

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: A37-08225A
Date Received: 1/16/1998
Receipt No: S020837
Received By: OWNER CHANGE

~~COPY FOR
YOUR FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPY FOR
YOUR FILES~~

1. Name: CHARLES THOMAS FOLEY 212-319-4343
Address: 430 PARK AVE 18TH FLOOR
NEW YORK NY 10022

AND

Name: KATHLEEN MAHER FOLEY 212-319-4343
Address: 430 PARK AVE 18TH FLOOR
NEW YORK NY 10022

2. Date of Priority: JUN 26, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	23	NE	SE			BLAINE

5. Description of diverting works:
WELL, PUMPS, SPRINKLER IRRIGATION BY WHEEL LINES AND HAND LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.360		66.50

7. Total Quantity Appropriated is:
0.360 C.F.S. (and/or) 66.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	23	NW	SE		IRR	19.0

10. Place of Use: Continued

Section Acres 19.0

Total Acres 19.0

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:

Rights 37-02686B, 37-07598B, and 37-08225A when combined shall not exceed a total diversion rate of 0.56 cfs.

Rights 37-02686B and 37-07598B are also diverted through the point(s) of diversion described above.

07/13/99, CHANGED OWNERSHIP: KENNEDY TO FOLEY AS PER WARRANTY
DEED AND FORM 1409(6) REC'D 06/28/99. C.T.

15. Basis of Claim: LICENSE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NCAP-12284
12285

RECEIVED

JUN 28 1999

Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s): Claim #'s A37-026863^B; A37-07598B; A37-08225A; 37-12284 & 37-12285
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Kennedy Living Trust, Jack F. Kennedy, Trustee
1400 South Camino Real
San Bernadino, CA 92408
Charles Thomas Foley & Kathleen Maher Foley
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
430 Park Avenue, 18th Floor
4. New Owner/Claimant(s)
New Mailing Address
City, State and ZIP Code New York, New York 10022
New Telephone Number (212) 319-4343
5. Date you acquired the property June 15, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s)
Charles Thomas Foley
Kathleen Maher Foley
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

122

428501

Deed

BLAINE CO. REQUEST
SAWTOOTH TITLE

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Edward A. Lawson, Esq.
Hawley Troxell Ennis & Hawley LLP
P.O. Box 297
371 Walnut Avenue
Ketchum, Idaho 83340

'99 JUN 15 PM 3 54

MARSHA RIEMANN, CLERK *mm*
FEES \$ *90*

Order No. 25722

(Space Above This Line For Recorder's Use)

WARRANTY DEED

Jack F. Kennedy, Trustee of the Kennedy Living Trust dated November 1, 1979, as restated on May 20, 1982, hereinafter called the Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys unto Charles Thomas Foley and Kathleen Maher Foley, husband and wife, whose current address is c/o Estabrook Capital Management, 430 Park Avenue, 18th Floor, New York, NY 10022, hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to wit:

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

SECTION 23: NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

TOGETHER WITH an easement for ingress, egress and the extension of utilities, more particularly described as follows:

A strip of land, 25 feet in width, extending along the western boundary of the NW $\frac{1}{4}$ and a portion of the SW $\frac{1}{4}$ of Section 24, Township 1 South, Range 19 East of the Boise Meridian, Blaine County, Idaho, from the right-of-way for Idaho Highway 20 on the north, to a point 25 feet south of the northern boundary of the SW $\frac{1}{4}$ of said Section 24, on the south.

TOGETHER WITH all improvements, minerals, mineral rights, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto, if any, including but not limited to the following:

IDWR Claim No. A37-026863
IDWR Claim No. A37-07598B
IDWR Claim No. A37-08225A
IDWR Claim No. 37-12284
IDWR Claim No. 37-12285

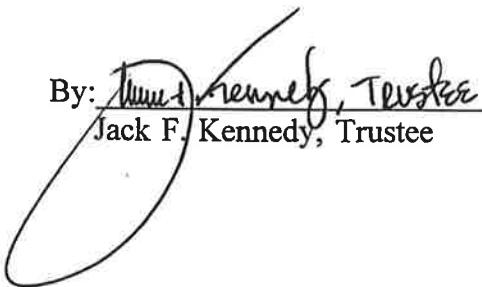
SUBJECT TO:

1. Liens for taxes and assessments not yet due and payable;
2. Reservations and exceptions in any patents from the United States or any state or railroad deed;
3. Building and zoning ordinances, restrictions and regulations;
4. Easements established or of record, restrictions, encumbrances and other matters of record as disclosed by the records of Blaine County, Idaho; and
5. The final outcome of all proceedings, terms and conditions of any decree entered in *The General Adjudication of Rights to Use of Water from the Snake River Basin Water System*, Twin Falls District Court Case No. 39576.

