

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 37-4433
Date Received: 11/15/88
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT E GARDNER
PO BOX 1200
HAILEY ID USA 83333

Phone: (208)788-2568

C W & R H GARDNER FAMILY TRUST LTD PARTNERSHIP
PO BOX 1200
HAILEY ID USA 83333

Phone: (208)788-2568

2. Date of Priority: 04/01/1952

3. Source: GROUND WATER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
01N	19E	33	NW NW SE	BLAINE

5. Description of diverting works:

WELL 74', 40 HP PUMP, 16' CASING, 8"BURIED MAINLINE, 1 CTR PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.86	

7. Total Quantity Appropriated is:
2.86 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
01N	19E	33	NE	SE	IRRIGATION	22
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	38
					Section Acres	140
01N	19E	34	SW	SW	IRRIGATION	3
					Section Acres	3
					Total Acres	143

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:

A COPY OF THE AFFIDAVIT OF GEORGE J. ROESSLER, THE WELL DRILLER WHICH WAS FILED WITH THE BENEFICIAL USE CLAIM, IS ATTACHED TO SUPPORT THE DATE OF PRIORITY

12/5/00 tf; ownership changed Columbine Partners to Robert Gardner and Gardner Family Partnership per 1409(6) and deeds received 3/13/00.

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

December 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: SRBA Claim(s) A37-00115B, A37-00667C, A37-00881,
 A37-04433

Dear Counselor:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to your clients . Please find the enclosed copies of the computer record 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,

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

Trish Fawcett
Technical Records Specialist

enc.

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

RECEIVED
MAR 13 2000
Department of Water Resources
Southern Region

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

1. Water Right Number(s) _____
Adjudication Claim Number(s) A37-04433, A37-00115B, A37-00881, ~~A37-12581~~, A37-00667C
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acre outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Columbine Partners c/o Michael S. Engl
Owner/Claimants Post Office Box 2500, Sun Valley, Idaho 83353
4. New Owner/Claimant(s) Robert E. Gardner and/or C.W. & R.H. Gardner Family Limited Partnership
Name connector (check one): [] AND, [] OR, [X] AND/OR
New Mailing Address Post Office Box 1200
City, State and ZIP Code Hailey, ID 83333
New Telephone Number (208) 788 - 2568
5. Date you acquired the property April 9, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS cubic feet per second _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Robert E. Gardner Date 3/9/00
Owner/Claimant(s) Robert E. Gardner Date _____
Date _____
(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), of Idaho Code. Section 42-248 requires certain property holders to notify the Department of water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right. During an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed Claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believe there are Water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than ½ acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

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

Order No. 13445

Form 5000 FURNISHED BY FIRST AMERICAN TITLE CO.

WARRANTY DEED

For Value Received

Columbine Partners, an Idaho general partnership

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

First Exchange Corporation, a California corporation
whose address is: c/o Robert E. Gardner, P. O. Box 470, Bellevue, ID 83313

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

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

PARCEL I:

Section 33: A parcel of land more particularly described as follows:

SE 1/4 lying Southwesterly of the Gamett Highway (Bellevue-Carey State Highway)

PARCEL II:

Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence running in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northwesterly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the 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 Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 18, 1989

Columbine Partners, an Idaho general partnership

Candida C. Fortmann
Michael S. Engel

STATE OF _____ COUNTY OF _____
On this 15th day of June, 1989,
before me, a notary public in and for said State, personally appeared

Candida C. Fortmann
Michael S. Engel

proved to me on the basis of satisfactory evidence or known to me to be the persons whose names I subscribed to the within instrument, and acknowledged in me that they executed the same.

Deborah J. Latta
Notary Public
Residing at Ketchum
Commission Expires 4/15/91

306778
FIRST AMERICAN TITLE CO.
BLAINE CO. REQUEST
OF: *Deborah*
JUN 28 PM 3 44
MARY GREEN, CLERK
FEES \$ 6

Instrument No.

①

STATE OF ~~Idaho~~ Idaho Blaine Idaho
COUNTY OF Blaine
On June 15, 1989 before me the undersigned, a Notary Public in and for
said State, personally appeared, Candida C. Forstmann and Michael S. Engi
Personally known to me (or proved to me on the basis of satis-
factory evidence) to be the person that executed the within
instrument as General partners,
on behalf of Columbine Partners, an Idaho
General Partnership the partnership
therein named and acknowledged to me that the partnership
executed it.
WITNESS my hand and official seal
Signature Catherine C. Della
Commission Expires: 4-15-91

(This area for official notary seal.)

