

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-11262
Date Received: 9/7/1988
Receipt No: S002085
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RIVERBEND PARTNERS ONE Phone: (208)939-0088
C/O PETER O BRIEN
1771 N RAINDANCE PL
EAGLE ID 83616

2. Date of Priority: 06/30/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	18	NE SE NE	BLAINE	

5. Description of diverting works:

WELL AND PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.06	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.06 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	18	SE	NE	DOMESTIC	
			SE	NE	IRRIGATION	2.6
					Section Acres	2.6
					Total Acres	2.6

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:

APPLICATION FOR PERMIT HAS BEEN FILED.
OWNERSHIP CHANGE MADE 10-21-94 BY TLB.

15. Basis of Claim: Beneficial Use



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

June 7, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RIVERBEND PARTNERS ONE
C/O PETER O'BRIEN
1771 N RAINDANCE PL
EAGLE ID 83619

Re: SRBA Claim 37-11262

Dear Mr. O'Brien:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership as requested. Please find the enclosed copy of the computer record of the claim noting the change in claimant. Review the record and if there is an error, or you have any questions, please contact this office. I am also returning your check 1124 in the amount of \$25.00. Since the Snake River Basin Adjudication Court has not yet decreed this claim, no fee is due to change ownership.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

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

RECEIVED
 JUN 02 2005
 Department of Water Resources
 Southern Region

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
37-11262					

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) KEVIN D. O'BRIEN
P.O. BOX 3699 KETCHUM, ID
4. New Owner/Claimant(s) RIVERBEND PARTNERS - ONE
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
40 PETER O'BRIEN - MANAGING PARTNER
 New Mailing Address 1771 N. RANDANCE PL
 City, State and ZIP Code Eagle ID 83616
 New Telephone Number (208) 939-0088
5. Date you acquired the property 12/1999

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Riverbend Partners - ONE
(include title if applicable)

 - PETER O'BRIEN
Managing Partner

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

For Office Use Only

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

Riverbend Partners – One

1771 N. Raindance Place, Eagle, ID 83616

June 1, 2005

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

RECEIVED
JUN 02 2005
Department of Water Resources
Southern Region

Re: Change in Ownership – Water Right #37-11262

Dear Doug,

As we discussed, this is in response to your letter Dated April 15, 2005 regarding the above referenced water right.

Your records indicate that our father, Kevin O'Brien, is the current owner. However, he passed away in December 1999. My family was able to keep the property and officially deeded it into a family partnership (Riverbend Partners-One) in December 2000. At that time I failed to transfer the aforementioned water rights into the partnership name and, frankly, fell between the cracks until I received your letter. I have completed the change in water rights form (enclosed) that your office forwarded and is enclosed with appropriate back-up documentation and filing fee.

However, as we also discussed, the prior owner of this water right, Kenneth L. Moore, filed for permit number 37-8394 in approximately 1988 which had lapsed for failure to show evidence that improvements to the property had been completed by 4/1/90. I would like to also request that this permit be reinstated. Am not sure what happened to Mr. Moore, but the property has been improved since approximately 1972. As evidence of this I have attached a copy of the septic permit for the property, as provided by the Department of Health, which also shows the location of our well and home.

Furthermore, we also own surface water rights for the property through District 37 – Big Wood River. The water right number is 577-CJ. I have also attached a copy of this for your files.

Hopefully this information and documentation is useful, however, as per your conversation with Jim Speck, it is likely not sufficient enough for you to validate our claim or to reinstate the aforementioned claim by Mr. Moore.

Please give me a call at your convenience to discuss completing this process. I appreciate your assistance and look forward to talking with you soon.

Sincerely,



Peter O'Brien
(208) 939-0088 - home
(208) 955-9990 – office
(208) 863-6362 - cell