TO HAVE AND TO HOLD, the said premises, and their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. Grantor, for himself and his heirs and assigns, does hereby covenant to and with the said Grantee, his heirs and assigns, that (1) the Grantor is the owner in fee simple of said premises; (2) Grantor has the right to convey the premises; (3) the premises are free from all liens and encumbrances except as above described; (4) Grantor warrants and will defend the quiet and peaceable possession of the premises by the Grantee, his heirs and assigns forever, against all lawful claims whatsoever.

DATED this 8th day of June, 1999.

The Kennedy Living Trust u/a/d 11/1/79
and restated 5/20/82

By:  Trustee
Jack F. Kennedy, Trustee

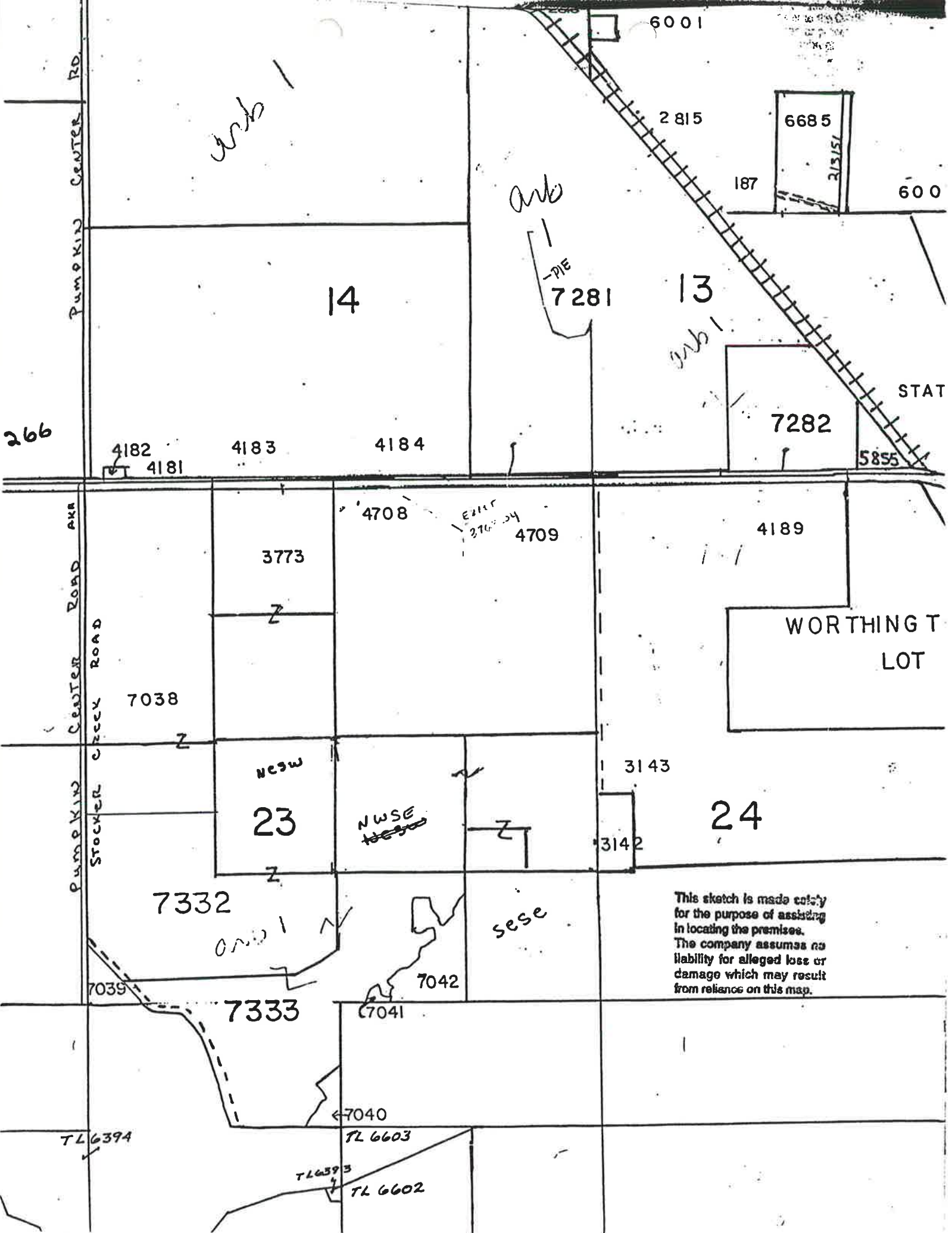
STATE OF IDAHO,)
) ss.
County of Blaine.)