GA

WARRANTY DEED

For Value Received

FIRST EXCHANGE CORPORATION, a California corporation,

the grantor do as hereby grant, bargain, sell and convey unto ROBERT E. GARDNER, a married man dealing in his sole and separate property as to an undivided 37.5% interest; and RUTH HELEN GARDNER, a married woman dealing in her sole and separate property as to an undivided 62.5% interest, as tenants in common, the grantee, the following described premises, in Blaine County Idaho, to-wit:

Legal description described in Exhibit "A" attached hereto and made a part hereof;

306779
FIRST AMERICAN TITLE CO.

BLAINE CO. REQUEST

OF:

89 JUN 24 PM 3 45
MARY GREEN, CLERK
FEES \$10

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that they are free from all incumbrances

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

Dated
FIRST EXCHANGE CORPORATION, a California corporation

BY:

BY:

Barbara Hester

SAFECO Title Insurance Co. of America
Safeco Title Insurance Co. of America
Safeco Title Insurance Co. of America

STATE OF CALIFORNIA } S.S.
COUNTY OF Santa Barbara }
On this the 24th day of June 1989 before me,
the undersigned, a Notary Public in and for said County and State,
personally appeared Robert E. Gardner,
known to me or proved to me on the basis of satisfactory evidence to be
the President and
Barbara Hester
known to me or proved to me on the basis of satisfactory evidence to be
the Secretary of the corporation that executed the within
instrument on behalf of the corporation therein named, and acknowl-
edged to me that such corporation executed the within instrument
pursuant to authority of a resolution of its Board of Directors.

Signature

Jennifer C. Foulger

SAFECO
TITLE INSURANCE

FOR NOTARY SEAL OR STAMP

OFFICIAL SEAL
JENNIFER C. FOULGER
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
SANTA BARBARA COUNTY
My Commission Exp. Feb. 28, 1993

INSTRUMENT No.

1

Exhibit "A"

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

PARCEL I:

Section 33: A parcel of land more particularly described as follows:

SE1/4 lying Southwesterly of the Garnett Highway (Bellevue-Carey State Highway)

PARCEL II:

Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence turning in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northerly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the POINT OF BEGINNING.

1A

Order No. 13445

THIS CLAIM FURNISHED BY FIRST AMERICAN TITLE CO.

③

QUITCLAIM DEED

For Value Received

Kathryn A. Gardner, wife of the Grantee

do hereby convey, release, remise and forever quit claim unto

Robert E. Gardner, a married man as his sole and separate property
whose address is: P. O. Box 470, Bellevue, Idaho 833.3

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

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

PARCEL I:

Section 33: A parcel of land more particularly described as follows:

SE1/4 lying Southwesterly of the Gannett Highway (Bellevue-Carey State Highway)

PARCEL II:

Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence running in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northwesterly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the POINT OF BEGINNING.

This Quitclaim Deed is given by me freely, in order that he may hold the within described property as his sole and separate property.

together with their appurtenances.

Dated: June 22, 1989

Kathryn A. Gardner

Kathryn A. Gardner

STATE OF *Idaho* COUNTY OF *Blaine*
On this *June* day of *1989*,
before me a Notary Public, and for said State, personally
appeared

Kathryn A. Gardner

known to me, and to me to be the person who *meets* is
is subscribed to the within instrument and acknowledged
to me that *she* executed the same.

Susan H. Hinkle

Notary Public

Residing at *Hailey*
Commission Expires: *3-11-93*

306780
FIRST AMERICAN TITLE CO.
BLAINE CO. REQUEST

OF:

89 JUN 23 PM 3 46

MARY GREEN CLERK

FEES \$3.00

①

Order No. 13445

THIS BLANK FURNISHED BY FIRST AMERICAN TITLE CO.

QUITCLAIM DEED

For Value Received

C. W. Gardner, husband of the Grantee

do hereby convey, sell, release and forever quit claim unto

Ruth Helen Gardner, a married woman as her sole and separate property
whose address is: P. O. Box 470, Bellevue, Idaho 83313

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

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

PARCEL I:

Section 33: A parcel of land more particularly described as follows:

SE1/4 lying Southwesterly of the Gannett Highway (Bellevue-Carey State Highway)

PARCEL II:

Section 34: A parcel of land more particularly described as follows:

BEGINNING at the Southeast corner of the Southeast 1/4 of Section 33, Township 1 North, Range 19 East, Boise Meridian, running thence East upon an extension of the South boundary line of said Southeast 1/4, also being the South boundary line of the Southwest 1/4 of Section 34 of said township and range a distance of 126 feet; thence running in a Northerly direction parallel to the East boundary of said Southeast 1/4 of said Section 33 to an intersection with the West boundary of the Bellevue-Carey State Highway; thence running along said boundary line in a Northwesterly direction to its intersection with the East boundary line of said Section 33; thence running in a Southerly direction along said East boundary line to the POINT OF BEGINNING.

