

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 37-7064E
Date Received: 6/13/1989
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BILL AND BETTY GRANT LIVING TRUST Phone: (208)788-2566
PO BOX 370
HAILEY ID 83333

2. Date of Priority: 04/21/1970

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	18E	25	SE NW	BLAINE	

5. Description of diverting works:

WELL, PUMP, TWO WHEEL-LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.46	80.5

7. Total Quantity Appropriated is:

0.46 C.F.S. and/or 80.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	25	SE	NW	IRRIGATION	21
			NE	NW	IRRIGATION	2
					Section Acres	23
					Total Acres	23

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:

SUPPLEMENT TO BIG WOOD RIVER WATER...A37-00102.

***** PURSUANT TO APPROVED TRANSFER NO. 4338 (WHICH SUPERSEDES TRANSFER NO. 3777): 1. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO.37.

2. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOT THE LANDS ABOVE.

3. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

4. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

5. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

15. Basis of Claim: License



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

April 29, 2003

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**BILL AND BETTY GRANT LIVING TRUST
PO BOX 370
HAILEY ID 83333**

Re: SRBA Claim(s) 37-102B and 37-7064E

Dear Mr. and Mrs. Grant:

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,

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

**Trish Fawcett
Technical Records Specialist**

Enc.

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

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

RECEIVED
 APR 28 2003
 Department of Water Resources
 Southern Region

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	37-102B	-			
	37-7064E	-			

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)

Clinton Stearnett (1/3)
 Box 1568 Sun Valley, Idaho 83353

4. New Owner/Claimant(s)

Bill & Betty Grant & Betty L. Grant, Trustees

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Grant Living Trust
 Box #370

City, State and ZIP Code

Hailey, Idaho 83333

New Telephone Number

(208) 788-2566

5. Date you acquired the property

we were 1/2 owners and bought
 Clint but July 8, 1997, but 1/4 was
 sold to Gary Winder, who on
 August 24, 2001, Quit Claimed his
 1/4 share back to us - "Bill & Betty
 Grant Living Trust" (See
 enclosed)

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) _____

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

For Office Use Only

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

WARRANTY DEED

For Value Received as relinquished property in an IRC 1031 tax deferred exchange and as replacement property in an IRC 1031 tax deferred exchange

W. Clinton Stennett, a married man as his sole and separate property

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

Bill G. Grant and Betty L. Grant, Trustees or their successors in Trust under the Bill and Betty Grant Living Trust dated May 18, 1995, as to an undivided 25% interest and Gary Weiner, a single man as to an undivided 25% interest in the entire property

whose address is: P.O. Box 370, Halley, ID 83333

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

AN UNDIVIDED ONE HALF (1/2) INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTY BEING ALL OF THE GRANTOR'S INTEREST:

See Attached Legal Description attached hereto and made a part hereof.

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

Dated:

W. Clinton Stennett
W. Clinton Stennett

State of Idaho

County of Blaine

On Sept. 19, 1997 before me, the undersigned, a Notary Public in and for said State, personally appeared W. Clinton Stennett, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Signature: Elaine Co. Request
Reading: Elaine Co. Request
Commission Expires: 1-6-02



406205

Deed

ELAINE CO. REQUEST

OF: FIRST AMERICAN TITLE CO.

'97 SEP 22 PM 3 54

MARY GREEN, CLERK

FEES \$

6.00

Instrument # 454824

HAILEY, BLAINE, IDAHO

2001-08-29

01:35:00 No. of Pages: 2

Recorded for: BETTY GRANT

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

Order No.

QUITCLAIM DEED

FOR VALUE RECEIVED

I, Gary Weiner

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

Bill G Grant and Betty L. Grant, Trustees, or their successors in trust, under the Bill
and Betty Grant Living Trust dated May 18, 1995, and any amendments thereto

whose address is:

P.O. Box 370, Hailey ID 83333

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

Township 1 North, Range 18 East, Boise Meridian, Section 25:

- All that portion of the SE1/4 NW 1/4 lying East of State Highway 75 and North
of Tax Lot 1501 (shown on the tax rolls as Tax Lot No. 1504), AND;
- All of the NE 1/4 NW 1/4 lying South and East of State Highway 75 (shown on
the tax rolls as Tax Lot No. 1505).

Note: The property's address is 10631 State Highway 75, Blaine County ID 83313

together with their appurtenances.

Dated:

August 24, 2001

Gary Weiner

State of

My phone
760-328-8944

RECEIVED

5/24/03

APR 28 2003

Department of Water Resources
Southern Region

Dear Jim

I am sorry this took so
long to show "proper ownership"
The Warranty, deed & Quit Claim
deed Copies are enclosed.

I should be up in Laidy
Idaho by May 10 or so - weather
is good here, and allows
Bill to continue to practice
his walking. I have good
support for disabled (handicapped)
People understand but I am
Anxious to get back and must
tend to my business. I have good
would you like to purchase
this property or know someone
interested in improving the
Parcel - (Nice House Property)
Sincerely
Betty Grant

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: **A37-07064E**
Date Received: 6/13/1989
Receipt No: X777777
Received By: _____

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

1. Name: BILL GRANT 208-726-8106
Address: PO BOX 1568
SUN VALLEY ID 83353
AND/OR
Name: BETTY GRANT 208-726-8106
Address: PO BOX 1568
SUN VALLEY ID 83353
AND/OR
Name: W CLINTON STENNETT 208-726-8106
Address: PO BOX 1568
SUN VALLEY ID 83353

2. Date of Priority: APR 21, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	25	SE		NW		BLAINE

5. Description of diverting works:
WELL, PUMP, TWO WHEEL-LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.460		80.50

7. Total Quantity Appropriated is:
0.460 C.F.S. (and/or) 80.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	25	NE	NW		IRR	2.0
			SE	NW		IRR	21.0
Section Acres							23.0
Total Acres							23.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00102

14. Remarks:

SUPPLEMENT TO BIG WOOD RIVER WATER...A37-00102.

PURSUANT TO APPROVED TRANSFER NO. 4338 (WHICH SUPERSEDES TRANSFER NO. 3777):

1. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO.37.
2. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOT THE LANDS ABOVE.
3. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
4. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
5. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

15. Basis of Claim: LICENSE

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: _____

12/11/2006

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

RIGHT NUMBER: 37-7064E

NAME AND ADDRESS: BILL AND BETTY GRANT LIVING TRUST
PO BOX 370
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

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

QUANTITY: 0.460 CFS
80.500 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 04/21/1970

POINT OF DIVERSION:

T01N R18E S25 SENW 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	0.460 CFS 80.50 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S25	NENW	5.30	T01N R18E S25	SENW	20.00
---------------	------	------	---------------	------	-------

25.3 ACRES TOTAL

This right is limited to the irrigation of 23 acres within the place of use described above in a single irrigation season.

Right Nos. 37-102B and 37-7064E are limited to the irrigation of a combined total of 25.3 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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



Idaho Department of Water Resources

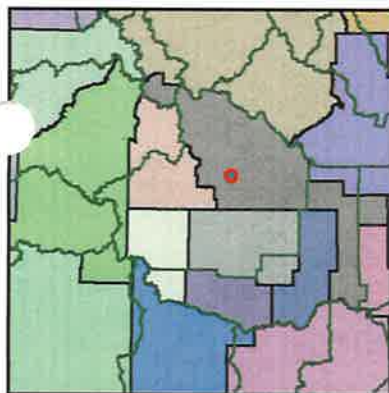
SRBA Recommendation:

37-7064E

(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by J. Roberts
On Monday, December 11, 2006
2004 Aerial Photography

Owner: Bill And Betty Grant Living Trust

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-7064E V1

WATER RIGHT NUMBER: 37-7064E V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	W CLINTON STENNETT PO BOX 475 KETCHUM, ID 83340 (208)726-8106
Trustee	BILL GRANT PO BOX 370 HAILEY, ID 83333 (208)788-2566
Current Owner	BILL AND BETTY GRANT LIVING TRUST PO BOX 370 HAILEY, ID 83333 (208)788-2566
Trustee	BETTY GRANT PO BOX 370 HAILEY, ID 83333 (208)788-2566

Priority Date: 04/21/1970

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.460 CFS	80.50 AF
	<u>Total Diversion:</u>	0.460 CFS	80.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 25, Twp 01N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	25					5.3			20.0									25.3

Total Acres: 25.3

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-7064E V1

2. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. K06 This right is limited to the irrigation of 23 acres within the place of use described above in a single irrigation season.
5. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. E55 Right Nos. 37-102B and 37-7064E are limited to the irrigation of a combined total of 25.3 acres in a single irrigation season.
7. 104 If the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Remarks:

Comments:

1. JROBERTS 12/6/1994 SPLIT/TRANSFER

Comment: This claim is a portion of A37-07064A which was split pursuant to approved Transfer No. 3777, then the P/D was changed in approved Transfer No. 4338. jr

2. jroberts 11/24/2006 added SW Conditions

Comment: This right is supplemental to SW, added Conditions 065 and 104.

Water Supply Bank:

11/24/2006

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

RIGHT NUMBER: 37-7064E

NAME AND ADDRESS: BILL AND BETTY GRANT LIVING TRUST
PO BOX 370
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

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

QUANTITY: 0.460 CFS
80.500 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 04/21/1970

POINT OF DIVERSION:

T01N R18E S25 SENW 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	0.460 CFS 80.500 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S25	NENW	2.00	T01N R18E S25	SEnw	21.00
---------------	------	------	---------------	------	-------

25.3
23 ACRES TOTAL

Right Nos. 37-102B and 37-7064E are limited to the irrigation of a combined total of 23 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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



Idaho Department of Water Resources

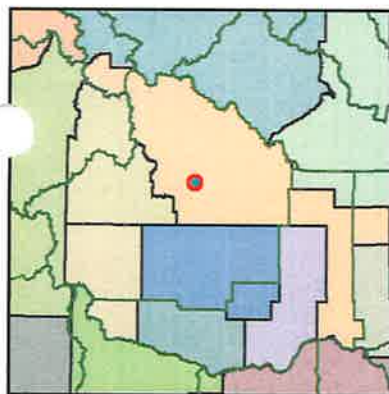
SRBA Recommendation:

37-7064E

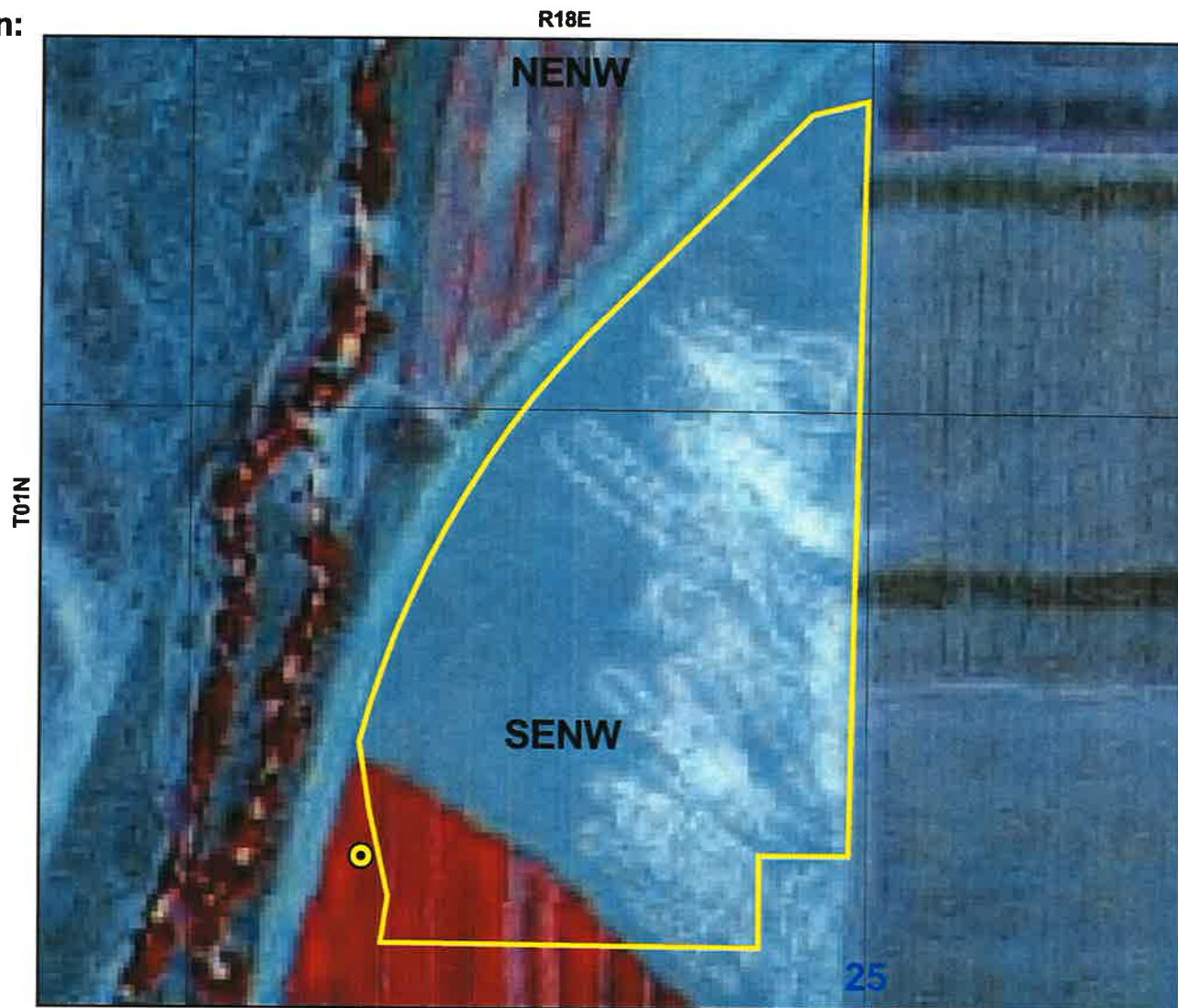
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Owner: Bill And Betty Grant Living Trust

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by J. Roberts
On Friday, November 24, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-7064E V1

WATER RIGHT NUMBER: 37-7064E V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	W CLINTON STENNETT PO BOX 475 KETCHUM, ID 83340 (208)726-8106
Trustee	BILL GRANT PO BOX 370 HAILEY, ID 83333 (208)788-2566
Current Owner	BILL AND BETTY GRANT LIVING TRUST PO BOX 370 HAILEY, ID 83333 (208)788-2566
Trustee	BETTY GRANT PO BOX 370 HAILEY, ID 83333 (208)788-2566

Priority Date: 04/21/1970

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.460 CFS	80.50 AF
	<u>Total Diversion:</u>	0.460 CFS	80.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 25, Twp 01N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	25					2.0				21.0								23.0

Total Acres: 23

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-7064E V1

2. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. E55 Right Nos. 37-102B and 37-7064E are limited to the irrigation of a combined total of 23 acres in a single irrigation season.
6. 104 If the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Remarks:

Comments:

1. JROBERTS 12/6/1994 SPLIT/TRANSFER

Comment: This claim is a portion of A37-07064A which was split pursuant to approved Transfer No. 3777, then the P/D was changed in approved Transfer No. 4338. jr

2. jroberts 11/24/2006 added SW Conditions

Comment: This right is supplemental to SW, added Conditions 065 and 104.

Water Supply Bank:

10/17/2006

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

RIGHT NUMBER: 37-7064E

NAME AND ADDRESS: BILL AND BETTY GRANT LIVING TRUST
PO BOX 370
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.460 CFS
80.500 AFY

Right Nos. 37-102B and 37-7064E are limited to a total combined diversion rate of 1.66 cfs.

PRIORITY DATE: 04/21/1970

POINT OF DIVERSION:

T01N R18E S25 SENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

05/01 10/31

0.460 CFS

80.50 AFY

The use of water for irrigation under this right may begin as early as April 15, provided other elements of the right are not exceeded. The use of water before May 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within BLAINE County

T01N R18E S25 NENW 2.00 T01N R18E S25 SENW 21.00
23 ACRES TOTAL

Right Nos. 37-102B and 37-7064E are limited to the irrigation of a combined total of 23.8 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

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

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-7064E V1

WATER RIGHT NUMBER: 37-7064E V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	W CLINTON STENNETT PO BOX 475 KETCHUM, ID 83340 (208)726-8106
Trustee	BILL GRANT PO BOX 370 HAILEY, ID 83333 (208)788-2566
Current Owner	BILL AND BETTY GRANT LIVING TRUST PO BOX 370 HAILEY, ID 83333 (208)788-2566
Trustee	BETTY GRANT PO BOX 370 HAILEY, ID 83333 (208)788-2566

Priority Date: 04/21/1970

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/31	0.460 CFS	80.50 AF
	<u>Total Diversion:</u>	0.460 CFS	80.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 25, Twp 01N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	25					2.0			21.0									23.0

Total Acres: 23

Conditions of Approval:

1. E51 Right Nos. 37-102B and 37-7064E are limited to a total combined diversion rate of 1.66 cfs

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-7064E V1

2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. E55 Right Nos. 37-102B and 37-7064E are limited to the irrigation of a combined total of 27.8 acres in a single irrigation season.
5. S37 The use of water for irrigation under this right may begin as early as April 15, provided other elements of the right are not exceeded. The use of water before May 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
6. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:

Comments:

1. JROBERTS 12/6/1994 SPLIT/TRANSFER

Comment: This claim is a portion of A37-07064A which was split pursuant to approved Transfer No. 3777, then the P/D was changed in approved Transfer No. 4338. jr

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7064E

WATER RIGHT NUMBER: 37-7064E

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	W CLINTON STENNETT PO BOX 475 KETCHUM, ID 83340 (208)726-8106
Original Owner	ESTATE OF JAMES IVAN EAKIN 28 PERO RD PO BOX 296 BELLEVUE, ID 83313 (208)788-4061
Current Owner	BETTY GRANT PO BOX 370 HAILEY, ID 83333 (208)788-2566
Current Owner	BILL GRANT PO BOX 370 HAILEY, ID 83333 (208)788-2566

Priority Date: 04/21/1970

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.460 CFS	80.50 AF
	<u>Total Diversion:</u>	0.460 CFS	80.50 AF

Location of Point(s) of DiversionGROUND WATER
BLAINE County

SE1/4NW1/4

Sec. 25, Twp 01N, Rge 18E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	25					2.0			21.0									23.0

Total Acres: 23

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7064E

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Remarks:

Comments:

1. SKAGGS 1/27/1994 PROOF OF COMPLETED TRANSFER NO. 3777

Comment: Proof of completion received 07-09-93.

2. BALDWIN 4/19/1994 TRANSFER NO. 4338

Comment: Transfer No. 4338 was filed to change/correct the point of diversion under Right No. 37-07064E.

Water Supply Bank:

SCHEDULE A

Order Number: 95006996

LEGAL DESCRIPTION

A parcel of land lying within Township 1 North, Range 18 East, Section 25, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

COMMENCING at the southeast corner of the NESE corner which is the TRUE POINT OF BEGINNING; THENCE S 89 degrees 25' 00" W, 1402.21 feet to Highway 75; THENCE N 6 degrees 21' 09" E, 765.73 feet; THENCE a curve to the right with a radius of 2824.79, a distance of 424.14, a delta of 8.24, and a bearing of N 19 degrees 33' 00" E; THENCE N 14 degrees 43' 30" E, 383.22 feet; THENCE N 89 degrees 27' 33" E, 1135.97 feet; THENCE S 00 degrees 18' 58" E, 1534.95 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO.



MICROFILM
NOV 27 1996

State

Cons:

On p
undesatisf
that

WIT:

Note:
Resid
Comm

(Ack:

Order No. 95006986
This form furnished by
Blaine County Title Associates

State of CALIFORNIA

County of SAN MATEO

On this 25th day of August, 1995, before me, the undersigned, a Notary Public, in and for said State, personally appeared MARVALYNCE JOHNSON

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that she executed the same.

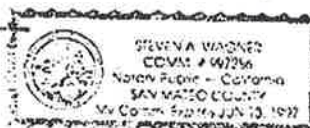
WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Re: [Signature]
Notary Public

Residing at: 10000 PASEO DE
Commission Expires: 6/5/97

(Acknowledgment - Individuals)



MICROFILM
NOV 2 1995

MEMORANDUM

RECEIVED

JUN 09 1994

Department of Water Resources
Southern Region Office

TO: FILE 37-07064E

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4338

DATE: May 23, 1994

=====

Transfer No. 4338 was filed to change the point of diversion of record under Right No. 37-07064E.

Previous Transfer No. 3777 changed the point of diversion under a portion of Right No. 37-07064C, splitting the right and creating Part E. Either the transfer application and map were incorrect identifying the NENW, or the right holder's plan changed between transfer approval on 04-15-91 and 04-14-92 when a drilling permit for the SENW was requested and approved. The Well Drillers Report received 08-19-92 confirms that the new well was drilled in SENW, S25.

The season of use and diversion volume were adjusted to reflect current standards and recommended conditions include watermaster control (Basin 37), irrigation overlap and standard transfer conditions.