On this 11² day of June, 1999, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Jack F. Kennedy, known to me or proved to me upon satisfactory evidence to be the person whose name is subscribed to the within instrument as Trustee of the Kennedy Living Trust u/a/d 11/1/79 and as restated 5/20/82, and acknowledged to me that he executed the same on behalf of said Trust.

WITNESS my hand and official seal.



Macla G. Minch
Notary Public for Idaho
Residing at Belleme, Id.
Commission expires 12/01/2000



This sketch is made solely for the purpose of assisting in locating the premises. The company assumes no liability for alleged loss or damage which may result from reliance on this map.

HAWLEY TROXELL ENNIS & HAWLEY LLP

**P. O. Box 297
371 Walnut Avenue North
Ketchum, Idaho 83340-0297**

**Telephone: (208) 726-1700
FAX: (208) 726-9743**

TRANSMITTAL MEMO

RECEIVED

JUN 28 1999

**Department of Water Resources
Southern Region**

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

FROM: Edward A. Lawson

DATE: June 25, 1999

**RE: Charles and Kathleen Foley
Water Right Nos: A37-026863
A37-07598B
A37-08225A
37-12284
37-12285
HTEH File No. 32370-3**

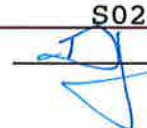
Enclosed is a Notice of Change of Water Right Ownership, as well as a copy of the Warranty Deed granting said water rights to Mr. and Mrs. Foley.

Please return a date-stamped copy of the Notice in the envelope provided. Thank you.

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: **A37-08225A**
Date Received: 1/ 7/1998
Receipt No: S020837
Received By: 

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN F KENNEDY JR 208-723-5815
Address: PO BOX 747
PICABO ID 83348-0747

2. Date of Priority: JUN 26, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	23	NE	SE			BLAINE

5. Description of diverting works:
WELL, PUMPS, SPRINKLER IRRIGATION BY WHEELINES AND HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.360		66.50

7. Total Quantity Appropriated is:
0.360 C.F.S. (and/or) 66.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	23	NW	SE		IRR	19.0
Section Acres							19.0

10. Place of Use: Continued

Total Acres 19.0

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:

Rights 37-02686B, 37-07598B, and 37-08225A when combined shall not exceed a total diversion rate of 0.56 cfs.

Rights 37-02686B and 37-07598B are also diverted through the point(s) of diversion described above.

15. Basis of Claim: LICENSE

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

CIVIL CASE NUMBER: 39576

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

Ident Number A37-08225A

Date Received 1/7/98

Receipt Number 5020837

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): John F. Kennedy, Jr.
Phone: 1-208-726-5815
Mailing Address: P. O. Box 747
Picabo, ID 83348-0747

RECEIVED

JAN 07 1998

Department of Water Resources
Southern Region

2. Date of Priority: June 26, 1985
3. Source of water supply (a) ground water
which is tributary to (b) Big Wood River
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
1S	19E	23		NE	SE		Blaine

Additional points of diversion if any:

5. Description of existing diversion works: well, pumps, sprinkler irrigation system of handlines and wheellines

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 15	October 15	0.36 cfs

7. Total Quantity Claimed: 0.36 cfs

8. Non-irrigation uses:

9. Place of use:

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>TOTALS</u>
1S	19E	23																	19
TOTALS																			19.0

