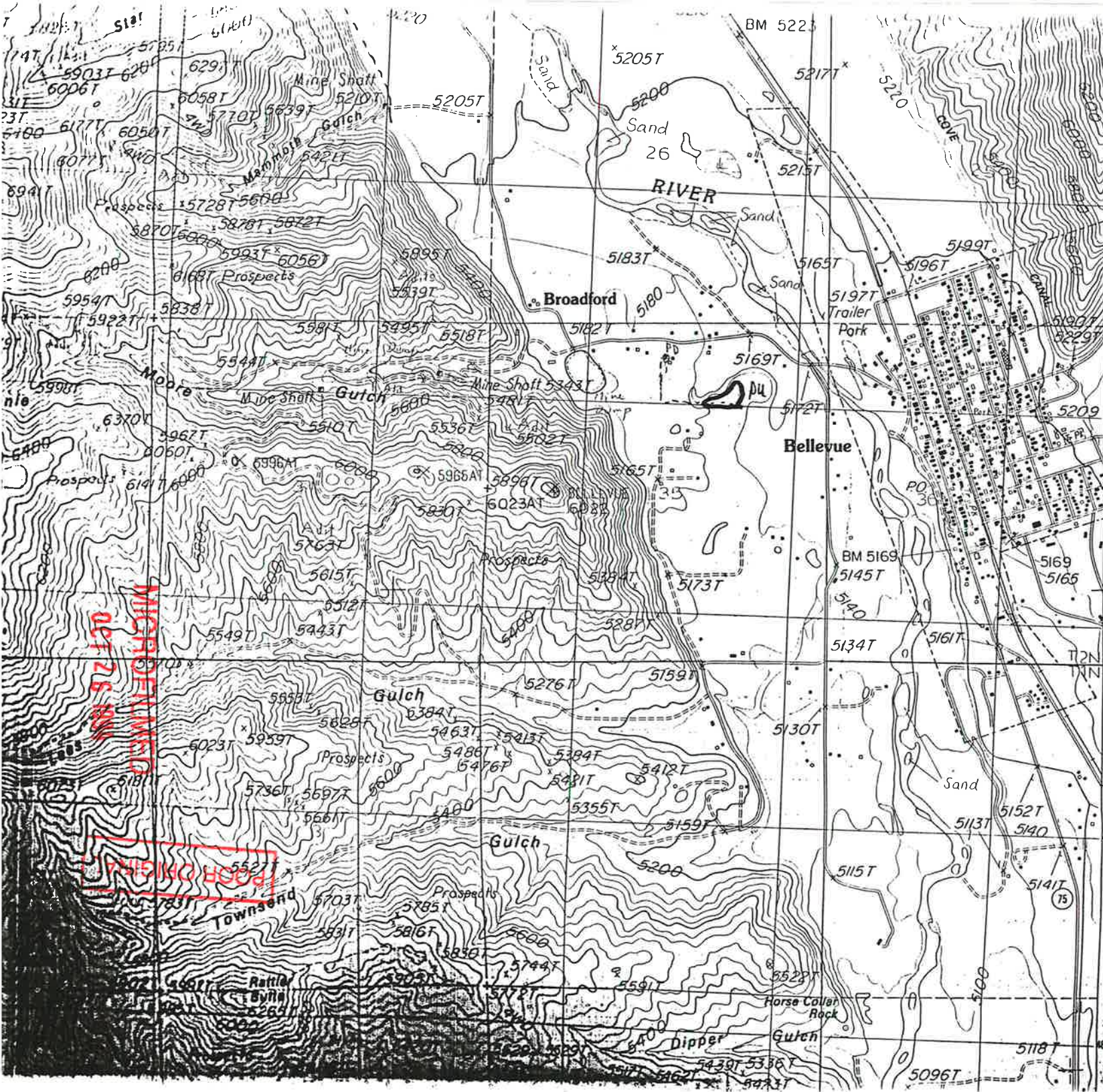
POOR ORIGINAL



p/u



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T2N R18E
sec. 35

POOR ORIGINAL

660000
FEET

27' 30"

