

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 37-11556
Date Received: 11/14/1988
Receipt No: S003786
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

AUDREY BASHAW Phone:
PO BOX 381
BELLEVUE ID 83313-0381

GERALD B BASHAW Phone: (208) 788-6571
PO BOX 381
BELLEVUE ID 83313

2. Date of Priority: 03/24/1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	SW NW	BLAINE	

5. Description of diverting works:

HEADGATE AT END OF DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.69	250.5

7. Total Quantity Appropriated is:

0.69 C.F.S. and/or 250.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
01N	19E	34	NE	SE	IRRIGATION	16	
			SE	SE	IRRIGATION	20	
					Section Acres	36	
01N	19E	35	NW	SW	IRRIGATION	19	
			SW	SW	IRRIGATION	35	
					Section Acres	54	
01S	19E	2	SW	NE	2	IRRIGATION	15
			SE	NW	3	IRRIGATION	5
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	33
			SW	SW		IRRIGATION	35
			SE	SW		IRRIGATION	25
			NE	SE		IRRIGATION	25
			NW	SE		IRRIGATION	18
			SW	SE		IRRIGATION	10
			SE	SE		IRRIGATION	40
					Section Acres	246	
01S	19E	3	SW	NE	2	IRRIGATION	8
			NE	SE		IRRIGATION	30
			NW	SE		IRRIGATION	3
			SE	SE		IRRIGATION	4
					Section Acres	45	
01S	19E	11	NE	NE		IRRIGATION	35
			NE	NW		IRRIGATION	3
			NW	NW		IRRIGATION	15
					Section Acres	53	
					Total Acres	434	

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:

RT. IS A PART OF 37-0577.

** ATTORNEY AND ADDRESS CHANGE MADE 7/14/97 BY TLB.

This claim represents water right 37-30000H.

P/U IS CLAIMED PER SEC. 42-1416 OF THE IDAHO CODE. RIGHT HAS BEEN USED EACH YEAR SINCE SINCE AT LEAST 1977, ALTHOUGH THE WATERMASTER HAS NOT BILLED ME FOR THE USE OF THIS RIGHT. RIGHT IS VERY IMPORTANT FOR STOCKWATER. STOCK DRINK DIRECTLY FROM LOV- ING CR. IN SUMMER, AND FROM AN IRRIGATION DITCH DURING THE WINTER . WITHOUT THIS RIGHT COMING TO MY PROPERTY, LOVING CR. CAN BE DRIED UP IN THIS AREA.

** IDWR NOTE: EXCEPTION FILED BY WATERMASTER; SEE FILE. 2/22/90 ADM

**** ADDRESS & ATTORNEY CHANGE MADE 7/14/97 BY TLB.

Right 37-30000H is limited to the irrigation of 379.0 acres within the place of use described above in a single irrigation season. Rights 37-00125, 37-04142 and 37-30000H when combined shall not exceed the irrigation of 423.0 acres within the place of use described above in a single irrigation season. Rights 37-4142 and 37-30000H when combined shall not exceed the irrigation of 379.0 acres within the place of use described above in a single irrigation season.

Approval of Transfer 4678 does not confirm claimed Right 37-04142.

Approval of Transfer 4678 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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

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

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

15. Basis of Claim: Decreed



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUL 14, 1997

GARY SLETTE
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

RE: BASHAW ATTORNEY & ADDRESS CHANGE

DEAR MR. SLETTE:

THE DEPARTMENT HAS RECENTLY RECEIVED THIS CHANGE OF ATTORNEY. OUR RECORDS HAVE BEEN UPDATED TO REFLECT THE CHANGES. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THEM FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund". The signature is written in dark ink and is positioned above the typed name.

TARA L. BACKLUND
S.R.B.A. RECORDS CLERK

ENCLOSURES

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

Name(s) of Claimant (please print):

Gerald & Audrey Bashaw

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.