10. Place of use is located in Blaine County.

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

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

13. Remarks: See attached copy of Water Right License for conditions on exercise of water right.

Last Name: KENNEDY

F:\SRBA\BASIN37\KENNEDY\NOTICE.CLM

Ident No. 37-08225A

12/12/97

14. Basis of Claim: License

IDWR Water Right Number: 37-08225A

Court:

Case Number:

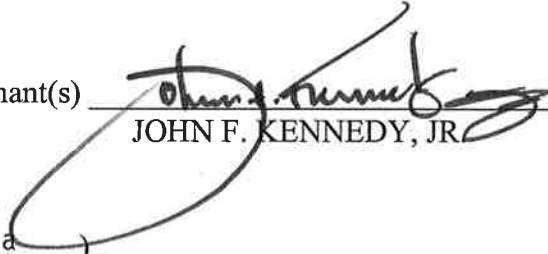
Decree Date:

Plaintiff v. Defendant:

15. Signature(s)

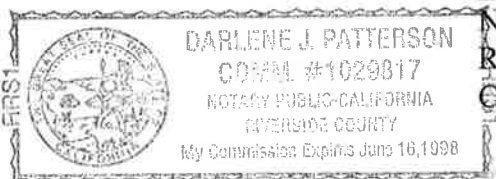
(a) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - ~~three~~ ^{one}.

[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 12-28-97
JOHN F. KENNEDY, JR

State of California)
) ss.
County of Riverside)

Subscribed and sworn before me this 29th day of December, 1997.




Notary Public for _____
Residing at 3484 Central Avenue
Commission Expires 6/16/98

Last Name: KENNEDY

F:\SRBA\BASIN37\KENNEDY\NOTICE.CLM

Ident No. 37-08225A

12/15/97

16. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: _____


James P. Speck
Speck & Aanestad,
a professional corporation
P.O. Box 987
Ketchum, ID 83340

