

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

RECEIVED
DEC 15 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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

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
	37.537B	☒	37.11753		
	37.538(B)				
	37.7312C				
	37.7312D				
37.11743					

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) JAN S. WENNER
JANIE WENNER
4. New Owner/Claimant(s) BIG WOOD RANCH LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1300 DEXTER AVE, #140
- City, State and ZIP Code SEATTLE, WA 98109
- New Telephone Number (206) 972.1044
5. Date you acquired the property JULY 26, 2006

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) *Mary McBe*
(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 *[Signature]* Date 12/22/06 Fee 5000
 Received by *[Signature]* Date 12/26/06 Receipt No. 50 29144
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

Jann S. Wenner and Jane Wenner, husband and wife,

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Big Wood Ranch, LLC, an Idaho limited liability company

GRANTEE(S), whose current address is: 1300 Dexter Ave. N. Ste 140, Seattle, WA 98109

the following described premises, to wit:

See "Exhibit A" attached hereto

Parcel Number: 02N180263750A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances except as set forth on Exhibit "A" and that he will warrant and defend the same from all lawful claims whatsoever except as aforesaid.

Dated the 24th day of July, 2006.

Jann S. Wenner

Jane Wenner

By: *Audrey P. Rubin, as attorney-in-fact*
Jann S. Wenner

By: *Audrey P. Rubin, as attorney-in-fact*
Jane Wenner

By: Audrey P. Rubin, Attorney-in-Fact

By: Audrey P. Rubin, Attorney-in-Fact

STATE OF New York)
) ss.
COUNTY OF New York)

On this 21st day of July, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared **Audrey P. Rubin** known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument as the Attorney-in-Fact of **Jann S. Wenner and Jane Wenner** and acknowledged to me that she subscribed the name of **Jann S. Wenner and Jane Wenner**, thereto as principal(s) and her own name as attorney-in-fact.

WITNESS MY HAND AND OFFICIAL SEAL.

Pauline C. Cella

Notary Public

Residing at: 576 Lamota Ave, Staten Island, NY 10312

My commission expires:

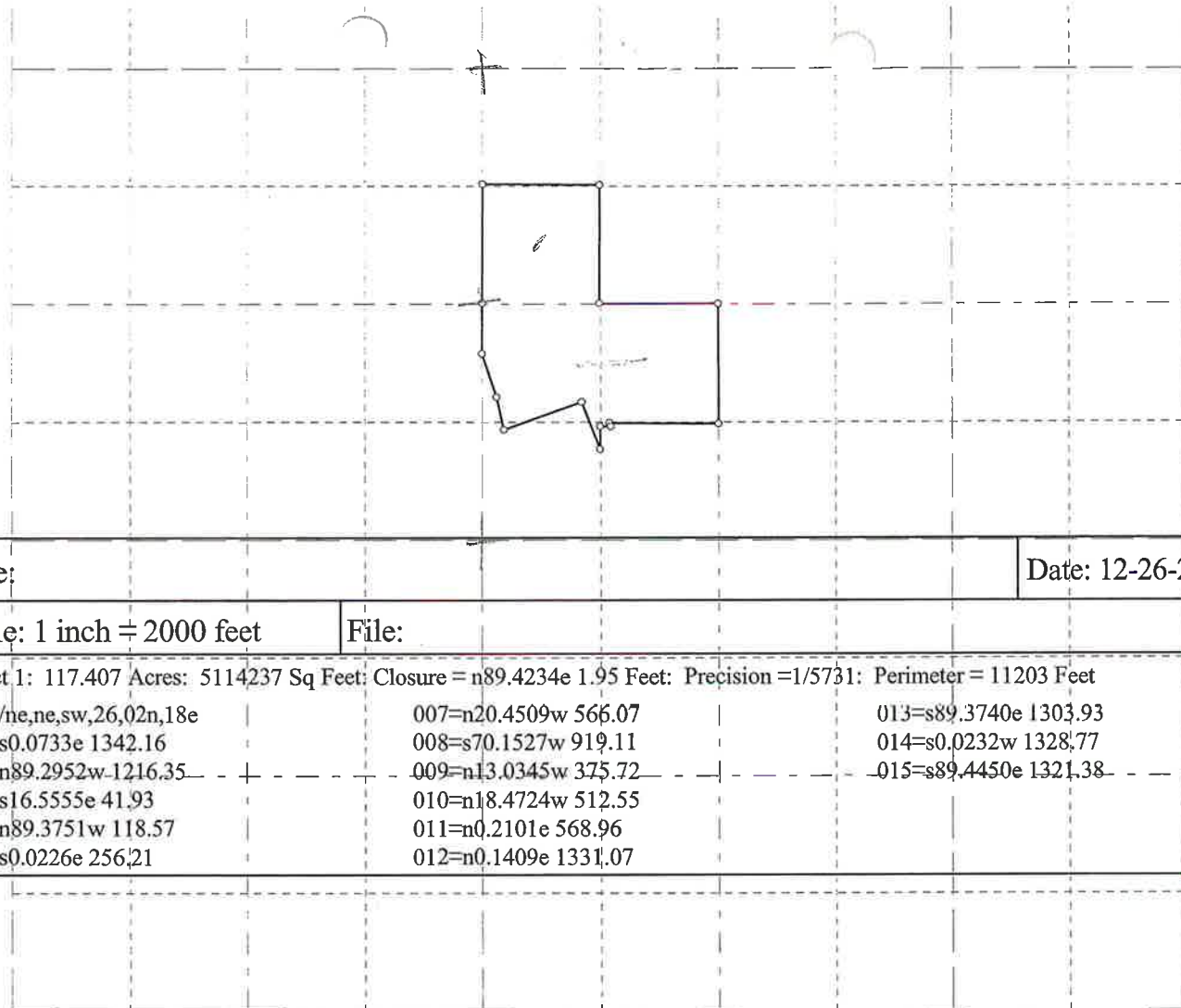
PAULINE C. CELLA
NOTARY PUBLIC, State of New York
No. 01CE080888
Qualified in Richmond County
Commission Expires July 31, 2009

EXHIBIT "A"

A parcel of land located within the N $\frac{1}{2}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

Commencing at an iron pin marking the center one-quarter corner (NE corner of said N $\frac{1}{2}$ SW $\frac{1}{4}$), which point is the REAL POINT OF BEGINNING;
Thence South 0°07'33" East, 1342.16 feet along the East Boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$ to an iron pin by JUB Engineers, 1972, marking the Southeast corner of said N $\frac{1}{2}$ SW $\frac{1}{4}$;
Thence North 89°29'52" West 1216.35 feet along the South Boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$ to an old fence line;
Thence South 16°55'55" East, 41.93 feet along said old fence to a fence corner post;
Thence North 89°37'51" West, 118.57 feet along an old fence to the East Boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26;
Thence South 0°02'26" East, 256.21 feet along said East Boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the intersection of said East Boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ with the intersection of said Northeast Boundary of the Original Broadford Townsite;
Thence North 20°45'09" West, 566.07 feet along said Northeast Boundary of the Original Broadford Townsite to an iron pin and aluminum cap by Jim Koonce, R.L.S. at the Northeast corner of said Townsite;
Thence South 70°15'27" West, 919.11 feet along the Northerly boundary of said Broadford Townsite to an iron pin by Galena Engineering, Inc. on the East Boundary of the present Broadford Road;
Thence North 13°03'45" West, 375.72 feet, more or less, along said East Boundary of the present Broadford Road to an iron pin by JUB Engineers in 1972;
Thence North 18°47'24" West, 512.55 feet, more or less, along said East Boundary of the present Broadford Road to an iron pin by JUB Engineers in 1972;
Thence North 0°21'01" East, 568.96 feet, more or less, along said East Boundary of Broadford Road to an iron pin by JUB Engineers in 1972;
Thence North 0°14'09" East, 1331.07 feet, more or less, along said East Boundary of Broadford Road to an iron pin by JUB Engineers in 1972;
Thence South 89°37'40" East, 1303.93 feet along the North Boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ to an iron pin by Clyde Porter, R.L.S. marking the Northeast corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 0°02'32" West, 1328.77 feet along the East Boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ to an iron pin by Clyde Porter, R.L.S. marking the Southeast corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 89°44'50" East 1321.38 feet along the North Boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 26 to the point of beginning. (TL 6949)

SUBJECT TO items 1-12 of Commitment for Title Insurance, Order No. 6014761, which items are listed on Schedule 1 attached hereto.



Title:		Date: 12-26-2006
Scale: 1 inch = 2000 feet	File:	
Tract 1: 117.407 Acres: 5114237 Sq Feet: Closure = n89.4234e 1.95 Feet: Precision =1/5731: Perimeter = 11203 Feet		
001=/ne,ne,sw,26,02n,18e	007=n20.4509w 566.07	013=s89.3740e 1303.93
002=s0.0733e 1342.16	008=s70.1527w 919.11	014=s0.0232w 1328.77
003=n89.2952w 1216.35	009=n13.0345w 375.72	015=s89.4450e 1321.38
004=s16.5555e 41.93	010=n18.4724w 512.55	
005=n89.3751w 118.57	011=n0.2101e 568.96	
006=s0.0226e 256.21	012=n0.1409e 1331.07	

Claimants Names:
Big Wood Ranch LLC

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

RECEIVED
DEC 15 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

ORIGINAL IN RED

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

In Re SRBA

Case No. 39576

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)
)
)
)
)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

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

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Big Wood Ranch LLC, for the following water right which is not the subject of a subcase: 37-7312C.

RECEIVED
DEC 15 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

DATED this 14 day of December, 2006.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 14 day of December, 2006, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

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

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

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

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

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

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


JAMES P. SPECK

FILED
DEC 14 2006

AMENDED

**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 FORM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number

7312 ?

Date Received

Receipt Number

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

RECEIVED
APR 08 2004
Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Jann & Jane Wenner C/O Gary Slette Phone (208) 734-0700
 Mailing Address P.O. Box 1906 Twin Falls, ID Zip 83303
2. Date of Priority (Only one (1) per claim) 11/02/1973
3. Source of water supply (a) Ground Water
 which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 2N Range 18E Section 26,
1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of Blaine
 Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
 Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
 Govt. Lot _____ B.M., County of _____
 ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
 Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
 Including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
 and as enlarged and the depth of each well. Existing well & 25HP pump

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/1 to 11/1 amount 0.72 or 126

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.72 (cfs) and / or (b) 126 (acre feet)

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

9. Non-irrigation uses; described fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for together purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	26							8.6		5.2	21.5	.4	.3					36

Total number of acres irrigated 36

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes x No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

37-537B, 37-538B Or None ☐

14. Remarks:

Original licensing exam error identifying incorrect tracts was perpetuated through
transfers 4794 & 4799. No abandonment was intended or realized. This amended claim
identifies correct and actual historical and current usage for this portion of 37-7312

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License x Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-7312C
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☒
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments (1) 1987 infrared aerial

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____

Date 3/29/04

Date 3-29-04

For Organizations: I do solemnly swear or affirm that I am _____

Of _____, that I have signed the foregoing
Organization

Document in the space below as _____ of _____
Title Organization

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho / or New York)
County of New York) SS.

Subscribed and sworn (or affirmed) before me this 29th day of March, 2004

SEAL

Notary Public Gully B. D.