Gary Slette

Rosholt, Robertson & Tucker

143 3rd Ave North (P.O. Box 1906) 83303-1906

Twin Falls, Id 83701

Attorney's Phone 208 734-0700

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

"A"

A37-00125

A37-04141

A37-04142

A37-11556

A37-11560

Permit

A37-11561

37-08687

SEE LIST ATTACHED FOR BALANCE OF RIGHTS TO CORRECT

For Individuals:

Authorized signature(s) Date 1/8/96

Gerald B Bashaw

For Organizations:

I am _____ of _____, and I

Title

Organization

have signed the foregoing document in the space below as

of _____

Title

Organization

Signature of Authorized Agent _____

Title _____

Date _____

Organization _____

IDWR Use:

Date Received _____

Data Entry _____

NEW Address:

LOVING SPRINGS RANCH

P.O. BOX 381

925 GANNETT ROAD

BEDEVUE, IDAHO 83313-0381



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

**CHANGE IN ADDRESS OF THE NOTICE OF CLAIM
IN THE SNAKE RIVER BASIN ADJUDICATION**

☐ Water Right Number(s): A37-00125; A37-04141; A37-04142; A37-11556;

A37-11560; A37-11561; Permit 37-08687

☒ Old Mailing Address: GERALD B BASHAW OR AUDREY BASHAW

195 EAST MORGAN STREET

PERRIS CA 92370 714/943-4014

☒ New Mailing Address: GERALD B BASHAW OR AUDREY BASHAW

P. O. BOX 381

BELLEVUE ID 83313-0381

☒ New Telephone Number: (208) 726-8414 -

☐ Signature of Claimant(s): sheet attached

Date:

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:

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: A37-11556
Date Received: 11/14/1988
Receipt No: S003786
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERALD B. BASHAW 714-943-4014
Address: 195 EAST MORGAN STREET
PERRIS, CA 92370

OR

Name: AUDREY BASHAW 714-943-4014
Address: 195 EAST MORGAN STREET
PERRIS, CA 92370

2. Date of Priority: MAR 24, 1883

3. Source: BIG WOOD RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	3	SW	NE			BLAINE

5. Description of diverting works:
HEADGATE AT END OF DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/30	10/31	0.690		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	2	NE		SW		IRR	40.0
			NW		SW		IRR	33.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
			NE		SE		IRR	25.0
			NW		SE		IRR	18.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
Section Acres								274.0
		3	NE		SE		IRR	26.0
			SE		SE		IRR	7.0
Section Acres								33.0
		11	NE		NE		IRR	35.0
			NW		NE		IRR	20.0
			SE		NE		IRR	2.0
			NE		NW		IRR	8.0
			NE		SE		IRR	7.0
Section Acres								72.0
Total Acres								379.0

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:

SPLIT FROM 37-00577 DECREE FOR 34.50 INCHES

14. Remarks:

RT. IS A PART OF 37-0577.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

A37-11556

Page

2

Date: 11/16/89

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 _____ 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 _____

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[] Water Right Number(s): A37-04142, A37-11560, A37-11561,
A37-00125, A37-11556, A37-04141

[] Name and Address of
Former Claimant: Holbrook Maslen

P.O. Box 1970

Sun Valley, Idaho 83353

[] New Claimant(s): Gerald B. Bashaw or Audrey Bashaw

[] New Mailing Address: 195 East Morgan Street

Perris, California 92370

New Telephone Number: (714) 943 - 4014

[] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: Deed

[] Signature of New Claimant(s): Gerald B. Bashaw and Audrey Bashaw

BY Kent Fletcher

Kent Fletcher, Attorney

Date: 10-4-89

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11/16/85

By: AD

Further Action Needed: None

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 11/16/85

By: AD

Claim Numbers of Split, if any:

MICROFILMED

FEB 25 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

GERALD B BASHAW

Nov. 17, 1989

KENT FLETCHER
P O BOX 910
BURLEY ID 83318

Re: A37-00125
A37-11561
A37-11556
A37-04141
A37-11560
A37-04142

Dear Claimant(s):

Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
FEB 25 1993

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: A37-11556
Date Received: 10/06/1988
Receipt No: 5003786
Received By: JS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOLBROOK MASLEN
Address: BOX 1970
SUN VALLEY, ID 83353
2. Date of Priority: MAR 24, 1883
3. Source: BIG WOOD RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	3	SW	NE			BLAINE
5. Description of diverting works:
HEADGATE AT END OF DITCH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/30	10/31	0.690		
7. Total Quantity Appropriated is:
0.690 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	2	NE	SW		IRR	40.0
			NW	SW		IRR	33.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	2	NE		SE		IRR	25.0
			NW		SE		IRR	18.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	274.0
		3	NE		SE		IRR	26.0
			SE		SE		IRR	7.0
							Section Acres	33.0
		11	NE		NE		IRR	35.0
			NW		NE		IRR	20.0
			SE		NE		IRR	2.0
			NE		NW		IRR	8.0
			NE		SE		IRR	7.0
							Section Acres	72.0
							Total Acres	379.0

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:
SPLIT FROM 37-00577 DECREE FOR 34.50 INCHES

14. Remarks:
RT. IS A PART OF 37-0577.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X 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): *Halbrook T. Under* Date: 11-14-88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of Nov. 19 88

Kimberly D. [Signature]
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/94

LUBOVISKI, WYGLE & FALLOWFIELD

BARRY J. LUBOVISKI
JANET C. WYGLE
ROBERT I. FALLOWFIELD

ATTORNEYS AT LAW
SUITE 205, THE STATION
460 SUN VALLEY ROAD
P. O. BOX 1172
KETCHUM, IDAHO 83340-1172

AREA CODE 208
TELEPHONE 726-8219
FACSIMILE 726-3750

February 7, 1990

RECEIVED

FEB 9 - 1990

Department of Water Resources
Southern Region Office

Mr. Jim Stanton
Idaho Department of Water Resources
4th Avenue East
Twin Falls, Idaho 83301

Re: Water Right Numbers 37-00125, 37-04141,
37-04142, 37-11556, 37-11560, 37-11561
and 37-08295

Dear Mr. Stanton:

Enclosed please find a Corrected Warranty Deed and an Assignment of Permit affecting the above-referenced water rights. Please see that the names under which those rights and applications are held are changed to Gerald B. Bashaw and Audrey Bashaw of 1631 Coteau Drive, Riverside, California, 92504.

Thank you.

Sincerely,

LUBOVISKI, WYGLE & FALLOWFIELD

Robert I. Fallowfield

Robert I. Fallowfield

RIF/sc
Enclosures

cc: Mr. Gerald B. Bashaw
Kent Fletcher, Esq. (w/enclosures)

MICROFILMED

FEB 25 1993

WARRANTY DEED

RECEIVED

For Value Received

FEB 9 - 1990

HOLBROOK MASLEN, a Single Man

Department of Water Resources

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto Southern Region Office

GERALD B. BASHAW and AUDREY BASHAW, Husband and Wife

whose address is: 1631 Coteau Drive; Riverside, California, 92504

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

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER WITH:

Water Right Number 37-00125 for 0.200 c.f.s.
Water Right Number 37-04141 for 4.120 c.f.s.
Water Right Number 37-04142 for 4.720 c.f.s.
Water Right Number 37-11556 for 0.690 c.f.s.
Water Right Number 37-11560 for 0.030 c.f.s.
Water Right Number 37-11561 for 0.060 c.f.s.
Water Right Number 37-08295 for 6.000 c.f.s.

and any and all other water rights appurtenant to said premises.

DOCUMENT IS BEING RECORDED AS A CORRECTION OF WARRANTY DEED RECORDED JUNE 14, 1989, AS INSTRUMENT NO. 306454, in order to correct the water rights conveyed.

SUBJECT TO MORTGAGE RECORDED JUNE 14, 1989, AS INSTRUMENT NO. 306455, RECORDS OF BLAINE COUNTY, IDAHO.