This Quitclaim Deed is given by me freely, in order that she may hold the within described property as her sole and separate property.

together with their appurtenances.

Dated: June 22, 1989

C. W. Gardner

STATE OF Idaho COUNTY OF Blaine
On this 22 day of June, 1989,
before me a Notary Public in and for said State, personally
appeared

C. W. Gardner

known or identified to me to be the person who has
is subscribed to the within instrument and acknowledged
to me that he executed the same.

Sworn
Notary Public

Residing at *Hailey*
Com. mission Expires: *5-11-93*

306781
FIRST AMERICAN TITLE CO.
BLAINE CO. REQUEST
OF:
89 JUN 23 PM 3 47
MARY GREEN, CLERK
FEES \$38

QUITCLAIM DEED

1. DATE, NAMES OF PARTIES AND ADDRESSES.

1.1. Date. This quitclaim deed is executed and delivered by Grantors to Grantee on April 9, 1999.

1.2. Name of Grantors and Address. Cloyd W. Gardner, whose address is P. O. Box 208, Hailey, Idaho 83333, and Ruth Helen Gardner, whose address is P. O. Box 208, Hailey, Idaho 83333, are the Grantors.

1.3. Name of Grantee and Address. C.W. & R.H. Gardner Family Limited Partnership, whose address is P. O. Box 208; Hailey, Idaho 83333, is the Grantee.

2. CONVEYANCE. For value received, Grantors release, remise and forever quitclaim to Grantee, all of their right, title and interest in and to certain real property located in Blaine County, Idaho, and more particularly described on the attached Exhibit A hereto. The real property is more commonly referred to as:

Main Ranch House, Gabino House and Parcel 1
Farm Buildings (both sites)

Farm Property
Long Lands Parcel 2
Baseline Ranch Parcel 3
East Fields by Gabino Parcel 4
West Fields by Main House Parcel 5

→ USP Property, River Street, Hailey, Idaho Parcel 6
Lot on Main Street, Bellevue, Idaho Parcel 7
Lot West of Bellevue, Idaho Parcel 8
Lots in Gannett, Idaho Parcel 9
South Lots in Gannett, Idaho Parcel 10
Range Land and Radio Site Parcel 11

3. SIGNATURES.

426161

Deed

BLAINE CO. REQUEST

OF: C.W. & R.H. Gardner

99 APR 14 AM 11 13

MARSHA L. E. HUN, CLERK

FEES \$12.00

Cloyd W. Gardner
CLOYD W. GARDNER

Ruth Helen Gardner
RUTH HELEN GARDNER

QUITCLAIM DEED

13279-001 \COMP\Q2500R\FILES\g\gardner, cloyd\QUITCLAIM.dcn 01.10.00

Page 1

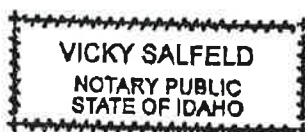
Post-it® Fax Note 7671

Date	4/26	# of pages	4
To	Jan	From	Sunday
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

STATE OF IDAHO)
) ss.
COUNTY OF BLAINE)

On April 9th, 1999, before me, the undersigned, a notary public in and for said county and state, personally appeared Cloyd W. Gardner, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

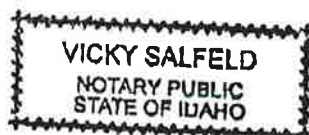


Vicky Salfeld
NOTARY PUBLIC FOR IDAHO
Residing at Boise, ID
My Commission Expires: 7-26-2000

STATE OF IDAHO)
) ss.
COUNTY OF BLAINE)

On April 9th, 1999, before me, the undersigned, a notary public in and for said county and state, personally appeared Ruth Helen Gardner, known to me to be the person whose name is subscribed to the within 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 same day and year in this certificate first above written.