Residing at New York, NY 10104

My Commission Expires Sept. 11, 2005

EVELYN M. BERNAL
Notary Public, State of New York
No. 31-5049252
Qualified in New York County
Commission Expires Sept. 11, 2005 5

Please Print Name

17. Notice of Appearance:

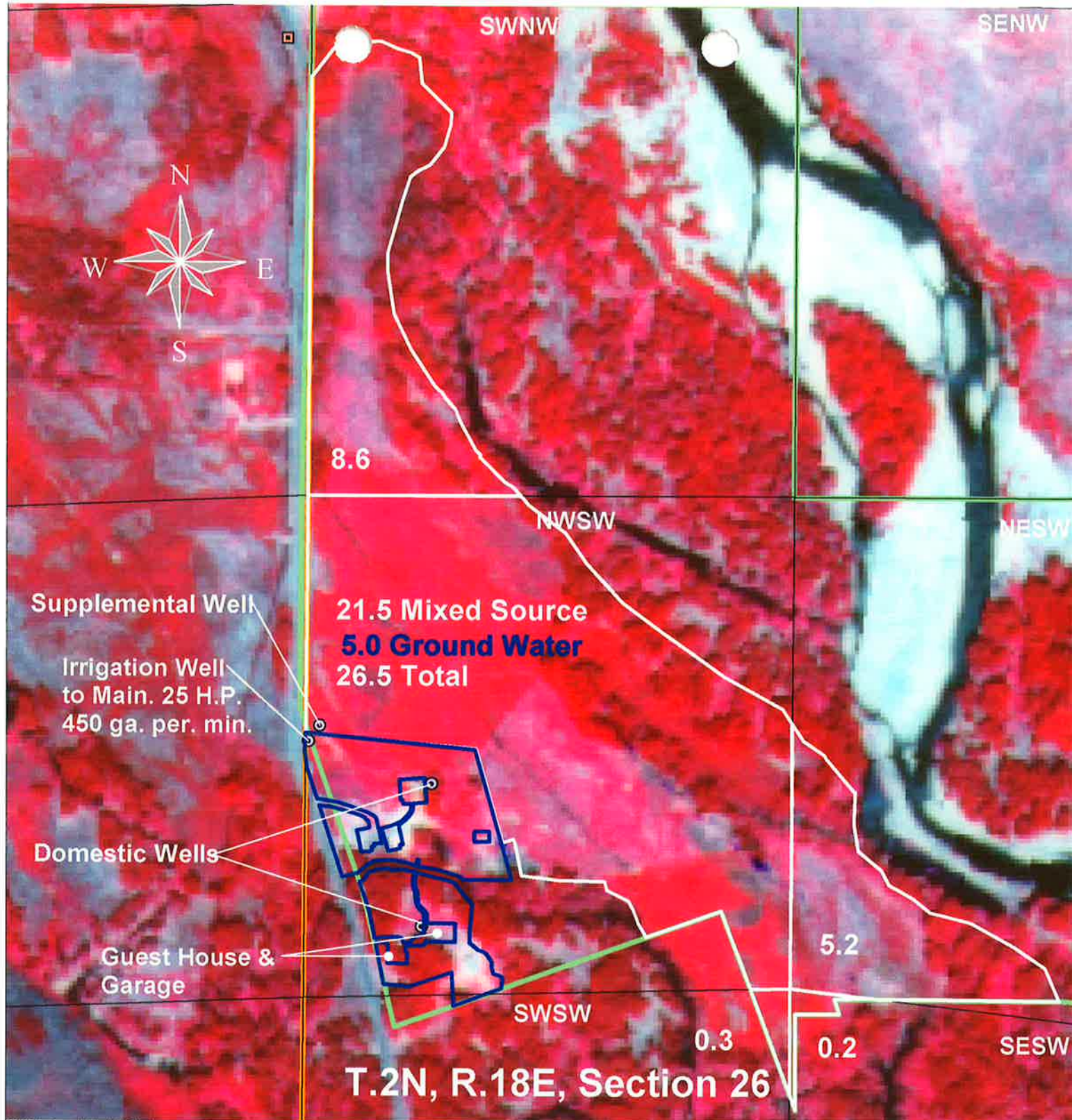
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing
above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____



1987 Infrared Aerial Photo

200 0 200 400 600 800 1000 Feet

Wenner Amended Claims

Brockway Engineering, PLLC
JCH April 7, 2004

- Mixed Source Irrigation (36 acres)
- GW Irrigation (5.0 acres)
- Pipelines
- Wells
- Diversion
- Property Boundary
- Section Lines
- 40-acre tracts

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 37-7312C
Date Received: 4/8/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JANE WENNER Phone: (208) 734-0700
C/O GARY SLETTE
PO BOX 1906
TWIN FALLS ID 83303-1906

JANN S WENNER Phone: (208) 734-0700
C/O GARY SLETTE
PO BOX 1906
TWIN FALLS ID 83303-1906

2. Date of Priority: 11/02/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	26	NW SW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.56	98.7

7. Total Quantity Appropriated is:
0.56 C.F.S. and/or 98.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

37-7312C

08/07/2006

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	26	SW	NW	IRRIGATION	7.9
			NE	SW	IRRIGATION	3.6
			NW	SW	IRRIGATION	16.7
					Section Acres	28.2
					Total Acres	28.2

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:

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.

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

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with the groundwater diverted under Right No. 37-07312C and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

Right No. 37-07312C shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.

After specific notification by the Department, the right holder of Right No. 37-07312C shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

The portion of Right No. 37-07312 in excess of this transfer approval in the amount of 0.16 cfs and 4.7 acres shall be considered abandoned through approval of Transfer No. 4794.

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

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

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

August 7, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

JANN WENNER
JANE WENNER
C/O GARY SLETTE
PO BOX 1906
TWIN FALLS ID 83303-1906

Re: SRBA Claim(s) 37-7312C

Dear Mr. Slette:

Pursuant to the change in ownership request that was submitted to the Department, we have changed the record of current ownership as requested. Please find the enclosed copies of the computer record of the water right(s) noting the change in owner. 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

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 DEPT. OF WATER RESOURCES
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	37.7312C				

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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) CANDIDA C. FORSTMANN
4. New Owner/Claimant(s) JANIE WENNER and JANN S. WENNER
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO GARY SLETTE P.O. Box 1906
- City, State and ZIP Code TWIN FALLS, ID. 83303
- New Telephone Number (208) 734.0700
5. Date you acquired the property _____

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.

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Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Tammi L. Wenner, by Gary D. Slette, his attorney-in-fact
(include title if applicable) Tammi Wenner, by Gary D. Slette, her attorney-in-fact

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

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, I, CANDIDA C. FORSTMANN, a married woman ("Grantor"), do hereby convey, release, remise and forever quitclaim to JANN S. WENNER and JANE WENNER, husband and wife, whose address is c/o Gary Slette, P.O. Box 1906, Twin Falls, ID, 83303-1906 ("Grantees"), all my right, title and interest in and to the Water Right No. 37-7312C as claimed in *In Re: The General Adjudication of Rights to the Use of Water From the Snake River Basin Water System*, Twin Falls District Court Case No. 3956 (the "SRBA").

DATED this 7 day of July, 2006.

GRANTOR:

Candida Forstmann
CANDIDA C. FORSTMANN

STATE OF IDAHO)
) ss.
County of Blaine)

On this 7th day of July, 2006, before me, the undersigned, a notary public in and for said state, personally appeared CANDIDA C. FORSTMANN, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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



Melanie T. Davis
Notary Public for Idaho
Residing at: 423 3rd Ave. N, Hailey, ID
Comm. Expires: 11.17.2009

**ROBERTSON, HEPWORTH, SLETTE,
WORST & STOVER,
P.L.L.C.
ATTORNEYS AT LAW**

J. EVAN ROBERTSON
JEFFREY J. HEPWORTH
GARY D. SLETTE
RICHARD J. "TUG" WORST
TIMOTHY J. STOVER

161 Fifth Avenue South - Suite 100
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041



GARY D. SLETTE
gslette@idalawyer.com

August 3, 2006

Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED
AUG 04 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

RE: Wenner Water Right Transfer

To Whom It May Concern:

Enclosed please find a Notice of Change in Water Right Ownership for Jann and Jane Wenner, with regard to IDWR Water Right No. 37-7312C. Please process this Notice in your records and advise me if you should need any other information in completing the request of this letter. Also enclosed is a copy of the Notice with a return envelope. I would ask that you provide me a file-stamped copy of the Notice for my file.

Thank you.

Yours truly,



GARY D. SLETTE

GDS:rlm
Encls.
rlm\gds\letter\IDWR20

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 37-7312C
Date Received: 4/8/2003 1
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CANDIDA C FORSTMANN Phone: (208)734-0700
C/O GARY SLETTE
PO BOX 1906
TWIN FALLS ID 83303-1906

JANE WENNER Phone: (208)734-0700
C/O GARY SLETTE
PO BOX 1906
TWIN FALLS ID 83303-1906

JANN S WENNER Phone: (208)734-0700
C/O GARY SLETTE
PO BOX 1906
TWIN FALLS ID 83303-1906

2. Date of Priority: 11/02/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	26	NW SW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.56	98.7

7. Total Quantity Appropriated is:
0.56 C.F.S. and/or 98.7 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
02N	18E	26	SW	NW	IRRIGATION	7.9
			NE	SW	IRRIGATION	3.6
			NW	SW	IRRIGATION	16.7
					Section Acres	28.2
					Total Acres	28.2

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:

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with the groundwater diverted under Right No. 37-07312C and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

Right No. 37-07312C shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.

After specific notification by the Department, the right holder of Right No. 37-07312C shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

The portion of Right No. 37-07312 in excess of this transfer approval in the amount of 0.16 cfs and 4.7 acres shall be considered abandoned through approval of Transfer No. 4794.

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

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.

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.

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.

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: **A37-07312**

Date Received: 10/19/1988

Receipt No: M001645

Received By: _____

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

1. Name: JANN S WENNER 208-726-3030
Address: C/O BRIAN BARSOTTI
PO BOX 10013
KETCHUM ID 83340

Name: JANE WENNER 208-726-3030
Address: C/O BRIAN BARSOTTI
PO BOX 10013
KETCHUM ID 83340

2. Date of Priority: NOV 2, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	26	NW	SW			BLAINE

5. Description of diverting works:
PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.980		147.00

7. Total Quantity Appropriated is:
0.980 C.F.S. (and/or) 147.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
OCT 26 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	26	NW	SW		IRR	29.0
			SW	SW		IRR	20.0
Section Acres							49.0
Total Acres							49.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGE 3/21/94 BY JG.

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: _____

For Individuals:

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

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

MICROFILMED
OCT 26 1994

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 26 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

OCT 18 1993

Department of Water Resources

RECEIVED

OCT 20 1993

Department of Water Resources
Southern Region OfficeDATE OF CLOSING: 10/4/93LEGAL DESCRIPTION OF PROPERTY: Township SEE CLAIMS LISTED BELOW Range BELOWSection 1/4 of 1/4 of 1/4 Govt. Lot BM.Lot 1/4, Block 1/4, Subdivision/Townsite 1/4

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

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: orig papers
A37-00537; A37-00538; A37--11743; A37-11753; A37--07312
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): CANDIDA C. FORSTMANN
PO BOX 1041
HAILEY ID 83333
- ☐ New Owner/Claimant (Purchaser): JANN S. WENNER AND JANE WENNER
- ☐ New Mailing Address: c/o BRIAN BARSOTTI
PO BOX 10013
KETCHUM ID 83340
- ☐ New Telephone Number: (208) 726 - 3030
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? x yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
A37-00537: * 1 INCH (0.02 cfs) RETAINED BY CANDIDA C. FORSTMANN
BALANCE TO JANN S. WENNER AND JANE WENNER
* per phone call Crystal - Rosholt's Office - 16.5 acres 6/2/94 jg

- ☐ Attach proof of ownership, describe proof attached: _____
(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) x [Signature] Date 10/5/93
- ☐ Signature of Former Owner/Claimant(s) x [Signature] Date 10/5/93
- _____
Date _____

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

MICROFILMED
OCT 26 1994

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6/2/94 By: JG

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 6/2/94 By: JG

Claim Numbers of Split, if any:

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

BRIAN BARSOTTI

ATTORNEY AT LAW

GREYHAWK ALPINE CENTER

WARM SPRINGS VILLAGE

P. O. BOX 10013

KETCHUM, IDAHO 83340

208/726-3030 FAX NO. 208/726-2922

OF COUNSEL TO

ROARK, DONOVAN, PRAGGASTIS,

RIVERS & PHILLIPS

ADMITTED TO THE PRACTICE
OF LAW IN IDAHO AND
CALIFORNIA

October 14, 1993

Att: Adjudication Bureau
Idaho Department of
Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

Re: Transfer of Notice of Change of Water Right Ownership

Dear Sir:

Enclosed is a New Property Owner Notice of Change of Water Right Ownership relative to the Forstmann/Wenner transaction.

Enclosed, also, is a copy of a warranty deed containing a legal description of the property involved in the transaction, and a copy of a quitclaim deed evidencing a transfer of the water rights set forth in the Notice.

Please file this New Property Owner Notice of Change of Water Right Ownership in order to comply with the requirements of Section 42-1409(7) of the Idaho Code.

If you need any further information, please do not hesitate to contact me.

Very truly yours,


Brian J. Barsotti

BB/k/33

Encs.

cc: Gary Slette, Esq.