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

Dated: November 13, 1989



STATE OF Idaho, COUNTY OF Blaine
On this 5th day of February, 19 90
before me, a notary public in and for said State, personally appeared

HOLBROOK MASLEN, a single man

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Notary Public

Residing at Hailey, Idaho
Comm. Expires 10/9/93

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

EXHIBIT "A"

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho

Section 2: Lots 1, 2, 3, and S $\frac{1}{2}$

Section 3: All that portion of E $\frac{1}{2}$ SE $\frac{1}{4}$ lying North and East of Union Pacific Railroad right of way, EXCEPT a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

BEGINNING at the Northwest corner of NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, Township 1 South, Range 19 East of the Boise Meridian;

THENCE South 104.4 feet;

THENCE East 104.4 feet;

THENCE North 104.4 feet;

THENCE West 104.4 feet to the PLACE OF BEGINNING.

ALSO EXCEPTING a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

BEGINNING at a point approximately 902 feet North from the Southeast corner of Section 3, Township 1 South, Range 19 E., B.M., and coincident with the Northeast corner of tract designated as T x Lot No. 1658;

THENCE Westerly along the North boundary of said T x Lot approximately 503 feet;

THENCE Northwesterly along East line of Union Pacific Railroad right of way 291.0 feet;

THENCE Southeasterly 705.6 feet to the POINT OF BEGINNING.

Section 11: E $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$, all that portion of N $\frac{1}{2}$ NW $\frac{1}{4}$ lying East and North of Union Pacific Railroad right of way,

EXCEPT a tract in NW $\frac{1}{4}$ NW $\frac{1}{4}$ described as follows:

BEGINNING at a point on the East and West line between Sections 2 and 11, Township 1 South, Range 19 E., B.M., where the East side line of Union Pacific Railroad right of way intersects with the South side line of the State Highway right of way;

THENCE East eight (8) rods along the South side line of State Highway;

THENCE Southeasterly parallel to the Union Pacific Railroad right of way, twenty (20) rods;

THENCE Westerly eight (8) rods, parallel to the State Highway right of way to the East line of said railroad right of way;

THENCE Northwest along the East line of said railroad right of way twenty (20) rods to the POINT OF BEGINNING.

AND

Section 11: All that portion of S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying East and North of the Union Pacific Railroad right of way;

EXCEPT Railroad right of way;

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

I, Holbrook Maslen, hereby assign to Gerald B. & Audrey Bashaw
of 1631 Coteau Drive, Riverside, CA 92504
Address

All my right, title, and interest in and to Permit No. 37-08295
to appropriate the public waters of the State of Idaho.

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

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

X Made this 5th day of February, 1990.

X Holbrook Maslen
Permit Holder

Spouse of Permit Holder

X State of Idaho)
County of Blaine) ss

On this 5th day of February, 1990, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Arlene By
Notary Public residing at Harley

s e a l

My commission expires:

10/9/93

MICROFILMED

FEB 25 1993

10/17/2006

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

RIGHT NUMBER: 37-11556
NAME AND ADDRESS: AUDREY BASHAW
PO BOX 381
BELLEVUE ID 83313-0381

GERALD B BASHAW
PO BOX 381
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.690 CFS
250.500 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:
T02N R18E S36 SWNW 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	0.690 CFS 250.50 AFY

The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before <May 1> and after <October 1> under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within BLAINE County

T01N R19E S34	NESE	16.00	T01N R19E S34	SESE	20.00
T01N R19E S35	NWSW	19.00	T01N R19E S35	SWSW	35.00
T01S R19E S02 Lot 2 SWNE		15.00	T01S R19E S02 Lot 3 SENW		5.00
T01S R19E S02	NESW	40.00	T01S R19E S02	NWSW	33.00
T01S R19E S02	SWSW	35.00	T01S R19E S02	SESW	25.00
T01S R19E S02	NESE	25.00	T01S R19E S02	NWSE	18.00
T01S R19E S02	SWSE	10.00	T01S R19E S02	SESE	40.00
T01S R19E S03 Lot 2 SWNE		8.00	T01S R19E S03	NESE	30.00
T01S R19E S03	NWSE	3.00	T01S R19E S03	SESE	4.00
T01S R19E S11	NENE	35.00	T01S R19E S11	NENW	3.00
T01S R19E S11	NWNW	15.00			