37-07064 E

NOV 27 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4338
WATER RIGHT NO. 37-07064E

This is to certify that: **BILL GRANT**
BETTY GRANT
W CLINTON STENNETT
PO BOX 1568
SUN VALLEY ID 83353

RECEIVED

JUN 02 1994

De. South
Resources
Office

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.46 CFS	80.5 AF

SOURCE

GROUNDWATER

Priority: 04/21/1970

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 25, Township 01N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	18E	25	NENW 2	SENW 21		23
Total number of acres irrigated:						23

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

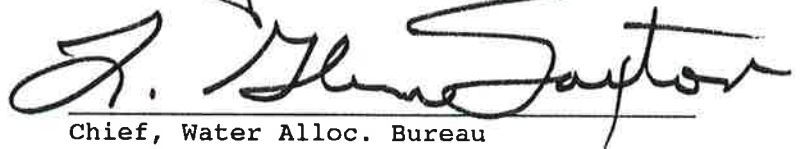
MICROFILMED
NOV 27 1996

TRANSFER NO. 4338
WATER RIGHT NO. 37-07064E

CONDITIONS/REMARKS:

5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 25th day of May, 1994.


Chief, Water Alloc. Bureau

MICROFILMED
NOV 27 1998

MAR 1 1994

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources
Southern Region Office

Name of applicant W. Clinton Stennett and/or
Bill Grant and/or Betty Grant Phone (208) 726-8106

Post Office address P.O. Box 1568, Sun Valley, Idaho 83353

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other
2. Describe the reason for the proposed changes Reflect actual point of diversion on
Applicants' property.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
37-07064E 4-21-70 0.46 cfs Irrigation 5/01 to 10/31
2. Total amount of water being transferred 0.46 cubic feet per second and/or 80.5 acre-feet per annum.
3. Source of water Groundwater tributary to
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NW	25	1N	18E	Blaine	

5. Lands irrigated or place of use: No Change

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	
1N	18E	25					2			21									23

PART 1

6. General Information:

a. Description of diversion system one well; new pump; two wheel lines

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No effect, water will be used on same land, only point of diversion
is different.

d. Remarks:
The point of diversion was erroneously described in Transfer No. 3777 as
in the SENENW whereas it should have been described as in the SWSENW.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

[Red Stamp]
NOV 27 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 37-07064E issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3777 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-21-1970

5. Water is used for the following purpose:

amount 0.46 for Irrigation purposes from 5/01 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.46 cubic feet per second and/or 80.5 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NW	25	1N	18E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	18E	25					2			21									23

Total acres 23

9. Describe any other water rights used for the same purpose as described above 37-00102 NOV 27 1996

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

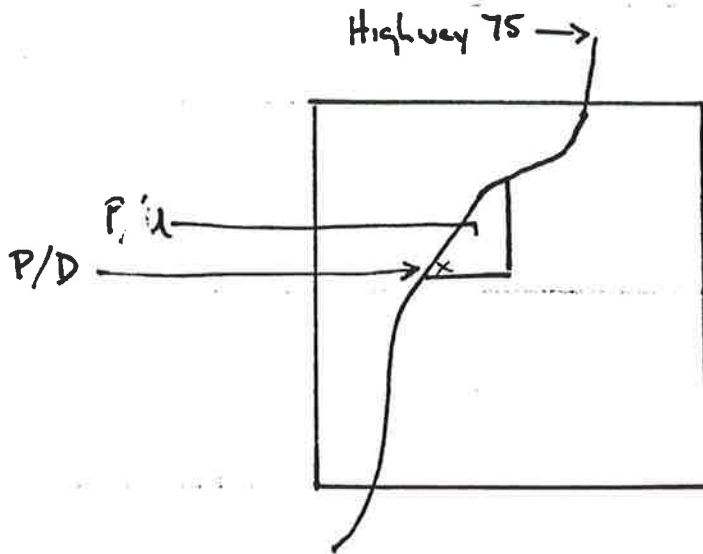
Total acres _____

NOT 27 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



BLAINE COUNTY
SECTION 25
T1N, R18E

SCALE: 2 inches equal 1 mile. Draw plan in ink.

RECEIVED
NOV 27 1996

PART 3

B. CHANGES IN NATURE OF USE

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 17th day of February 1994.

W. Clubb
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 12/12/99

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by J. E. Stanton Date 3-7-94 Protest filed by _____

Prelim. check by MJS Fee \$250.00 5016614

Receipted by [Signature] Date 3-7-94

Published in Wood River Journal Copies of protest forwarded by _____

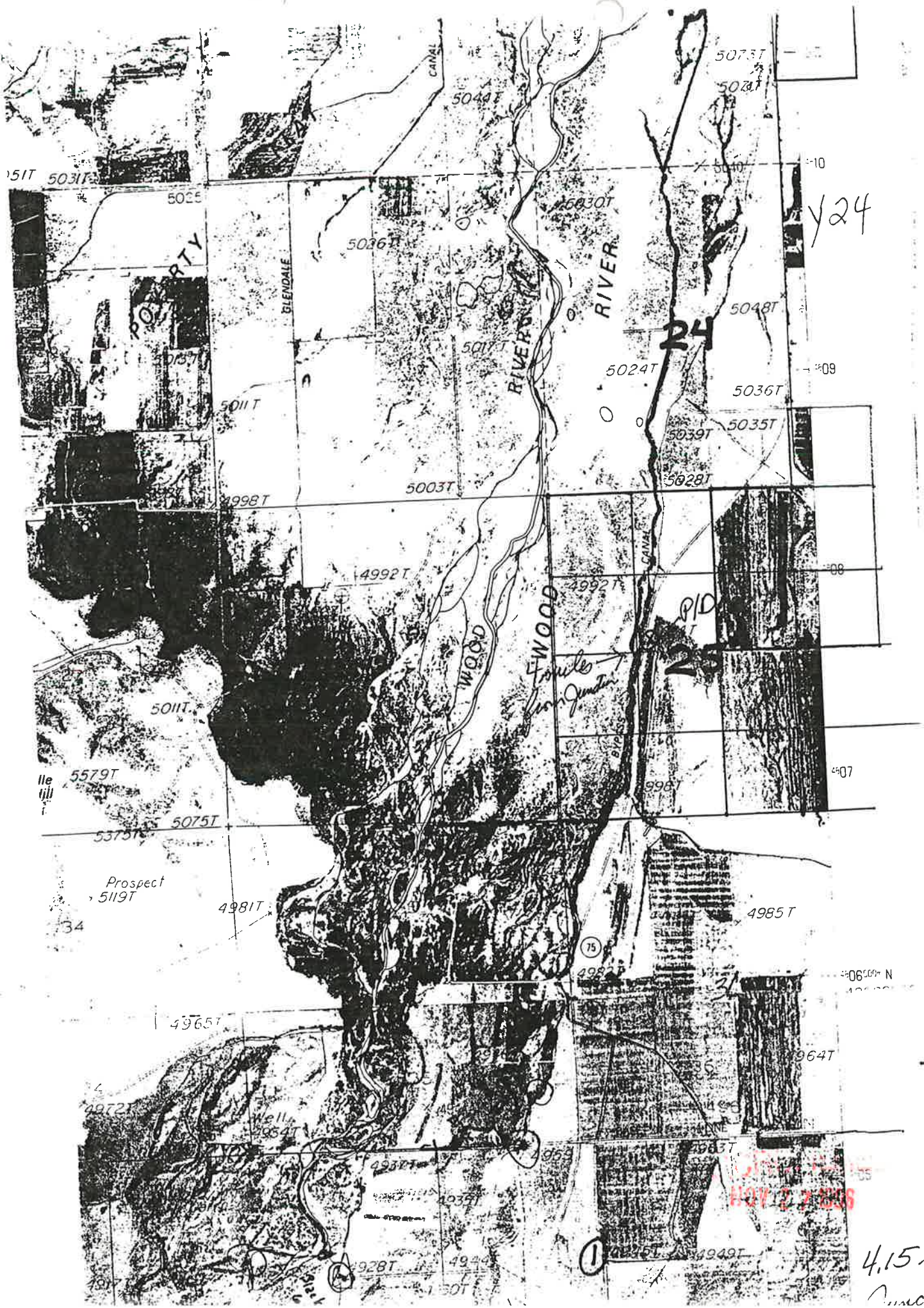
Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by [Signature]

Copy of transfer sent to lien holder _____

NOV 27 1996



R

W E D

WARRANTY DEED

APR 20 1994

Department of Water Resources
Southern Region Office

For Value Received

An undivided one-third interest:

DOROTHEA S. DOWD, MARIE S. HILL, and JOHN W. SWEET

An undivided two-thirds interest:

DOROTHEA S. DOWD, as to an undivided 1/18 interest
ROY B. DOWD, as to an undivided 1/18 interest
NANCY D. SHORTRIDGE, as to an undivided 1/18 interest
MYRON B. DOWD, JR., as to an undivided 1/18 interest
WILLIAM F. DOWD, as to an undivided 1/18 interest
SALLY D. COUTERNO, as to an undivided 1/18 interestJOHN W. SWEET, as to an undivided 1/9 interest
JOHN R. SWEET, as to an undivided 1/9 interest
ELIZABETH S. LUTHY, as to an undivided 1/9 interestMARIE S. HILL, as to an undivided 1/6 interest
GARY G. HILL, as to an undivided 1/6 interestBLAINE CO. REQUEST
of Snakehead Lila Co., Inc.
90 PM 19 PM 4 28
MADE CREDIT. JENK TNP
FEES \$ 15.00

317556

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto
W. CLINTON STEINMETT, a single man; AND BILL GRANT AND BETTY GRANT, husband and wife
whose address is: P.O. Box 1568, Sun Valley, ID 83353

Hereinafter called the grantee, the following described premises, in Blaine County, Idaho.
to-wit:

Township 1 North, Range 18 East, Boise Meridian, Blaine County, Idaho.

Section 25: All that portion of the SE1/4 lying East of Highway 75 and North of
Tax Lot 1501; AND (SHOWN ON THE ASSESSOR'S ROLLS AS TAX LOT # 1504)

All of the NE1/4 lying South and East of State Highway 75.
(SHOWN ON THE ASSESSOR'S ROLLS AS TAX LOT # 1503)

Together with the following water rights:

1.66 C.F.S. of the 8.00 C.F.S. owned by John Brown Prop. per Water Right
37-00102 and Well Permit A37-0769A 0.46 C.F.S., Dept. of Water Res. Twin Falls.

It is understood that the Grantor does not Warrant the above Water Rights.