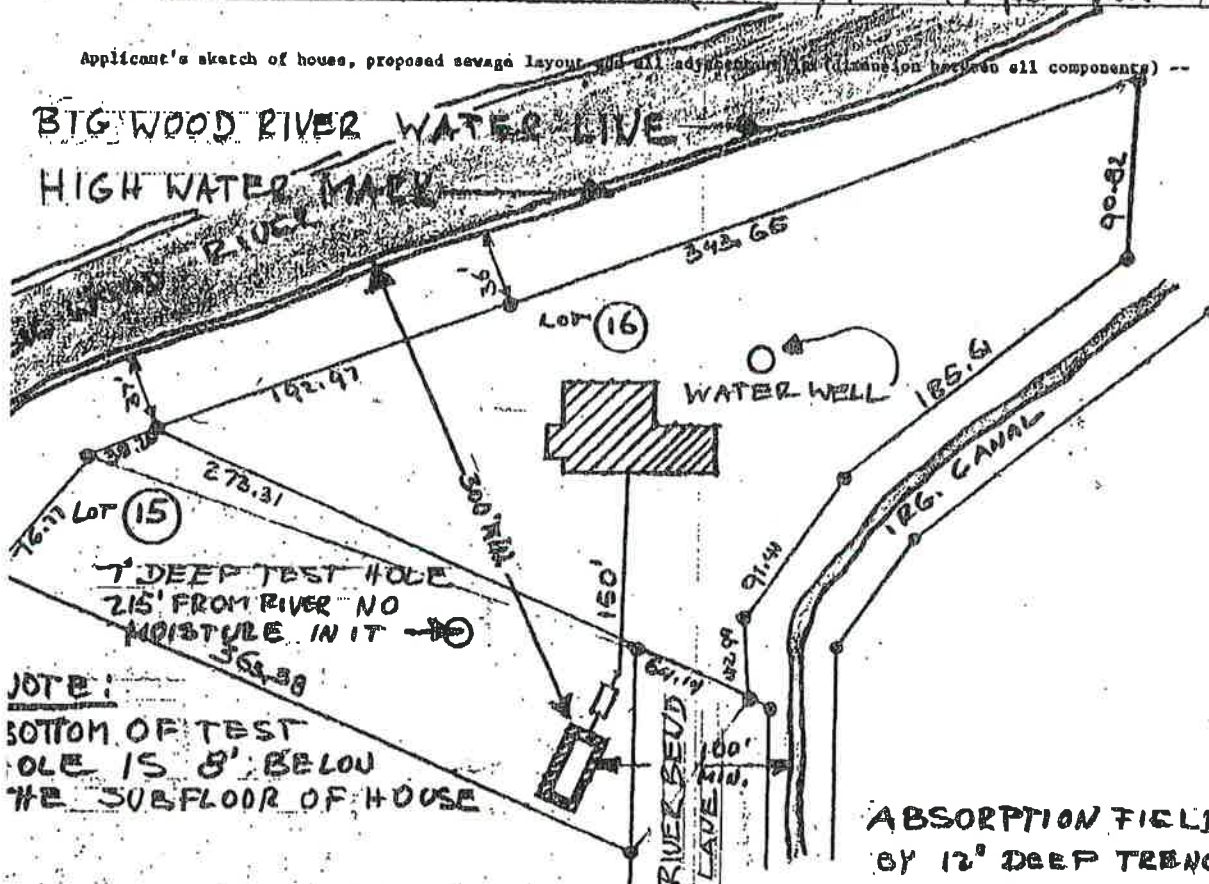
726-5292

SOUTH CENTRAL DISTRICT HEALTH DEPARTMENT
INDIVIDUAL SEWAGE DISPOSAL INSTALLATION PERMIT

Permit No. 0700024 CUSTOM HOMES FOR
Installation for MR. & MRS KENNETH MOOR at LOT 15 AND LOT 16 RIVER BEND SUB
(Name) (Legal description of property)
Address of Installation LOT 15 RIVER BEND SUBDIVISION, BLAINE COUNTY, IDAHO
No. Living Units 1 Bedrooms 3 People Served 2 Water Supply—Private X Public _____
Applicant is: Owner _____ Contractor X Other _____
FHA _____ FARM HOME _____ VA _____ CONV. X EXISTING _____ NO. _____
Septic Tank 900 gal.
Effluent Disposal: Effective Area Required 150 sq. ft. Soil System: Perc. Rate _____ Min./In. Min. Depth to Ground Water 8 ft.?
Soil Profile COARSE RIVER RUN GRAVEL
Field Drain _____ Absorption Bed X Standard _____ Modified _____ Seepage Pit _____ Dimensions 36" x 100'
Distance from Disposal Area to:
Property Lines: Front 20 ft. Back 300 ft. Side 10 ft. Dwelling Foundation 150 ft. Wall 250 ft.
Surface Water NONE ft. Nearest Neighbor's Wall NONE ft. Floor Plan Submitted and Approved YES Septic Tank 5-10 ft.
Remarks: 7' DEEP TEST HOLE - OPEN 4 DAYS NO MOISTURE - BOTTOM 8' BELOW HOUSE FLOOR
Applicant CUSTOM HOMES BY ANDY SCHERTHAMMER Paid 20.00 Bill CASH No Fee _____
Address BOX 567 SUN VALLEY ID. 83353 Permit Issued by _____

INSPECTION: Septic Tank Size _____ Standpipe _____ Depth to Manhole _____
Distance from Septic Tank to: Dwelling Foundation _____ ft. Wall _____ ft. Nearest Neighbor's Wall _____ ft.
Effluent Disposal: Effective Area _____ sq. ft.
Field Drain _____ Absorption Bed _____ Standard _____ Modified _____ Seepage Pit _____ Dimensions _____
Pipe Size _____ No. of Lines _____ Length _____ Depth _____
Distance from Disposal Area to:
Property Lines: Front _____ ft. Back _____ ft. Side _____ ft. Dwelling Foundation _____ ft. Wall _____ ft.
Surface Water _____ ft. Water Service Piping _____ ft. Depth to Gravel _____ ft. Nearest Neighbor's Wall _____ ft.
Approved _____ Not Approved _____ Inspected _____ by _____ Installed by _____
(Date)
Remarks: Under 7' below road - 1 ft and the turn left

Applicant's sketch of house, proposed sewage layout and all adjacent features (indicate dimension between all components) --

ABSORPTION FIELD: 2' 36" WIDE
BY 12' DEEP TRENCHES 50' LONG

LAW OFFICES OF
ROGER E. CRIST
BITTERROOT SQUARE PROFESSIONAL BUILDING
208 SPRUCE AVENUE NORTH
P. O. BOX 2326
KETCHUM, IDAHO 83340
TELEPHONE 208-726-4242
FACSIMILE 208-726-9328
E-MAIL: rcrist@micron.net

CLIENT COPY

December 20, 2000

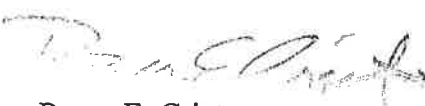
Marsha Riemann
Blaine County Clerk and Recorder
206 1st Avenue S., Suite 200
Hailey ID 83333

Re: O'Brien/Riverbend Partners One Deed

Dear Ms. Riemann:

Please record the enclosed Deed conveying interest from The Kevin D. O'Brien Living Trust to Riverbend Partners—One. This firm's check in the amount of \$6.00 is enclosed for the recording fee. If you have any questions, please call.

Very truly yours,



Roger E. Crist

REC:cc
Enclosures
pc: Peter O'Brien

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

Roger E. Crist
Post Office Box 2326
Ketchum, Idaho 83340

(Space above line for Recorder's use)

DEED

**FOR VALUE RECEIVED, THE KEVIN D. O'BRIEN LIVING TRUST DATED
JANUARY 20, 1994** (hereinafter referred to as "Grantor"), hereby grants, bargains, sells and
conveys unto

RIVERBEND PARTNERS-ONE, a California General Partnership, c/o Peter O'Brien,
Managing Partner, 15 Sorrento Court, Danville, CA 94526.