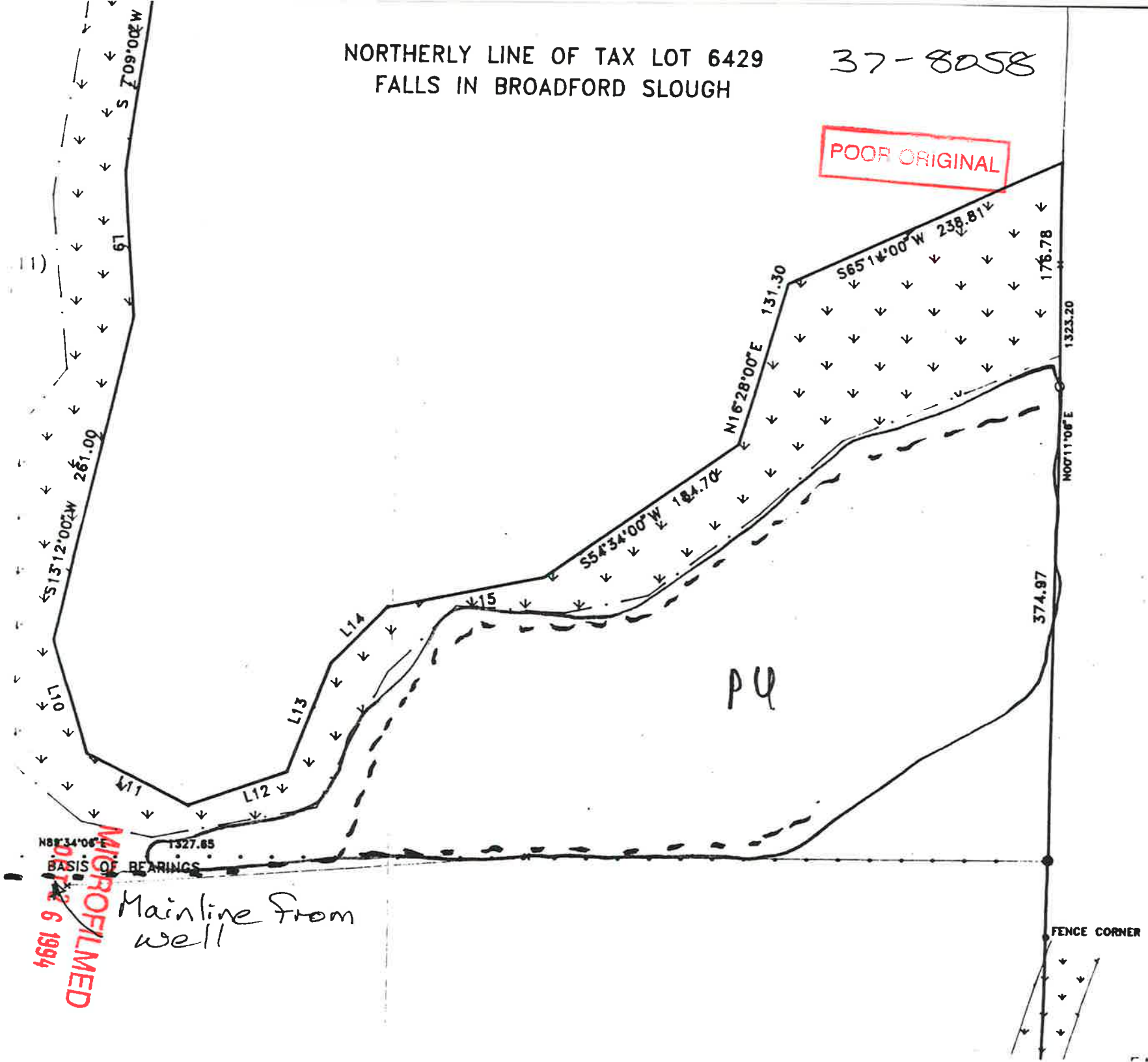


NORTHERLY LINE OF TAX LOT 6429
FALLS IN BROADFORD SLOUGH

37-8058

POOR ORIGINAL

BROADFORD POLO SUBDIVISION



37-8058

BROADFORD ROAD

TAX LOT
6467

HOUSE

TAX LOT
6460

POOR ORIGINAL

EXISTING BRIDGE

TAX LOT
6494

28.30

N78°34'00"E

278.09

HOUSE

S73°40'00"E

330.40

339.71

TAX LOT 6429

OUT BUILDINGS

ACREAGE BASED ON TAX LOT 6429 (INSTRUMENT NO. 179411)

AND JUDGEMENT NO. 16776 (INSTRUMENT NO. 337575)

16.20 ACRES

TAX LOT
6698

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OCT 26 1994

To P/U
37-08058



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

23-Feb-1993

Evans Revocable Trust
42 Fox Hollow Gulch
Bellevue, ID 83313

RE: Ownership Change for Adjudication Claims Nos A37-04267, -11237,
-11338.

Dear Sirs:

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claims are appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer records of the claims noting the change in claimant.