Vicky Salfeld
NOTARY PUBLIC FOR IDAHO
Residing at Boise, ID
My Commission Expires: 7-26-2000

EXHIBIT A

LEGAL DESCRIPTIONS

Parcel 1	Main Ranch House, Gabino House and Farm Buildings (both sites)	½ int, FR NENE TL 1702 and 1703, NWNE, SENE
Parcel 2	Long Lands	½ int, SESW, Sec 34 1N 19E ½ int, FR NESE TL 4392, Sec 33, FR NWSW TL 810, FR SWSW, TL 4423, Sec 34 1N 19E
Parcel 3	Baseline Ranch	FR SWSW TL 4422, Sec 34 1N 19E
Parcel 4	East Fields by Gabino	½ int, Lots 2, 3, 4, 5, N½ NE, Sec 7 1S 20E ½ int, FR SESE TL 1714 and 1715, Sec 12, FR NWSE TL 1710, 1711 ½ int, Lots 3, 4, Sec 8 1S 20E
Parcel 5	West Fields by Main House	½ int, Lot 1 TL 1693 and 1694, NENW; Lot 2, TL 1695 and 1696, Lots 3 and 4; SENW TL 1697 and 1698, NESW TL 1699 and 1700, SESW TL 1701, Sec 18 1S 20E
Parcel 6	USP Property, River Street, Hailey, ID	Lots 1, 2, 3, 4, 5, 6, 7, Block 31
Parcel 7	Lot on Main Street, Bellevue, ID	½ int, Lot 1, Block C
Parcel 8	Lot West of Bellevue, ID	½ int, Lot 2, Block 92
Parcel 9	Lots in Gannett, ID	½ int, Lots 11 and 12, Block 14
Parcel 10	South Lots in Gannett, ID	½ int, Lots 13, 14, 15, 16, 17, 18, Block 7
Parcel 11	Range Land & Radio Site	½ int, SENE, Sec 25, 1S 19E ½ int, N½ NW, NWNE, Sec 23, NE, N½ NW, NWSE, Sec 24, 2S 19E N½ NW, Sec 33, 1S 19E ½ int, All Sec 9 N½, N½ S½, SWSW, Sec 10,

Columbine?

QUITCLAIM DEED

13279-001 \COMPACT\000\FILES\g\gardner, cloyd\QUITCLAIM.doc 03-29-00

Page 3

N½, SE, NWSW, Sec 11, W½, E½ SE, SWSE,
Sec 13, NESE, Sec 15, E½, SW, Sec 14, 2S 19E

SESW, SWSW, Sec 28, S½, S½ Sec 29, 1S 19E

½ int, W½, Sec 1, All Sec 2, All Sec 3, All Sec
4, 2S 19E

QUITCLAIM DEED

13279-001 \COMPAQ2500R\FILES\gardenz. cloyd\QUITCLAIM.doc 03-29-99

Page 4

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: A37-04433
Date Received: 10/27/1988
Receipt No: C003367
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: COLUMBINE PARTNERS
Address: C/O MICHAEL S. ENGL
P.O. BOX 2500
SUN VALLEY, ID 83353
208-726-8151

2. Date of Priority: APR 01, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	19E	33	NW	NW	SE		BLAINE

5. Description of diverting works:
WELL 74', 40 HP PUMP, 16' CASING, 8" BURIED MAINLINE, 1 CTR PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.860		

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

8. Total consumptive use is 357.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	33	NE	SE		IRR	22.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0

A37-04433

Page 1

Date: 11/15/88

MICROFILMED
FEB 24 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	33	SE	SE		IRR	38.0
						Section Acres	140.0
		34	SW	SW		IRR	3.0
						Section Acres	3.0
						Total Acres	143.0

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:
37-00115B, 37-00667C, 37-00881.

14. Remarks:
A COPY OF THE AFFIDAVIT OF GEORGE J. ROESSLER, THE WELL DRILLER
WHICH WAS FILED WITH THE BENEFICIAL USE CLAIM, IS ATTACHED TO
SUPPORT THE DATE OF PRIORITY.

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 _____

MICROFILMED
FEB 24 1993

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 A37-04433
Date Received _____
Receipt Number C003367

RECEIVED

OCT 27 1988

Department of State Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): Columbine Partners
Phone: (208) 726-8151
Mailing Address: c/o Michael S. Engl
P.O. Box 2500
Sun Valley, ID 83353

2. Date of Priority: April 1, 1952

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>
1N	19E	33	NW	NW	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>
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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>
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5. Description of existing diversion works: Well, 74 feet deep, with 40 HP pump and 16 inch casing; 8 inch buried mainline; one (1) center pivot and handlines for the corners.

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FEB 24 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	2.86 cfs

7. Total Quantity Claimed: 2.86 cfs

8. Total consumptive use claimed is 357.5 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Use</u>	<u>Irrig. Acres</u>
1N	19E	33	NE	SE	I	22
1N	19E	33	NW	SE	I	40
1N	19E	33	SW	SE	I	40
1N	19E	33	SE	SE	I	38
1N	19E	34	SW	SW	I	3

Total number of irrigated acres: 143

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-0115B, 37-0667C, 37-0881.

