

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: A37-08760

Date Received: 11/12/1998

Receipt No: S021592

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: SUN VALLEY TRUST
Address: ATTN: EDWARD M KESSLER CPA
760 N LA CIENEGA BLVD
LOS ANGELES CA

310-652-0222

90069-5231

2. Date of Priority: OCT 6, 1991

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	17E	10	SE	NW			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	04/15	10/15	0.120		14.00

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

14.00 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
05N	17E	10	SE	NW		IRR	4.0

Section Acres 4.0

10. Place of Use: Continued

Total Acres 4.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
37-00833P

14. Remarks:

Diversion of groundwater authorized by this right shall be administered by the watermaster of Water District No. 37, Big Wood River.

Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works until the next upcoming year.

This water right is used in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.

A flow rate of 0.08 cfs authorized by right no. 37-00833 (SRBA Claim A37-00833P) must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of groundwater authorized by this right.

For purposes of regulating groundwater in conjunction with flows of the Big Wood River, water may be diverted pursuant to this right if right no. 37-00833 is deliverable because the Rockwell Bypass is operating.

The Director retains jurisdiction over this right to adjust the mitigation and to require the collection and reporting of pumpage and use data.

Water must be applied to the land by an efficient method that conserves the quantity of water delivered.

The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department as a part of the diverting works.

10/07/99, CHANGED OWNERSHIP: FIGGE JR TO SUN VALLEY TRUST AS PER FORM 1409 AND WARRANTY DEED REC'D 3/19/99. C.T.

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

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: **A37-08760**
Date Received: 11/12/1998
Receipt No: S021592
Received By: See

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

1. Name: JAMES K FIGGE, JR 208-726-4078
Address: PO BOX 1876
KETCHUM ID 83340

AND/OR

Name: BARBARA B FIGGE 208-726-4078
Address: PO BOX 1876
KETCHUM ID 83340

2. Date of Priority: OCT 6, 1991

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	17E	10	SE		NW		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	04/15	10/15	0.120		14.00

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) 14.00 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	Lot	Use	Acres
05N	17E	10	SE	NW		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
					Total Acres	4.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
37-00833P

14. Remarks:

Diversion of groundwater authorized by this right shall be administered by the watermaster of Water District No. 37, Big Wood River.

Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works until the next upcoming year.

This water right is used in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.

A flow rate of 0.08 cfs authorized by right no. 37-00833 (SRBA Claim A37-00833P) must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of groundwater authorized by this right.

For purposes of regulating groundwater in conjunction with flows of the Big Wood River, water may be diverted pursuant to this right if right no. 37-00833 is deliverable because the Rockwell Bypass is operating.

The Director retains jurisdiction over this right to adjust the mitigation and to require the collection and reporting of pumpage and use data.

Water must be applied to the land by an efficient method that conserves the quantity of water delivered.

The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department as a part of the diverting works.

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: _____

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 _____

BARLOW SUBDIVISION

OF H.E.S. 124

1955

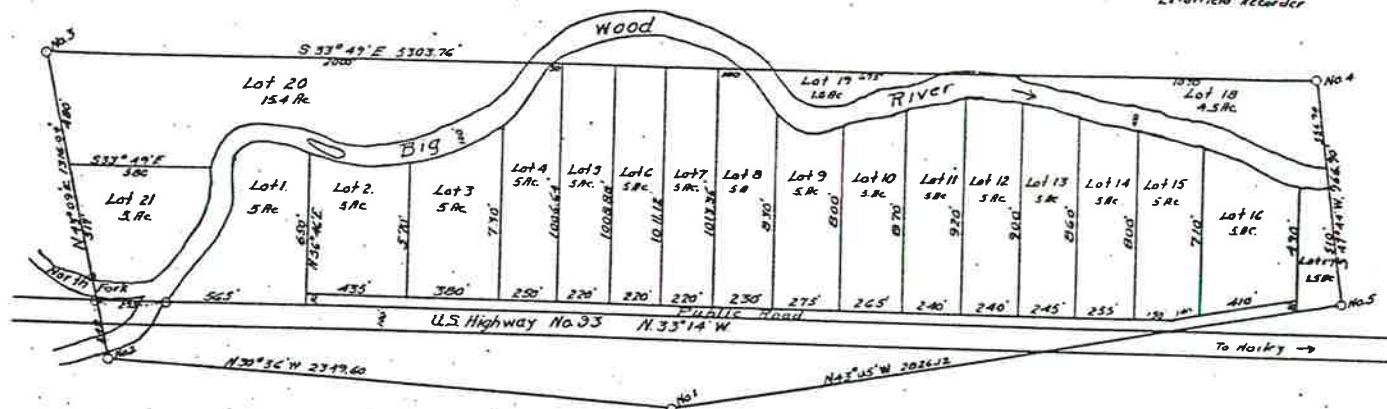
SCALE 1"=300'

Submitted to 11-2-17

County Recorder's Certificate

This is to Certify: That the accompanying plat was filed for record in the office of the Recorder of Blaine County, Idaho this 11 day of March 1955 at 2:22 PM at the request of H. E. Barlow and duly recorded in Book " " at page " "

Hester E. Barlow
Ex-officio Recorder



Surveyor's Certificate

I, R. D. ARMSTRONG, Registered Professional Civil Engineer, Certify that the following described Land, situated in Sections 10 and 15, T.31N., R.17E., B.M. in Blaine County, Idaho, more completely described as that portion of H.E.S. No. 124, lying North and East of U.S. Highway No. 23, beginning at a point 243 feet N. 43° 05' E. of Corner No. 2 of said H.E.S. 124, thence N. 43° 05' E. 1067.24 to Corner No. 3, thence S. 33° 49' E. 5306.76 to Corner No. 4, thence S. 47° 44' W. 966.9 to Corner No. 5, thence N. 43° 05' W. 720 to the Right of Way of Highway No. 23, thence N. 33° 14' W. 4.450 along said Right of Way to the Point of Beginning. All of the above described property to be known as the BARLOW SUBDIVISION, was surveyed under my supervision, and that the accompanying plat is strictly conformable to the Survey thereof as executed Sept. 18, 1954.

State of Idaho }
County of Blaine }

Acknowledgement

On this 14th day of March, 1955, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared R. D. Armstrong known by me to be the person whose name is subscribed to the foregoing Surveyor's Certificate and acknowledged to me that he executed the same: In witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March 1955.

My commission expires June 5, 1958

R. D. Armstrong
Registered Professional Engineer
License No. 197



Dedication

This is to Certify: that the undersigned is the owner in fee Simple of the property hereinafter described as that portion of H.E.S. No. 124 lying North and East of U.S. Highway No. 23, located in Sections 10 and 15, T.31N. R.17E. B.M. All of the above property to be known as BARLOW SUBDIVISION. That it is the intention to unit hereby do, include said lands in the Plat. That the undersigned does, by these presents, grant bargain, sell, convey confirm and dedicate to the public use forever the PUBLIC ROAD shown on the plat.

Hester E. Barlow

State of Idaho }
County of Blaine }

Acknowledgement

On this 14th day of March, 1955, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared Hester E. Barlow, known by me to be the person whose name is subscribed to the foregoing Dedication Certificate and acknowledged to me that she executed the same: In witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March 1955.