434 ACRES TOTAL

10/17/2006

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

Right 37-11556 is limited to the irrigation of 379.0 acres within the place of use described above in a single irrigation season. Rights 37-00125, 37-04142 and 37-11556 when combined shall not exceed the irrigation of 423.0 acres within the place of use described above in a single irrigation season. Rights 37-4142 and 37-11556 when combined shall not exceed the irrigation of 379.0 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RT. IS A PART OF 37-0577.
** ATTORNEY AND ADDRESS CHANGE MADE 7/14/97 BY TLB.
This claim represents water right 37-30000H.

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

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

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

P/U IS CLAIMED PER SEC. 42-1416 OF THE IDAHO CODE. RIGHT HAS BEEN USED EACH YEAR SINCE SINCE AT LEAST 1977, ALTHOUGH THE WATERMASTER HAS NOT BILLED ME FOR THE USE OF THIS RIGHT. RIGHT IS VERY IMPORTANT FOR STOCKWATER. STOCK DRINK DIRECTLY FROM LOV- ING CR. IN SUMMER, AND FROM AN IRRIGATION DITCH DURING THE WINTER . WITHOUT THIS RIGHT COMING TO MY PROPERTY, LOVING CR. CAN BE DRIED UP IN THIS AREA.

***** IDWR NOTE: EXCEPTION FILED
BY WATERMASTER; SEE FILE.
2/22/90 ADM ***** ADDRESS & ATTORNEY CHANGE
MADE 7/14/97 BY TLB.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

02/09/2007

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

RIGHT NUMBER: 37-11556

NAME AND ADDRESS: AUDREY BASHAW
PO BOX 381
BELLEVUE ID 83313-0381

GERALD B BASHAW
PO BOX 767
PICABO ID 83348

Bx13

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.690 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T02N R18E S36 SWNW 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	0.690 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S34	NESE	16.00	T01N R19E S34	SESE	20.00
T01N R19E S35	NWSW	19.00	T01N R19E S35	SWSW	35.00
T01S R19E S02 Lot 2	SWNE	15.00	T01S R19E S02 Lot 3	SENE	5.00
T01S R19E S02	NESW	40.00	T01S R19E S02	NWSW	33.00
T01S R19E S02	SWSW	35.00	T01S R19E S02	SESW	25.00
T01S R19E S02	NESE	25.00	T01S R19E S02	NWSE	18.00
T01S R19E S02	SWSE	10.00	T01S R19E S02	SESE	40.00
T01S R19E S03 Lot 2	SWNE	8.00	T01S R19E S03	NESE	30.00
T01S R19E S03	NWSE	3.00	T01S R19E S03	SESE	4.00
T01S R19E S11	NENE	35.00	T01S R19E S11	NENW	3.00
T01S R19E S11	NWNW	15.00			

434 ACRES TOTAL

Right Nos. 37-125 and 37-11556 are limited to the irrigation of a combined total of 423 acres in a single irrigation season.

This right is limited to the irrigation of 379 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

02/09/2007

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

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

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

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right is based on water right 37-30000H.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4678
WATER RIGHT NO(S). 37-00125/37-04142/37-30000H

This is to certify that: GERALD B BASHAW
AUDREY BASHAW
195 E MORGAN STREET
PERRIS CA 92370