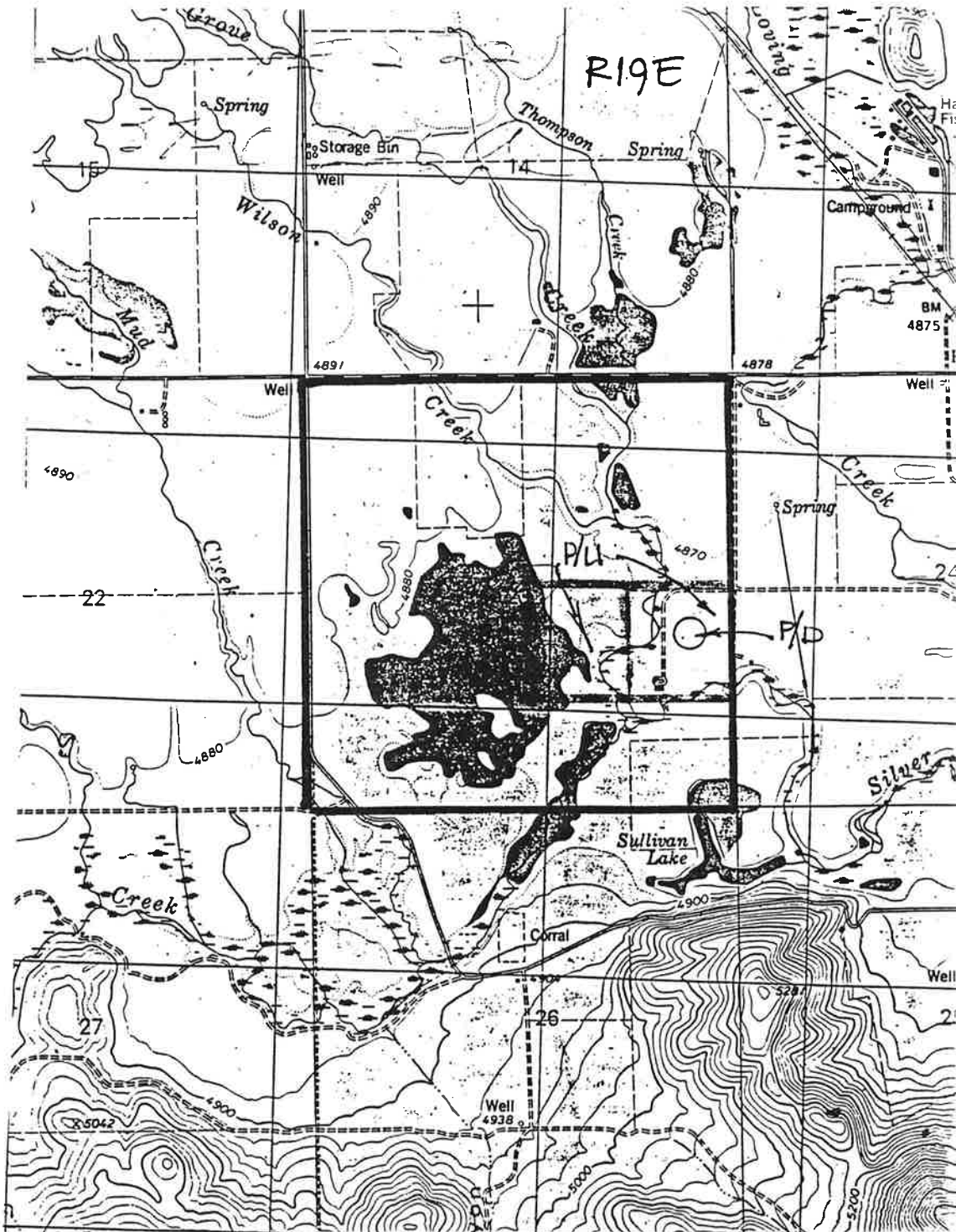
Date: _____

, 1998.

MAP OF PROJECT

(Show clearly the point of diversion, place of use, section number, township and range number)

Scale: 2 inches equals 1 mile



Last Name: KENNEDY
F:\SRBA\BASIN37\KENNEDY\NOTICE.CLM

Ident No. 37-08225A
12/30/97

sources
reau
20
-0098

FIRST CLASS



UNITED STATES POSTAGE
02 1M \$ 00.87
0004230683 MAR 07 2007
MAILED FROM ZIP CODE 8370

RECEIVED

MAR 27 2007

DEPARTMENT OF
WATER RESOURCES

RTS
RETURN TO SENDER

☐ A
☐ C
☐ S

☐ INSUFFICIENT ADDRESS
☐ ATTEMPTED NOT KNOWN
☐ NO SUCH NUMBER/ STREET
☐ NOT DELIVERABLE AS ADDRESSED
☐ UNABLE TO FORWARD

☐ OTHER

BV13

CHARLES T FOLEY
C/O ESTABROOK CAPITAL MGMT
430 PARK AVE
NEW YORK NY 10022

37-8225A
37-2686B
37-759813

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08225A

Priority: June 26, 1985

Maximum Diversion Rate:
Maximum Diversion Volume:

0.36 CFS
66.5 AF

This is to certify, that JOHN F KENNEDY JR
PO BOX 747
PICABO ID 83348-0747

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 26, 1985; and
has submitted Proof of Beneficial Use on December 28, 1995. An examination indicates
that the works have a diversion capacity of 0.360 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.36 CFS	66.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 23, Township 01S, Range 19E
BLAINE County

PLACE OF USE: IRRIGATION

TWN RGE SEC
01S 19E 23

ACRES
NWSE 19

ACRES

ACRES TOTAL
19

Total number of acres irrigated: 19

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. 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.

00129037

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08225A

CONDITIONS OF APPROVAL AND REMARKS

8. Rights 37-02686B, 37-07598B, and 37-08225A when combined shall not exceed a total diversion rate of 0.56 cfs.
9. Rights 37-02686B and 37-07598B are also diverted through the point(s) of diversion described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 22ND day of OCTOBER, 1997.