(hereinafter referred to as "Grantee"), the following described real property in Blaine County,
Idaho, to wit:

Lot 16 of River Bend Subdivision according to the official plat thereof,
recorded as Instrument No. 137015, records of Blaine County, Idaho.

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

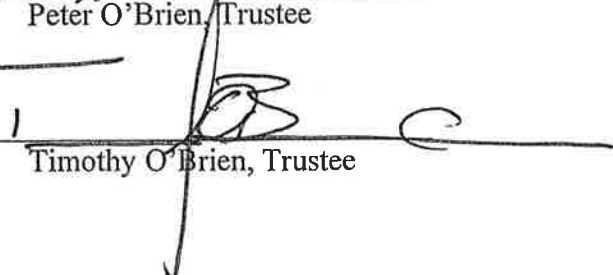
DATED December 12, 2000

THE KEVIN D. O'BRIEN LIVING TRUST
DATED JANUARY 20, 1994

By


Peter O'Brien, Trustee

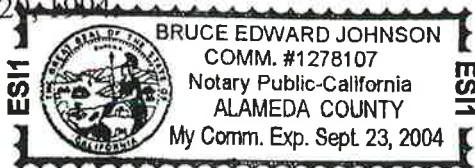
By


Timothy O'Brien, Trustee

STATE OF California)
County of Alameda)

SS.

On this 12 day of December, 2000 before me, a Notary Public in and for said State, personally appeared PETER O'BRIEN, identified to me or known by me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacities as Trustee of The Kevin D. O'Brien Living Trust Dated January 20, 1994.

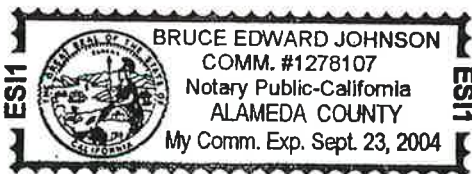


Bruce Edward Johnson
Notary Public for
Residing at 710 Montic St SF CA 94102
Commission Expires 9-23-04

STATE OF California)
County of Alameda)

SS.

On this 12 day of December, 2000 before me, a Notary Public in and for said State, personally appeared TIMOTHY O'BRIEN, identified to me or known by me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacities as Trustee of The Kevin D. O'Brien Living Trust Dated January 20, 1994.

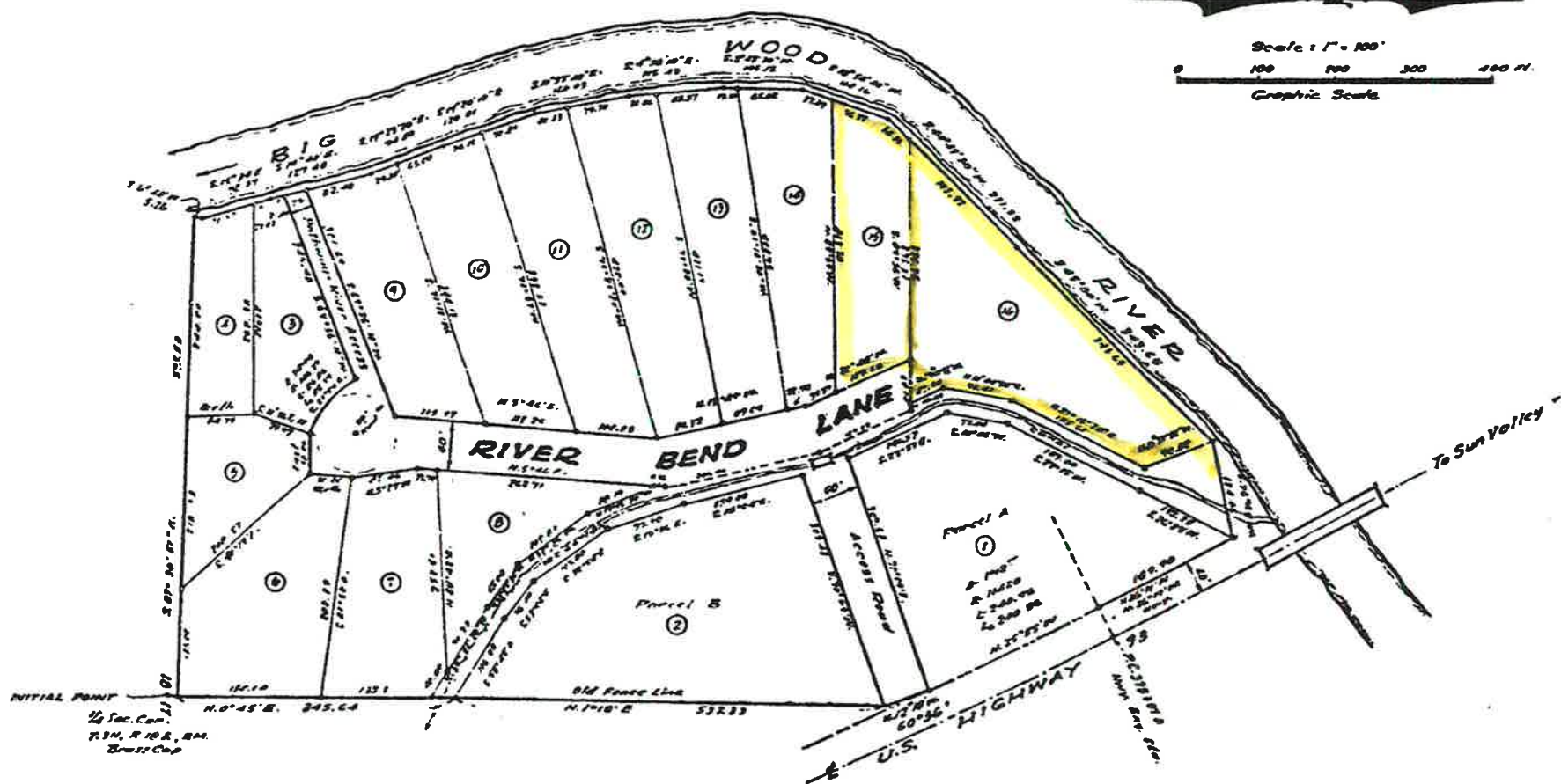


Bruce Edward Johnson
Notary Public for
Residing at 710 Montic St SF CA 94102
Commission Expires 9-23-04