(SEAL)

My Commission expires June 5, 1958

Hester E. Barlow
Notary Public



OFFICES AT

TWIN FALLS, IDAHO — HAILEY, IDAHO

RECEIVED

STATE OF IDAHO

MAR 16 1999

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

Department of Water Resources
Southern Region
March 16 1999
Department of Water Resources
Southern Region

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

1. Water Right Number(s) A 37-08760 A 37-00833P
Adjudication Claim Number(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 on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) James K. Figge, Jr. and Barbara B. Figge
Box 1876
Ketchum, ID 83340
Sun Valley Trust
4. New Owner/Claimant(s) _____
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address Meschures Campeas Thompson & Snyder
Attn: Edward M. Kessler, CPA
City, State and ZIP Code 760 No. La Cienega Boulevard
Los Angeles, CA 90069-5231
New Telephone Number 310/ 652-0222
5. Date you acquired the property March 10, 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 actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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/Claimant(s) Lily Reeves Date 3/10/99

Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

o/c 10/7/99
11/10/99

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

MAR 16 1999
Department of Water Resources
Southern Region
RECEIVED
3 1999
Department of Water Resources
Southern Region

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

1. Water Right Number(s) A37-08760 A37-00833P
Adjudication Claim Number(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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) James K. Figge, Jr. and Barbara B. Figge
Box 1876
Ketchum, ID 83340
Sun Valley Trust
4. New Owner/Claimant(s) _____
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address Meschures Campeas Thompson & Snyder
Attn: Edward M. Kessler, CPA
City, State and ZIP Code 760 No. La Cienega Boulevard
Los Angeles, CA 90069-5231
New Telephone Number (310) 652-0222
5. Date you acquired the property March 10, 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 actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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/Claimant(s) Lily Reeves Date 3/10/99

Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Order No. 25372

WARRANTY DEED

FOR VALUE RECEIVED

JAMES K. FIGGE, JR. and BARBARA B. FIGGE, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

LILY REEVES, TRUSTEE OF THE SUN VALLEY TRUST U/D/T DATED JANUARY 8, 1999

GRANTEE(s) whose address is: c/o Edward M. Kessler, CPA, Meschures, Campeas, Thompson & Snyder, 760 N. La Cienega Blvd, Los Angeles, CA 90069-5231

the following described real property in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

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

Dated: March 4, 1999

JAMES K. FIGGE, JR.

BARBARA B. FIGGE

State of Idaho

County of Blaine

On this 9th day of March, in the year 1999, before me, the undersigned, personally appeared JAMES K. FIGGE, JR. and BARBARA B. FIGGE, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Notary Public

Commission Expires: 12/10/2000

J:\scrowl\mmslwd

425035

Deed

BLAINE CO. REQUEST

OF SAWTOOTH TITLE

'99 MAR 10 AM 11 51

MARK E. H. CLERK

FEES \$ 6.00 - mpp



EXHIBIT "A"

Lot 21 of BARLOW SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 105687, records of Blaine County, Idaho.

Together with an easement for ingress and egress, more particularly described as follows:

TOWNSHIP 5 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 10: A 20 foot wide strip of land for a right-of-way purpose across national forest land, the centerline of which is more particularly described as follows:

Commencing at Corner No. 3 of Homestead Entry Survey Number 124, Township 5 North, Range 17 East, Boise Meridian; thence
S.43°09'19"W., 839.18 feet along the northwesterly boundary of said survey to the TRUE POINT OF BEGINNING;

said point is the beginning of a non-tangent curve concave northerly with a radius of 90.00 feet; the sidelines of said 20 foot easement shall be prolonged or shortened to terminate at the said northwesterly boundary of said survey; thence

northwesterly and northerly 110.93 feet along said curve through a central angle of 70°37'23", with a long chord of 104.04 feet that bears N.11°39'45"W.; thence

N.23°38'56"E., 49.74 feet to the beginning of a curve concave westerly having a radius of 175 feet; thence

northerly 120.01 feet along said curve through a central angle of 39°17'30", with a long chord of 117.67 feet that bears N.04°00'11"E.; thence

N.15°38'34"W., 45.84 feet to a point "A"; thence

S. 87°13'29"W., 273.76 feet to the beginning of a curve concave northerly having a radius of 153.46 feet; thence

westerly 107.39 feet along said curve through a central angle of 40°05'43", with a long chord

of 105.21 feet that bears N.72°43'39"W.;

thence along a line tangent to said curve N.52°40'47"W. 56.74 feet to the beginning of a curve concave southerly, having a radius of 38.48 feet; thence

northwesterly and southwesterly 48.41 feet along said curve through a central angle of 72°04'58", with a long chord of 45.28 feet that bears N.88°43'16"W.; thence

along a line tangent to said curve, being also the centerline of the existing access road to the Sawtooth National Recreation Area Headquarters, S.55°14'15"W. 110.82 feet to the centerline of State Highway 75; the sidelines of said 20 feet easement shall be prolonged or shortened to terminate at the northeasterly right-of-way of said State Highway 75.

TOGETHER WITH ALL WATER RIGHTS CONTAINED IN WATER RIGHT LICENSE NO.37-08760 ISSUED BY THE STATE OF IDAHO DEPARTMENT OF WATER RESOURCES DATED DECEMBER 9, 1997

AND SUBJECT TO THE FIRST RIGHT OF REFUSAL AS RECORDED IN THAT CERTAIN WARRANTY DEED DATED MARCH 17, 1986 AS INSTRUMENT NO. 271334 AND AS ASSIGNED BY ASSIGNMENT OF FIRST REFUSAL RECORDED MARCH 10, 1999 AS INSTRUMENT NO. 425034, RECORDS OF BLAINE COUNTY, IDAHO.

James K. Figg
Barbara B. Figg

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
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.

NOV 14 1997
Department of Water Resources
Southern Region

1. Water Right Number(s) A 37-08760 AND A 37-00833P
Adjudication Claim Number(s) A37-00833P

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) James K. Figge and Sandra D. Figge
7234 Tory Lane, Naples, FL 34108

4. New Owner/Claimant(s) James, K. Figge, Jr. and Barbara B. Figge
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 1876, Ketchum, ID 83340

City, State and ZIP Code _____

New Telephone Number (208) 726 - 4078

5. Date you acquired the property September 16, 1997

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 actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

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/Claimant(s) James K. Figge Date 11-4-97
Barbara B. Figge Date Nov. 4, 97

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



RECEIVED

November 12, 1997

NOV 14 1997

Department of Water Resources
Southern Region

Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Order No. 23425

Lot 21 Barlow Subdivision
Figge/Figge

Dear Ladies and Gentlemen:

In connection with the above mentioned order, please find attached copies/originals of the following:

<u> x </u>	Notice of Change of Water Right Ownership. ORIGINAL.
<u> x </u>	Copy of Quitclaim Deed, recorded as instrument no. 407697.

If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely,

SAWTOOTH TITLE COMPANY

Jan L. Burrell
Vice-President

JLB/tdh

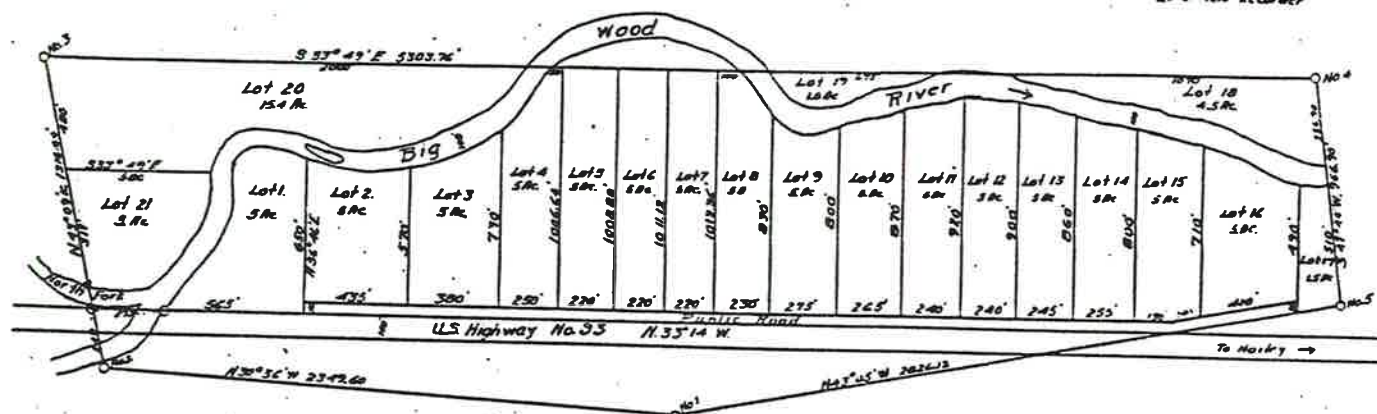
Attachment(s)