MICROFILMED
OCT 26 1994

RECEIVED

AUG 19 1993

Department of Water Resources

SUBMITTED TO AUDITOR

TO: S. Frazee to Log In
 FOR: D. Shaff/D. Allen
 FROM: Allen Merritt
 SUBJ: Receipt No. 5016110 (Please attach ARQ2 Receipt copy immediately behind blue form)

ON 8-30-93Date: 8/18/93

RE: PayOR

Address

Nelson Realty IncP.O. Box 326Sun Valley ID 83353

Claimant(s) if NOT Payor

Candida ForstmannRefund Amount \$ 28⁰⁰Claim Location (Region) ClaimantExtension Filed? Y/N (NA)Copy Attached? Y/N (NA)Late Fees Paid? Y/N (NA)Late Fee Receipt # S.O. Verified Ext. by on D.B. Query by Refund Generated By X Agent

() Claimant

Refund Category:

insufficient fees / claim incomplete / withdrawn (o-pmt)Date of Last Correspondence (copy attached)

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>A37-00537</u>	<u>Irrig</u>	\$ <u>?</u>	<u>19⁰⁰</u>	<u>5016110</u>
<u>A37-00538</u>	<u>Irrig</u>	\$ <u>?</u>	<u>8⁰⁰</u>	<u>5016110</u>
		\$ <u>↓</u>		
Total		\$ <u>55⁰⁰</u>	\$ <u>27⁰⁰</u>	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N (N)

Claims amended by adding total of
27 acres. Paid \$55⁰⁰. Need refund of
\$28⁰⁰.

Region AJ Spvsr. Approval AdnS.O. AJ Spvsr. Approval Don Shaff Approval 8-24-93Hold To Fiscal 8-26-93Data Base Modified? Y/N (N)A &/or R Records By on Logged 08-19-93Claim record changed 8/18/93 Adn

MICROFILMED

OCT 26 1994

05/12/93



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 24, 1993

Nelson Realty, Inc.
P.O. Box 326
Sun Valley, ID 83353

RE: Snake River Basin Adjudication (SRBA)
Blaine County - #A37-00537 & A37-00538
Receipt #S016110 - \$28.00
Candida Forstmann

An overpayment of filing fees paid by your firm for Candida Forstmann has been brought to our attention. The refund process has been initiated with the State Auditor's Office, and you should receive your check in the near future.

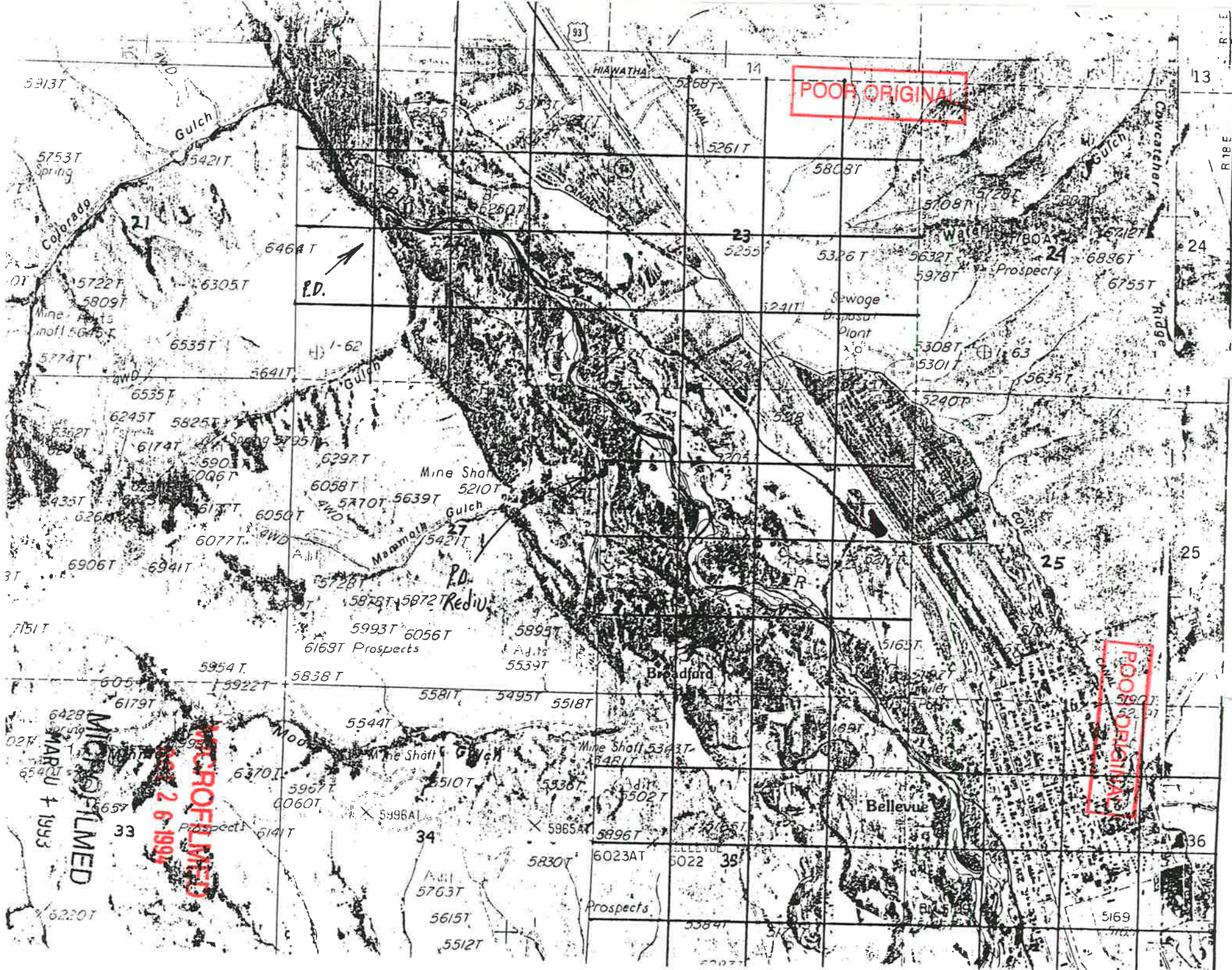
Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref

MICROFILMED
OCT 26 1994



WARRANTY DEED

LADY GREEN, CLERK mp
1202

Deed

For Value Received, CANDIDA C. FORSTMANN, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto JANN S. WENNER AND JANE WENNER, HUSBAND AND WIFE, hereinafter called Grantees, whose current address is P. O. BOX 2133, KETCHUM, IDAHO 83340, the following described premises situated in Blaine County, Idaho, to-wit:

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

SUBJECT TO AND/OR WITHOUT WARRANTY OR REPRESENTATION WITH RESPECT
TO:

1. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the premises or by making inquiry of persons in possession thereof.

2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.

3. (a) Any unpatented mining claims; (b) any reservations or exceptions in patents or Acts authorizing the issuance thereof; (c) any water rights, claims or title to water (all water rights being conveyed by separate quitclaim deed).

4. Any adverse claim to any portion of the premises which lies below the line of mean high water of the Big Wood River.

5. That certain reservation of a twenty (20) foot wide ditch right-of-way as reserved in that certain Quitclaim Deed, recorded September 16, 1991, as Instrument No. 333716, records of Blaine County, Idaho.

6. The terms and conditions of that certain unrecorded Purchase and Sale of Real Property Agreement, dated July 23, 1993, entered into between Grantor and Grantees, which is incorporated herein by this reference thereto, including, without limitation, the disclaimers of Grantor as set forth therein, and set forth in Exhibit "B", attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD said premises, with their appurtenances unto Grantees, their heirs and assigns forever. And Grantor does hereby covenant to and with Grantees, that Grantor is the owner in fee simple of said premises; that said premises, except as provided herein, are free and clear of all liens, claims, easements, encumbrances by adjacent properties, restrictions or conditions within the actual knowledge of Grantor during Grantor's ownership of said premises; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated this 1st day of October, 1993.

Candida C. Forstmann
CANDIDA C. FORSTMANN

State of IDAHO

ss.

County of BLAINE

On this 1st day of October, 1993, before me,
the undersigned, a Notary Public, in and for said State, personally appeared

CANDIDA C. FORSTMANN

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.

Notary Public

Residing at: Hailey, IDCommission Expires: 2-5-96

WARRANTY DEED

MARY GREEN, CLERK mp
12⁰²

Deed

For Value Received, CANDIDA C. FORSTMANN, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto JANN S. WENNER AND JANE WENNER, HUSBAND AND WIFE, hereinafter called Grantees, whose current address is P. O. BOX 2133, KETCHUM, IDAHO 83340, the following described premises situated in Blaine County, Idaho, to-wit:

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AND INCORPORATED HEREIN BY
THIS REFERENCE THERETO.

SUBJECT TO AND/OR WITHOUT WARRANTY OR REPRESENTATION WITH RESPECT
TO:

1. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the premises or by making inquiry of persons in possession thereof.

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TO HAVE AND TO HOLD said premises, with their appurtenances unto Grantees, their heirs and assigns forever. And Grantor does hereby covenant to and with Grantees, that Grantor is the owner in fee simple of said premises; that said premises, except as provided herein, are free and clear of all liens, claims, easements, encumbrances, encroachments by adjacent properties, restrictions or conditions within the actual knowledge of Grantor during Grantor's ownership of said premises; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated this 12th day of October, 1993.

Candida C. Forstmann
CANDIDA C. FORSTMANN

State of IDAHO

ss.

County of BLAINE

On this 12th day of October, 1993, before me,
the undersigned, a Notary Public, in and for said State, personally appeared

CANDIDA C. FORSTMANN, 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.

David A. Fauth
Notary Public

Residing at: Harley, ID
Commission Expires: 2-5-96



EXHIBIT "B"

No warranty or representation is made with respect to the following:

- (a) the location of fences;
- (b) the existence and/or condition of wells;
- (c) water rights;
- (d) septic systems;
- (e) physical condition, habitability or suitability of the buildings (except as specifically provided in paragraph 12 of the Purchase and Sale Agreement);
- (f) rights reserved in federal patents, or state or railroad deeds;
- (g) building or use restrictions, or any subdivision, building or zoning regulations and ordinances of any governmental unit, including, without limitation, as may apply because of the Property's proximity to the airport, or because of the Property's location within the floodplain, floodway or other area of impact from the Big Wood River, or as may restrict future subdivision of the premises; and
- (h) access to any portion of the premises lying east of the Big Wood River.

RECEIVED
MICHIGAN

EXHIBIT "A"

A Parcel of land located within the N1/2 SW1/4 and the SW1/4 NW1/4, Section 26, T. 2N., R. 18E, B.M., Blaine County, Idaho, more particularly described as follows:

Commencing at an iron pin marking the center one quarter corner (N.E. corner of said N1/2 SW1/4.), which point is the REAL POINT OF BEGINNING;

thence South 0 degrees 07'33" East, 1342.16 feet along the East Boundary of said N1/2 SW1/4 to an iron pin by JUB Engineers, 1972, marking the southeast corner of said N1/2 SW1/4;

thence North 89 degrees 29'52" West 1216.35 feet along the south boundary of said N1/2 SW1/4 to an old fence line;

thence South 16 degrees 55'55" East, 41.93 feet along said old fence to a fence corner post;

thence North 89 degrees 37'51" West, 118.57 feet along an old fence to the east boundary of the SW1/4 SW1/4, Section 26;

thence South 0 degrees 02'26" East, 256.21 feet along said east boundary of the SW1/4 SW1/4 to the intersection of said east boundary of the SW1/4 SW1/4 with the intersection of said northeast boundary of the Original Broadford Townsite;

thence North 20 degrees 45'09" West, 566.07 feet along said northeast boundary of the Original Broadford Townsite to an iron pin and aluminum cap by Jim Koonce, R. L. S. at the northeast corner of said Townsite;

thence South 70 degrees 15'27" West, 919.11 feet along the northerly boundary of said Broadford Townsite to an iron pin by Galena Engineering, Inc. on the east boundary of the present Broadford Road;

thence North 13 degrees 03'45" West, 375.72 feet, more or less, along said east boundary of the present Broadford Road to an iron pin by JUB Engineers in 1972;

thence North 18 degrees 47'24" West, 512.55 feet, more or less, along said east boundary of the present Broadford Road to an iron pin by JUB Engineers in 1972;

thence North 0 degrees 21'01" East, 568.96 feet, more or less, along said east boundary of Broadford Road to an iron pin by JUB Engineers in 1972;

thence North 0 degrees 14'09" East, 1331.07 feet, more or less, along said east boundary of Broadford Road to an iron pin by JUB Engineers in 1972;

thence South 89 degrees 37'40" East, 1303.93 feet along the north boundary of said SW1/4 NW1/4 to an iron pin by Clyde Porter, R.L.S. marking the northeast corner of said SW1/4 NW1/4;

EXHIBIT "A" (continued)

thence South 0 degrees 02'32" West, 1328.77 feet along the east boundary of said SW1/4 NW1/4 to an iron pin by Clyde Porter, R.L.S. marking the southeast corner of said SW1/4 NW1/4;

thence South 89 degrees 44'50" East 1321.38 feet along the north boundary of said N1/2 SW1/4, Section 26 to the point of beginning.