After reviewing the trust description given to your claims I decided to change the description so that it will be easier in the future to get the name of the trust out of the computer. This is simply an internal change here in our computer system and has no effect on your claims. Please discard the copies you just recieved and keep these that I have enclosed.

If you have any questions please contact this office.

Sincerely,

Francis G. Hitchcock
Water Resource Agent, Sr.

FH/abh

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OCT 26 1994

Water Right Number - R37-04267 Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***
EVANS REVOCABLE TRUST THE 1 - 42 FOX HOLLOW GULCH
2 -
3 -
City- BELLEVUE State- ID Zip- 83313
Phone - 208-488-4475

*** O - ORIGINAL OWNER ***
IVIE W.W. 1 - P.O. BOX 266
2 -
3 -
City- BELLEVUE State- ID Zip- 83313
Phone - 208-788-4480

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1935 17 SOUTHERN S - STATUTORY CLAIM

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
02N 18E 35 NW NE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.300

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.300 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 18E 35 NW NE 9.0 01 IRRIGATION (13) BLAINE

Total Acres: 9.0

+ - - Diversion Means - WELL, PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
P/D & P/U WITHIN TAX LOT 97.

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OCT 26 1994

Water right number - R37-04267

Prefix Translation: RESEARCH

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

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

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

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

+ - - - - Comments - - - - - +
Date: 02/18/1993 User Id: HITCHCOC Subject: OWNERSHIP CHANGE
IVIE TO EVANS REVOCABLE TRUST OWNERSHIP CHANGE 02-18-1993 BY FH.

+ - - Audit Fields - - +
02/19/93 HITCHCOC

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- p
		Receipt Number	- F000000	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/23/80

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-0:267

LAST: IVIE
ADDRESS: P. O. BOX 266
CITY: BELLEVUE
PHONE NUMBER: 208-788-4480
FIRST: W. W.
STATE: ID ZIP: 83313

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: P/D & P/U WITHIN TAX LOT 97

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
OCT 26 1984

A. AJ CLAIM: # A37-04267 PRIORITY DATE: 04-01-1935 STAGE: S
B. WR RECORD: # 37-04267 PRIORITY DATE: 04-01-1935 STAGE: S

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD
N EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
04-01-1935

REVIEWED BY

DATE

MICROFILMED
OCT 26 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-04267	02N	18E	35		NW	NE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A37-11301	NONE
A37-11302	
A37-11337	
A37-11338	

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-04267	02N	18E	35		NW	NE		BLAINE

OTHER WR RECORDS WITH SAME WR POD

37-04250
37-07178
37-08058
-
-
-
-
-
-
-
-

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A37-11301	A37-11301
A37-11302	A37-11302
A37-11337	A37-11337
A37-11338	A37-11338
A37-12539	A37-12539
A37-13370	A37-13370
R37-12539	R37-12539
A37-12538	A37-12538
R37-12538	R37-12538
A37-07178	A37-07178
A37-12540	A37-12540
R37-07178	R37-07178
R37-12540	R37-12540

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)
DUE TO SOURCE DISCREPANCY?	(Y/N)

DATABASE
Y
N

FIELD EXAMINER

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OCT 26 1994

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

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SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: _____ DATE: _____

MICROFILMED
OCT 26 1994

A. ROOT WATER RIGHT NUMBERS: A37-04267

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	18E	35	NW	NE		IVIE , W. W.	A37-04267 / 9.0	37-04267 / 9.0	12.0		
						WISE , GEORGE E.	A37-11301 /	- /			
						WISE , GEORGE E.	A37-11302 /	- /			
						IVIE , W.W.	A37-11337 /	- /			
						IVIE , W.W.	A37-11338 /	- /			
						SPECK , JAMES P.	A37-07178 /14.0	37-07178 /14.0			
						SPECK , JAMES P.	R37-00033 /14.0	- /			
						TIDWELL , BRUCE S.	A37-12541 /	- /			
						SPECK , JAMES P.	A37-00033 /14.0	- /			
						WISE , KATHLEEN W.	A37-00579 / 3.0	37-00579 / 3.0			
						SPECK , JAMES P.	A37-12538 / 2.0	- /			
						TIDWELL , LESLIE	A37-12539 / 3.0	- /			
						TIDWELL , LESLIE	A37-12540 /14.0	- /			
						BELLEVUE BIBLE CAMP, ASSEMBLY	A37-13370 /	- /			
						WISE , GEORGE E.	R37-00579 / 3.0	- /			
						SPECK , JAMES P.	R37-07178 /14.0	- /			
						WISE , GEORGE E.	R37-11301 /	- /			
						WISE , GEORGE E.	R37-11302 /	- /			
						IVIE , W.W.	R37-11337 /	- /			
						IVIE , W.W.	R37-11338 /	- /			
						MACDONALD , WILLIAM	R37-11339 /	- /			
						TIDWELL , BRUCE S.	R37-12538 / 2.0	- /			
						TIDWELL , LESLIE	R37-12539 / 3.0	- /			
						TIDWELL , LESLIE	R37-12540 /14.0	- /			
						TIDWELL , BRUCE S.	R37-12541 /	- /			
						IVIE , W. W.		37-08058 / 5.0			
						EITTREIM , WILLIAM D.		37-04250 /			
TOTAL ACRES							A37-04267	9.00	9.00	12.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