Acting for KARL J. DREHER, Director

RECORDED

OCT 29 1997



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 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES THOMAS FOLEY
KATHLEEN MAHER FOLEY
430 PARK AVE 18TH FLOOR
NEW YORK NY 10022

RE: SRBA Claim(s) A37-02686B; A37-07598B; A37-08225A

Dear Claimant:

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

Sincerely,

Cheryl E. Timm
Records Clerk, SRBA

Enc.: Claim to a Water Right(S) referenced above

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)01/16/98 14:50:17
Page 1

Water Right Number - A37-08225A

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

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

*** A - ATTORNEY ***

SPECK

JAMES P

1 - SPECK & AANESTAD

2 - PO BOX 987

3 -

City- KETCHUM

Phone - 208-726-4421

State- ID Zip- 83340

*** C - CURRENT OWNER ***

KENNEDY JR

JOHN F

1 - PO BOX 747

2 -

3 -

City- PICABO

Phone - 208-723-5815

State- ID Zip- 833480747

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/26/1985 17 SOUTHERN L - LICENSE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

01S 19E 23 NE SE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.360 66.50+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.360 66.50 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 19E 23 NW SE 19.0 01 IRRIGATION (13) BLAINE

Total Acres: 19.0

+ - - Diversion Means - WELL, PUMPS, SPRINKLER IRRIGATION BY WHEELINES AND HANDLINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

GEN Rights 37-02686B, 37-07598B, and 37-08225A when combined shall
not exceed a total diversion rate of 0.56 cfs.
Rights 37-02686B and 37-07598B are also diverted through the

Water right number - A37-08225A

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - -
point(s) of diversion described above.

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

+ - - - - Conditions of Approval - - - - -
R55 - This right is for the use of trust water and is subject to review
- 20 years after the issuance of the permit to determine
- availability of water and to re-evaluate the public interest.
R56 - Diversion and use of water under this right is subject to an
- annual use fee if rules are subsequently promulgated which
- provide for the submittal of the fee.
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.

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

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
01/16/98 DJONES

+ - - - - 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 -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Case Number -
Claim Received Date - 01/07/1998 Last Amended Date - 00/00/0000 Old Judicial District -
Receipt Number - S020837 Temporary Right - P
POU Ownership Flag - Y Water District -
Name Connector - OR Federal/State Indicator - S
Presumption Flag -
Notice of Error Flag -

DO NOT FILM



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

January 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: Kennedy Claim, A37-08225A

Dear Jim:

This letter is acknowledge receipt and data entry of the above reference claim. Please find the enclosed printout and review the data for completeness and accuracy. I have entered you as attorney for the claimant per the completed Notice of Appearance, though it does not show on the printout provided. Also enclosed is a receipt for the fees submitted. I concur that the claim is not due late fees for the reason supplied (i.e. claim not required).

If there are any problems or questions please get in touch with me.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor
Southern Adjudication Unit

enc

cc: file

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

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

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

December 31, 1997

Mr. Doug Jones
SRBA Court
Post Office Box 2707
Twin Falls, Idaho 83301

RECEIVED

JAN 07 1998

Re: SRBA Notice of Claim A37-08225A
John F. Kennedy, Jr.

Department of Water Resources
Southern Region

Dear Doug:

Enclosed you will find a Notice of Claim to be filed in the SRBA for John F. Kennedy, Jr. for licensed water right no. 37-08225A together with my firm's check for the filing fees in the amount of \$69.00. I do not believe a late claim fee is due as there is still no requirement to file a claim for such a recently licensed water right. Please contact me immediately should you have any questions about this Notice of Claim.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS:jal
Enclosure
cc: client

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08225A

Priority: June 26, 1985

Maximum Diversion Rate:

0.36 CFS

Maximum Diversion Volume:

66.5 AF

This is to certify, that JOHN F KENNEDY JR

PO BOX 747

PICABO ID 83348-0747

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 26, 1985; and has submitted Proof of Beneficial Use on December 28, 1995. An examination indicates that the works have a diversion capacity of 0.360 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.36 CFS	66.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 23, Township 01S, Range 19E
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>
01S	19E	23	NWSE	19		19

Total number of acres irrigated: 19

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. 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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08225A

CONDITIONS OF APPROVAL AND REMARKS

8. Rights 37-02686B, 37-07598B, and 37-08225A when combined shall not exceed a total diversion rate of 0.56 cfs.
9. Rights 37-02686B and 37-07598B are also diverted through the point(s) of diversion described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22ND
day of OCTOBER, 1997.


Acting for KARL J. DREHER, Director