rec\o'briendeded.ded

RIVER BEND SUBDIVISION

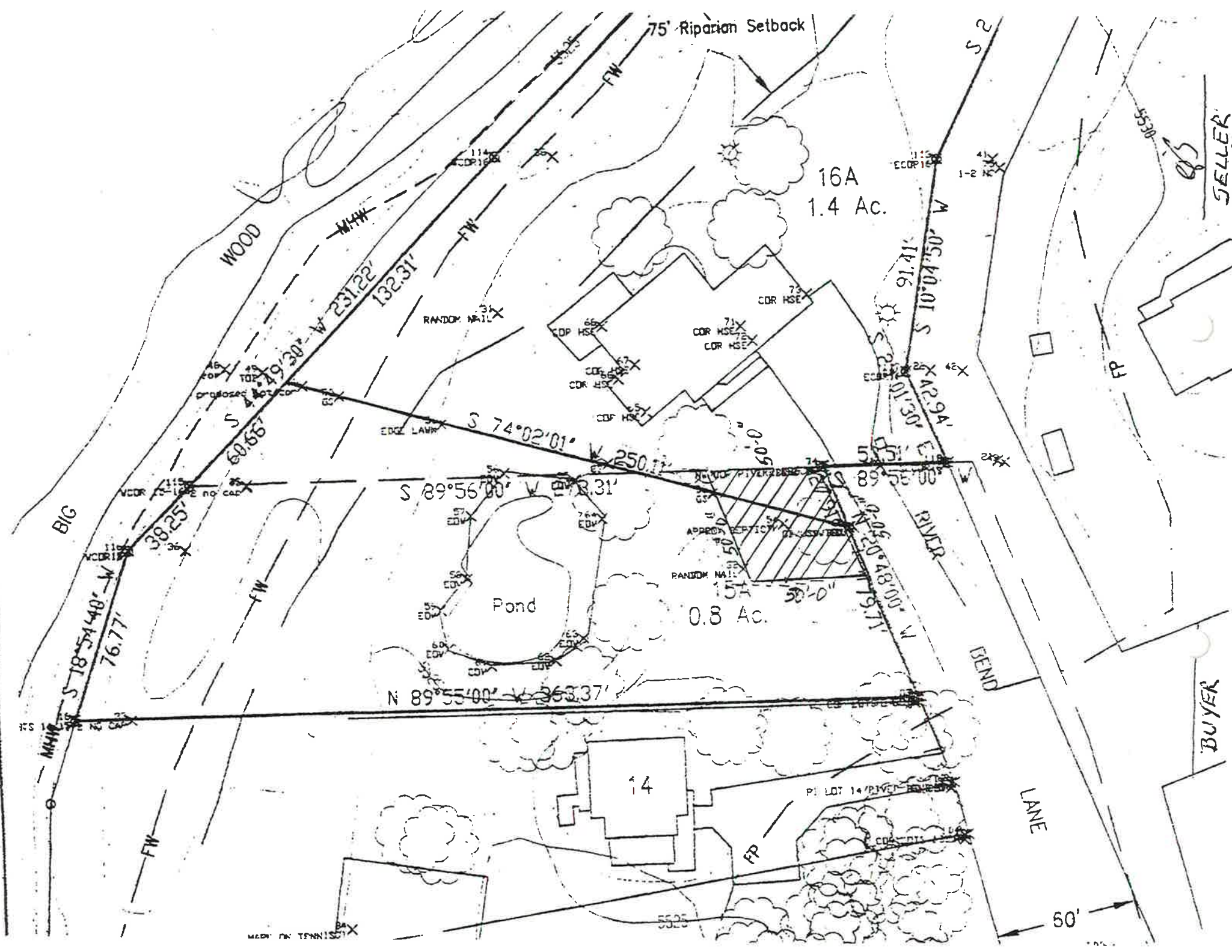
A Part of Section 13, T. 3 N., R. 18 E., B.M., Blaine County, Idaho



—LEGEND—

- Steel Pins on Boundary Points
- All other Points
- ① Lot Numbers

THIS MAP IS FURNISHED AS PART OF AN ENDORSEMENT AND DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREON. IT IS FURNISHED STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. THE DESCRIPTION FURNISHED IN SCHEDULE A OF THE POLICY SHOULD BE REFERRED TO FOR THE DESCRIPTION OF THE LAND COVERED THEREBY.



75' Riparian Setback

16A
1.4 Ac.

Pond
0.8 Ac.

SELLER

BUYER

MADE BY T. J. J. J. J.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Copy

OFFICIAL STATE BUSINESS

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

April 18, 1995

KEVIN O'BRIEN
PO BOX 3699
KETCHUM, ID 83340

RE: CHANGE OF OWNERSHIP

Dear Mr. O'Brien:

Enclosed please find your recent correspondence with the Department requesting ownership change. On review it was observed that an ownership change form was not submitted, no water rights were specifically identified, the deeds were not copies of recorded instruments, and a specific legal description was not provided. I reviewed our computer records corresponding generally to the lot and subdivision, but did not find a claim in the name of MacKenzie. If you could provide a list of previous owners, dating to about 1988, we may be able to relate a specific claim to the property.