POOR ORIGINAL

NOV 27 1996

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

Dated: March 8th, 1990

Dorothea S Dowd
Dorothea S. Dowd *D Dowd* by
~~Dorothea S. Dowd~~ as her attorney in fact
Nancy D. Shortridge *Nancy D. Shortridge* by
~~Nancy D. Shortridge~~ as his attorney in fact
William F. Dowd
John W. Sweet *John W Sweet* by
~~John W. Sweet~~ as her attorney in fact
Elizabeth S. Luchy *John W Sweet* by
~~Elizabeth S. Luchy~~ as his attorney in fact
Gary G. Hill

Marie & John

Dorothea S. Dowd
~~Dorothea S. Dowd~~ by
Roy B. Dowd as his attorney in fact
~~Roy B. Dowd~~ by
~~Dorothea S. Dowd~~ as his attorney in fact
Myron B. Dowd, Jr.
~~Myron B. Dowd, Jr.~~ by
~~Myron B. Dowd, Jr.~~ as her attorney in fact
Sally D. Couerno
~~Sally D. Couerno~~ by
~~Sally D. Couerno~~ as his attorney in fact
John R. Sweet
~~John R. Sweet~~ by
~~John R. Sweet~~ as his attorney in fact
Marie S. Hill
Marie & John

POOR ORIGINAL

NOV 27 1996

STATE OF)
) ss.
County of)

On this 8th day of March, A.D. 1990, before me, the undersigned,
a Notary Public in and for said State, duly commissioned and sworn, personally
appeared MARIE HILL to me known to be the individual described in and who executed
the foregoing instrument for herself and as Attorney in fact of:
GARY G HILL (ADULT)

also therein described, and acknowledged to me that he signed and sealed the same as
his voluntary act and deed and as the free and voluntary act and deed of the said:
CHILD (ADULT)

for the uses and purposes therein mentioned, and on oath stated that the power of
attorney authorizing the execution of this instrument has not been revoked and that
the said CHILD (ADULT)

are now living.



Marla J. Horney
Notary Public in and for the State of :
Residing at 601 1st St

RECORDED
NOV 27 1998

STATE OF)
) ss.
County of)

On this 8th day of March A.D. 1990, before me, the undersigned,
a Notary Public in and for said State, duly commissioned and sworn, personally
appeared JOHN W. SWEET to me known to be the individual described in and who executed
the foregoing instrument for himself and as Attorney in Fact of:

ELIZABETH S LUTMY
JOHN R SWEET

also therein described, and acknowledged to me that he signed and sealed the same as
his voluntary act and deed and as the free and voluntary act and deed of the said:
CHILDREN (ADULTS)

for the uses and purposes therein mentioned, and on oath stated that the power of
attorney authorizing the execution of this instrument has not been revoked and that
the said CHILDREN (ADULTS)

are now living.



Karla J. Hovey
Notary Public in and for the State of WA
Residing at Edmonds

RECORDED
NOV 27 1996

STATE OF CALIFORNIA)
) ss.
County of SANTA CLARA)

On this 14th day of MARCH, A.D. 1990, before me, the undersigned,
a Notary Public in and for said State, duly commissioned and sworn, personally
appeared DOROTHEN STONE to me known to be the individual described in and who executed
the foregoing instrument for ~~himself~~ and as Attorney in Fact of:

ROY B. DOWD
NANCY D. SHORTRIDGE
MYRON B. DOWD, JR
WILLIAM F. DOWD
SALLY D. CONTERHO

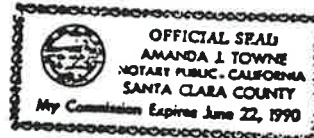
also therein described, and acknowledged to me that she signed and sealed the same as
her voluntary act and deed and as the free and voluntary act and deed of the said:
CHILDREN (ADULTS)

for the uses and purposes therein mentioned, and on oath stated that the power of
attorney authorizing the execution of this instrument has not been revoked and that
the said CHILDREN (ADULTS)

are now living.

Amanda J. Towne
Notary Public in and for the State of

Residing at SANTA CLARA, CALIFORNIA



POOR ORIGINAL

NOV 27 1996

This Indenture, Made this 7th day of March in the year of our Lord one thousand nine hundred and Ninety between W. CLINTON STENNETT, a single man; AND BILL GRANT AND BETTY GRANT, husband and wife of Sun Valley, County of Blaine, State of Idaho the parties of the first part, and SEE EXHIBIT "A"

of _____ County of _____, State of _____ the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of FORTY THREE THOUSAND FIVE HUNDRED DOLLARS AND NO/100 DOLLARS lawful money of the United States, do by these presents GRANT, BARGAIN, SELL and CONVEY unto the said parties of the second part, and to _____ heirs and assigns FOREVER, all that certain real property situate in the County of Blaine and State of Idaho, and bounded and particularly described as follows, to-wit: Township 1 North, Range 18 East, Boise Meridian, Blaine County, Idaho, Section 23: All that portion of the SE1/4 lying East of State Highway 75 and North of Tax Lot 1501; AND

All that portion of the NE1/4 lying South and East of State Highway 75.

Final Payment Due March 16, 1993.

together with the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

THIS GRANT is intended as a mortgage to secure the payment of that certain promissory note of even date herewith, executed and delivered by the said

to the said parties of the second part

AND THESE PRESENTS Shall be void if such payment be made. But in case default shall be made in the payment of the said principal sum of money or any part thereof as provided in the said note, or if the interest be not paid as therein specified, or if the taxes, water maintenance, or payments of principal or interest on any prior lien or incumbrance be not paid, second parties shall have the right to pay the same, and then it shall be optional with the said parties of the second parties, executors, administrators, or assigns, to consider the whole of said principal sum expressed in said note as immediately due and payable; and immediately to enter into and upon all singular the above described premises and to sell and dispose of the same according to law and out of the money arising from such sale retain the principal and interest which shall then be due on the said promissory note together with the costs and charges of foreclosure suit, including _____ counsel fees and also the amounts of all such payments of taxes, assessments, encumbrances or insurance as may have been made by the said second parties heirs, executors or assigns, with the interest on the same at the rate of 10 per cent per annum rendering the overplus of the purchase money (if any there shall be) unto the said parties of the first part, _____ heirs, executors, administrators, or assigns.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

W. Clinton Stennett (Seal)
W. Clinton Stennett
Bill Grant by Betty Grant atty in law

RECORDED
NOV 27 1993

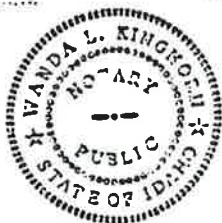
STATE OF IDAHO,
County of Blaine }

On this 19th day of March, 1990, before me.

in and for said State, personally appeared Wm. Clinton Stennatt; and Betty Grant

known to me to be the person s whose names
subscribed to the within instrument, and acknowledged to me that they have executed the same.

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



Wanda L. Kingdon
Comm. expires 7-8-96

STATE OF Idaho
COUNTY OF Blaine
On March 19th before me, the undersigned Notary Public in and for
said State, personally appeared Betty Grant
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is
subscribed to the within instrument as the Attorney in Fact of Burt Grant
and acknowledged to me that he/she subscribed the name(s)
of Burt Grant
therein as principal, and his/her own name as Attorney in
fact.

WITNESS my hand and official seal.

Wanda L. Kingdon
Comm. expires



(This area for official notarial seal)

Ex-Officio Recorder
By _____ Deputy

Fees, \$
Returned to

Notary Public
State of Idaho
Comm. Expires
Date of Birth
Sex
Maiden Name
County
City
State
Zip

BLAINE CO. REQUEST
OF: Mary Green
30 FLOOR 19 PM 4 24
MARY GREEN, CLERK
FEES \$ 9.00

317558

NOV 27 1998

MAR 19 '90 16:38 S&WTOOTH TITLE CO

EXHIBIT "A"

An undivided one-third interest:

--- DOROTHEA S. DOWD, MARIE S. HILL, and JOHN W. SWEET

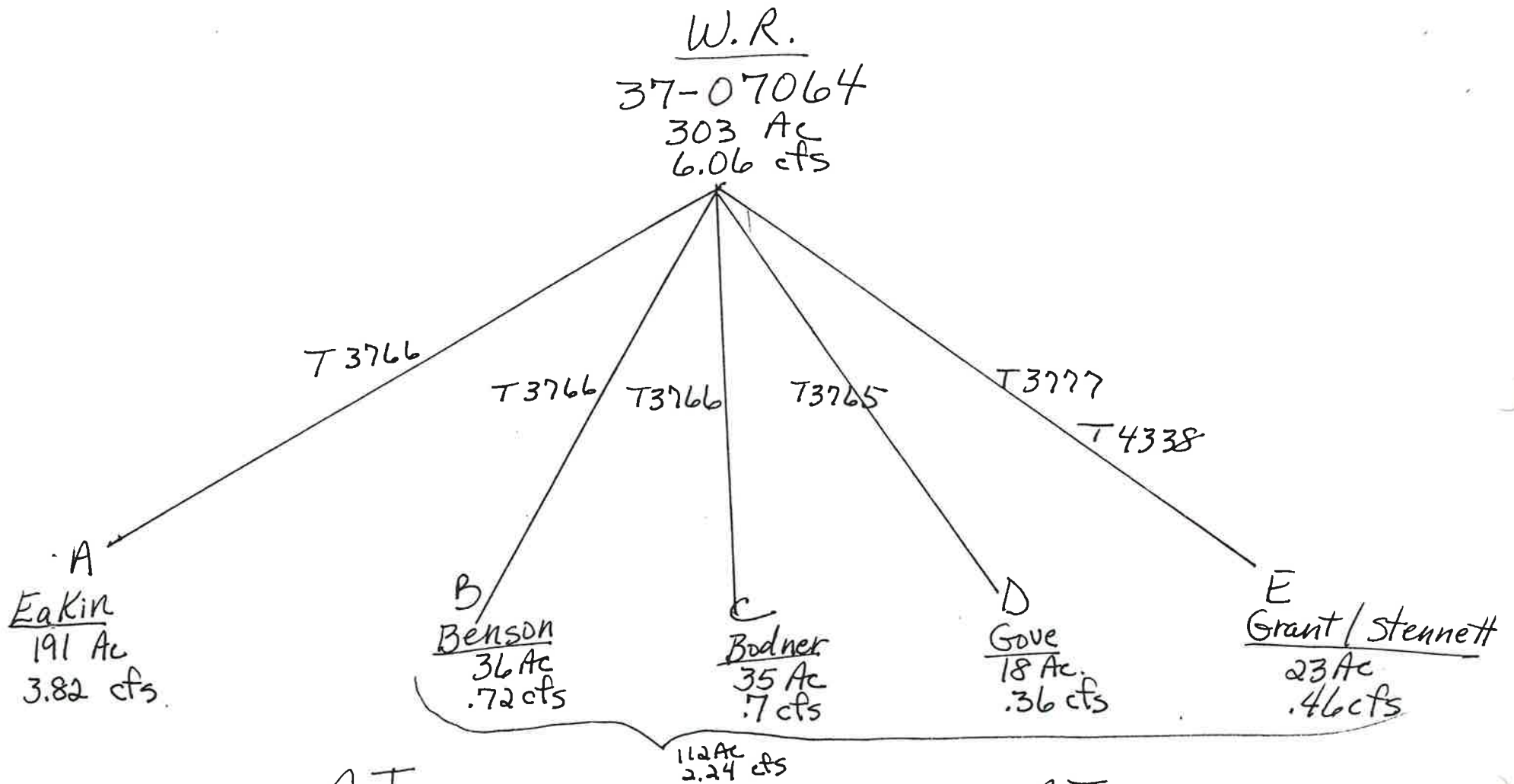
An undivided two-thirds interest:

DOROTHEA S. DOWD, as to an undivided 1/18 interest
ROY S. DOWD, as to an undivided 1/18 interest
NANCY D. SHORTBRIDGE, as to an undivided 1/18 interest
MYRON S. DOWD, JR., as to an undivided 1/18 interest
WILLIAM F. DOWD, as to an undivided 1/18 interest
SALLY D. COUTERNO, as to an undivided 1/18 interest

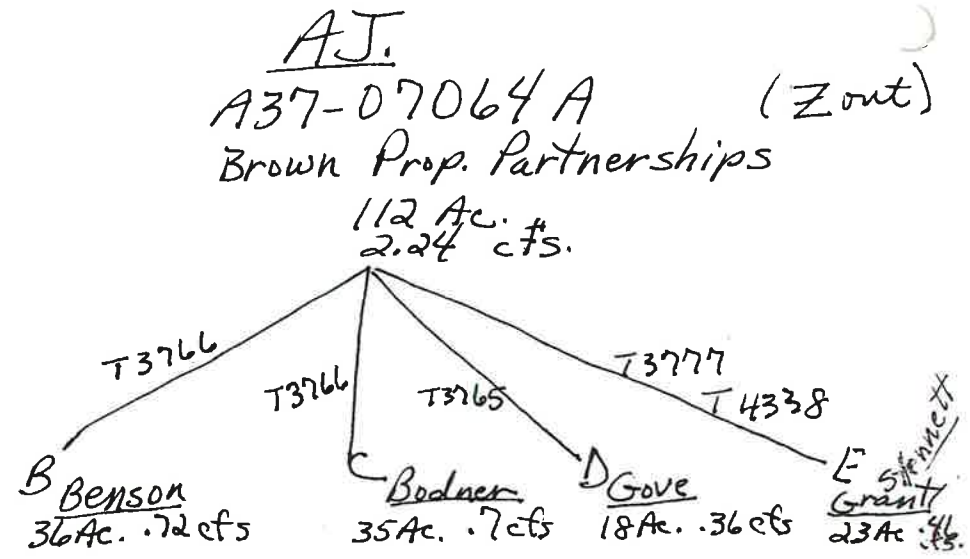
JOHN W. SWEET, as to an undivided 1/9 interest
JOHN R. SWEET, as to an undivided 1/9 interest
ELIZABETH S. LUTHY, as to an undivided 1/9 interest

MARIE S. HILL, as to an undivided 1/6 interest
GARY C. HILL, as to an undivided 1/6 interest

RECORDED
MAR 27 1990



A.J.
A37-07064 (Z out)
Eakin
191 Ac
6.06 cfs
↓ T 3765, 3766, 3777
A37-07064 F
Eakin
191 Ac
3.82 cfs



RECORDED
NOV 27 1995

Water Right Number - R37-07064E

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
GRANT

BILL

1 - PO BOX 1568
2 -
3 -

City- SUN VALLEY
Phone - 208-726-8106
1 - PO BOX 1568

State- ID Zip- 83353

GRANT

BETTY

2 -
3 -
City- SUN VALLEY
Phone - 208-726-8106

State- ID Zip- 83353

STENNETT

W CLINTON

1 - PO BOX 1568
2 -
3 -

City- SUN VALLEY
Phone - 208-726-8106

State- ID Zip- 83353

+ - - Priority Date - - +
04/21/1970

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

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

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

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

01N 18E 25 SE NW (13) BLAINE

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

01 - IRRIGATION 04/15 10/15 0.460 80.50

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.460 80.50 0.0

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

01N 18E 25 NE NW 2.0 01 IRRIGATION (13) BLAINE
01N 18E 25 SE NW 21.0 01 IRRIGATION (13) BLAINE

Total Acres: 23.0

+ - - Diversion Means - WELL, PUMP, TWO WHEEL-LINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-00102

NOV 27 1996

Water right number - R37-07064E

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

SUPPLEMENT TO BIG WOOD RIVER WATER...A37-00102.

PURSUANT TO APPROVED TRANSFER NO. 4338 (WHICH SUPERSEDES TRANSFER
NO. 3777):
1. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE
WATERMASTER OF STATE WATER DISTRICT NO.37.
2. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE
FOT THE LANDS ABOVE.
3. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED
WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
4. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS
CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY
THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
5. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY
FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE
ONGOING SNAKE RIVER BASIN ADJUDICATION.

+ - - - - - 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: 12/06/1994 User Id: JROBERTS Subject: SPLIT/TRANSFER

This claim is a portion of A37-07064A which was split pursuant to approved Transfer No. 3777, then the P/D was changed in approved
Transfer No. 4338. jr

+ - - Audit Fields - - +
12/06/94 JROBERTS

+ - - - - - 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	- 06/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-



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

December 6, 1994

BILL & BETTY GRANT
W CLINTON STENNETT
PO BOX 1568
SUN VALLEY ID 83353

Re: Ownership Change for Adjudication Claim #A37-07064E
BROWN PROP PARTNERSHIPS/GRANT-STENNETT

Dear Claimant(s):

Pursuant to the approval of Transfer Nos. 3777 and 4338 and notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, the Department has changed the records of the current owner and amended the claim as per the transfer. Please find enclosed a copy of the computer record of the claim noting these changes.

Please review the records and if you have any corrections or questions, please feel free to call this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over the typed name and title.

Jeanie Robertson
Water Right Agent

/jr
Enclosures

RECORDED
NOV 27 1994

LAW OFFICES OF
LAWSON, PEEBLES, BALLARD & EDSON

EDWARD A. LAWSON
RAND L. PEEBLES
BRIAN L. BALLARD
GARY W. EDSON
CAROL L. SHEPHARD
LESLIE THULLEN KUNICK
KENNETH R. ARMENT

A PROFESSIONAL CORPORATION
SECURITY PACIFIC BANK BUILDING
280 SOUTH CAPITOL BOULEVARD
POST OFFICE BOX 448
BOISE, IDAHO 83701-0448
TELEPHONE 208-345-8700
FACSIMILE 208-389-9449

COPY

KETCHUM OFFICE:
310 WALNUT AVE.
POST OFFICE BOX 297
KETCHUM, ID 83340
208-726-1700
FAX 208-726-9743

April 2, 1992

Keith Higginson
State of Idaho
Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: W. Clinton Stennett
No. 37-07064
Transfer No. 3777

Dear Mr. Higginson:

Enclosed please find the **Proof of Completed Transfer** as executed by my client, W. Clinton Stennett. It is respectfully requested that the Department change condition No. 2 to permit an extension of one year for completion of the transfer.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

LAWSON, PEEBLES, BALLARD & EDSON

Brian L. Ballard

BLB:cgj
Enclosure

cc: Clint Stennett
Doug Jones (w/encl.)

NOV 27 1996

37-7064E T# 3777

MAR-31-'92 TUE 16:16 ID: IDWR SOUTHERN

TEL NO: 1-208-736-3037

#598 P04



State of Idaho DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNORR. KEITH HIGGINSON
DIRECTOR

August 29, 1991

John B. Brown Prop. Partnership
c/o John W. Sweet
1605 5th Avenue North
Seattle, Washington 98109

RECEIVED

SEP 03 1991

RE: WATER RIGHT NOS. 37-07064 B/C

Department of Water Resources
Southern Region Office

Dear Mr. Sweet:

This letter is in response to your May 17, 1991, letter of inquiry and our phone conversation on August 29, 1991.

Returned is the Assignment of an application for permit which you submitted with your May 17, 1991 letter. An assignment does not apply to ownership changes of a perfected water right such as license no. 37-7064. An assignment applies only to a "permit" which is a non-perfected water right. Perfected water rights are conveyed with the real property in sales transactions unless specifically withheld from the land in the sales agreement.

Transfer 3766 involving part B and part C of water right no. 37-7064 was approved by the department on April 15, 1991, with certain conditions. The transfer essentially authorizes the construction of two new wells for the irrigation of two parcels of land which are part of the original place of use of license no. 37-7064.

Condition no. 2. of the transfer approval requires construction of the new wells within a year of the transfer approval i.e. on or before April 15, 1992. Condition no. 3. provides that if the conditions including condition no 2. are not complied with, the department may initiate steps to rescind approval of the transfer. If approval of the transfer were rescinded, the water right itself would not be voided, but would be returned to the conditions of diversion and use which existed prior to the transfer approval.

Based on your explanation of the sale of the property which fell through and your requested assurance for new buyers that there would be time to construct the wells as shown on approved transfer 3766, the department will change condition no 2. to allow two (2) years from the date of approval (to April 15, 1993) for the construction to be completed. The department will consider requests to extend this time in the future upon a

37-7064 B/C

NOV 27 1991

MAR-31-'92 TUE 16:16 ID:IDWR SOUTHERN

TEL NO:1-202-736-3037

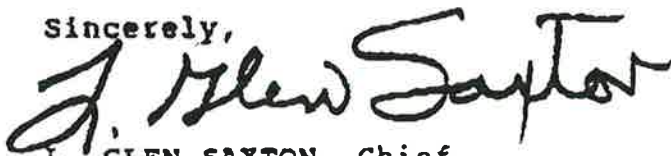
#598 P05

showing of good cause, provided, however, that such extensions can not be construed to prevent forfeiture of the water right as described below.

Idaho water law provides that any water right can be lost through five (5) years continuous non-use. For this reason, you may want to assure that water under this water right is beneficially applied to the place of use before a five year period of non-use occurs.

I apologize for the delay in response to your letter. Please feel free to contact me if you have additional questions or if we can provide additional information.