BARLOW SUBDIVISION

OF H.E.S. 124

1955

SCALE 1"=300'



County Recorder's Certificate

This is to Certify: That the accompanying plat was filed for record in the office of the Recorder of Blaine County, Idaho this 14 day of March 1955, at the request of *L. D. Armstrong* and duly recorded in Book *112-217* at page *112-217*

L. D. Armstrong
Ex-officio Recorder

Surveyor's Certificate

I, **R. D. ARMSTRONG**, Registered Professional Civil Engineer, Certify that the following described Land, situated in Sections 10 and 15, T.5N., R.17E., B.M. in Blaine County, Idaho, more completely described as that portion of H.E.S. No. 124, lying North and East of U.S. Highway No. 93, beginning at a point 247 feet N. 43° 05' E. of Corner No. 2 of said H.E.S. 124, thence N. 43° 05' E. 1062.04' to Corner No. 3, thence S 33° 49' E. 3306.76' to Corner No. 4, thence S 47° 44' W. 966.9' to Corner No. 5, thence N. 43° 05' W. 720' to the Right of Way of Highway No. 93, thence N 33° 14' W. 4450.00' along said Right of Way to the Point of Beginning. All of the above described property to be known as the **BARLOW SUBDIVISION**; was surveyed under my supervision, and that the accompanying plat is strictly conformable to the Survey thereof as executed Sept. 18, 1954.

State of Idaho
County of Lemhi

R. D. Armstrong
Registered Professional Engineer
License No. 197

Acknowledgment

On this 14th day of March, 1955, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared **R. D. Armstrong**, known by me to be the person whose name is subscribed to the foregoing Surveyor's Certificate and acknowledged to me that he executed the same. In witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March 1955.

My Commission expires June 5, 1958

R. D. Armstrong
Notary Public

Dedication

This is to Certify that the undersigned is the owner in fee simple of the property hereinafter described as that portion of H.E.S. No. 124, lying North and East of U.S. Highway No. 93, located in Sections 10 and 15, T.5N. R.17E. B.M. All of the above property to be known as **BARLOW SUBDIVISION**. That it is the intention to and hereby do, include said lands in the Plat. That the undersigned does, by these presents, grant, bargain, sell, convey, confirm and dedicate to the public use forever the **PUBLIC ROAD** shown on the plat.

Hester C. Barlow

Acknowledgment

State of Idaho
County of Lemhi

On this 14th day of March, 1955, before me, the undersigned a Notary Public, in and for the State of Idaho, personally appeared **Hester C. Barlow**, known by me to be the person whose name is subscribed to the foregoing Dedication Certificate and acknowledged to me that she executed the same. In witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March 1955.

My Commission expires June 5, 1958

Hester C. Barlow
Notary Public

Order No. 23425

3.00 p.d.
11-5-97
407697

QUITCLAIM DEED

Blaine CO. REQUEST

OF: **SANITIZED TITLE**

'97 NOV 5 PM 3 18

MARY GREEN, CLERK

FEES \$ 15.00

FOR VALUE RECEIVED

JAMES K. FIGGE and SANDRA D. FIGGE, husband and wife

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

JAMES K. FIGGE, JR. and BARBARA B. FIGGE, husband and wife

whose address is: P. O. Box 1876, Ketchum, ID 83340

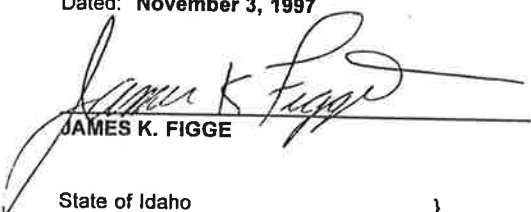
the following described premises situated in Blaine County, Idaho, to wit:

ALL WATER RIGHTS ATTACHED HERETO AS EXHIBIT 'A' AND MADE A PART HEREOF AND APPURTENANT TO THE FOLLOWING DESCRIBED PROPERTY:

Lot 21 of BARLOW SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 105687, records of Blaine County, Idaho.

together with their appurtenances.

Dated: **November 3, 1997**


JAMES K. FIGGE


SANDRA D. FIGGE

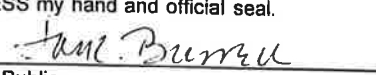
State of Idaho

}
}ss.
}

County of Blaine

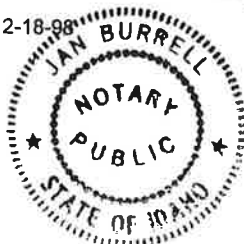
On this 3rd day of November, in the year 1997, before me, the undersigned, personally appeared **JAMES K. FIGGE and SANDRA D. FIGGE**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public

Commission Expires: 2-18-98

1/15/crow/forms/qcd



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 A37-08760

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 04 1998
Department of Water Resources
Southern Region

1. Name of Claimant(s): James K. Figge, Jr. and/or Barbara B. Figge
Phone: 1-208-726-4078
Mailing Address: P.O. Box 1876
Ketchum, ID 83340

2. Date of Priority: October 6, 1991

3. Source of water supply (a) Ground water
which is tributary to (b)

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
5N	17E	10		SE	NW		Blaine

Additional points of diversion if any:

5. Description of existing diversion works: Well, pump, sprinkler irrigation system

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 15	October 15	0.12 cfs/14.0 AFA

7. Total Quantity Claimed: 0.12 cfs/14.0 AFA

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>
5N	17E	10								4									4
TOTALS																			4.0

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?
See Remarks.

13. **Remarks:** This water right is part of an exchange with a surface water right, A37-00833P. A copy of the Water Right License is attached as Exhibit A and reference is made to all of the conditions of approval and remarks.