I have enclosed an ownership change form. Please complete it and include the required information and documentation. If you have any questions please contact us.

Sincerely,

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

Douglas Jones, P.E.
Water Rights Supervisor

enc

KEVIN D. O'BRIEN

P.O. Box 3699
KETCHUM, IDAHO 83340
(208) 788-6242
FAX 788-5653

RECEIVED

APR 17 1995

Department of Water Resources
Southern Region

April 13, 1995

Idaho Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

RE: 106 RIVER BEND LANE, RIVER BEND SUBDIVISION LOT #16, BLAINE
COUNTY

Gentlemen:

Attached is a notice of change of ownership and water rights at the above address.

If you have any questions, please call me.

Very truly yours,



Kevin D. O'Brien

Order No. 19724

WARRANTY DEED

RECEIVED

APR 17 1995

Department of Water Resources
Southern Region

FOR VALUE RECEIVED

Fern R. MacKenzie, an unmarried woman

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

Kevin D. O'Brien, an unmarried man

GRANTEE(s) whose address is: **P.O. Box 3699, Ketchum, ID 83340**

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

Lot 16 of RIVER BEND SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 137015, records of Blaine County, Idaho.

Accepted and Approved 

Subject To: Taxes, easements, restrictions and encumbrances of record.

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: **July 22, 1994**

Fern R. MacKenzie

State of **Idaho**

County of **Blaine**

On this _____, before me, a notary public in and for said State, personally appeared **Fern R. MacKenzie** personally 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
Residing at **Hailey**
Commission Expires:

Order No. 19724

WARRANTY DEED

RECEIVED

APR 17 1995

Department of Water Resources
Southern Region

FOR VALUE RECEIVED

Fern R. MacKenzie, an unmarried woman

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

Kevin D. O'Brien, an unmarried man

GRANTEE(s) whose address is: P.O. Box 3699, Ketchum, ID 83340

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

Lot 16 of RIVER BEND SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 137015, records of Blaine County, Idaho.

Subject To: Taxes, easements, restrictions and encumbrances of record.

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: July 22, 1994

Fern R. MacKenzie
Fern R. MacKenzie

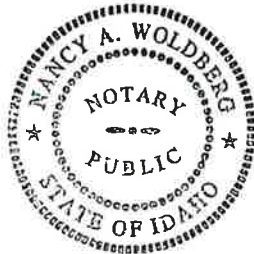
State of Idaho

County of Blaine

On this 27th day of July, 1994, before me, a notary public in and for said State, personally appeared Fern R. MacKenzie personally 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.

Nancy A. Woldberg
Notary Public *NW*
Residing at *Hailey Bellevue*
Commission Expires: *9-7-99*





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: **A37-11262**
Date Received: 9/ 7/1988
Receipt No: S002085
Received By: _____

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

1. Name: KEVIN O'BRIEN 208-726-6242
Address: PO BOX 3699
KETCHUM ID 83340

2. Date of Priority: JUN 30, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	18E	18	NE	SE	NE		BLAINE

5. Description of diverting works:
WELL AND PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	18E	18	SE	NE		IRR	2.6
			SE	NE		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.6
					Total Acres	2.6

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:
NONE

14. Remarks:
APPLICATION FOR PERMIT HAS BEEN FILED.
OWNERSHIP CHANGE MADE 10-21-94 BY TLB.

15. Basis of Claim: BENEFICIAL USE

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

21-OCT-1994 09:25

KEVIN O'BRIEN
PO BOX 3699
KETCHUM, ID 83340

RE: SRBA CLAIMS: A37-11262 & A37-00577AH
KENNETH MOORE

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM, WE HAVE CHANGED THE DEPARTMENT'S RECORD(S) AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS(S) FOR ACCURACY.

THERE WAS A TRANSFER APPROVED SPLITTING 37-00577AH INTO 37-00577CA AND 37-00577CB. THIS TRANSFER PROVIDES AUTHORITY TO SPLIT THE SRBA CLAIM. IF YOU NEED MORE INFORMATION, PLEASE CONTACT THIS OFFICE. I AM SENDING YOU A COPY OF THE TRANSFER.

SHOULD YOU HAVE ANY MORE QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

cc: SPECK, HOUGE, & AANESTAD

MICROFILMED
NOV 27 1998



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: AUG 10, 1994

AUG 25 1994

Department of Water Resource
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

SEE ATTACHED ADDENDUM

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) Assigned by IDWR: A37-11262 A37-0057AH
- [] Name and Address of Former Owner/Claimant(s)(Seller):
Kenneth L. Moore & Rosemary Moore
106 River Bend Lane
Ketchum, Idaho 83340
- [] New Owner/Claimant (Purchaser):
Kevin O'Brien
- [] New Mailing Address:
Post Office Box 3699
Ketchum, Idaho 83340
- [] New Telephone Number: (208) 788 - 6242
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: Quitclaim/Warranty Deeds

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s) [Signature] Date 8/23/94
- [] Signature of Former Owner/Claimant(s) _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