Sincerely,



L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: ~~Region~~ Region

RECEIVED
NOV 27 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

19-Apr-1994

R. KEITH HIGGINSON
Director

RICHARD B BURLEIGH
HAWLEY TROXELL ENNIS & HAWLEY
PO BOX 1617
BOISE ID 83701-1617

Re: Application for Transfer No. 4338, (37-07064E),
Stennett/Grant/Grant

Dear Mr. Burleigh:

The Department of Water Resources acknowledges receipt of the Application for Transfer on behalf of W. Clinton Stennett &/or Bill Grant &/or Betty Grant.

This office has scheduled advertising the application in the Wood River Journal for 4/27 and 05/04/94. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and/or a notarized statement from any lien holder on the property.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mel Schulte
Water Right Agent

MS:MB

NOV 27 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 29, 1991

John B. Brown Prop. Partnership
c/o John W. Sweet
1605 5th Avenue North
Seattle, Washington 98109

RECEIVED

SEP 03 1991

RE: WATER RIGHT NOS. 37-07064 B/C

Department of Water Resources
Southern Region Office

Dear Mr. Sweet:

This letter is in response to your May 17, 1991, letter of inquiry and our phone conversation on August 29, 1991.

Returned is the Assignment of an application for permit which you submitted with your May 17, 1991 letter. An assignment does not apply to ownership changes of a perfected water right such as license no. 37-7064. An assignment applies only to a "permit" which is a non-perfected water right. Perfected water rights are conveyed with the real property in sales transactions unless specifically withheld from the land in the sales agreement.

Transfer 3766 involving part B and part C of water right no. 37-7064 was approved by the department on April 15, 1991, with certain conditions. The transfer essentially authorizes the construction of two new wells for the irrigation of two parcels of land which are part of the original place of use of license no. 37-7064.

Condition no. 2. of the transfer approval requires construction of the new wells within a year of the transfer approval i.e. on or before April 15, 1992. Condition no. 3. provides that if the conditions including condition no. 2. are not complied with, the department may initiate steps to rescind approval of the transfer. If approval of the transfer were rescinded, the water right itself would not be voided, but would be returned to the conditions of diversion and use which existed prior to the transfer approval.

Based on your explanation of the sale of the property which fell through and your requested assurance for new buyers that there would be time to construct the wells as shown on approved transfer 3766, the department will change condition no 2. to allow two (2) years from the date of approval (to April 15, 1993) for the construction to be completed. The department will consider requests to extend this time in the future upon a

NOV 27 1991

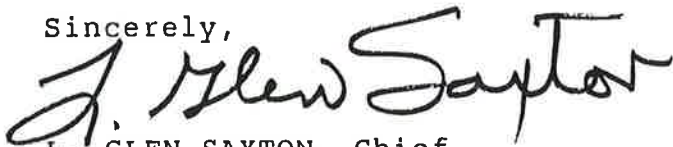
37-7064 B/C

showing of good cause, provided, however, that such extensions can not be construed to prevent forfeiture of the water right as described below.

Idaho water law provides that any water right can be lost through five (5) years continuous non-use. For this reason, you may want to assure that water under this water right is beneficially applied to the place of use before a five year period of non-use occurs.

I apologize for the delay in response to your letter. Please feel free to contact me if you have additional questions or if we can provide additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." being small and the last name "Saxton" being larger and more prominent.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - S. Region

NOV 27 1996

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Enclosure (1)

JUL 15 1991

ASSIGNMENT OF APPLICATION FOR PERMIT

Department of Water Resources

Southern Region Office

We X, Edward A. Lawson and
W. Clinton Stennett

, hereby assign to The John B. Brown Property Partnership

of, 1605 5th Avenue North, Seattle, Washington 98109
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 37-07064A to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Tax Lots 1377, 1378, 1501, 1174, 1375, TWP in

RGE 18E, SEC 25

1.42 CFS

Made this 5 day of April, 1991.

Applicant

Applicant

State of Idaho)

County of Blaine)

ss

On this 5th day of April, 1991, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.



Notary Public

My commission expires:

2/23/93

NOV 27 1996

7/11/91

Dear Doug,

Per our telephone conversation of today, I have enclosed a copy of my letter to Mr. Saxon of 5/17/91.

I have also included a couple of fairly recent letters I have received on the subject; 37-07064 A, 37-07064 B/C and 37-07064 C has been used in reference to the 91 acre parcel. Thanks for your interest in my problem.

yours truly

John W (Jack) Sweet.

1605 5th N #301
Seattle, WA 98109

RECEIVED

JUL 15 1991

Department of Water Resources
Southern Region Office

37-07064 B+C T# 3766

NOV 27 1996

May 17, 1991

L. Glen Saxton
Chief, Water Allocation Bureau
State of Idaho, Department of Water Resources
1301 N. Orchard St., Statehouse Mail
Boise, ID 83720

RECEIVED

JUL 15 1991

Department of Water Resources
Southern Region Office

RE: Water Right Nos. 37-07064 B/C
The John W. Brown Properties, Partnership

Dear Mr. Saxton:

I have recently received information regarding the ground water right noted above.

Enclosure (1), a copy (of a copy) of Assignment of Application for Permit. The original prepared by Edward A. Lawson and W. Clinton Stement was sent to the Boise Department of Water Resources office. The Assignment was dated April 6, 1991. I received it on or about April 12, 1991.

Enclosure (2), regarding Water Right nos. 37-07064 B/C, was dated April 23, 1991. I received it on or about April 26, 1991. I interpret it to mean, because we own the land we own the water rights. I note they have placed the correspondence in the file for future reference. They refer to it as my correspondence, but it was originated by Lawson and Stement; also, I note they changed their computer records to show our partnership is the present owner of the property. So far so good.

Enclosure (3), Application for Transfer of Water Rights, Part 1 and Part 2, was filed by W. Clinton Stement and/or Edward Lawson Sept. 11, 1990, and approved April 15, 1991, by L. Glen Saxton with Conditions of Approval. Condition 2 appears satisfactory for the original applicants who were in a position to proceed had the approval not been delayed so long. In our case, we no longer have a buyer. It appears the change authorized by transfer should be accomplished at a reasonable period after the closing date for a particular parcel.

Your letter to me of November 2, 1988, fourth paragraph, suggests "a development period of up to five years if granted by the department," enclosure (4), paragraph 4.

Condition of Approval No. 4 seems rather rough but I suppose it applies to all rights.

Will you please expedite the preparation of Conditions of Approval for our assignment, Enclosure 1, and revise Condition 2 so that the change authorized by the assignment will be accomplished within a reasonable time (two years) after the closing date of the sale of each of the two parcels. A cross reference between Enclosure (1) (Assignment) and sheet for Conditions of Approval appear necessary. We want to get the property back on the market as soon as possible!

Yours sincerely,

John W. Sweet

NOV 27 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

JUL 18 1991

Department of Water Resources
Southern Region Office

April 23, 1991

RE: Water Right Nos. 37-07064B/C

The John B. Brown Property Partnership
1605 5th Ave. N.
Seattle, WA 98109

Dear Water Right Holder(s):

We are in receipt of the correspondence concerning ownership of the above referenced water rights.

In Idaho, licensed water rights are considered real property; therefore, proof of owning the land is proof of owning the water rights unless specifically excluded in the sale. We have placed your correspondence in the file for future reference and have changed our computer records to show you are the present owners of the property.

If you have any questions, please let us know.

Sincerely,

Sharla Curtis

SHARLA CURTIS
Technical Records Specialist

SC:blm

NOV 27 1991

CONDITIONS OF APPROVAL

Transfer of Water Right No. 37-07064
Transfer No. 3777

1. This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 15th day of April, 1991.

A. Shaw Saylor
Chief, Water Allocation Bureau

NOV 27 1996

RECEIVED

APR 24 1991

3777

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3046
Southern Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

PART 1

Name of applicant W. CLINTON STENNETT and/or BILL GRANT and/or BETTY GRANT Phone (208) 726-8106
Post Office address P.O. BOX 1568 SUN VALLEY, IDAHO 83353

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other SPLIT
2. Describe the reason for the proposed changes DEVELOP WELL ON APPLICANTS' PROPERTY AND REARRANGE ACREAGE WITH TRACTS

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number (PART) Sys C 37-7064 Priority 4/21/1970 Amount 0.46 cfs Nature of Use IRRIGATION Period of Use 5/01 to 10/31
2. Total amount of water being transferred 0.46 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NW	25	IN	18E	BLAINE	SYSTEM C

5. Lands irrigated or place of use:

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	
IN	18E	25					2			21									23

Total acres 23

37-7064 ET #3777

NOV 27 1995

PART 1

6. General Information:

a. Description of diversion system one well ; new pump ;
two wheel lines ; System C is a
separate system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NO change other than single acre
swap in tracts. Farm was split up
but this parcel remains unchanged.

d. Remarks:

Supplemental groundwater to 37-00102
SRBA claim shows right as distributed
to this parcel. Refer to APPLICATION
FOR TRANSFER RE SYSTEM A and B

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-07064

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 15th day of April, 19 91

J. Glen Saylor
 CHIEF, WATER ALLOCATION BUREAU

NOV 27 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-7064 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☒ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 4/21/1970

5. Water is used for the following purpose:

amount 6.06 for IRRIGATION purposes from 5/01 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 6.06 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	IN	18E	BLAINE	

8. Lands irrigated or place of use:

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	
IN	18E	24																36	36
IN	18E	25	40	35	40	40	7			30	35			40					267

Total acres 30.3

9. Describe any other water rights used for the same purpose as described above

37-00102

NOV 27 1996

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.40 for IRRIGATION purposes from 5/01 to 10/31
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
~~SE~~	~~NE~~	~~NW~~	25	IN	18E	BLAINE	SYSTEM C	
	NW	NE	25	IN	18E	Blaine	WES	
							Am BUB	

3. Lands irrigated or place of use:

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	
IN	18E	25					2			21									23

Total acres 23

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 5.6 for IRRIGATION purposes from 5/01 to 10/31
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	25	IN	18E	BLAINE	

3. Lands irrigated or place of use:

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	
IN	18E	24																36	36
IN	18E	25	40	35	40	40	5			9	35			40					244

Total acres 280

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

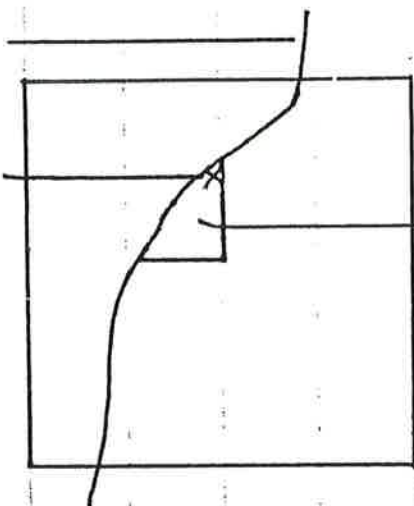
- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

BLAINE COUNTY
 SECTION 25, TWP 1N, R. 18E

HIGHWAY 75

SYSTEM C P/D

SYSTEM C P/U



(P/D WILL BE LOCATED
 AS CLOSE TO HIGHWAY
 AND POWERLINE AS POSSIBLE)

RECORDED
 NOV 27 1996

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 13th day of September, 1990

W. Clifton Smith
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 12/12/93

FOR DEPARTMENT USE ONLYTransfer contains 6 pages and 7 attachmentsReceived by M. Baldwin Date 10-4-90Protest filed by BabinPrelim. check by DRJ Fee \$50.00 50/2727Receipted by J. F. Stanton Date 10-4-90Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 11/7 + 11/14/90

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

NOV 27 1996

RECEIVED

NOV - 4 1988

Department of Water Resources
Southern Region Office

November 2, 1988

John W. Sweet
1605 5th N
Seattle, WA 98109

RE: WATER RIGHT LICENSE NO. 37-7064

Dear Mr. Sweet:

Your letter dated October 21, 1988 in connection with the above referenced license has been referred to me for response. Your interpretation of the department's September 16, 1970 letter is basically correct with the exceptions and additional explanation noted below.