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

OCT 18 1953

Department of Water Resources

RECEIVED

LEGAL DESCRIPTION OF PROPERTY: Township SEE CLAIMS LISTED BELOW
Range

OCT 20 1993

Department of Water Resources
Southern Region Office

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

- OCT 26 1994

Claim Numbers of Split, if any:

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

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: A37-07312

Date Received: 10/19/1988

Receipt No: MOO 1645

Received By: Danunk

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CANDIDA C. FORSTMANN 208-788-4585
Address: P.O. BOX 1041
HAILEY, ID 83333

2. Date of Priority: NOV 02, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	26	NW	SW			BLAINE

5. Description of diverting works:
PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.980		147.00

7. Total Quantity Appropriated is:
0.980 C.F.S. (and/or) 147.00 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 of	Lot	Use	Acres
02N	18E	26	NW	SW		IRR	29.0
			SW	SW		IRR	20.0
Section Acres							49.0

10. Place of Use: Continued

Total Acres 49.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

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: _____

For Individuals:

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

Signature of Claimant(s): Candida C. Forstmann Date: 10/19/88

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of Oct 19 88

John Dal Carlson
Notary Public

Seal

Residing at Boonville

My Commission Expires 6/7/94

Dept. of water resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



02 1M
0004230683 MAR 07 21
MAILED FROM ZIP CODE 83

\$ 00.8



a
RECEIVED

APR 05 2007

DEPARTMENT OF
WATER RESOURCES

37-7312D
37-7312C
37-538B
37-537B

BIG WOOD RANCH LLC
1300 DEXTER AVE #140
SEATTLE WA 98109



12/18/2006

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

RIGHT NUMBER: 37-7312C

NAME AND ADDRESS: JANE WENNER
C/O GARY SLETTE
PO BOX 1906
TWIN FALLS ID 83303-1906

JANN S WENNER
C/O GARY SLETTE
PO BOX 1906
TWIN FALLS ID 83303-1906

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.560 CFS
98.700 AFY

The rights listed below are limited to a total combined diversion rate of 3.87 cfs. Combined Right Nos.: 37-537B, 37-538B, and 37-7312C.

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: 11/02/1973

POINT OF DIVERSION: T02N R18E S26 NWSW 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	0.560 CFS 98.70 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S26	SWNW	7.90	T02N R18E S26	NESW	3.60
T02N R18E S26	NWSW	16.70			

28.2 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 28.2 acres in a single irrigation season. Combined Right Nos.: 37-537B, 37-538B, and 37-7312C.

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

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with the groundwater diverted under Right No. 37-7312C and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder

Right No. 37-07312C shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.

This 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.

12/18/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The portion of Right No. 37-07312 in excess of this transfer approval in the amount of 0.16 cfs and 4.7 acres shall be considered abandoned through approval of Transfer No. 4794.

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

After specific notification by the Department, the right holder of Right No. 37-07312C shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department



Idaho Department of Water Resources

SRBA Recommendation:

37-7312C

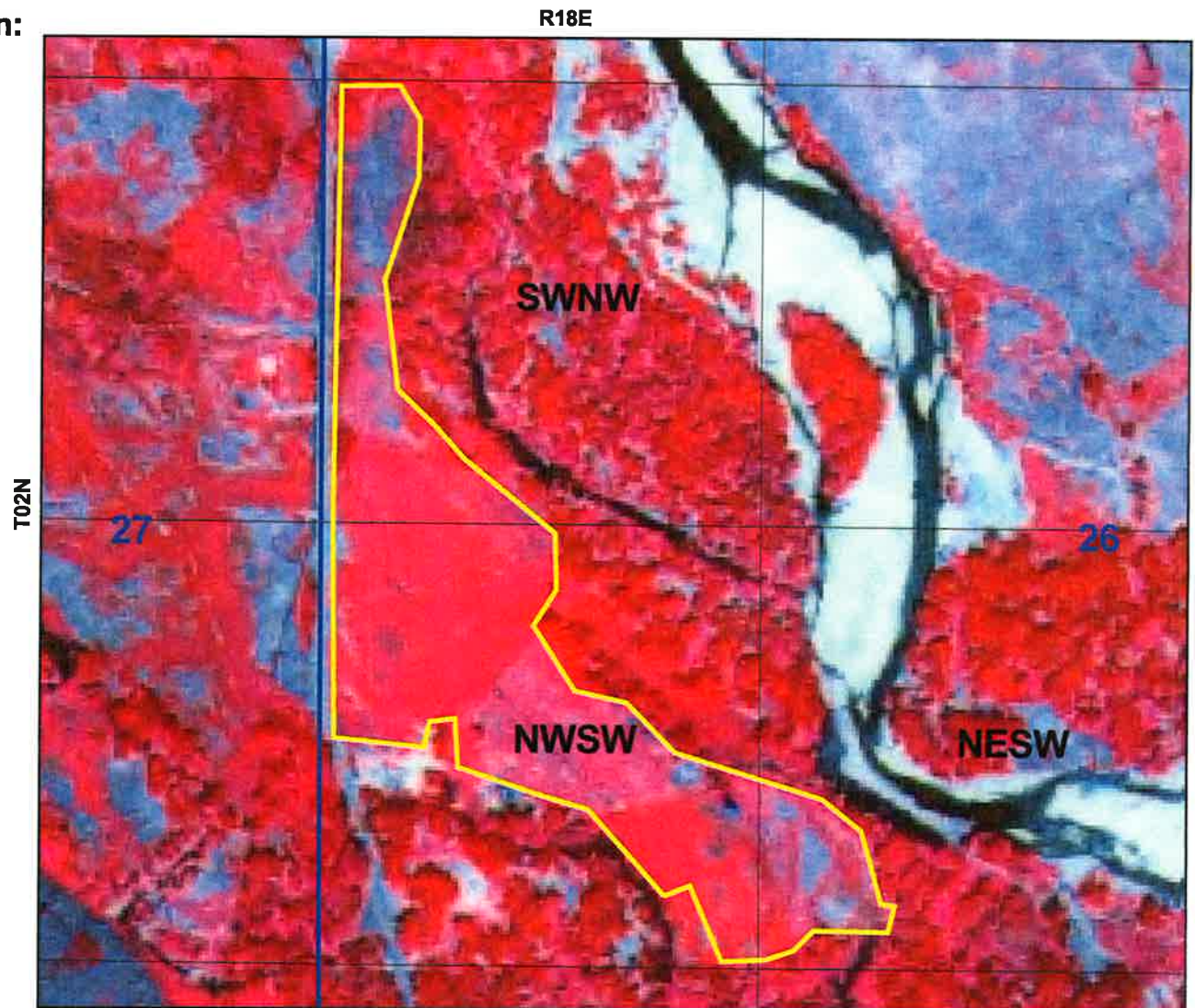
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles

A scale bar with markings for 0, 0.2, and 0.4 miles.

Prepared by S. Keen
On Monday, December 18, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

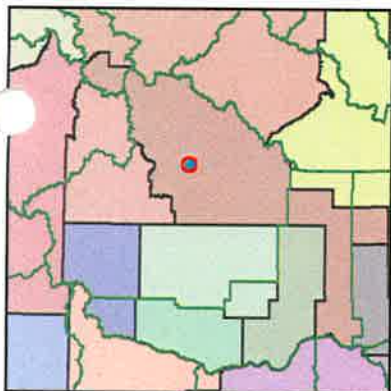
SRBA Recommendation:

37-7312C

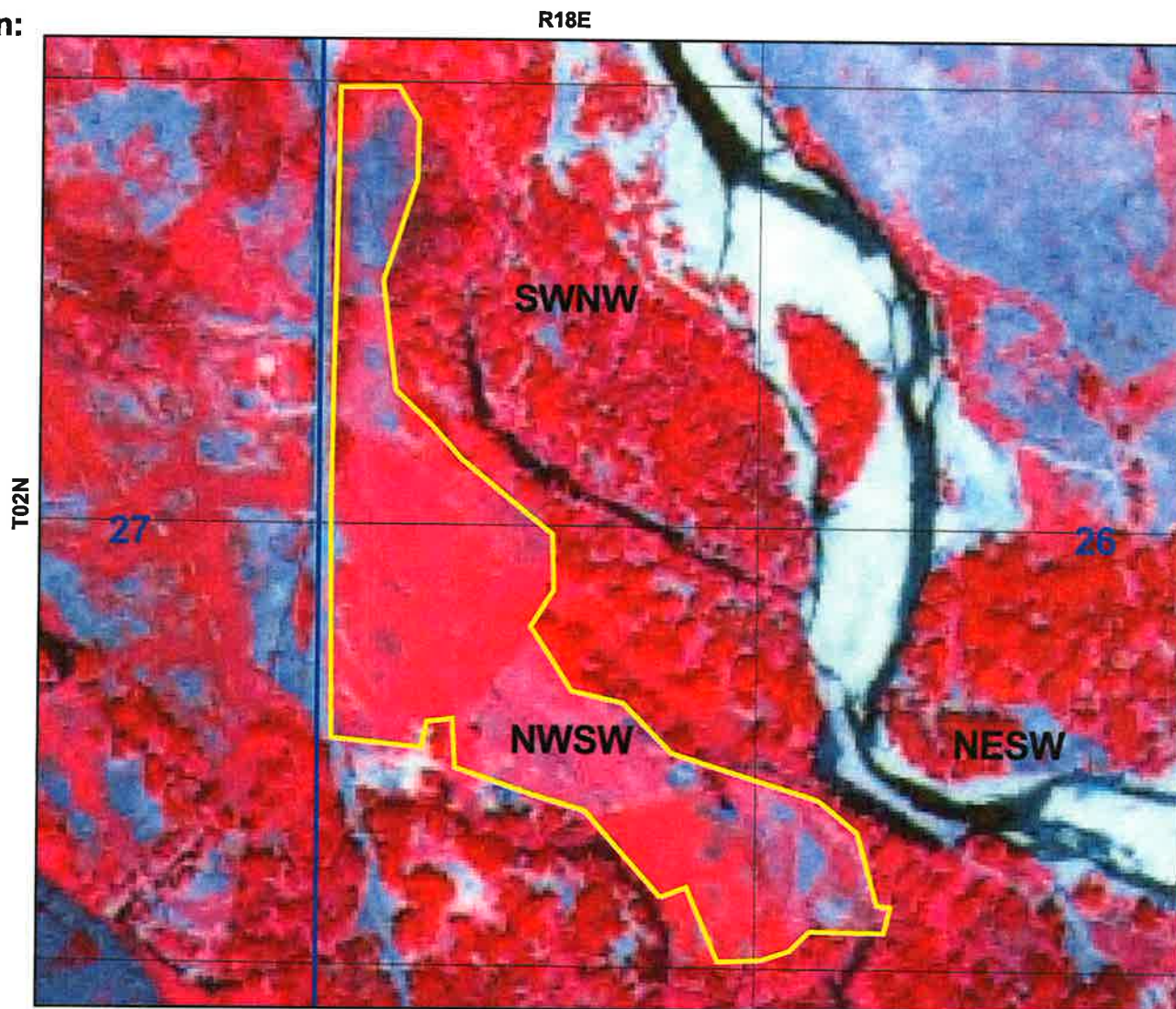
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles

Prepared by S. Keen
On Monday, December 18, 2006
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

December 26, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

RECEIVED

JAN 03 2007

BIG WOOD RANCH LLC
1300 DEXTER AVE #140
SEATTLE WA 98109

DEPT. OF WATER RESOURCES
SOUTHERN REGION

RECEIVED

JAN 05 2007

DEPARTMENT OF
WATER RESOURCES

Re: SRBA Claim #37-537B, #37-538B, #37-7312C, #37-7312D

Dear Claimant,

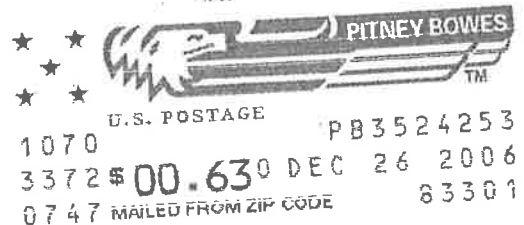
Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have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

Sincerely,

Carrie Hahn
Office Specialist

Enc.