11556
Southern AS
RECEIVED

FEB 09 1999

Department of Water Resources
Southern Region

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-00125 :			
IRRIGATION	04/15 to 10/15	0.20 CFS	72.6 AF
Priority: 04/01/1884			
* Right No. 37-04142 :			
IRRIGATION	04/15 to 10/15	4.60 CFS	1309.0 AF
STOCKWATER	01/01 to 12/31	0.12 CFS	6.0 AF
Priority: 04/30/1931			
		4.72 CFS	1315.0 AF
Right No. 37-30000H :			
IRRIGATION	04/15 to 10/15	0.69 CFS	250.5 AF
Priority: 03/24/1883			
	TOTAL:	5.61 CFS	1638.1 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
Right No. 37-00125 :	
LOVING CREEK	SILVER CREEK
Right No. 37-04142 :	
WASTE WATER	LOVING CREEK
Right No. 37-30000H :	
BIG WOOD RIVER	MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

Right No. 37-00125 :	SWSE , Sec. 2, Township 01S, Range 19E
Right No. 37-04142 :	Lot 2(SWNE), Sec. 3, Township 01S, Range 19E
Right No. 37-30000H :	SWNW , Sec. 36, Township 02N, Range 18E BLAINE County

TRANSFER NO. 4678
WATER RIGHT NO(S). 37-00125/37-04142/37-30000H

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			<u>ACRES</u>			<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
01N	19E	34		NESE	16			SESE	20		36
		35		NWSW	19			SWSW	35		54
01S	19E	2	Lot 2	(SWNE)	15	Lot 3	(SENW)	5		NESW	40
				NWSW	33			SWSW	35	SESW	25
				NESE	25			NWSE	18	SWSE	10
				SESE	40						246
		3	Lot 2	(SWNE)	8			NESE	30	NWSE	3
				SESE	4						45
		11		NENE	35			NENW	3	NWNW	15
											53
						Total number of acres irrigated:				**	434

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under these water rights will be regulated by the watermaster of State Water District Nos. 37 and 37M.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ** 7. Right 37-00125 is limited to the irrigation of 60.0 acres within the place of use described above in a single irrigation season.
- ** 8. Right 37-04142 is limited to the irrigation of 374.0 acres within the place of use described above in a single irrigation season.
- ** 9. Right 37-30000H is limited to the irrigation of 379.0 acres within the place of use described above in a single irrigation season.
- ** 10. Rights 37-04142 and 37-30000H when combined shall not exceed the irrigation of 379.0 acres within the place of use described above in a single irrigation season.
- ** 11. Rights 37-00125, 37-04142 and 37-30000H when combined shall not exceed the irrigation of 423.0 acres within the place of use described above in a single irrigation season.

TRANSFER NO. 4678
WATER RIGHT NO(S). 37-00125/37-04142/37-30000H

CONDITIONS OF APPROVAL AND REMARKS

- * 12. Approval of Transfer 4678 does not confirm claimed Right 37-04142.
- 13. Approval of Transfer 4678 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 13th day of January, 1999

J. Glen Saylor
Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 37-00125, 37-04142 & 37-30000H

FROM: Pam Skaggs^P/State Office

SUBJECT: Transfer 4678

DATE: January 13, 1999

Transfer 4678 changes the place of use under all of Rights 37-00125 and 37-04142, and a portion of Right 37-30000E, splitting the right into Parts G and H. The transfer identifies the surface water rights used in combination with groundwater under Right 37-04141 (See companion Transfer 4660), creating 434 acre permissible place of use.

The points of diversion under each right are modified through the transfer to reflect the current system. The source under Right 37-00125 is also changed from Silver Creek to Loving Creek, which is tributary to Silver Creek. From review of the map and the decreed place of use, it would appear that Loving Creek was always the source since the place of use is well above the confluence of Loving Creek and Silver Creek. The SRBA claim also identifies Loving Creek as the source.

There is some concern about the actual historical use under these rights that will be addressed through the adjudication process. The total irrigated acres under all rights has been identified by region review as 423.0 acres. The validity of all rights are subject to review by the SRBA and this transfer approval does not confirm statutory claim 37-04142.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include watermaster control, measuring & lockable devices, irrigation overlap, permissible place of use, combined right limits, non-confirmation of claim, right-of-way and standard transfer conditions.