Last Name: FIGGE

H:\WPDATA\JIM\FIGGE\SRBA\3708760CLAIM.wpd

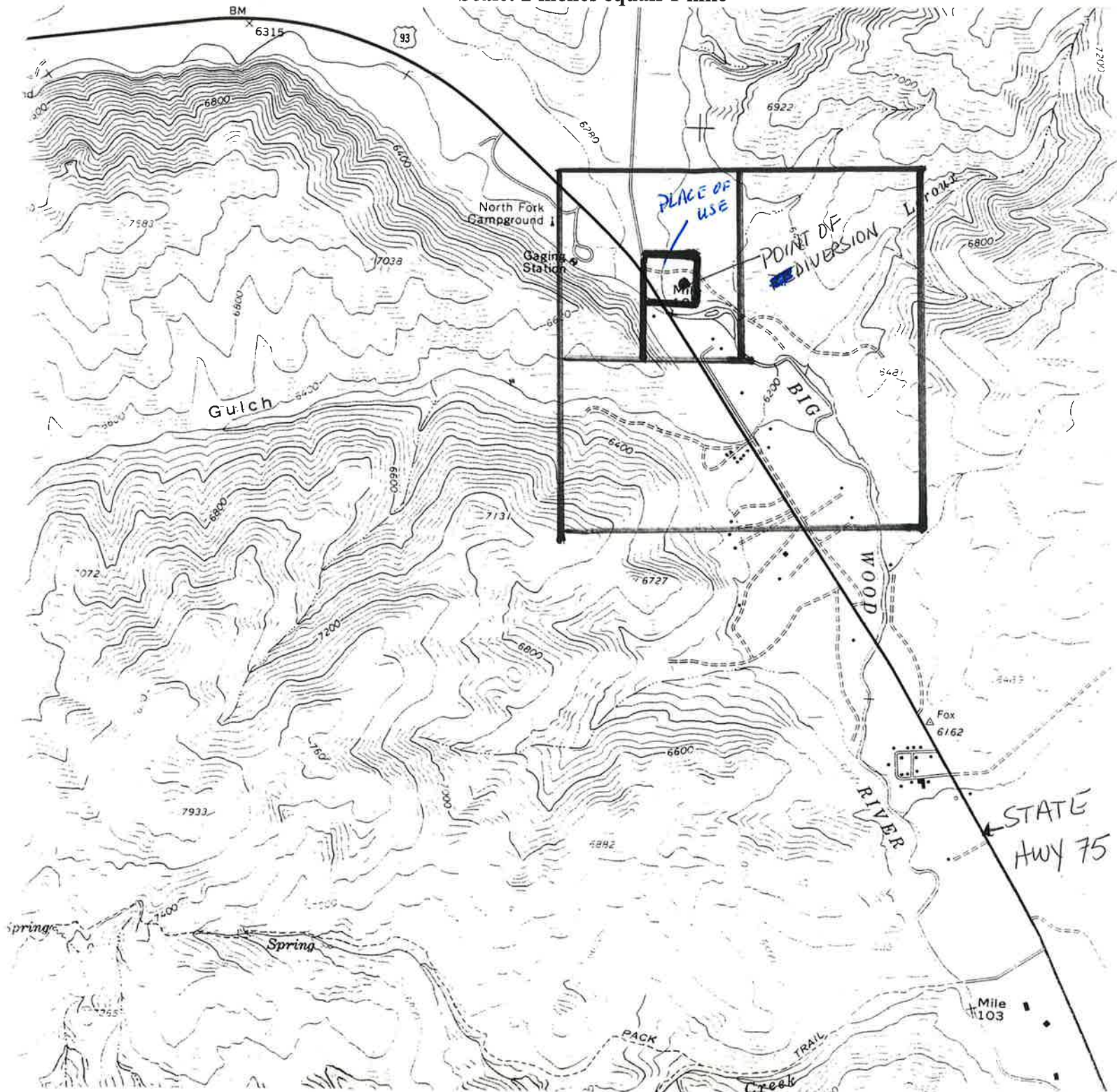
Ident No. A37-08760

10/19/98

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: FIGGE

H:\WPDATA\JIM\FIGGE\SRBA\3708760\CLAIM.wpd

Ident No. A37-08760

10/19/98

14. Basis of Claim: License

IDWR Water Right Number: 37-08760

Court:

Case Number:

Decree Date:

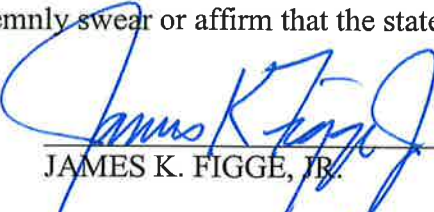
Plaintiff v. Defendant:

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 - one (1).

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)


JAMES K. FIGGE, JR.

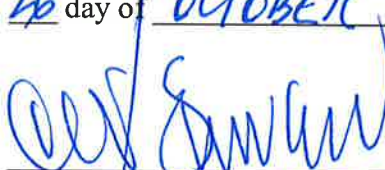
Date 10.26.98


BARBARA B. FIGGE

Date 10/26/98

State of Idaho)
) ss.
County of Blaine)

Subscribed and sworn before me this 26 day of OCTOBER, 1998.


Notary Public for IDAHO
Residing at KETCHUM
Commission Expires 12/8/98

Last Name: FIGGE

H:\WPDATA\JIM\FIGGE\SRBA\3708760CLAIM.wpd

Ident No. A37-08760

10/19/98

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, Esq.
SPECK & AANESTAD
A Professional Corporation
P.O. Box 987
Ketchum, ID 83340

Date: October 30, 1998.

Last Name: FIGGE

H:\WPDATA\JIM\FIGGE\SRBA\3708760CLAIM.wpd

Ident No. A37-08760

10/19/98

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES
02 1A
0004389393
\$ 01.11
NOV 24 2006
MAILED FROM ZIP CODE 93702

37-8760
37-11540
37-833P

106
69002
11-29-06
tr

SUN VALLEY TRUST
C/O STEVE CAMPEAS CPA
760 N LA CIENEGA BLVD
LOS ANGELES CA 90069-5231

B2/C

RECEIVED
DEC 04 2006
DEPARTMENT OF
WATER RESOURCES

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES
02 1A
0004389393
\$ 00.87
MAR 08 2007
MAILED FROM ZIP CODE 83720

Postage Due
Not Deliverable As Addressed
Unable To Forward
Insufficient Address
Moved, Left No Address
Unclaimed
Refused
Addressed - Not Known
No Such Street
Vacant
No Mail Receptacle
Box Closed - No Order
Returned For Better Address

RECEIVED
MAR 19 2007
DEPARTMENT OF
WATER RESOURCES

37-833P
37-11540
37-8760

FOE
109002
3-12-07
H

SUN VALLEY TRUST
C/O STEVE CAMPEAS CPA
760 N LA CIENEGA BLVD
LOS ANGELES CA 90069-5231

10/09/2006

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

RIGHT NUMBER: 37-8760

NAME AND ADDRESS: SUN VALLEY TRUST
C/O STEVE CAMPEAS CPA
760 N LA CIENEGA BLVD
LOS ANGELES CA 90069-5231

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
14.000 AFY

Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works until the next upcoming year.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/06/1991

POINT OF DIVERSION:

T05N R17E S10 SENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.120 CFS 14.00 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T05N R17E S10 SENW 4.00

4 ACRES TOTAL

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

Water must be applied to the land by an efficient method that conserves the quantity of water delivered.

This water right is used in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.

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.

A flow rate of 0.08 cfs authorized by right no. 37-00833 (SRBA Claim A37-00833P) must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of groundwater authorized by this right.

10/09/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Diversion of groundwater authorized by this right shall be administered by the watermaster of Water District No. 37, Big Wood River.

The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department as a part of the diverting works.

For purposes of regulating groundwater in conjunction with flows of the Big Wood River, water may be diverted pursuant to this right if right no. 37-00833 is deliverable because the Rockwell Bypass is operating.

The Director retains jurisdiction over this right to adjust the mitigation and to require the collection and reporting of pumpage and use data.

10/07/99, CHANGED OWNERSHIP: FIGGE JR TO SUN VALLEY TRUST AS
PER FORM 1409 AND WARRANTY DEED REC'D 3/19/99. C.T.
| CORRECTED DATA ENTRY BY DELETING SPECK AS 'O' ATTORNEY FOR
FORMER OWNER.

***** 2/22/00, AS PER CHANGE IN ATTORNEY FORM 1409,
ADDED EDWARD SIMON AS ATTORNEY. C.T.



Idaho Department of Water Resources

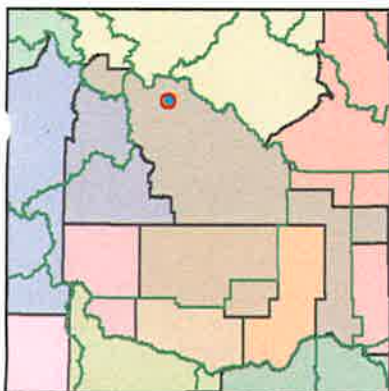
SRBA Recommendation:

37-8760

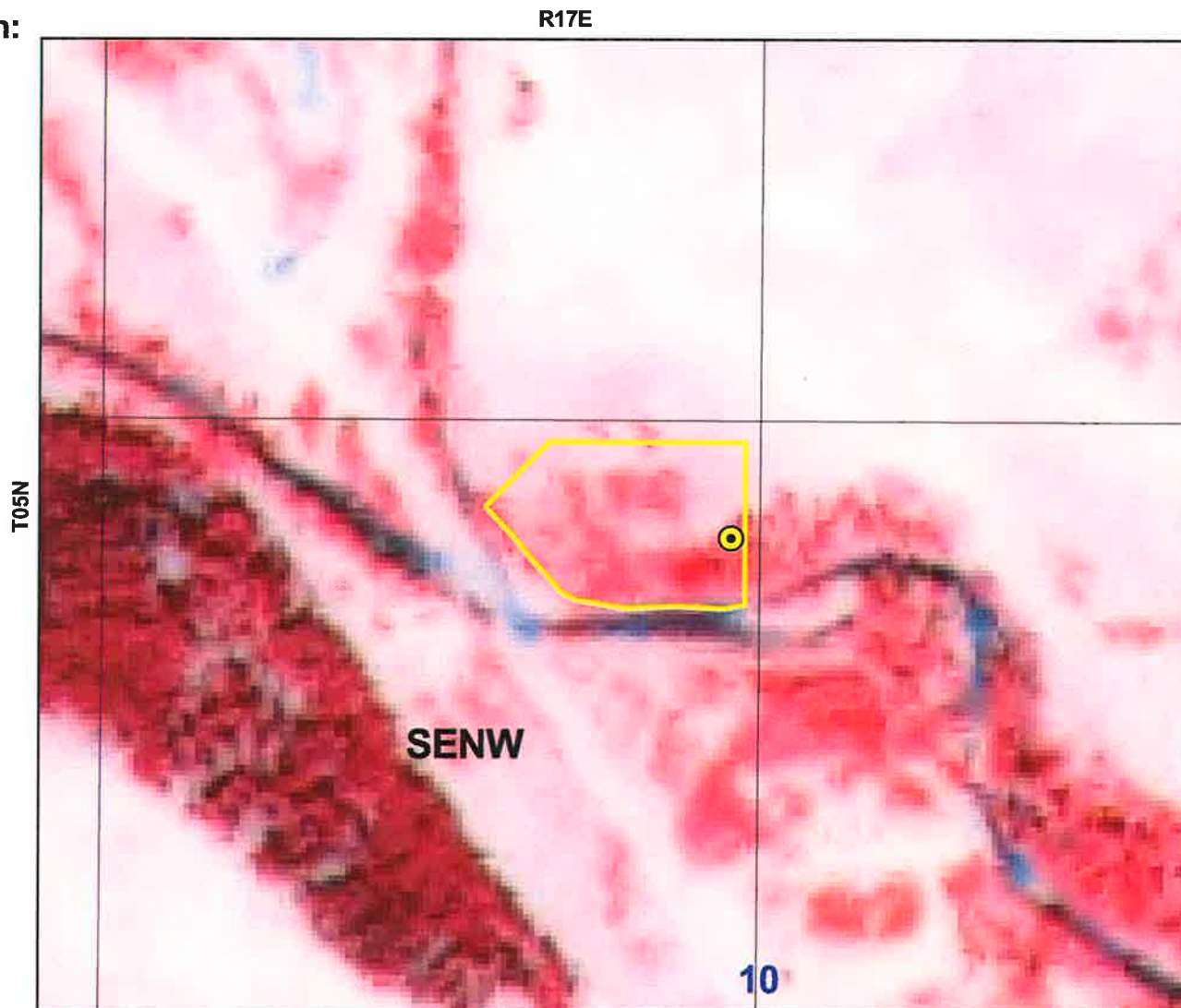
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by E. NORQUES
On Tuesday, October 10, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

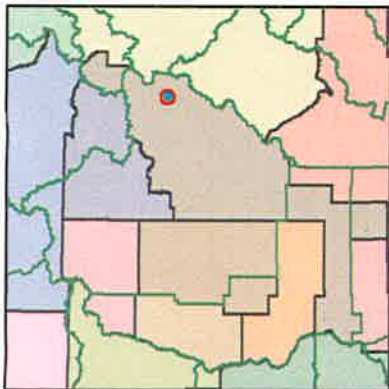
SRBA Recommendation:

37-8760

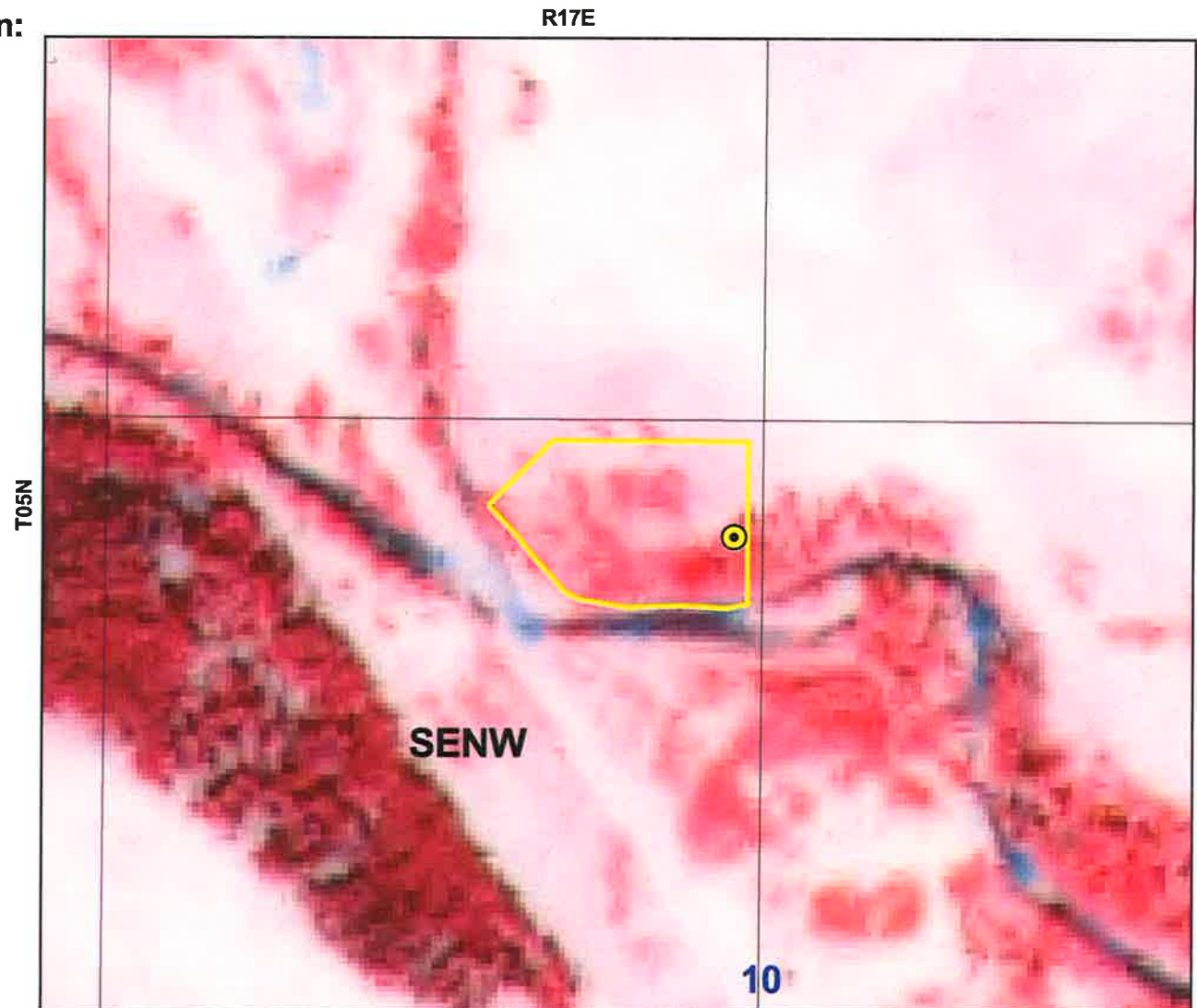
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by E. NORQUES
On Tuesday, October 10, 2006
1987/88 Aerial Photography

10/09/2006

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

RIGHT NUMBER: 37-8760

NAME AND ADDRESS: SUN VALLEY TRUST
C/O STEVE CAMPEAS CPA
760 N LA CIENEGA BLVD
LOS ANGELES CA 90069-5231

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
14.000 AFY

Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works until the next upcoming year.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/06/1991

POINT OF DIVERSION:

T05N R17E S10 SENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.120 CFS
14.00 AFY

PLACE OF USE:

IRRIGATION Within BLAINE County

T05N R17E S10 SENW 4.00

4 ACRES TOTAL

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

Water must be applied to the land by an efficient method that conserves the quantity of water delivered.