The land to which water right license 37-7064 is appurtenant includes one miner's inch (0.02 cfs) for each acre in the following legal descriptions:

Section 25, T1N, R18E, BM

NE1/4NW1/4	7 acres
SE1/4NW1/4	30
NE1/4SW1/4	35
SE1/4SW1/4	40

TOTAL 112 acres

This means a portion of the above referenced water right is appurtenant to the 112 acres in the amount of 112 miners's inches (2.24 cfs) from a ground water source with a priority of April 21, 1970.

As far as I can determine from the land descriptions you have provided, you are correct that the first three parcels are irrigated with water from this licensed water right and that the fourth parcel is not included.

There are two options available to obtain a water right for the fourth parcel. You or a successor in interest can submit an application for permit to initiate a new appropriation for irrigation of the fourth parcel or include the land in a transfer as described below. An application, if approved would have a priority date as of the date of submittal of the application and would have a development period of up

NOV 27 1988

to five years if granted by the department.

Another option which you might want to consider to provide some water to each of the four parcels is to file a transfer changing both the points of diversion and place of use of the existing portion of the water right such that some of the 112 irrigated acres is within each of the four parcels. Such a transferred water right, however, can not include the irrigation of more than a total of 112 acres. Another way of describing this procedure is that for each non irrigated acre in the fourth parcel to which water is transferred will result in the drying up of an irrigated acre in one of the first three parcels.

A transfer as described in the previous paragraph may be in your best interest, since the department has not been able to approve new appropriations of water in the Bellevue area for a number of years. The reason is due to the ongoing resolution to a very complex water right issue described as the "Swan Falls" water right controversy. There will be a substantial delay in processing of new applications due to the already existing backlog.

To obtain approval to drill separate wells on any of the parcels, you or a successor in interest will have to file a transfer of water right with the department to change the point of diversion (add a well or wells) on some or all of the parcels. In addition to filing a transfer to drill additional wells, a "drilling permit" must also be obtained from the department for the construction of each new well, or for deepening or modification of an existing well. These permits are relatively easy to obtain from the department when issued in connection with a domestic use or well under an approved transfer.

Your letter referred to domestic use. Water right 37-7064 does not include domestic use and is not a part of the right. The right to obtain water from a well for domestic use, however, is relatively simple. Domestic use from a well for single family use can be obtained simply by obtaining a "drilling permit" and having the well constructed by a licensed well driller.

An application for permit or transfer application and instructions can be obtained from our Southern Regional office located at 2148 4th Avenue East, Twin Falls, ID 83301. The completed application for permit or transfer application should also be filed with our Twin Falls office.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

c: S. Region

ORIGINAL
NOV 27 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

November 12, 1987

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

John W. Sweet
1605-5th North #301
Seattle, WA 98109

RECEIVED

NOV 13 1987

Re: License No. 37-7064

Department of Water Resources
Southern Region Office

Dear Mr. Sweet:

Your letter of October 25, 1987, asked: (1) whether 112 acres which you own are listed under License No. 37-7064, (2) whether an additional 28 acres could be added to the license, and (3) how much water per acre is allowed for a sprinkling system.

Unless you provide a detailed description of the 112 acres which you own, I cannot tell you whether your land is appurtenant ground under the water right license. I have included for your reference, however, a copy of the water right license from which you should be able to determine whether your land is appurtenant irrigated acreage.

Acreage not covered by the original license cannot be added as a place of use unless 28 acres which are now licensed are taken out of production. In order to irrigate an additional 28 acres, without any reduction in other land, you must file another application to appropriate water.

Finally, the Department allows .02 cfs per acre as the maximum amount of water that can be applied for irrigation without wasting water.

If I can be of further assistance, please contact me.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: ✓ Southern Region

Enclosure

NOV 27 1987

37-7064

RECEIVED



MAR 10 1994

Department of Water Resources

NEW PROPERTY OWNER

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

MAR 08 1994

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 1N Range 18E
Section 25, SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet. Also Section 25, SE1/4NW1/4

- ☐ 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: 37-07064E (Previously part of A37-07064A)
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): The John Brown Properties Partnership
1605 5th Ave. N. #301
Seattle, WA 98109
- ☐ New Owner/Claimant (Purchaser): Bill Grant and/or Betty Grant and/or W. Clinton Stennett
- ☐ New Mailing Address: P.O. Box 1568
Sun Valley, ID 83353
- ☐ New Telephone Number: (208) 726 - 8106
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
0.46 cfs of water right 37-07064A was transferred pursuant to
warranty deed.
- ☐ Attach proof of ownership, describe proof attached: Warranty Deed. Note that water right is misidentified as A37-0769A.
(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) W. Clinton Stennett Date 2/17/94
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 7/26/95 By: JR

Claim Numbers of Split, if any:

RECEIVED

APR 08 1994

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

Southern Region Office

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

FIRST INTERSTATE CENTER
877 MAIN STREET, SUITE 1000
POST OFFICE BOX 1617
BOISE, IDAHO 83704-1617

TELEPHONE
(208) 344-6000

FAX
(208) 342-3829

KETCHUM OFFICE

319 WALNUT AVENUE
POST OFFICE BOX 297
KETCHUM, IDAHO 83340-0297

POCATELLO OFFICE

125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO, IDAHO 83205-4167

RICHARD B. BURLEIGH

February 18, 1994

RECEIVED

FEB 22 1994

Department of Water Resources

Ms. Roxanne McCarthy
Water Resource Agent
Adjudication Bureau
Dept. of Water Resources
1301 North Orchard
Boise, ID 83706

Re: Notice of Change of Water Right Ownership

Dear Ms. McCarthy:

I spoke to you a week or so ago regarding a Notice of Change of Water Right Ownership of Water Right No. A37-07064A owned by John Brown Properties Partnership. The water right was split with .46 cfs transferred to the current owners, Bill and Betty Grant and/or Clinton Stennett via warranty deed. In order to provide a record of this split water right in the Snake River Basin adjudication we are filing the Notice of Change of Water Right Ownership with you.

Attached as proof of ownership to the Notice of Change of Water Right Ownership is a Warranty Deed which references, in error, "Well Permit A37-0769A." The correct reference should have been "Well License 37-07064A" as owned by the John Brown Properties Partnership. A review of the records indicates that the John Brown Properties Partnership owns only two water rights, the first being 37-001002, also referenced in the Deed, and the second being 37-07064A. Furthermore, the Grants and Stennett have already applied for and received authorization to transfer the point of diversion of the split water right pursuant to Transfer No. 3777. Consequently, there is no dispute that the Grants and Stennett are the owners of Water Right No. 37-07064E

NOV 27 1994

HAWLEY TROXELL ENNIS & HAWLEY

Ms. Roxanne McCarthy
February 18, 1994
Page 2

or that the Deed erroneously referenced Water Right No. 37-07064A. However, if you have any problems with the proof of ownership which we have filed please contact me immediately.

Thank you for your cooperation.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY]


Richard B. Burleigh

RBB:ag

RECORDED
NOV 27 1994

WARRANTY DEED

For Value Received

An undivided one-third interest:

DOROTHEA S. DOWD, MARIE S. HILL, and JOHN W. SWEET

An undivided two-thirds interest:

DOROTHEA S. DOWD, as to an undivided 1/18 interest
ROY B. DOWD, as to an undivided 1/18 interest
NANCY D. SHORTRIDGE, as to an undivided 1/18 interest
MYRON B. DOWD, JR., as to an undivided 1/18 interest
WILLIAM F. DOWD, as to an undivided 1/18 interest
SALLY D. COUTERNO, as to an undivided 1/18 interest

JOHN W. SWEET, as to an undivided 1/9 interest
JOHN R. SWEET, as to an undivided 1/9 interest
ELIZABETH S. LUTHY, as to an undivided 1/9 interest

MARIE S. HILL, as to an undivided 1/6 interest
GARY G. HILL, as to an undivided 1/6 interest

317556
BLAINE CO. REQUEST
of South Idaho Co., Inc.
Deed
90 MAR 19 PM 4 22
MAIN GREEN TRENK MP
FEES \$1500

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto
W. CLINTON STENNETT, a single man; AND BILL GRANT AND BETTY GRANT, husband and wife
whose address is: P.O. Box 1568, Sun Valley, ID 83353

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

Township 1 North, Range 18 East, Boise Meridian, Blaine County, Idaho.

Section 25: All that portion of the SE1/4 lying East of Highway 75 and North of
Tax Lot 1501; AND (SHOWN ON THE ASSESSOR'S ROLLS AS TAX LOT # 1504)

All of the NE1/4 lying South and East of State Highway 75.
(SHOWN ON THE ASSESSOR'S ROLLS AS TAX LOT # 1505)

Together with the following water rights:

1.66 C.F.S. of the 8.00 C.F.S. owned by John Brown Prop. per Water Right
37-00102 and Well Permit A37-0769A 0.46 C.F.S., Dept. of Water Res. Twin Falls.

It is understood that the Grantor does not Warrant the above Water Rights.