MICROFILMED
 NOV 27 1996

1 2 3 4 5 6 7 8 9 10 11 12

AUG 25 1994

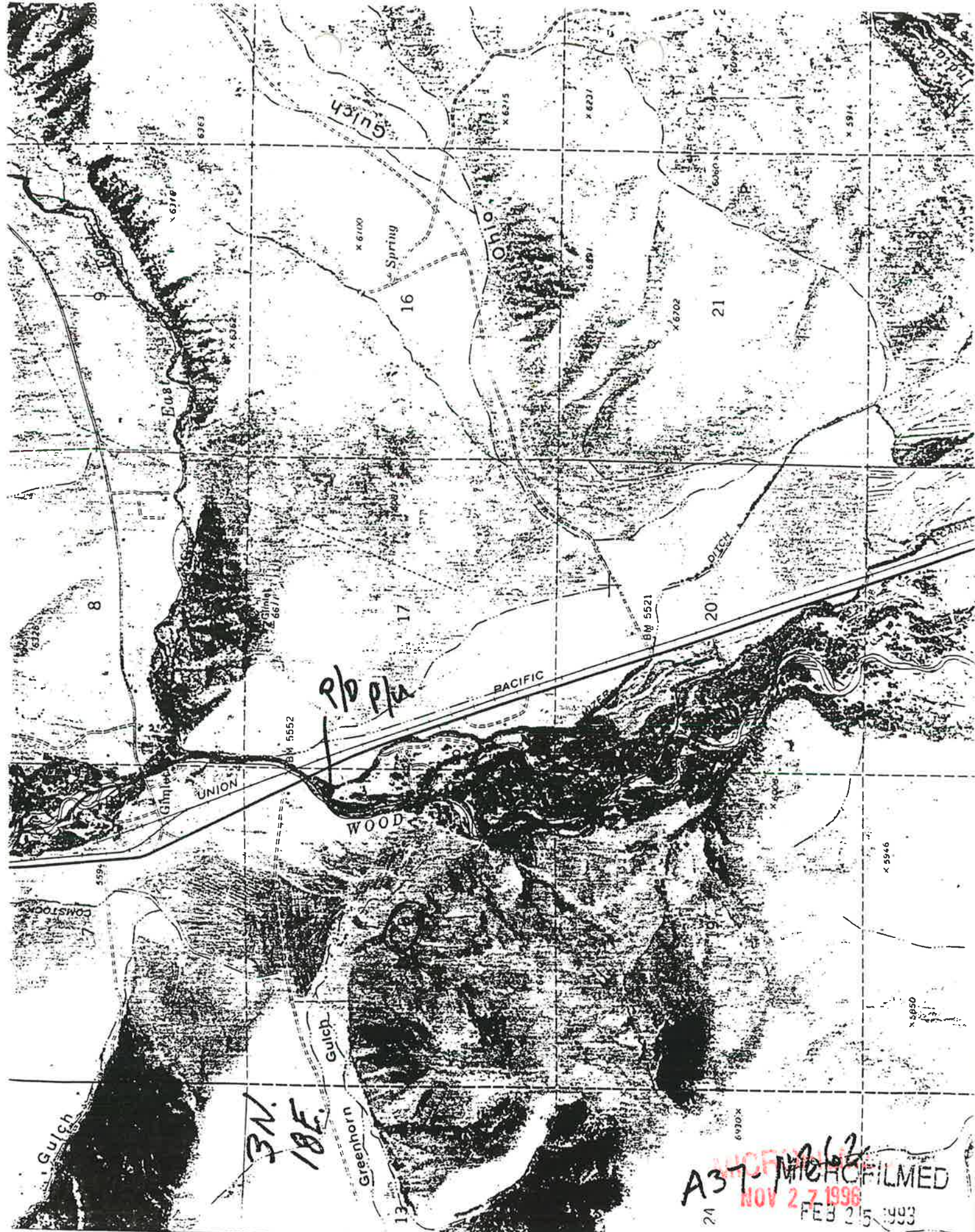
Department of Water Resource
Southern Region Office