Cc Speck & Aanestad



RECEIVED

JAN 03 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

NIXIE

980

1

01 12/30/06

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 83301339241

*2589-03713-29-27

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-7312C V1

WATER RIGHT NUMBER: 37-7312C V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BIG WOOD RANCH LLC 1300 DEXTER AVE #140 SEATTLE, WA 98109 (206)972-1044
Attorney	SPECK & AANESTAD JAMES P SPECK PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Previous Owner	JANE WENNER C/O GARY SLETTE PO BOX 1906 TWIN FALLS, ID 83303-1906 (208)734-0700
Previous Owner	JANN S WENNER C/O GARY SLETTE PO BOX 1906 TWIN FALLS, ID 83303-1906 (208)734-0700
Original Owner	CANDIDA C FORSTMANN PO BOX 201 KETCHUM, ID 83340 (208)726-7260

Priority Date: 11/02/1973

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.560 CFS	98.70 AF
	<u>Total Diversion:</u>	0.560 CFS	98.70 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 26, Twp 02N, 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	
02N 18E 26							7.9		3.6	16.7							28.2

Total Acres: 28.2

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-7312C V1

Conditions of Approval:

1. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with the groundwater diverted under Right No. 37-7312C and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder
2. Right No. 37-07312C shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
3. E56 The rights listed below are limited to the irrigation of a combined total of 28.2 acres in a single irrigation season. Combined Right Nos.: 37-537B, 37-538B, and 37-7312C.
4. E61 The rights listed below are limited to a total combined diversion rate of 3.87 cfs. Combined Right Nos.: 37-537B, 37-538B, and 37-7312C.
5. 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.
6. The portion of Right No. 37-07312 in excess of this transfer approval in the amount of 0.16 cfs and 4.7 acres shall be considered abandoned through approval of Transfer No. 4794.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. 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.
9. After specific notification by the Department, the right holder of Right No. 37-07312C shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department

Remarks:

Comments:

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

December 26, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

BIG WOOD RANCH LLC
1300 DEXTER AVE #140
SEATTLE WA 98109

Re: SRBA Claim #37-537B, #37-538B, #37-7312C, #37-7312D

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims 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 black ink, appearing to read 'Carrie Hahn', is written over a horizontal line.

Carrie Hahn
Office Specialist

Enc.
Cc Speck & Aanestad

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

December 14, 2006

RECEIVED

DEC 15 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Ms. Trish Fawcett
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

**Re: Big Wood Ranch, LLC - Notice of Change in Water
Right Ownership Water Right Nos. 37-537B, 37-538C,
37-7312C, 37-7312D
Our File No.: 358/060063**

Dear Trish:

Enclosed you will find an original and one copy of a Notice of Change in Water Right Ownership for six different water rights conveyed from Jan and Jane Wenner to Big Wood Ranch, LLC this past summer, together with our check for \$50 for the two licensed water rights. I have also included Notices of Appearance for the above-referenced water rights. Please receipt date stamp all the copies and return them to me in the post prepared, self-addressed envelope included for that purpose. The Wenner's have forwarded to us the SRBA Preliminary Recommendations for the four claims and we will review them as soon as possible.

Please call me if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
Enclosures
cc: Client

Keen, Shelley

From: Keen, Shelley
Sent: Monday, December 18, 2006 11:48 AM
To: 'Jim Speck'
Subject: RE: Water Rights 37-537B, 538B & 7312C - Big Wood Ranch LLC

Jim,

I reviewed the previous reviewers work and made the place of use change you requested. I also made changes to the approval conditions, particularly the combined use limits. The revised recommendations should be sent in the next round of mailings, which I think is scheduled for Friday.

Shelley Keen
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4947
shelley.keen@idwr.idaho.gov

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

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Sunday, December 17, 2006 5:43 PM
To: Keen, Shelley
Cc: 'Mr. Marc Richards'
Subject: Re: Water Rights 37-537B, 538B & 7312C - Big Wood Ranch LLC

Shelley,

I represent Big Wood Ranch LLC who has acquired these water rights (and 37-7312D) from Jan and Jane Wenner. A notice of change in water right ownership has been filed. These three rights are appurtenant to the same place of use. However, the irrigated acres for 37-7312C are 28.2 while the other two are 28. The first one was determined by a licensing field exam and should be more accurate. Can we change the other two so the irrigated acres are all the same??

Thanks again for all your help in these matters.

Jim

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

12/18/2006



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

April 7, 2004

RECEIVED
APR 08 2004
Department of Water Resources
Southern Region

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

Subject: Amended Claim to Water Right – Jane & Jann Wenner

Dear Doug:

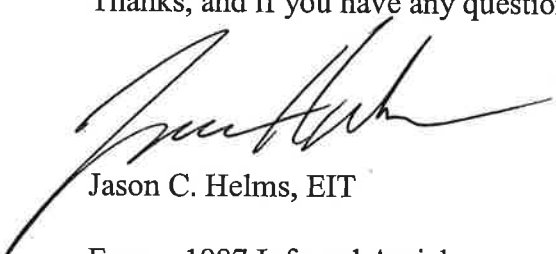
Enclosed are several *Amended Notice of Claim to a Water Right* submitted on behalf of Jane & Jann Wenner.

There appears to have been an error in the original field exam describing the tracts in which the irrigation was occurring. This error was overlooked, and improper irrigated area calculations were utilized during processing of Transfer #'s 4794 & 4799. Hopefully the enclosed amended claims will help clarify the actual historical usage of the water rights as they should be recommended to the Director for basin 37.

Thanks, and if you have any questions please don't hesitate to call.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.


Jason C. Helms, EIT

Enc: 1987 Infrared Aerial
Amended Claims 537B, 538B, 7312C

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Claim 37-7312C Review

S. Keen

12/18/2006

WR

37-7312 .98 cfs on 49 acres

0.16 cfs

4.7 acres

ABANDONED

{ 37-7312B 0.20 cfs on 13.1 acres

{ 37-7312A 0.62 cfs on 31.2 acres

{ 37-7312C 0.56 cfs 28.2 acres

{ 37-7312D 0.06 cfs 3 acres

Needs combined use limits with
37-537B + 37-538B. Combined acres
is 28.2 ~~acres~~. Combined rate is the
sum of the SW rights because the GW
right cannot be used unless SW is used
first.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7312C

WATER RIGHT NUMBER: 37-7312C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CANDIDA C FORSTMANN PO BOX 201 KETCHUM, ID 83340 (208)726-7260
Current Owner	JANE WENNER C/O GARY SLETTE PO BOX 1906 TWIN FALLS, ID 83303-1906 (208)734-0700
Current Owner	JANN S WENNER C/O GARY SLETTE PO BOX 1906 TWIN FALLS, ID 83303-1906 (208)734-0700

Priority Date: 11/02/1973

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	4/15 to 10/15	0.560 CFS	98.70 AF
	<u>Total Diversion:</u>	0.560 CFS	98.70 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 26, Twp 02N, 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	
02N	18E	26							7.9		3.6	16.7							28.2

Total Acres: 28.2

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7312C

1. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with the groundwater diverted under Right No. 37-07312C and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
Right No. 37-07312C shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
After specific notification by the Department, the right holder of Right No. 37-07312C shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
The portion of Right No. 37-07312 in excess of this transfer approval in the amount of 0.16 cfs and 4.7 acres shall be considered abandoned through approval of Transfer No. 4794.
2. 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.
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. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. 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.

Remarks:Comments:

1. PSKAGGS 9/6/1996 TRANSFER 4794

Comment: Transfer No. 4794 was filed to add points of diversion, change the place of use & split the water right to reflect current ownership. Part A reflects a change in acres & Part B proposes 2 new wells.

2. PSKAGGS 7/30/1999 TRANSFER 5297

Comment: Transfer 5297 changes the point of diversion under a portion of Right 37-07312A, splitting the right into Parts C & D.

Dates and Other Information:

Licensed Date: 4/12/1982
 Deceed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

Leather

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5297
WATER RIGHT NO. 37-07312D

RECEIVED

AUG 05 1999

Department of Water Resources
Southern Region

This is to certify that: JANN WENNER
C/O GARY SLETTE
PO BOX 1906
TWIN FALLS ID 833031906

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	0.06 CFS	10.5 AF

SOURCE

GROUNDWATER

Priority: 11/02/1973

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 26, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 18E 26	NWSW 3			3
Total number of acres irrigated:				3

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
 2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
 3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
 4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- AP*

TRANSFER NO. 5297
WATER RIGHT NO. 37-07312D

CONDITIONS OF APPROVAL AND REMARKS

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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 2ND day of AUGUST, 1999.

for K. C. Young
Chief, Water Allocation Bureau

MEMORANDUM

TO: File 37-07312A

FROM: Pam Skaggs/*CS* State Office

SUBJECT: Transfer 5297

DATE: July 30, 1999

Transfer 5297 changes the point of diversion under a portion of Right 37-07312A, splitting the right into Parts C and D. The applicant proposes to use a separate well to irrigate 3.0 acres that were formerly pasture and are now lawn area around the homesite.

Review of previously approved Transfer 4794 spells out the overlapping surface water issue. Allen Merritt's memo of 07-09-96 specifically identified 28 acres as supplemental and 3.2 acres are served solely by groundwater. This transfer application identifies groundwater under this right as the sole source of water for the low-pressure irrigation system, splitting the primary groundwater portion of the right.

Part C will retain 0.2 acres primary groundwater right along with 28.0 acres of supplemental use. Part D will provide groundwater as a primary source on the 3.0 transferred acres, eliminating the need for the supplemental conditions on Transfer 5297.

Recommended conditions include drilling permit conditions, irrigation overlap, future measuring & reporting and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED

NOV 01 1996

TRANSFER NO. 4794
WATER RIGHT NO. 37-07312A & 37-07312B Department of Water Resources
Southern Region

This is to certify that: CANDIDA C FORSTMANN
JANN S WENNER
JANE WENNER
C/O GARY SLETTE
PO BOX 1906
TWIN FALLS ID 833031906

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>
Right No. 37-07312A Priority: 11/02/1973 IRRIGATION	04/15 to 10/15	0.62 CFS	109.2 AF
Right No. 37-07312B Priority: 11/02/1973 IRRIGATION	04/15 to 10/15	* 0.20 CFS	* 45.9 AF
TOTAL:		** 0.82 CFS	155.1 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Right No. 37-07312A NWSW , Sec. 26, Township 02N, Range 18E
Right No. 37-07312B SWSW , Sec. 26, Township 02N, 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>
Right No. 37-07312A						
02N	18E	26	SWNW 7.9	NESW 3.6	NWSW 19.7	31.2
Total number of acres irrigated:						31.2
Right No. 37-07312B						
02N	18E	26	NWSW 1.1	SWSW 12		13.1
Total number of acres irrigated:						13.1
TOTAL ACRES:						** 44.3

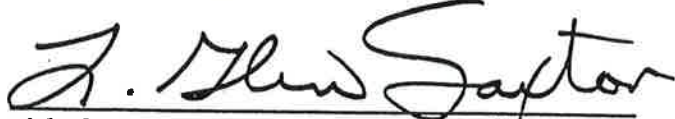
TRANSFER NO. 4794
WATER RIGHT NO. 37-07312A & 37-07312B

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.
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.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with the groundwater diverted under Right No. 37-07312A and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. Right No. 37-07312A shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
8. After specific notification by the Department, the right holder of Right No. 37-07312A shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
9. Prior to diversion of water under Right No. 37-07312B, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 10. The total instantaneous diversion of water from all points of diversion under Right No. 37-07312B shall not exceed 0.20 cfs, nor total combined annual volume of 45.9 af.
11. After specific notification by the department, the right holder of Right No. 37-07312B shall annually report the amount of water diverted to the department.
12. Two points of diversion are located within SWSW, S26, T02N, R18E.
13. Place of use under Right No. 37-07312B is located within Lots 1 and 2, Block 1, Broadford Townsite.
- ** 14. The portion of Right No. 37-07312 in excess of this transfer approval in the amount of 0.16 cfs and 4.7 acres shall be considered abandoned through approval of Transfer No. 4794.

Dated this 28th day of

October, 1996


Chief, Water Alloc. Bureau

Southern

MEMORANDUM

TO: RIGHT NO. 37-07312

FROM: PAM SKAGGS/^{PS}STATE OFFICE

SUBJECT: TRANSFER NO. 4794

DATE: September 9, 1996

RECEIVED

OCT 30 1996

Department of Water Resources
Southern Region

=====

Transfer No. 4794 was filed to add points of diversion, change the place of use and split the water right to reflect current ownership. Part A reflects a change in acres and Part B proposes to add two new wells.

The original owner of the property sold the majority of the land to Wenner's as described under Part A, adjusting the acres to reflect current use. Part B describes the remaining acres owned by Forstmann who proposes to add two new wells to serve them.

Season of use and diversion volume were adjusted to current standards. The total acres and rate of diversion described under this transfer acknowledges the extent that this right has been maintained. That portion of the right in excess of the transfer approval is considered abandoned.

A portion of this right provides supplemental groundwater to acres identified under companion Transfer No. 4799 and Part A has been conditioned to reflect that secondary use.

Recommended conditions include drilling permit requirements, irrigation overlap, supplemental use, multiple points of diversion, future annual reporting, abandoned portion and standard transfer conditions.