This water right is used in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.

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.

A flow rate of 0.08 cfs authorized by right no. 37-00833 (SRBA Claim A37-00833P) must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of groundwater authorized by this right.

10/09/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Diversion of groundwater authorized by this right shall be administered by the watermaster of Water District No. 37, Big Wood River.

The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department as a part of the diverting works.

For purposes of regulating groundwater in conjunction with flows of the Big Wood River, water may be diverted pursuant to this right if right no. 37-00833 is deliverable because the Rockwell Bypass is operating.

The Director retains jurisdiction over this right to adjust the mitigation and to require the collection and reporting of pumpage and use data.

10/07/99, CHANGED OWNERSHIP: FIGGE JR TO SUN VALLEY TRUST AS
PER FORM 1409 AND WARRANTY DEED REC'D 3/19/99. C.T.
| CORRECTED DATA ENTRY BY DELETING SPECK AS 'O' ATTORNEY FOR
FORMER OWNER.

***** 2/22/00, AS PER CHANGE IN ATTORNEY FORM 1409,
ADDED EDWARD SIMON AS ATTORNEY. C.T.



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

January 12, 2000

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**EDWARD SIMON
ATTORNEY AT LAW
THE DEVIL'S BEDSTEAD BLDG
500 S MAIN SUITE 205
PO BOX 540
KETCHUM ID 83340**

**RE: OWNERSHIP CHANGE JAMES FIGGE TO SUN VALLEY TRUST,
SRBA WATER RIGHTS CLAIMS 37-08760 & 37-00833P**

Dear Mr. Simon:

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(s) to Sun Valley Trust. The original ownership change form was form 37-08760 only. On further research, it became apparent that 37-00833P should be changed also.

I have enclosed computer printouts of the ownership change and a form 42-1409(a) for your use. Because you telephoned and wrote about this owner change I am sending the form on the assumption that you are or will be the attorney of record for the new owners. If not, you may want the form in the future.

Sincerely,

**Cheryl E. Timm
SRBA Records Clerk**

Enclosure

CT: ct



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

January 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SUN VALLEY TRUST
ATTN: EDWARD M KESSLER CPA
760 N LA CIENEGA BLVD
LOS ANGELES CA 90069-5231

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A37-08760,
A37-00833P

Dear Claimant(s):

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(s) to you. Research indicated that claim A37-00833P should be included in this ownership change. Please find the enclosed copies of the computer record of the claims, noting the change in claimant. Review these records and if there is an error, or if you have any questions, please contact this office.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

Enclosure

CT:ct

EDWARD SIMON
ATTORNEY AT LAW
THE DEVIL'S BEDSTEAD BUILDING
500 S. MAIN
SUITE 205
P.O. Box 540
KETCHUM, IDAHO 83340

RECEIVED

SEP 10 1999

Department of Water Resources
Southern Region

TELEPHONE: (208) 726-2200

FACSIMILE: (208) 726-7313
e-mail: edsimon@micron.net

September 9, 1999

Idaho Dept. of Water Resources
Attn: Cheryl Timm
1341 Fillmore, Suite 200
Twin Falls, ID 83301

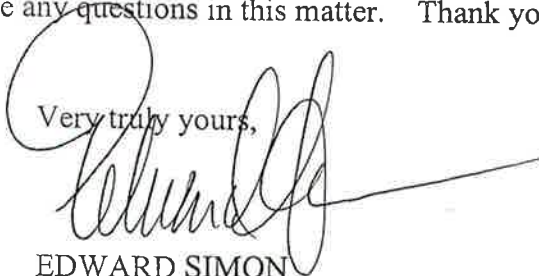
Re: Water Right No. 37-08760
Re-submission of Notice

Dear Ms. Timm:

This letter will confirm our telephone conversation today in which you indicated that a copy of the plat map will satisfy your requirements for transfer of ownership of the above referenced water right. A copy of the same is enclosed along with another copy of the Warranty Deed for your convenience.

I would appreciate confirmation of the transfer when it is effectuated. Please feel free to call me should you have any questions in this matter. Thank you for your courtesy and assistance.

Very truly yours,


EDWARD SIMON

ES/hd
Enclosures
cc: Edward M. Kessler, CPA
Tina Kahn, Esq.



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

COPY

SOUTHERN REGION

January 12, 2000

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**NORMA PETERSON
PO BOX T
SHOSHONE ID 83352**

**RE: OWNERSHIP CHANGE JAMES FIGGE TO SUN VALLEY TRUST A37-
08760, A37-00833P**

Dear Norma:

Pursuant to the change in ownership request that has been submitted to the department, I have changed the record of current ownership of the above referenced claim(s) to Sun Valley Trust. The change was 'proofed' by my supervisor on 01/11/00 to ensure that all the data submitted is correct and that the ownership change should become final.. As you requested on the phone today, I am enclosing a copy of the Warranty Deed. If you find that you need a profile report, just let me know. I'll be glad to help.

Sincerely,

**Cheryl E. Timm
SRBA Records Clerk**

Enclosure

CT: ct



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

OCT 04 1999

Department of Water Resources
Southern Region

August 19 1999

MESCHURES CAMPEAS THOMPSON & SNYDER
ATTN: EDWARD M KESSLER CPA
760 N LA CIENEGA BLVD
LOS ANGELES CA 90069-5231

RE: CHANGE OF OWNERSHIP SRBA CLAIM, NO. 37-08760

Dear Claimant:

Thank you for returning the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without the required information listed under item 2.B. of the ownership change form. Specifically, we need a copy of the Plat of Property or Survey Map.

Enclosed is your original ownership change form. Please attach the required information and return the entire packet in the enclosed self-addressed envelope. As soon as this information is received, our records will be updated and you will be notified by mail that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

Enc: Self-Addressed Envelope
Original Ownership Change Form

cc: Sawtooth Title Co.

*Plat
attached*

25372

TRANSMITTAL COVER SHEET

COPY

TO: Norma Peterson
Water Master Office
(208) 886-2451

TOTAL PAGES SENT: 2
(including cover sheet)

DOCUMENT DESCRIPTION: Copy of form 1409 - Fiqge Jr to Sun Valley Trus
Owner change not completed.

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301-3380

PHONE: 736-3033
FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: 0 Please remit to the above address.

SENDER:

Cheryl Simon

COMMENTS:

Will FAX Profile Reports

Upon O/C completion

37-08760



March 10, 1999

IDWR Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RECEIVED

MAR 16 1999

Department of Water Resources
Southern Region

Re: Order No. 25372

Lot 21 - Barlow Subdivision
Sun Valley Trust/Figge

Dear Ladies and Gentlemen:

In connection with the above mentioned order, please find attached are copies/originals of the following document(s):

<u> X </u>	Notice of Change of Water Right Ownership. ORIGINAL.
<u> X </u>	Copy of recorded Warranty Deed.

If you should have any questions or if I may be of further assistance, please do not hesitate to contact the undersigned.

Sincerely,

SAWTOOTH TITLE COMPANY


Mindy J. Smith
Escrow Assistant

mjs

Attachment(s)

Memorandum

To: FILE

CC:

From: CHERYL TIMM 

Date: 10/07/99

Re: OWNERSHIP CHANGE, A37-08760, A37-00833P

Investigation showed that Ownership Change form Figge Jr. to SunValley Trust A37-08760 should include A37-00833P.