MICROFILMED

OCT 26 1994

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

MICROFILMED

OCT 26 1990

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A37-04267 IRRIGATION	FROM 04-01 TO 11-01	.300 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.300 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
37-04267 IRRIGATION	FROM 04-01 TO 11-01	.300 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.300 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(____) N(____)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(____) N(____) Explain in remarks, below.

REMARKS:

MICROFILMED

OCT 26 1994

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.300 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.300 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM:

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-04267	GROUNDWATER	IVIE , W. W.	0.300	0.033		
A37-07178	GROUNDWATER	SPECK , JAMES P.	0.140	0.010	42.60	3.04
A37-00033	BIG WOOD RIVER	SPECK , JAMES P.	0.840	0.060		
A37-00579	BIG WOOD RIVER	WISE , KATHLEEN W.	0.500	0.083		
A37-12538	GROUNDWATER	SPECK , JAMES P.	0.080	0.040		
A37-12539	GROUNDWATER	TIDWELL , LESLIE	0.140	0.046		
A37-12540	GROUNDWATER	TIDWELL , LESLIE	0.280	0.020		
R37-00579	BIG WOOD RIVER	WISE , GEORGE E.	0.500	0.083		
R37-07178	GROUNDWATER	SPECK , JAMES P.	0.140	0.010		
R37-12538	GROUNDWATER	TIDWELL , BRUCE S.	0.080	0.040		
R37-12539	GROUNDWATER	TIDWELL , LESLIE	0.140	0.046		
R37-12540	GROUNDWATER	TIDWELL , LESLIE	0.280	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A37-11301	DOMESTIC	WISE , GEORGE E.	FROM 01-01 TO 12-31	.040 CFS	
A37-11302	DOMESTIC	WISE , GEORGE E.	FROM 01-01 TO 12-31	.040 CFS	
A37-11337	STOCKWATER	IVIE , W.W.	FROM 10-01 TO 05-01	.020 CFS	
A37-11338	DOMESTIC	IVIE , W.W.	FROM 01-01 TO 12-31	.040 CFS	
A37-12541	STOCKWATER	TIDWELL , BRUCE S.	FROM 10-01 TO 05-01	.020 CFS	
A37-12539	STOCKWATER	TIDWELL , LESLIE	FROM 01-01 TO 12-31	.020 CFS	

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A37-13370	COMMERCIAL	BELLEVUE BIBLE CAMP, ASSEMBLY	FROM 01-01	TO 12-31	.400 CFS
R37-11301	DOMESTIC	WISE, GEORGE E.	FROM 01-01	TO 12-31	.040 CFS
R37-11302	DOMESTIC	WISE, GEORGE E.	FROM 01-01	TO 12-31	.040 CFS
R37-11337	STOCKWATER	IVIE, W.W.	FROM 10-01	TO 05-01	.020 CFS
R37-11338	DOMESTIC	IVIE, W.W.	FROM 01-01	TO 12-31	.040 CFS
R37-11339	DOMESTIC	MACDONALD, WILLIAM	FROM 01-01	TO 12-31	.040 CFS
R37-12539	STOCKWATER	TIDWELL, LESLIE	FROM 01-01	TO 12-31	.020 CFS
R37-12541	STOCKWATER	TIDWELL, BRUCE S.	FROM 10-01	TO 05-01	.020 CFS

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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OCT 26 1984

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 0.300 _____	DATABASE EXAMINER _____	DATABASE EXAMINER 0.0 _____
TOTAL FOR THIS RIGHT		0.300		0.0

REVIEWED BY: _____ DATE: _____

=====

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OCT 26 1995

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-04267

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.300	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A37-04267	0.300	-		37-04267	0.300
TOTAL CFS		0.300				0.300

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

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OCT 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/28/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-04267

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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OCT 26 1994