R PROOF

CVR

MAPS

PHOTOS

MISC

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/28/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-07312

LAST: FORSTMANN
ADDRESS: P.O. BOX 1041
CITY: HAILEY
PHONE NUMBER: 208-788-4585

FIRST: CANDIDA C.
STATE: ID ZIP: 83333

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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OCT 26 1994

A. AJ CLAIM: # A37-07312 PRIORITY DATE: 11-02-1973 STAGE: L

B. WR RECORD: # 37-07312 PRIORITY DATE: 11-02-1973 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

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

REMARKS:

RECOMMENDED PRIORITY DATE:
11-02-1973

REVIEWED BY

DATE

MICROFILMED
OCT 26 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-07312	02N	18E	26		NW	SW		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A37-00579 R37-00579

WR RECORDS IN SAME 40 ACRE TRACT

37-00311
37-00579

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-07312	02N	18E	26		NW	SW		BLAINE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

37-00311
37-00579

A37-00579 R37-00579
A37-11743 R37-11743
A37-11753 R37-11753
A37-00311 R37-00311

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

REMARKS:

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OCT 26 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

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

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: _____ DATE: _____

MICROFILMED
OCT 26 1994

A. ROOT WATER RIGHT NUMBERS: A37-07312
R37-07312

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	18E	26	NW	SW		FORSTMANN, CANDIDA C.	A37-07312 /29.0	37-07312 /29.0	~~0~~	15	
						FORSTMANN, CANDIDA	A37-00537 / 4.0	37-00537 /			
						FORSTMANN, CANDIDA	A37-00538 / 9.0	37-00538 /			
						FORSTMANN, CANDIDA	A37-11743 /	- /			
						FORSTMANN, CANDIDA	A37-11753 /	- /			
						FORSTMANN, CANDIDA	R37-00537 / 4.0	- /			
						FORSTMANN, CANDIDA	R37-00538 / 9.0	- /			
						FORSTMANN, CANDIDA C.	R37-07312 /29.0	- /			
						FORSTMANN, CANDIDA	R37-11743 /	- /			
						FORSTMANN, CANDIDA	R37-11753 /	- /			
02N	18E	26	SW	SW		FORSTMANN, CANDIDA C.	A37-07312 /20.0	37-07312 /20.0	~~0~~	1	
						ROSEBERRY, EUGENE	A37-00419B / 2.0	- /			
						ROSEBERRY, EUGENE	A37-00703E / 2.0	- /			
						ROSEBERRY, EUGENE	A37-10913 / 2.0	- /			
						HAZEN, RICHARD	R37-00005 /13.0	- /			
						JOHNSTON, HARRY E.	A37-04377 / 3.5	37-04377 / 4.0			
						JOHNSTON, HARRY	A37-11486 /	- /			
						ROSEBERRY, EUGENE	R37-00419B / 2.0	- /			
						ROSEBERRY, EUGENE	R37-00703E / 2.0	- /			
						JOHNSTON, HARRY E.	R37-04377 / 3.5	- /			
						FORSTMANN, CANDIDA C.	R37-07312 /20.0	- /			
						ROSEBERRY, EUGENE	R37-10913 / 2.0	- /			
						JOHNSTON, HARRY	R37-11486 /	- /			
						JOHNSTON, HARRY E.		37-08259 / 5.0			
						JOHNSTON, HARRY E.		37-08308 / 1.0			
TOTAL ACRES							A37-07312	49.00	49.00		

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

SESW 1.0

NESW 5.0

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27 OCT 26 1994

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

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OCT 26 1994

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A37-07312 IRRIGATION	FROM 04-01 TO 11-01	.980 CFS 147.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		.980 CFS 147.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
37-07312 IRRIGATION	FROM 04-01 TO 11-01	.980 CFS 147.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		.980 CFS 147.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(____) N(____)

RECOMMEND TO WR STANDARDS OR OTHER? Y(____) N(____) Explain in remarks, below.

REMARKS:

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OCT 26 1994

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.980 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.980 CFS

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

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? Y/N: Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM:

LIST ALL RIGHTS WITH A SAME POV AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-07312	GROUNDWATER	FORSTMANN , CANDIDA C.	0.980	0.020	147.00	3.00
A37-00537	BIG WOOD RIVER	FORSTMANN , CANDIDA	0.400	0.040		
R37-00537	BIG WOOD RIVER	FORSTMANN , CANDIDA	0.400	0.040		
R37-00538	BIG WOOD RIVER	FORSTMANN , CANDIDA	3.600	0.120		
R37-07312	GROUNDWATER	FORSTMANN , CANDIDA C.	0.980	0.020		
A37-00419B	BIG WOOD RIVER	ROSEBERRY , EUGENE	0.200	0.050		
A37-00703E	BIG WOOD RIVER	ROSEBERRY , EUGENE	0.400	0.100		
A37-10913	BIG WOOD RIVER	ROSEBERRY , EUGENE	0.150	0.037		
R37-00005	BIG WOOD RIVER	HAZEN , RICHARD	3.000	0.040		
A37-04377	GROUNDWATER	JOHNSTON , HARRY E.	0.241	0.068		
R37-00419B	BIG WOOD RIVER	ROSEBERRY , EUGENE	0.200	0.050		
R37-00703E	BIG WOOD RIVER	ROSEBERRY , EUGENE	0.400	0.100		
R37-04377	GROUNDWATER	JOHNSTON , HARRY E.	0.241	0.068		
R37-10913	BIG WOOD RIVER	ROSEBERRY , EUGENE	0.150	0.037		

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OCT 26 1994

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A37-11743	DOMESTIC	FORSTMANN , CANDIDA	FROM 01-01 TO 12-31	.040 CFS	
A37-11753	STOCKWATER	FORSTMANN , CANDIDA	FROM 10-01 TO 05-01	.020 CFS	
R37-11743	DOMESTIC	FORSTMANN , CANDIDA	FROM 01-01 TO 12-31	.040 CFS	
R37-11753	STOCKWATER	FORSTMANN , CANDIDA	FROM 10-01 TO 05-01	.020 CFS	
A37-04377	STOCKWATER	JOHNSTON , HARRY E.	FROM 01-01 TO 12-31	.001 CFS	
A37-04377	DOMESTIC	JOHNSTON , HARRY E.	FROM 01-01 TO 12-31	.040 CFS	
A37-11486	DOMESTIC	JOHNSTON , HARRY	FROM 01-01 TO 12-31	.040 CFS	
R37-04377	STOCKWATER	JOHNSTON , HARRY E.	FROM 01-01 TO 12-31	.001 CFS	
R37-04377	DOMESTIC	JOHNSTON , HARRY E.	FROM 01-01 TO 12-31	.040 CFS	
R37-11486	DOMESTIC	JOHNSTON , HARRY	FROM 01-01 TO 12-31	.040 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

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

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 147.00 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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OCT 26 1994

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE 0.980 EXAMINER _____	DATABASE 147.00 EXAMINER _____	DATABASE 0.0 EXAMINER _____
TOTAL FOR THIS RIGHT		0.980	147.00	0.0

REVIEWED BY: _____

DATE: _____

MICROFILMED
OCT 26 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-07312

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.980

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A37-07312	0.980	R37-07312	0.980	37-07312	0.980
A37-07312	R37-07312	0.980	R37-07312	0.980	37-07312	0.980
TOTAL CFS		1.960		1.960		0.980

DIVERSION RATE REVIEW

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

DATABASE
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

MICROFILMED
OCT 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/28/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-07312

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

"VERIFIED BY" CODES

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

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

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OCT 26 1994

SD-0601-2 Last Name: FORSTMANN

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	STATE Use Code Desc
-	FORSTMANN						
-	CANDIDA C.	C	A37-07312	11/02/1973	GROUNDWATER	0.980	01 IRR
-	CANDIDA	C	R37-00537	05/15/1882	BIG WOOD RI	0.400	01 IRR
-	CANDIDA	C	R37-00538	05/15/1891	BIG WOOD RI	3.600	01 IRR
-	CANDIDA C.	C	R37-07312	11/02/1973	GROUNDWATER	0.980	01 IRR
-	CANDIDA	C	A37-11743	06/01/1972	GROUNDWATER	0.040	43 DOMEST
-	CANDIDA	C	A37-11753	10/01/1972	BROADFORD S	0.020	04 STOCK
-	CANDIDA	C	R37-11743	06/01/1972	GROUNDWATER	0.040	43 DOMEST
-	CANDIDA	C	R37-11753	10/01/1972	BROADFORD S	0.020	04 STOCK
-	CANDIDA	C	A37-00537	05/15/1882	BIG WOOD RI	0.400	01 IRR
-	CANDIDA	C	A37-00538	05/15/1891	BIG WOOD RI	3.600	01 IRR

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MICROFILMED

OCT 26 1994

AJ0749NP
No. R37-07312

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/21/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JANN S WENNER	11/02/1973	IRRIGATION	04-01 11-01	0.98 CFS	
C	JANE WENNER					
	C/O BRIAN BARSOTTI					
	PO BOX 10013			TOTAL DIVERSION:	0.98 CFS	
	KETCHUM ID 83340			CONSUMPTIVE USE:		122.50 AFA
	(208) 726-3030					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T02N R18E S26

NWSW

BLAINE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
02N	18E	26	:					:					:					:						:		
															29	20										
																							TOTAL ACRES		49.0	

POU County: BLAINE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MICROFILMED
OCT 26 1994

Water Right Number - R37-07312

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
WENNER

JANN S

1 - C/O BRIAN BARSOTTI
2 - PO BOX 10013
3 -

City- KETCHUM

State- ID Zip- 83340

Phone - 208-726-3030

WENNER

JANE

1 - C/O BRIAN BARSOTTI

2 - PO BOX 10013

3 -

City- KETCHUM

State- ID Zip- 83340

Phone - 208-726-3030

*** O - ORIGINAL OWNER ***
FORSTMANN

CANDIDA C.

1 - P.O. BOX 1041

2 -

3 -

City- HAILEY

State- ID Zip- 83333

Phone - 208-788-4585

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/02/1973 17 SOUTHERN L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
02N 18E 26 NW SW (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.980

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.980 122.5

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 18E 26 NW SW 29.0 01 IRRIGATION (13) BLAINE
02N 18E 26 SW SW 20.0 01 IRRIGATION (13) BLAINE

Total Acres: 49.0

+ - - Diversion Means - PUMP & SPRINKLERS

+ - - Non-Irrigation Use -

MICROFILMED
OCT 26 1994

MICROFILMED
OCT 26 1994

SD-0601-2 Last Name: FORSTMANN

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	FORSTMANN	-	-	-	-	-	-
-	CANDIDA C.	C	A37-07312	11/02/1973	GROUNDWATER	0.980	01 IRR
-	CANDIDA	C	R37-00537	05/15/1882	BIG WOOD RI	0.400	01 IRR
-	CANDIDA	C	R37-00538	05/15/1891	BIG WOOD RI	3.600	01 IRR
-	CANDIDA C.	C	R37-07312	11/02/1973	GROUNDWATER	0.980	01 IRR
-	CANDIDA	C	A37-11743	06/01/1972	GROUNDWATER	0.040	43 DOMEST
-	CANDIDA	C	A37-11753	10/01/1972	BROADFORD S	0.020	04 STOCK
-	CANDIDA	C	R37-11743	06/01/1972	GROUNDWATER	0.040	43 DOMEST
-	CANDIDA	C	R37-11753	10/01/1972	BROADFORD S	0.020	04 STOCK
-	CANDIDA	C	A37-00537	05/15/1882	BIG WOOD RI	0.400	01 IRR
-	CANDIDA	C	A37-00538	05/15/1891	BIG WOOD RI	3.600	01 IRR
-							
-							
-							
-							
-							
-							

(Enter=Continue)

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MICROFILMED
OCT 26 1994

Water Right Number: A37-07312

Idaho Department of Water Resources

Adjudication Places of Use Screen

Date: 03/21/94

Time: 09:39:10

FIRST PAGE

[illegible]

(GOLD2=Update) —
(GOLD3=Del POU's)

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(GOLD4=Prev Screen)
(GOLD5=Next Screen)
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(GOLD6=End of Data)

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(Enter=Exit)
(GOLD8=Cancel)
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MICROFILMED

OCT 26 1994



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

June 3, 1994

BRIAN BARSOTTI
ATTORNEY AT LAW
GREYHAWK ALPINE CENTER
PO BOX 10013
KETCHUM ID 83340

RE: ADJUDICATION CLAIM(S) A37-00537, A37-0538, A37-11743, A37-11753,
A37-07312 - CANDIDA C FORSTMANN

Dear Mr. Barsotti:

Pursuant to the notification that you are representing the claimants on the above-referenced Change of Ownership Adjudication Claims, I have changed the Department's record(s) as you have requested. Please note that A37-00537 was split: A37-00537A retained by Ms. Forstmann and A37-00537B transferred to the Wenners. (see copies of computer records)

Please check the print-outs for corrections. Should you have any questions, please feel free to contact me at this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

c.c. Gary Slette, Esq.
Attn: Crystal Vincent

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

CLAIM NUMBER: A37-07312FIELD REPORT LOG

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
PRIORITY DATE	N	field Exam 6-6-90 suc	scc 3-6-90	
POINT OF DIV.	N ✓		scc 4-30-90	
SOURCE	N			
PLACE OF USE	N	(?) ACRES		
DIV. AMOUNT	N			
CONSUMPTIVE USE	N			
USES	N		scc 3-6-90	
PERIOD OF USE	N		scc 3-6-90	
BASIS OF CLAIM	N		scc 4-30-90	

REMARKS: Accepted As Licensed?— Not ALL ACRES ARE IRRIGATEDI Question Field Exam Results (scc 6-6-90)

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GENERAL INFORMATION

Claim number: A37-07312

LAST: FORSTMANN

FIRST: CANDIDA C.