Called the Watermaster's office and spoke with Norma Peterson. Norma would like a FAX of the Ownership change for future billings.



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

November 12, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

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

RE: FILING OF NEW & AMENDED SRBA CLAIMS A37-08760 & A37-00833P

Dear Mr. Speck,

Enclosed are copies of SRBA claims in the name of James K. Figge, Jr. as they are now amended and recorded in our database. I have also enclosed a receipt for the new filing and the amended acres. Please review the information and confirm that it reflects the water rights you have claimed. If all is correct no further action is required at this time.

Feel free to call me if you have questions or need additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland'.

Steve Clelland
Sr. Water Resource Agent

ENC:

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
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

November 3, 1998

RECEIVED

NOV 04 1998

Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

**RE: SRBA Notice of Claim A37-08760 and Amended
Notice of Claim A37-00833P
James K. Figge, Jr. and/or Barbara B. Figge**

Dear Allen:

Enclosed you will find SRBA Notice of Claim A37-08760 and Amended Notice of Claim A37-00833P wherein James K. Figge, Jr. and/or Barbara B. Figge are the claimants. Water right 37-08760 has recently been licensed pursuant to an approved exchange whereby water right 37-00833P is required to remain in the Big Wood River at its original point of diversion during the irrigation season of use to compensate for depletion caused by the new ground water diversion. I had several discussions with Nick Spencer and Peter Anderson concerning the form for the Amended Notice of Claim for the Big Wood River water right so you may want to call them first if you have any questions.

I have also enclosed my firm's check for \$52 as the filing fee for Notice of Claim A37-08760. The original Notice of Claim for A37-00822P paid a \$2 per acre fee for the irrigation of two acres so I have added \$2 to the present filing fee since the total irrigated acres under the licensed water right is four.

Once these claims have been entered in the data base, please send me printouts for review and approval. Thank you once again for all of your cooperation and assistance in these matters.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
enclosures
cc: clients, w/encl.

A37-08760

WR5809NP
No. 37-08760

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/03/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES K FIGGE	10/06/1991	IRRIGATION	03/15 10/15	0.080 CFS	14.00 AFA
C	SANDRA D FIGGE		STOCKWATER	01/01 12/31	0.020 CFS	
	C/O JAMES P SPECK ESQ		DOMESTIC	01/01 12/31	0.060 CFS	
	HOGUE SPECK & AANESTAD		FIRE PROTECTION STORAGE	01/01 12/31		1.00 AFA
	PO BOX 987		DIVERSION TO STORAGE	01/01 12/31	0.080 CFS	
	KETCHUM ID 83340-0987					
	(208) 726-4421					
TOTAL DIVERSION:					0.140 CFS	14.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: TOSN R17E S10

NESENW

BLAINE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
05N	17E	10	:	.2	:	.5	03	:				:				4.0
TOTAL ACRES															4.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: BLAINE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

37-04029 37-04230 37-04329 37-08258 37-08492

Other Water Rights Listing Overlapping Place(s) of Use:

37-02168 37-04230 37-04329 37-08414 37-08475 37-08492 37-08519

Conditions of Approval:

- 01J - Prior to diversion of water under this right, the right holder
 - shall install a measuring device and lockable controlling works
 - of a type acceptable to the Department as part of the diverting works.
- 057 - The rate of diversion of water for irrigation under this right
 - and all other water rights on the same land shall not exceed
 - 0.03 cubic feet per second for each acre of land.
- R19 - The right holder shall maintain a totalizing measuring device of
 - a type approved by the Department as a part of the diverting works.

Remarks: Diversion of groundwater authorized by this permit and any subsequent license shall be administered by the watermaster of

WR5809NP
No. 37-08760IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORTDATE: 11/03/97
PAGE: 2

Remarks:

Water District No. 37, Big Wood River.

The total instantaneous diversion rate authorized by this permit and any subsequent license is 0.14 cfs.

Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works for all uses except domestic until the next upcoming year.

The total surface area of the irrigated land and pond shall not exceed four acres.

This water right application is approved in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.

A flow rate of 0.08 cfs authorized by right no. 37-00833 (Adjudication Claim A37-00833P) must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of groundwater authorized by this permit. For purposes of regulating groundwater in conjunction with flows of the Big Wood River, water may be diverted pursuant to this permit if right no. 37-00833 is deliverable because the Rockwell Bypass is operating.

For purposes of regulating this permit with respect to other groundwater rights, the priority of this right shall be September 17, 1991.

The Director retains jurisdiction over this permit and any subsequent license to adjust the mitigation and to require the collection and reporting of pumpage and use data.

Water must be applied to the land by an efficient method that conserves the quantity of water delivered.

Domestic use is for two homes.

Stockwater use is for 10 horses.

Dates: App. Received: 10/03/1991 Priority Date: 10/06/1991 (Priority Date Advanced.)
Proof Due Date: 06/01/1995 Proof Made Date: 06/20/1995 (Proof Received Late.)
Exam Made Date: 06/30/1997 Exam Sent to S.O.: 08/05/1997
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee: R (Received)

Comments: Date: 10/30/1991 User-ID: BALDWIN Subject:
THIS APPLICATION IS WITHIN BOUNDARIES OF BIG WOOD GROUNDWATER
MANAGEMENT AREA.

Date: 05/27/1993 User-ID: ZIMMERMA Subject: MORATORIUM EXEMPTION
This permit falls within the acceptable parameters of the Eastern
Snake River Plain Moratorium.

Date: 06/12/1995 User-ID: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

Date: 06/22/1995 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd

WR5809NP
No. 37-08760IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORTDATE: 11/03/97
PAGE: 3

Comments: Date: 06/22/1995 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 10/24/91 BALDWIN 10/30/91 BALDWIN 11/15/91 SKAGGS 11/27/91 BALDWIN
05/27/93 ZIMMERMA 06/28/93 ZIMMERMA 06/29/93 ZIMMERMA 08/19/93 ZIMMERMA
06/12/95 COMMENTS 06/22/95 COMMENTS 06/28/95 JYARBROU 07/08/97 ABAYES
08/05/97 ABAYES

AJ5809NP
No. A37-00833P

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/03/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES K FIGGE	11/12/1936	IRRIGATION	04-01 11-01	0.04 CFS	
C	SANDRA D FIGGE		STOCKWATER	01-01 12-31	0.02 CFS	
	8015 VIZCAYA WAY		DOMESTIC	01-01 12-31	0.04 CFS	
	NAPLES FL 33963					
	(319) 383-3300					
TOTAL DIVERSION:					0.08 CFS	
CONSUMPTIVE USE:						5.00 AFA

Water Source: BIG WOOD RIVER

Tributary to: MALAD RIVER

Stage: DECREED

Point(s) of Diversion:

T02N R18E S16

SESNE

BLAINE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	
02N	18E	25	:	:	:	:	:	:	:	:	:	:	:	:	:	:	2.0
															TOTAL ACRES	2.0	

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	
02N	18E	25	:	:	:	:	:	:	:	:	:	:	:	:	:	9

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	
02N	18E	25	:	:	:	:	:	:	:	:	:	:	:	:	:	

POU County: BLAINE

Non-Irrigation Uses: DOMESTIC FOR ONE HOUSEHOLD, STOCKWATER FOR UP TO 6 HEAD/MIXED.

Other Rights: CITY WATER FOR IN-HOUSE USE.

Remarks: GEN THIS CLAIM IS FOR A PORTION OF 37-0833 AS EVIDENCED BY ATTACHED
COPY OF WARRANTY DEED AND WATERMASTER'S AFFIDAVIT.