RECORDED
NOV 27 1990

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

Dated: March 8th, 1990

Dorothea S. Dowd
Dorothea S. Dowd *S. Dowd* by
Dorothea S. Dowd as her attorney in fact
Nancy D. Shortridge
Dorothea S. Dowd by
Dorothea S. Dowd as his attorney in fact
William F. Dowd
John W. Sweet *John W. Sweet* by
John W. Sweet as her attorney in fact
Elizabeth S. Luthy
John W. Sweet by
John W. Sweet as his attorney in fact
Gary G. Hill

Marie S. Hill

Dorothea S. Dowd by
Dorothea S. Dowd as his attorney in fact
Roy B. Dowd
Dorothea S. Dowd by
Dorothea S. Dowd as his attorney in fact
Myron B. Dowd, Jr.
Dorothea S. Dowd by
Dorothea S. Dowd as her attorney in fact
Sally D. Couerno
Dorothea S. Dowd by
Dorothea S. Dowd as his attorney in fact
John R. Sweet
John W. Sweet
Marie S. Hill
Marie S. Hill

RECORDED
NOV 27 1990

STATE OF)
) ss.
County of)

On this 8th day of March, A.D. 1990, before me, the undersigned,
a Notary Public in and for said State, duly commissioned and sworn, personally
appeared MARIE SWILL to me known to be the individual described in and who executed
the foregoing instrument for ~~himself~~ and as Attorney in Fact of:

GARY G Hill (ADULT)

also therein described, and acknowledged to me that he signed and sealed the same as
his voluntary act and deed and as the free and voluntary act and deed of the said:

CHILD (ADULT)

for the uses and purposes therein mentioned, and on oath stated that the power of
attorney authorizing the execution of this instrument has not been revoked and that
the said CHILD (ADULT)

are now living.



Marla J. Honey
Notary Public in and for the State of
Residing at Edmonds

GRU...
NOV 27 1996

STATE OF)
) ss.
County of)

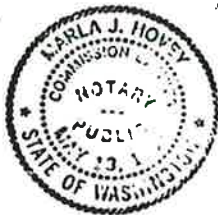
On this 20 day of March A.D. 1990, before me, the undersigned, a Notary Public in and for said State, duly commissioned and sworn, personally appeared JOHN W. SWEET to me known to be the individual described in and who executed the foregoing instrument for himself and as Attorney in Fact of:

ELIZABETH S LUTHE
JOHN R SWEET

also therein described, and acknowledged to me that he signed and sealed the same as his voluntary act and deed and as the free and voluntary act and deed of the said:
CHILDREN (ADULTS)

for the uses and purposes therein mentioned, and on oath stated that the power of attorney authorizing the execution of this instrument has not been revoked and that the said CHILDREN (ADULTS)

are now living.



Karla J. Honey
Notary Public in and for the State of WA.
Residing at Edmonds

RECORDED
NOV 27 1990

STATE OF CALIFORNIA)
) ss.
County of SANTA CLARA)

On this 14th day of MARCH, A.D. 1990, before me, the undersigned,
a Notary Public in and for said State, duly commissioned and sworn, personally
appeared DOROTHEA STONE to me known to be the individual described in and who executed
the foregoing instrument for herself and as Attorney in Fact of:

ROY B. DOWD
NANCY D. SHARTRIDGE
MYRON B. DOWD, JR.
WILLIAM F. DOWD
SALLY D. CONTERNO

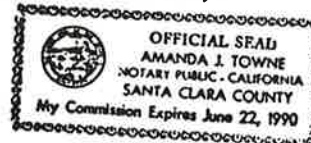
also therein described, and acknowledged to me that she signed and sealed the same as
her voluntary act and deed and as the free and voluntary act and deed of the said:
CHILDREN (ADULTS)

for the uses and purposes therein mentioned, and on oath stated that the power of
attorney authorizing the execution of this instrument has not been revoked and that
the said CHILDREN (ADULTS)

are now living.

Amanda J. Towne
Notary Public in and for the State of

Residing at SANTA CLARA, CALIFORNIA



RECEIVED
NOV 27 1990

This Indenture, Made this 7th day of March in the year of our Lord one thousand nine hundred and Ninety between W. CLINTON STENNETT, a single man AND BILL GRANT AND BETTY GRANT, husband and wife of Sun Valley County of Blaine State of Idaho the parties of the first part, and SEE EXHIBIT "A"

of County of State of the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of FORTY THREE THOUSAND FIVE HUNDRED DOLLARS AND NO/100 DOLLARS lawful money of the United States, do by these presents GRANT, BARGAIN, SELL and CONVEY unto the said parties of the second part, and to heirs and assigns FOREVER, all that certain real property situate in the County of Blaine and State of Idaho, and bounded and particularly described as follows, to-wit:

Township 1 North, Range 18 East, Boise Meridian, Blaine County, Idaho, Section 25: All that portion of the SE1/4 lying East of State Highway 75 and North of Tax Lot 1501; AND

All that portion of the NE1/4 lying South and East of State Highway 75.

Final Payment Due March 16, 1993.

together with the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

THIS GRANT is intended as a mortgage to secure the payment of that certain promissory note of even date herewith, executed and delivered by the said to the said part of the second part

AND THESE PRESENTS Shall be void if such payment be made. But in case default shall be made in the payment of the said principal sum of money or any part thereof as provided in the said note, or if the interest be not paid as therein specified, or if the taxes, water maintenance, or payments of principal or interest on any prior lien or incumbrance be not paid, second parties shall have the right to pay the same, and then it shall be optional with the said parties of the second parties, executors, administrators, or assigns, to consider the whole of said principal sum expressed in said note as immediately due and payable; and immediately to enter into and upon all singular the above described premises and to sell and dispose of the same according to law and out of the money arising from such sale retain the principal and interest which shall then be due on the said promissory note together with the costs and charges of foreclosure suit, including counsel fees and also the amounts of all such payments of taxes, assessments, encumbrances or insurance as may have been made by the said second parties heirs, executors or assigns, with the interest on the same at the rate of 10 per cent per annum rendering the overplus of the purchase money (if any there shall be) unto the said parties of the first part, heirs, executors, administrators, or assigns.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

W. Clinton Stennett (Seal)
Bill Grant by Betty Grant attorney

NOV 27 1993

STATE OF IDAHO,
County of Blaine } ss.

On this 19th day of March, 1990, before me,

in and for said State, personally appeared W. Clinton Stennett; and Betty Grant

known to me to be the person.s. whose names
subscribed to the within instrument, and acknowledged to me that they have executed the same.

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



Wanda L. Kingdon
Comm. expires 1-8-96

STATE OF Idaho
COUNTY OF Blaine } ss.

On March 19th, before me, the undersigned, a Notary Public in and for
said State, personally appeared Betty Grant

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is
subscribed to the within instrument as the Attorney in Fact of Betty Grant

and acknowledged to me that he/she subscribed the name(s)
of Betty Grant

therein as principal(s), and his/her own name as Attorney in
Fact

WITNESS my hand and official seal.



(This area for official notarial seal)

Wanda L. Kingdon
Comm. expires

By Wanda L. Kingdon Deputy
Ex-Officio Recorder

Fees, \$
Returned to

Count _____
I be _____
filed _____
at _____
o'clock _____
of _____
in _____

BLAINE CO. REQUEST
OF: Mtgo
90 MAR 19 PM 4 24
MARY GREEN (LEK77)
FEES \$ 9.00

317558

MAR 19 '90 16:38 SAWTOOTH TITLE CO

F

EXHIBIT "A"

An undivided one-third interest:

... DOROTHEA S. DOWD, MARIE S. HILL, and JOHN W. SWEET

An undivided two-thirds interest:

DOROTHEA S. DOWD, as to an undivided 1/18 interest
ROY B. DOWD, as to an undivided 1/18 interest
NANCY D. SHORTRIDGE, as to an undivided 1/18 interest
MYRON B. DOWD, JR., as to an undivided 1/18 interest
WILLIAM F. DOWD, as to an undivided 1/18 interest
SALLY D. COUTERNO, as to an undivided 1/18 interest

JOHN W. SWEET, as to an undivided 1/9 interest
JOHN R. SWEET, as to an undivided 1/9 interest
ELIZABETH S. LUTHY, as to an undivided 1/9 interest

MARIE S. HILL, as to an undivided 1/6 interest
GARY G. HILL, as to an undivided 1/6 interest

RECEIVED

3777

Form 222
1-87

APR 24 1991

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

PART 1

Name of applicant W. CLINTON STENNETT and/or
BILL GRANT and/or BETTY GRANT Phone (208) 726-8106
 Post Office address P.O. BOX 1568 SUN VALLEY, IDAHO 83353

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other SPLIT

2. Describe the reason for the proposed changes DEVELOP WELL ON APPLICANTS
PROPERTY AND REARRANGE ACREAGE WITH TRACTS

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number (PART) Priority 4/21/1970 Amount 0.46 cfs Nature of Use IRRIGATION Period of Use 5/01 to 10/31
SYS C 37-7064
2. Total amount of water being transferred 0.46 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NW	25	1N	18E	BLAINE	SYSTEM C

5. Lands irrigated or place of use:

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	
1N	18E	25					2			21									23

Post-It™ brand fax transmittal memo 7671

4 of pages • 5

To Brian BallardFrom 17. Jones

Co.

Co.

Dept.

Phone #

NOV 27 1990

37-7064 ET #3777

Department of Water Resources
Southern Region Office

Page

2

of

6

Transfer No.

3777

PART 1

6. General Information:

a. Description of diversion system one well ; new pump ;
two wheel lines ; system C is a
separate system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NO change other than single acre
was split in tracts. Farm was split up
but this parcel remains unchanged.

d. Remarks:

Supplemental groundwater to 37-00102
SRBA claim shows right as distributed
to this parcel. Refer to APPLICATION
FOR TRANSFER RE SYSTEM A and B

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-07064

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

15th

day of

April19 91

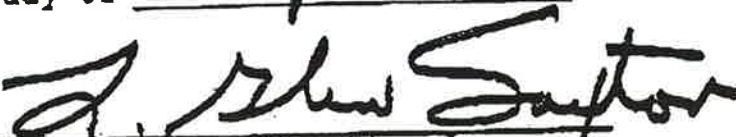
CHIEF, WATER ALLOCATION BUREAU

CONDITIONS OF APPROVAL

Transfer of Water Right No. 37-07064
Transfer No. 3777

1. This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 15th day of April, 1991.


Chief, Water Allocation Bureau

NOV 27 1996

6-7-94 74B

SWEET-Benson + Johnson

A37-0764-Eakin

A37-0764-

A37-0764A-Brown Properties c/o John SWEET + Eakin

37-0764A-Eakin

A37-0764B n/a

37-0764B-Benson / no other name

A37-0764C- n/a

37-0764C- Bodner / Stennett owned before

Judy,

This claim was originally owned, then split
When purchased by Brown Properties c/o John SWEET.
Everything looks O.K. EXCEPT for A37-07064C.
Benson is set up for B.

Jeanie did owner 12/94 - but only w/ Benson, same
address

ENCLOSURE

NOV 27 1998