ADDRESS: P.O. Box 1041

CITY: HAILEY

STATE: ID

ZIP: 83333

PHONE: (208) 788-4585

OWNER CODE: C

OWNER CONNECTOR: _____

LAST: _____

FIRST: _____

ADDRESS: _____

CITY: _____

STATE: _____

ZIP: _____

PHONE: (____) ____-____

OWNER CODE: _____

FIELD EXAMINATION INFORMATION

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

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

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

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

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PAGE 3.
PRIORITY DATE REVIEW SHEET

CLAIM NUMBER: A37-07312

A. SRBA CLAIM # A37-07312 PRIORITY DATE: 11/2/1973 STAGE L

B. IDWR RECORD # 37-07312 PRIORITY DATE: 11/2/1973 STAGE L

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

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

REMARKS: _____

RECOMMENDED PRIORITY DATE:

11/2/1973

REVIEWED BY

SCC

DATE

3-6-90

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PAGE 4.
POINT OF DIVERSION AND SOURCE REVIEW SHEET

CLAIM # A37-07312

A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>26</u>	—	<u>NW</u>	<u>SW</u>	—	<u>BLAINE</u>

SOURCE: GROUNDWATER TRIB: _____

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>26</u>	—	<u>NW</u>	<u>SW</u>	—	<u>13</u>

SOURCE: G.W. TRIB: _____

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

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

REMARKS: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>2N</u>	<u>18E</u>	<u>26</u>	<u>SW</u>	<u>NW</u>	<u>SW</u>	—	<u>13</u>
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—

SOURCE: G.W. TRIB: _____

REVIEWED BY SCC DATE 4-30-90 OK F.E. 6-6-90

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PLACE OF USE REVIEW SHEET (IRRIGATION)

CLAIM # 437-07312

FIELD EXAM REQUIRED: Y() N(X)

PRESUMPTION FLAG: Y() N()

ROOT WATER RIGHT NUMBERS 37-07312

TWP	RGE	SEC	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
2N	18E	26	NW A37-00537 / 4	- - - / -	0	-	-
			- 00538 / 9	- - - / -	-	-	-
			- 07312 / 29	37-07312 / 29	-	-	-
			- - - / -	- - - / -	-	-	-
			- - - / -	- - - / -	-	-	-
			- - - / -	- - - / -	-	-	-
			- - - / -	- - - / -	-	-	-
			- - - / -	- - - / -	-	-	-
TOTAL ACRES				39	-	-	-

Not overlapped Sec

9 Acres overlaps the 4 Acres Sec

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

REMARKS:

REVIEWED BY See

DATE _____

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TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES

2N 18E 26 SW SW A37-04577 / 3.5

37-04377 / 4

-00419E / 2

-00703E / 2

-10913 / 2

→ -07312 / 20

-07312 / 20

- / -

-08259 / 5

- / -

-08308 / 1

- / -

- / -

TOTAL ACRES

20

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES

- / -

- / -

- / -

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- / -

- / -

- / -

- / -

- / -

- / -

- / -

TOTAL ACRES

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES

- / -

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TOTAL ACRES

Sec 4-30-90

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

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>0.98</u> CFS
FOR _____	FROM <u>-</u> TO <u>-</u>	_____ CFS
FOR _____	FROM <u>-</u> TO <u>-</u>	_____ CFS

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

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>0.98</u> CFS
FOR _____	FROM <u>-</u> TO <u>-</u>	_____ CFS
FOR _____	FROM <u>-</u> TO <u>-</u>	_____ CFS

PRESUMPTION FLAG: _____

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON?

Y(~~X~~) N()

RECOMMENDED AS CLAIMED?

Y(~~X~~) N()

RECOMMEND TO IDWR STANDARDS OR OTHER?

Y() N(~~X~~)

REMARKS:

RECOMMENDED USES:

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>0.98</u> CFS
FOR _____	FROM <u>-</u> TO <u>-</u>	_____ CFS
FOR _____	FROM <u>-</u> TO <u>-</u>	_____ CFS

REVIEWED BY SCL

DATE 3-6-90

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DIVERSION AMOUNT REVIEW SHEET

CLAIM # A37-07312A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)SRBA CLAIMED RATE: 0.98 CFS IDWR ROOT RIGHT RATE: 0.98 CFS
IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required.IS FLOW MEASUREMENT REQUIRED? Y(☐) N(☒)B. FLOW MEASUREMENTS

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) If YES complete overlap review.OTHER RIGHTS LISTED IN CLAIM: A37-00537 - - -

(NOT LISTED, FOUND IN SEARCH)

A37-00538 - - -

- - -

*Additional
Sheets
*Not actually
overlapped
see*D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES 49 X 0.02 CFS/ACRE = 0.98 CFS.
(Taken from p/u review)DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☐) N(☒)***IF YES EXCESSIVE WATER USE FORM FILED AND ATTACHED? Y(☐) N(☐)***

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

ACRES 49 X CONSUMPTIVE RATE FOR AREA 2.5 A.F./ACRE =TOTAL CONSUMPTIVE USE 122.5 ACRE FEET/ANNUM

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

TOTAL FIELD APPLIC. _____ ACRE FEET/ANNUM

E. RATE/VOLUME CALCULATIONS: (OTHER USES)CONTACT OWNER? Y(☐) N(☐) SEE ATTACHED SHEET? Y(☐) N(☐)RECOMMENDED DIVERSION RATE: 0.98 CFSRECOMMENDED CONSUMPTIVE USE: 122.5 AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: _____ AF/ANNUM

REVIEWED BY SCC

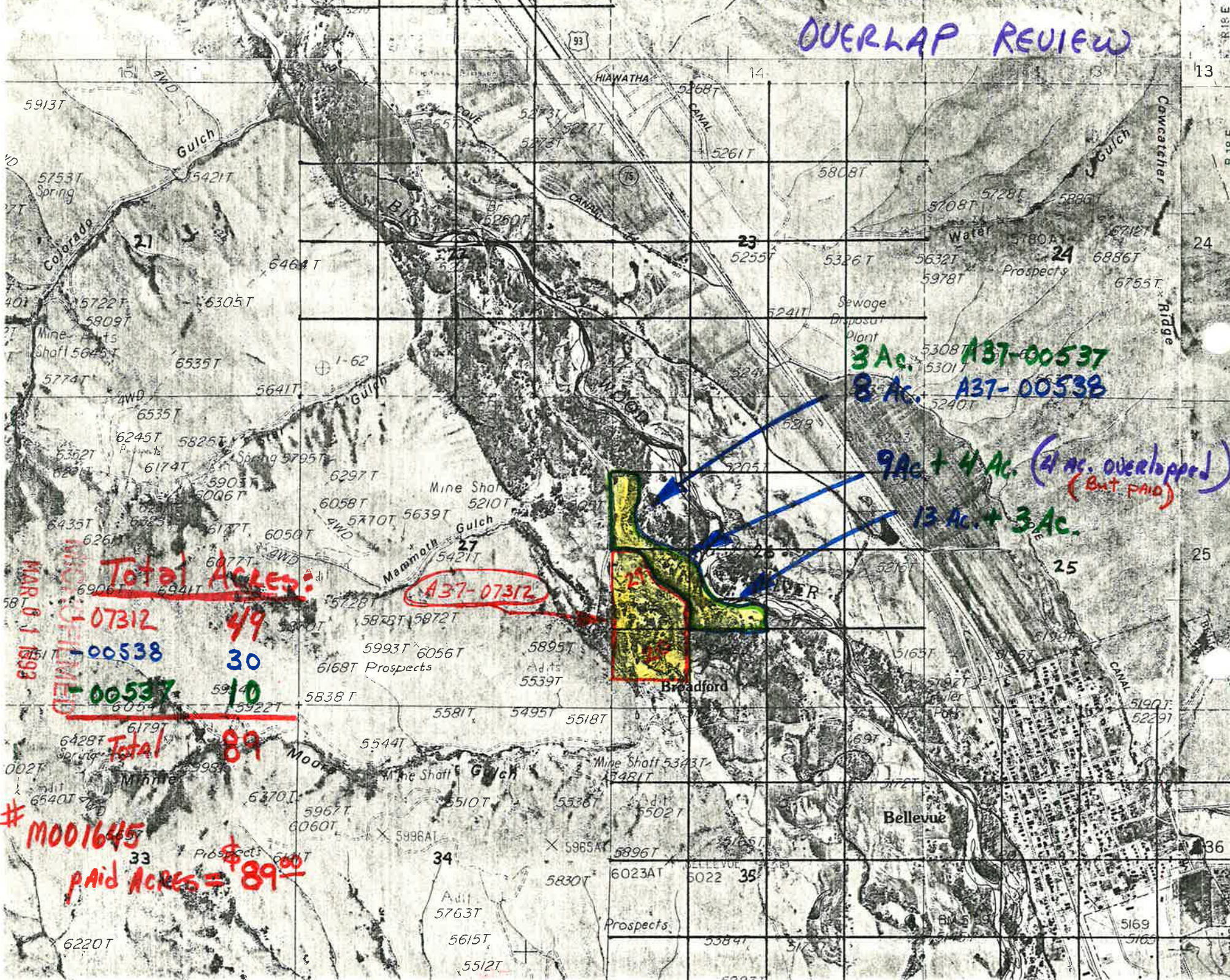
DATE

4-30-90

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OVERLAP REVIEW



Total Acres:

-07312 49
 -00538 30
 -00537 10

Total 89

MOD 1645

PAID ACRES = \$89.00

A37-07312

3 Ac. A37-00537
 8 Ac. A37-00538

9 Ac. + 4 Ac. (2 ac. overlapped)
 (But paid)
 13 Ac. + 3 Ac.

OVERLAP REVIEW

RECEIPT IS FROM THE STATE OF IDAHO
SD-01 IDAHO DEPARTMENT OF WATER RESOURCES
RECEIPT ENTRY SCREEN

DATE 04/30/90
TIME 14:36:38

REC/NO - M001645 AR/NO -
FROM: - FORSTMANN, CANDIDA

RECEIPT TYPE - CK DOC/NO - 8495
REMARKS -

TYPE OF PAYMENT	PROGRAM	ACCT	CLASS	FEE
ADJUDICATION FEE	410162	9337	6490	289.00

TOTAL DUE - 289.00

WR/NO	WR FEE	WR/NO	WR FEE	WR/NO	WR FEE
A3700538	30 Ac 80.00	A3700537	10 Ac 60.00	A3711743	25.00
A3707312	49 Ac 99.00	A3711753	25.00		

(ENTER=INQUIRE) (GOLD1=ADD/PRINT REC) (GOLD2=CHANGE) (GOLD3=VOID)
(GOLD6=2ND/COPY REC) (GOLD7=LASER/COPY REC) (MENU _____)

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BASIS OF CLAIM ISSUES REVIEW SHEET

CLAIM # 437-07312

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

THIS SRBA CLAIM CFS/ACRE

0.02

OTHER SRBA CLAIMS CFS/ACRE

0.04 A37-00537
0.12 A37-00538 } other
 p/u

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

B. SPLIT WATER RIGHT REVIEW

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

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

Y() N()

**IF NO is the written review sheet ATTACHED?

Y() N()

REMARKS: _____

=====

AUTHENTICATION:

SIGNATURE: _____

Steve Chell

DATE: _____

4-30-90

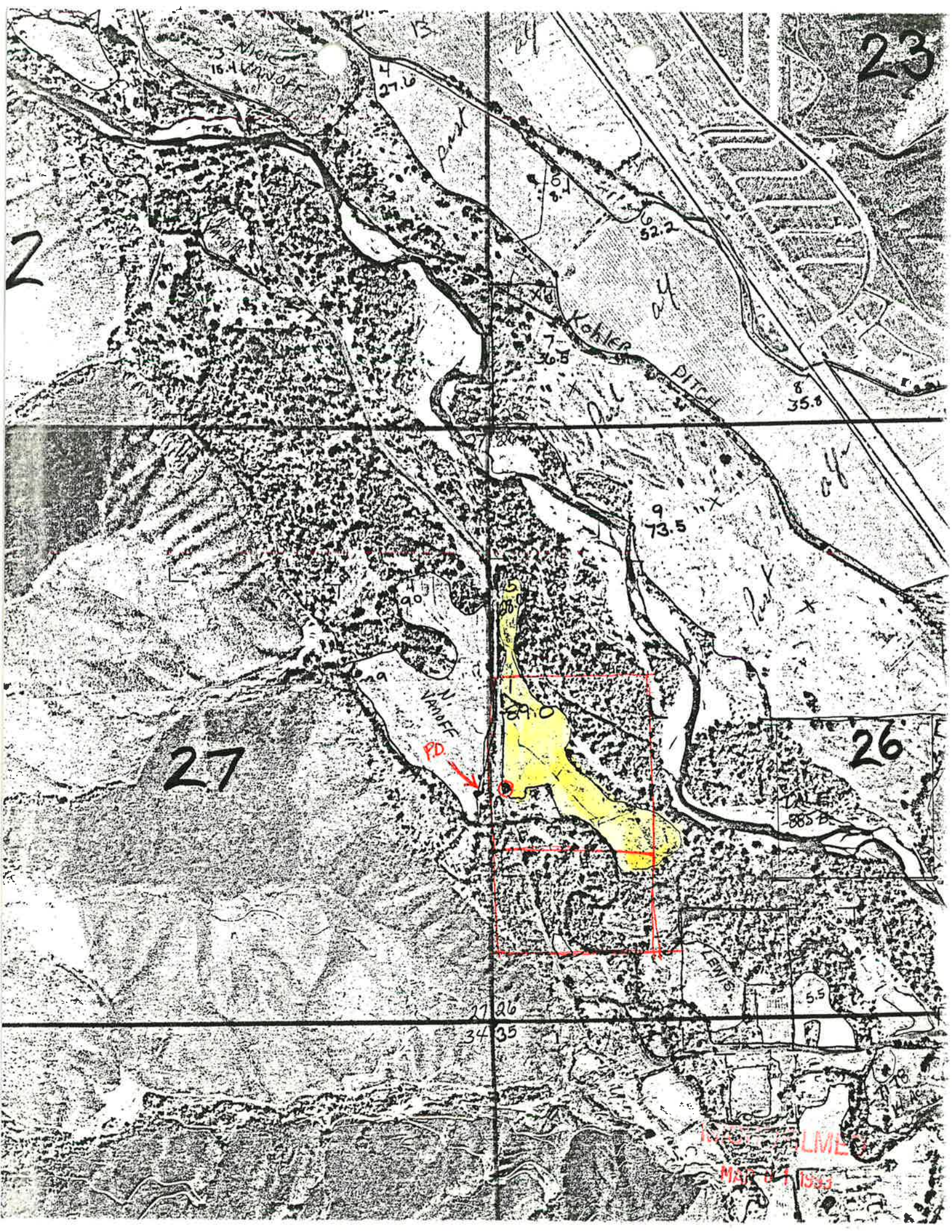
NAME OF FIELD EXAMINER: _____

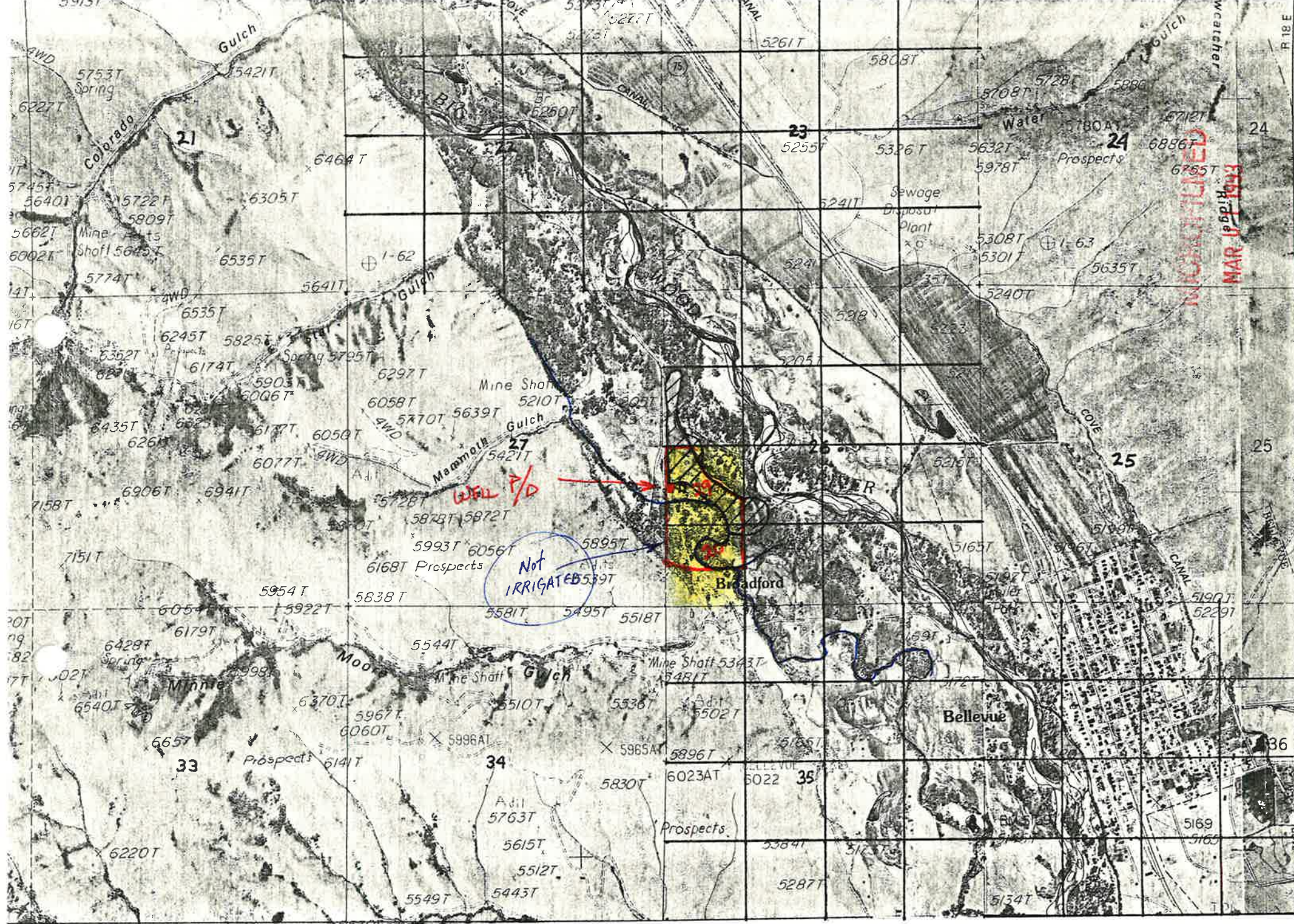
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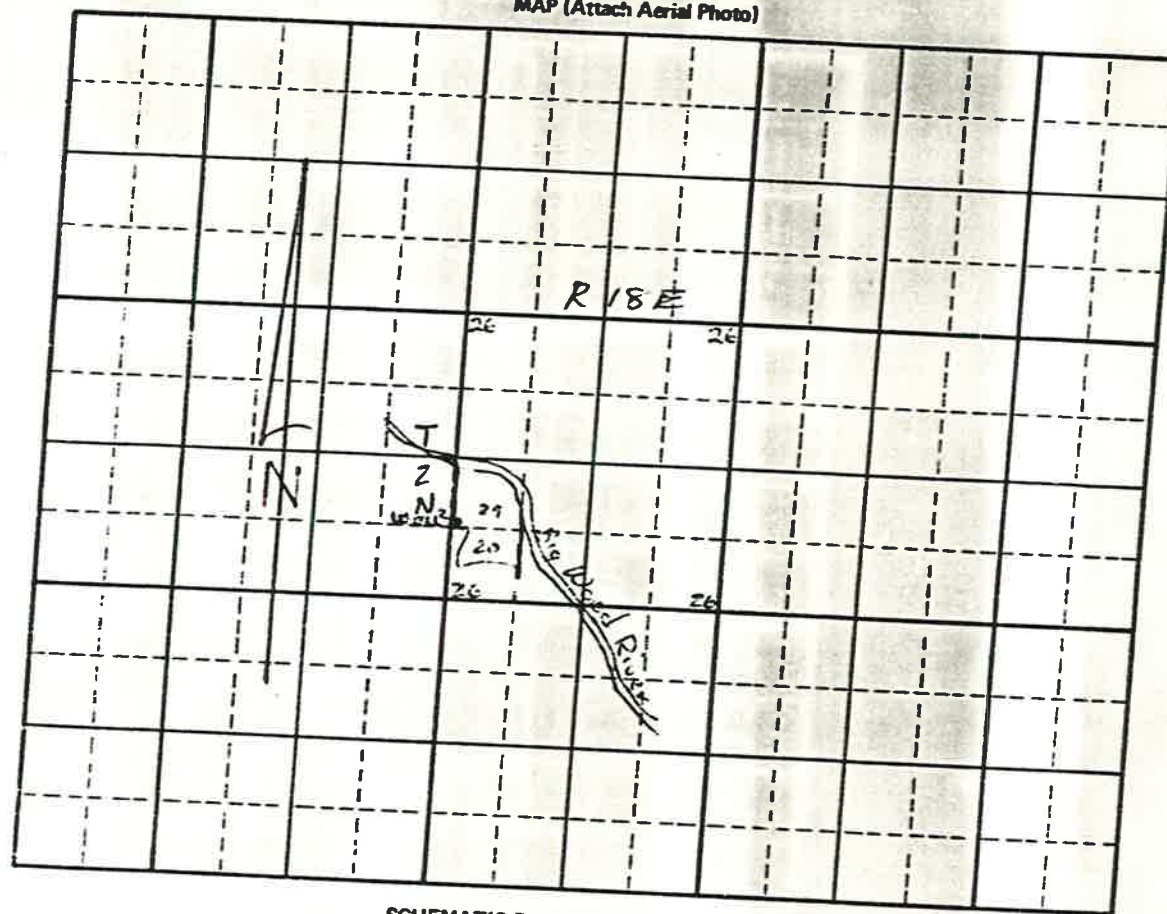


RECEIVED
MAR 10 1944

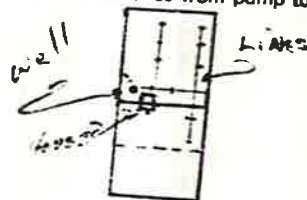
1032
Page No.

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(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NW 1/4 SW 1/4; Sec 26 T.2 N. R. 18 E

Places of Use

TAF	RGE	SEC	NEW	NPW	
-----	-----	-----	-----	-----	--

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

Water Right Number - A37-07312

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

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

*** C - CURRENT OWNER ***
FORSTMANN

CANDIDA C.

1 - P.O. BOX 1041

2 -

3 -

City- HAILEY

State- ID Zip- 83333

Phone - 208-788-4585

+ - - Priority Date - - +
11/02/1973

+ - - Region - - - +
17

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

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

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

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

02N 18E 26 NW SW (13) BLAINE

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

01 - IRRIGATION

04/01

11/01

0.980

147.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.980 147.00

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

02N 18E 26 NW SW

29.0

01

IRRIGATION

(13) BLAINE

02N 18E 26 SW SW

20.0

01

IRRIGATION

(13) BLAINE

Total Acres: 49.0

+ - - Diversion Means - PUMP & SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

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

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

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

Water right number - A37-07312

Adj. flag translation: Adjudication Temporary Work Area

+ - - Audit Fields -

+ - - - - - 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	- 07/23/1985	Old Judicial District	-
Claim Received Date	- 10/19/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M001645	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-		

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Water Right Number - 37-07312 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

*** C - CURRENT OWNER ***
FORSTMANN

CANDIDA C.

1 - P.O. BOX 1041

2 -

3 -

City- HAILEY

State- ID Zip- 83333

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/02/1973 17 L - LICENSE

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

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

02N 18E 26 NW SW (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.980 147.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.980 147.00

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
02N 18E 26 NW SW 29.0 01 IRRIGATION (13) BLAINE
02N 18E 26 SW SW 20.0 01 IRRIGATION (13) BLAINE

Total Acres: 49.0

+ - - Diversion Means - PUMP & SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

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

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

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+ - - Audit Fields - 07/23/85

05/28/88 CONVERT

NOTIFIED

MAR 1 1993

Water right number - 37-07312

Adj. flag translation: Standard Water Right Number

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

Proof Due Date	- 12/01/1978	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 12/12/1973	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 07/23/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 04/12/1982	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

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