OWNERSHIP CHANGE MADE 6/23/95 BY TLB. MC KENZIE-FORMER OWNER,
FIGGE-NEW OWNER. WARRANTY DEED INCLUDED.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A37-08760

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/17/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES K FIGGE JR	10/06/1991	IRRIGATION	04-15 10-15	0.12 CFS	14.00 AFA
C	BARBARA B FIGGE PO BOX 1876 KETCHUM ID 83340 (208) 726-4078					
TOTAL DIVERSION:					0.12 CFS	14.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05N R17E S10

SENE

BLAINE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
05N	17E	10	:	:	:	:	:	:	:	:	:	:	:	4.0		
TOTAL ACRES													4.0			

POU County: BLAINE

Other Rights: 37-00833P

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

37-04329 37-12555 A37-04329 A37-08258 A37-12555

Other Water Rights Listing Overlapping Place(s) of Use:

A37-00833P A37-02168

Conditions of Approval:

- R67 - This right when combined with all other rights shall provide no
- more than 0.03 cfs per acre nor more than 3.5 afa per acre at the
- field headgate for irrigation of the lands above.

Remarks: GEN Diversion of groundwater authorized by this right shall be administered by the watermaster of Water District No. 37, Big Wood River.
Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works until the next upcoming year.
This water right is used in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.
A flow rate of 0.08 cfs authorized by right no. 37-00833 (SRBA Claim A37-00833P) must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of groundwater authorized by this right.
For purposes of regulating groundwater in conjunction with flows

AJ5809NP
No. A37-08760

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/17/99
PAGE: 2

Remarks: of the Big Wood River, water may be diverted pursuant to this right if right no. 37-00833 is deliverable because the Rockwell Bypass is operating.
The Director retains jurisdiction over this right to adjust the mitigation and to require the collection and reporting of pumpage and use data.
Water must be applied to the land by an efficient method that conserves the quantity of water delivered.
The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department as a part of the diverting works.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 37 Field Inspection Flag:
Presumption Flag:

Audit: 11/12/98 SCLELLAN

Water Right Number - A37-08760

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** A - ATTORNEY ***
SPECK

JAMES P

1 - HOGUE, SPECK, & AANESTAD
2 -
3 - PO BOX 987
City- KETCHUM
Phone - 208-726-4421

State- ID Zip- 83340

*** C - CURRENT OWNER ***
FIGGE JR

JAMES K

1 - PO BOX 1876
2 -
3 -
City- KETCHUM
Phone - 208-726-4078
1 - PO BOX 1876
2 -
3 -

State- ID Zip- 83340

FIGGE

BARBARA B

City- KETCHUM
Phone - 208-726-4078

State- ID Zip- 83340

+ - - Priority Date - - +
10/06/1991+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

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

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name

05N 17E 10 SE NW (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.120 14.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.120 14.00 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
05N 17E 10 SE NW 4.0 01 IRRIGATION (13) BLAINE

Total Acres: 4.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 37-00833P

Water right number - A37-08760

Prefix Translation: ADJUDICATION CLAIM

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

GEN Diversion of groundwater authorized by this right shall be administered by the watermaster of Water District No. 37, Big Wood River.
Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works until the next upcoming year.
This water right is used in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.
A flow rate of 0.08 cfs authorized by right no. 37-00833 (SRBA Claim A37-00833P) must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of groundwater authorized by this right.
For purposes of regulating groundwater in conjunction with flows of the Big Wood River, water may be diverted pursuant to this right if right no. 37-00833 is deliverable because the Rockwell Bypass is operating.
The Director retains jurisdiction over this right to adjust the mitigation and to require the collection and reporting of pumpage and use data.
Water must be applied to the land by an efficient method that conserves the quantity of water delivered.
The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department as a part of the diverting works.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
R67 - This right when combined with all other rights shall provide no
- more than 0.03 cfs per acre nor more than 3.5 afa per acre at the
- field headgate for irrigation of the lands above.

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

+ - - Audit Fields - 11/12/98 SCLELLAN

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

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/12/1998	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 37
Licensed Date	- 00/00/0000	Receipt Number	- S021592	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

08/24/99 09:23:14
Page 3

Water right number - A37-08760

Prefix Translation: ADJUDICATION CLAIM

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

Name Connector - AND/OR Notice of Error Flag -

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08760

Priority: October 6, 1991

Maximum Diversion Rate: 0.12 CFS
Maximum Diversion Volume: 14.0 AF

This is to certify, that JAMES K FIGGE
SANDRA D FIGGE

C/O JAMES P SPECK ESQ
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340-0987

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 17, 1991; and has submitted Proof of Beneficial Use on June 20, 1995. An examination indicates that the works have a diversion capacity of 0.180 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	0.12 CFS	14.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 10, Township 05N, Range 17E
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>
05N	17E	10	SENW	4		4

Total number of acres irrigated: 4

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 which 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

EXHIBIT A

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08760

CONDITIONS OF APPROVAL AND REMARKS

6. Diversion of groundwater authorized by this right shall be administered by the watermaster of Water District No. 37, Big Wood River.
7. Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works until the next upcoming year.
8. This water right is used in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.
9. A flow rate of 0.08 cfs authorized by right no. 37-00833 (SRBA Claim A37-00833P) must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of groundwater authorized by this right.
10. For purposes of regulating groundwater in conjunction with flows of the Big Wood River, water may be diverted pursuant to this right if right no. 37-00833 is deliverable because the Rockwell Bypass is operating.
11. The Director retains jurisdiction over this right to adjust the mitigation and to require the collection and reporting of pumpage and use data.
12. Water must be applied to the land by an efficient method that conserves the quantity of water delivered.
13. The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department as a part of the diverting works.

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 9TH day of DECEMBER, 1997.


Acting for KARL J. DREHER, Director



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

February 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EDWARD SIMON
ATTORNEY AT LAW
500 S MAIN SUITE 205
KETCHUM ID 83340

RE: Sun Valley Trust

Dear Mr. Simon:

I have received your letter and form 42-1409(a) and have updated our records accordingly, by placing your name as the attorney of record for Sun Valley Trust claims **A37-08760** and A37-00833P.

Thank you,

Cheryl E. Timm
SRBA Records

CT:ct

37-08760

EDWARD SIMON
ATTORNEY AT LAW
THE DEVIL'S BEDSTEAD BUILDING
500 S. MAIN
SUITE 205
P.O. BOX 540
KETCHUM, IDAHO 83340

RECEIVED
FEB 22 2000
Department of Water Resources
Southern District

TELEPHONE: (208) 726-2200

FACSIMILE: (208) 726-7313
e-mail: edsimon@micron.net

February 17, 2000

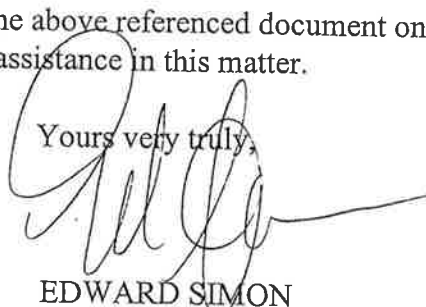
Cheryl E. Timm
SRBA Records Clerk
Dept. of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Claimant Acknowledgment of Change of Attorney

Dear Ms. Timm:

Please find enclosed the above referenced document on behalf of the Sun Valley Trust for filing. Thank you for your assistance in this matter.

Yours very truly,



EDWARD SIMON

ES:hd
Enclosure
cc: Client

RECEIVED
FEB 22 2000
Department of Water Resources
Bureau of Reclamation

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

Name(s) of Claimant (please print):

SUN VALLEY TRUST

I/we acknowledge (check one):

☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

☒ I/we are now represented by the attorney at the address below.

EDWARD SIMON

P.O. BOX 540

WETCHUM ID 83340

Attorney's Phone 726-2200

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

SEE ATTACHED

For Individuals:

Authorized signature(s) Date _____

For Organizations:

I am trustee of Sun Valley Trust, and I

Title

Organization

have signed the foregoing document in the space below as
trustee of Sun Valley Trust.

Title

Organization

Signature of Authorized Agent Lily Reeves

Title trustee

Date 2/1/00

Organization Sun Valley Trust

IDWR Use:

Date Received _____

Data Entry _____