14. Remarks: A copy of the Affidavit of George J. Roessler, the well driller, which was filed with the Beneficial Use Claim, is attached to support the date of priority.

Last Name: Columbine Ident No. _____

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FEB 24 1993

15. Basis of Claim: Beneficial Use
IDWR Water Right Number: 37-4433
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 - 1.

[For Organizations] I do solemnly swear or affirm that I am a general partner of Columbine Partners, that I have signed the foregoing document in the space below as a general partner of Columbine Partners, and that the statements contained in the foregoing document are true and correct.

Signature of General Partner

Michael S. Engh

Title of Organization: Columbine Partners

Date 10/24/88

State of IDAHO)
County of BLAINE) ss.

Subscribed and sworn before me this 24th day of October, 1988.

Notary Public James P. Speck
Residing at East Fork, ID
Commission Expires 1/24/91

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: 10/24/88

Last Name: Columbine Ident No.: _____
a:\clmbine4.clm

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FEB 24 1993

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

Scale: ~~2 inches equals 1 mile~~

TOWNSHIP 1 NORTH, RANGE 19 EAST, B.M.



Last Name COLUMBINE

Ident No. _____

Copies: White-State, Yellow-Claimant

10/19/2006

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

RIGHT NUMBER: 37-7239A

NAME AND ADDRESS: BASHAW FAMILY TRUST
C/O GERALD BASHAW
PO BOX 2734
SUN VALLEY ID 83353

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
73.500 AFY

PRIORITY DATE: 06/05/1973

POINT OF DIVERSION:

T01S R20E S16 SWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
0.060 CFS

PLACE OF USE:

IRRIGATION Within BLAINE County

T01S R20E S16 SWSW 21.00

21 ACRES TOTAL

Right Nos. 37-2566A, 37-2594A, 37-2612A AND 37-7239A are limited to the irrigation of a combined total of 21.0 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

OWNERSHIP CHANGE 1/29/91 BY JG.

***** 4/1/96 TF; CLAIM
SPLIT FROM A37-07239 PURSUANT TO APPROVED TRANSFER 3704.

11-27-00, FM: OWNERSHIP CHANGE COMPLETED PER REQUEST RECEIVED
1-31-00.

RECEIVED

MAR 3 1987

Department of Water Resources
Southern Region Office

STATE OF IDAHO)
) ss.
County of Lincoln)

I, George J. Roessler, being first duly sworn
upon oath, depose and state:

1. In the late fall, 1951, I drilled a well for
Mr. Clarence Allred on his property immediately north of
the Baseline Road and west of the Gannett Road in Blaine
County, Idaho. The well was drilled with a 16 inch casing.

2. To the best of my knowledge, water from this
well was first put to beneficial use in the Spring of 1952
by Mr. Allred.

Dated this 3 day of Nov, 1986.

George J. Roessler
George J. Roessler

SUBSCRIBED and SWORN to before me this 3rd day
of November, 1986.

Callen W. Barney
Notary Public for Idaho
Residing at: Shoshone, ID

MICROFILMED
FEB 24 1993



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

Re: Evidence of Priority

RESPONSE DEADLINE
JUNE 17, 2005

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

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Columbine Thore CLAIM DENT. NO. A 37-04433DATE RECEIVED 10/27/88 CK # 8678 AMOUNT \$ 393.00

1. Is the name and address complete with zip code? YES ☒ NO ☐
2. Is a priority date entered? YES ☒ NO ☐

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? YES ☒ NO ☐
- (b) Is a tributary to entered? (if required) N/A ☒
4. Is the legal description of the p.d. sufficient? YES ☒ NO ☐
5. Is there a description of the diverting works? YES ☒ NO ☐
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. YES ☒ NO ☐
- Is the period of use included? YES ☒ NO ☐
- Is a quantity claimed for each use? YES ☒ NO ☐
7. Is a total quantity claimed entered? YES ☒ NO ☐
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? YES ☒ NO ☐
11. Is (are) the county(ies) entered? YES ☒ NO ☐
12. Is the ownership of p.u. checked? YES ☒ NO ☐
13. Are other water rights listed or "none" indicated? YES ☒ NO ☐
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? YES ☒ NO ☐
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?) YES ☒ NO ☐
- Has the claim been signed, sealed, and dated by a notary? YES ☒ NO ☐
- Was this claim filed on time, or was an extension granted? YES ☒ NO ☐
- 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? YES ☒ NO ☐

Claim checked by: W. J. 24 1993Comments: date entered 11/5/88