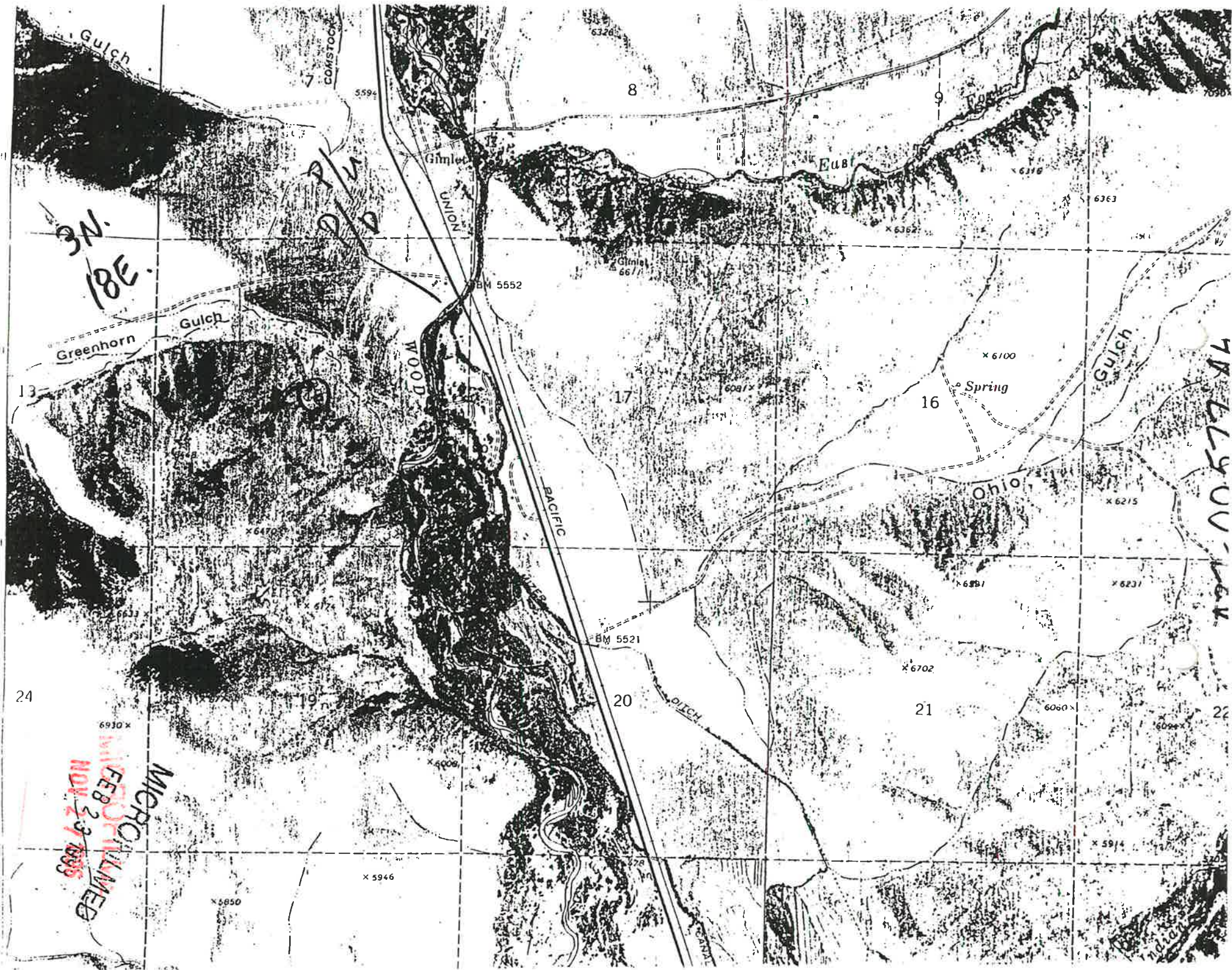
**ADDENDUM TO
NEW PROPERTY OWNER
NOTICE OF CHANGE OF OWNERSHIP**

Lot 15 of River Bend Subdivision, according to the official plat thereof, recorded as Instrument No. 137015, records of Blaine County, Idaho.

Lot 16 of River Bend Subdivision, according to the official plat thereof, recorded as Instrument No. 137015, records of Blaine County, Idaho.

**RECORDED
NOV 27 1996**





Order No. 19724

WARRANTY DEED

AUG 25 1994
Department of Water Resource
Southern Region Office

FOR VALUE RECEIVED

Fern R. MacKenzie, an unmarried woman

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

Kevin D. O'Brien, an unmarried man

GRANTEE(s) whose address is: P.O. Box 3699, Ketchum, ID 83340

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

Lot 16 of RIVER BEND SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 137015, records of Blaine County, Idaho.

BLAINE CO. REQUEST
OF SAWTOOTH TITLE

1994 JUL 28 P 4: 08

368768

Mary Green, CLERK

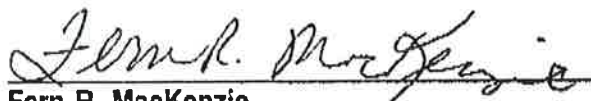
FEES \$ 3.00 MP Deed

7-28-94

Subject To: Taxes, easements, restrictions and encumbrances of record.

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: July 22, 1994


Fern R. MacKenzie

State of Idaho

County of Blaine

On this 27th day of July, 1994, before me, a notary public in and for said State, personally appeared Fern R. MacKenzie personally 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.

MICROFILMED
NOV 27 1996

AUG-10-94 WED 16:19

SAWTOOTH TITLE

FAX NO. 2 7261062

P. 01/01
P. 121

AUG 09 '94 03:02PM BLAINE COUNTY

Order No. 19725

WARRANTY DEED

15 16 17 18 19

AUG 25 1994

Department of Water Resource
Southern Region Office

FOR VALUE RECEIVED

Fern R. MacKenzie, an unmarried woman

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

Kevin D. O'Brien, a single man

GRANTEE(s) whose address is: P. O. Box 3699, Ketchum, ID 83340

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

Lot 15 of RIVER BEND SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 137015, records of Blaine County, Idaho.

Subject To: A Deed of Trust in favor of Calumet Federal Savings & Loan Association of Chicago, in the original amount of \$125,000.00, recorded July 28, 1994, as Instrument No. 368733, records of Blaine County, Idaho, which the Grantee herein agree to assume and pay according to it's terms and conditions.

Subject To: Taxes, easements, restrictions and encumbrances of record.

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: August 10, 1994

Fern R. MacKenzie
Fern R. MacKenzie

State of Idaho

County of Blaine

On this 10th day of Aug 1994, before me, a notary public in and for said State, personally appeared Fern R. MacKenzie personally known or identified to me to be the person whose name is subscribed to the within Instrument and acknowledged to me that she executed the same.

WITNESS my hand and official seal.

Nancy A. Woldberg



NOV 27 1994

QUITCLAIM DEED

For Value Received

Christie Anne Haugh, a married person, as her sole & separate property, L 6 15 11 V

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

MICHELSON
Fern R. Bick, a single person

whose address is: P. O. Box 2502, Sun Valley, Idaho 83353

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

Lots 15 & 16 of RIVER BEND SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 137015, records of Blaine County, Idaho

AUG 25 1994

Department of Water Resource
Southern Region Office

non-consequential??

Together with ±19 miners inches of water for use from 1-1 to 12-31 each year and .060 c.f.s. of water for use from 4-1 to 11-1 each year in the Big Wood River. Water right has priority date of March 24, 1883, under Decree in case of Albrethsen vs. Wood Rivr Land Co.

Ejudication # -

A 37-00577AH

Dept of Water Resources

con

together with their appurtenances.

Dated: March 21, 1990

Christie Anne Haugh

Christie Anne Haugh

STATE OF *Idaho* COUNTY OF *Blaine*
On this *21* day of *March*, 19*90*,
before me, a notary public, *Christie Anne Haugh* for said State, personally
appeared *Christie Anne Haugh*

known or identified to me to be the person who name
is subscribed to the within instrument and acknowledged
to me that *she* executed the same.

Siwan K. Lube

Notary Public

Residing at *Hailey*

Commission Expires: *3-11-93*

RECORDED
NOV 27 1996

Order No. 22-9043

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
Christie Ann Haugh
P. O. Box 2081
Ketchum, ID 83340

HARRY GREEN, CLERK
FEES \$ 6.00

88 OCT 21 PM 4 04

BLAINE CO. REQUEST

299522

(Space above line for Recorder's use)

WARRANTY DEED

FOR VALUE RECEIVED, KENNETH L. MOORE and ROSEMARY A. MOORE, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto CHRISTIE ANNE HAUGH, a married woman, as her sole and separate property, the Grantee, whose current address is P. O. Box 2081, Ketchum, Idaho 83340, the following described premises in Blaine County, Idaho, to wit:

Lots 15 and 16 of River Bend Subdivision, Blaine County, Idaho, according to the Official Plat thereof on file in the Office of the County Recorder, recorded October 12, 1970, as Instrument No. 117015, records of Blaine County, Idaho.

This Warranty Deed is subject to taxes, easements, restrictions, reservations, assessments, and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises, that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever. Grantors further represent and covenant that, to the best of their knowledge and information, neither the public nor any private individual has acquired any prescriptive easement or other adverse possession claim upon or to the premises, or any portion thereof, and agree to defend on behalf of Grantee any claims therefor.

DATED: October 21, 1988.

Kenneth L. Moore
KENNETH L. MOORE

Rosemary A. Moore
ROSEMARY A. MOORE

POOR ORIGINAL

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

On this 21st day of October, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared KENNETH L. MOORE and ROSIMARY A. MOORE, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

(seal)

ALPI/pr

J. J. Kellard
NOTARY PUBLIC for Idaho
Residing at L.H.C.
Commission Expires 7/15/91

MICROFILMED
NOV 27 1996

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
JOHN A. SEILLER

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

August 23, 1994

AUG 25 1994

Department of Water Resources
66 WEST CROY STREET
Southern Region Office
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

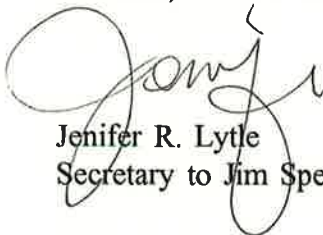
Re: Notice of Change of Ownership
Moore to O'Brien

To Whom it May Concern:

Please find enclosed the original Notice of Change of Ownership in the above-referenced matter. Please file this Notice. If you have any questions, please do not hesitate to call.

Sincerely,

HOGUE, SPECK & AANESTAD, P.A.



Jenifer R. Lytle
Secretary to Jim Speck

jl
enclosure

MICROFILM

NOV 27 1995

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: A37-11262
Date Received: 9/07/1988
Receipt No: S002085
Received By: CCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH L. MOORE 208-788-4848
Address: 106 RIVER BEND LANE
P.O. BOX 678
KETCHUM, ID 83340

OR

Name: ROSEMARY A. MOORE 208-788-4848
Address: 106 RIVER BEND LANE
P.O. BOX 678
KETCHUM, ID 83340

2. Date of Priority: JUN 30, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	18E	18	NE	SE	NE		BLAINE

5. Description of diverting works:
WELL AND PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE

A37-11262

Page 1

Date: 09/07/88

MICROFILMED
FEB 25 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	18	SE	NE		IRR	2.6
			SE	NE		DOMEST	

Section Acres 2.6

Total Acres 2.6

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:
NONE

14. Remarks:
APPLICATION FOR PERMIT HAS BEEN FILED.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
FEB 25 1993

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Kenneth C Moore Date: 9-7-88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of September 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94



3N.
18E.

ppp

18

A37-10612
FEB 25 1933

CLARENDON HILL SPRINGS 2 MI

09/06/2005

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

RIGHT NUMBER: 37-11262

NAME AND ADDRESS: RIVERBEND PARTNERS ONE
C/O PETER O BRIEN
1771 N RAINDANCE PL
EAGLE ID 83616

VERIFIED BY *RKC*

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/30/1972

POINT OF DIVERSION:

T03N R18E S18 NESENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within BLAINE County

T03N R18E S18 SENE

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

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-_____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

STATE

(Menu)

AIRCRAFT-LINE
 NOV 27 1993

SD-0604-2 Township: 03N Range: 18E Section: 18 Tract: SENE Lot:

S	L	Water	Name	O	S	Max #	Records	90
E	O			W	T	Priority	Use	
L	Tract	T	Right No.	Last, First	N	AC	G	Date
								Code Desc
---	---	---	---	---	---	---	---	---
---	SENE		A37-00154	GLENN B. GOULD FAMILY	C	18	D	12/13/1887 01 IRR
---	SENE		A37-00577AH	RINKER CO.	C			
---				MOORE, KENNETH L.	C		D	03/24/1883 19 FISH
---				MOORE, ROSEMARY A.	C			49 FIRE
---				MOORE, KENNETH L.	C			01 IRR
---	SENE		A37-00577AH	MOORE, KENNETH L.	C	3	D	03/24/1883 19 FISH
---				MOORE, ROSEMARY A.	C			49 FIRE
---				MOORE, KENNETH L.	C			01 IRR
---	SENE		A37-00577AH	MOORE, KENNETH L.	C		D	03/24/1883 19 FISH
---				MOORE, ROSEMARY A.	C			49 FIRE
---				MOORE, KENNETH L.	C			01 IRR
---	SENE		A37-11262	MOORE, KENNETH L.	C	2	J	06/30/1972 43 DOMEST
---				MOORE, ROSEMARY A.	C			01 IRR
---	SENE		A37-11262	MOORE, KENNETH L.	C		J	06/30/1972 43 DOMEST
---				MOORE, ROSEMARY A.	C			01 IRR
---	SENE		A37-11803	GILLIS, PHILIP S.	C		J	05/01/1978 43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

NOV 27 1995

JE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS
120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

U
S
P
S

AUG 25 1994

Department of Water Resources
Southern Region Office

Idaho Dept. of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

