

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 37-20327  
Date Received: 8/16/2000  
Receipt No:  
Received By:

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

1. Name of Claimant(s)

CAT TRACK SELECT LLC Phone: (208)788-9079  
PO BOX 3308  
HAILEY ID 83333

2. Date of Priority: 11/22/1886

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 |
|----------|-------|---------|-----------------------|--------|------|
| 03N      | 18E   | 20      | SE SW 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 | 04/01 | 11/01 | 0.198  |            |

7. Total Quantity Appropriated is:  
0.198 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 |
|---------------|-------|---------|----------------|------------|-------|
| 02N           | 18E   | 4       | NE NW          | IRRIGATION | 3     |
| Section Acres |       |         |                |            | 3     |

Total Acres 3

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:

PLACE OF USE IS LOT 3,BLK 2, BUCKHORN SUBD. NO. 3.

2/27/01 tf; ownership changed Bonner to Brown to Cat Track Select per 1409(6) nd  
deeds received 2/6/01.

15. Basis of Claim: Decreed

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

**RECEIVED**  
**FEB 06 2001**  
 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 water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split                    | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split                    |
|-----------------------|------------------------------|--------------------------|-----------------------|------------------------------|--------------------------|
| <u>37-0028G</u>       | <u>37-20367</u>              | <input type="checkbox"/> | _____                 | _____                        | <input type="checkbox"/> |
| <u>37-00297I</u>      | <u>37-20327L</u>             | <input type="checkbox"/> | _____                 | _____                        | <input type="checkbox"/> |
| _____                 | _____                        | <input type="checkbox"/> | _____                 | _____                        | <input type="checkbox"/> |
| _____                 | _____                        | <input type="checkbox"/> | _____                 | _____                        | <input type="checkbox"/> |
| _____                 | _____                        | <input type="checkbox"/> | _____                 | _____                        | <input type="checkbox"/> |

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 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) Charles B. Bonner and Torene E. Boner  
1130 E. Fairmont, Fresno CA 93704
4. New Owner/Claimant(s) Cat Track Select, LLC, an Idaho limited liability company  
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address PO Box 3308
- City, State and Zip Code Hailey, ID 83333
- New Telephone Number (208) 788-9079
5. Date you acquired the property 1-10-01

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of 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<br>(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<br>(Cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc.) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                         |
| Stock                                                                                                                   | _____                                                                      | _____                                                         |
| Domestic                                                                                                                | _____                                                                      | _____                                                         |
| Other _____                                                                                                             | _____                                                                      | _____                                                         |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                         |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(Cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc.) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                         |
| Stock                                                                                                                   | _____                                                                      | _____                                                         |
| Domestic                                                                                                                | _____                                                                      | _____                                                         |
| Other _____                                                                                                             | _____                                                                      | _____                                                         |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                         |

7. Signature of New owner(s) or Claimant(s)  
(include title if applicable)

Cat Track Select, LLC

By: \_\_\_\_\_

Darrell Rubel, member

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 \_\_\_\_\_

Order No. 21286

## QUITCLAIM DEED

390969

FOR VALUE RECEIVED

Charles B. Bonner and Terene E. Bonner, husband and wife

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

John Brown, a single man and Karen Kennedy, a single woman

whose address is: 25A McLea Court, San Francisco, CA 94103

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

Lot 3 in Block 2 of BUCKHORN SUBDIVISION NO. 3, according to the official plat thereof, recorded as Instrument No. 310274, records of Blaine County, Idaho.

Together with Snake River Basin Adjudication of Rights under Identification No's #37-0028 which is 3.25 inches of Alturas Water Co. and #37-0297 which is 9.765 inches of the Halley Water power right.

BLAINE CO. REQUEST

SAVTOOTH

'96 JUN 5 PM 1 33

CLERK

FEES \$ 300

together with their appurtenances.

Dated: May 21, 1996

  
Charles B. Bonner

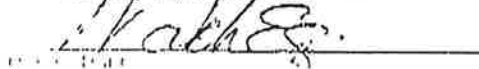
  
Terene E. Bonner

State of California

County of Fresno

On this 30<sup>th</sup> day of May, in the year 1996, before me, the undersigned, personally appeared Charles B. Bonner and Terene E. Bonner, known or identified to me to be the person(s) whose name(s) 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

  
MARSHA FLAAMI

Order No. 27636

## WARRANTY DEED

FOR VALUE RECEIVED

**JOHN BROWN and KAREN BROWN**, husband and wife, who acquired title as **JOHN BROWN**, a single man and **KAREN KENNEDY**, a single woman

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

**CAT TRACK SELECT, LLC**, an Idaho Limited Liability Company

GRANTEE(s) whose address is: **P. O. Box 3308, Hailey, ID 83333**

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

**Lot 3 in Block 2 of BUCKHORN SUBDIVISION NO. 3, according to the official plat thereof, recorded as Instrument No. 310274, records of Blaine County, Idaho.**

**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.**

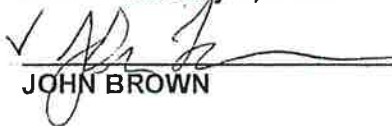
**TOGETHER WITH ALL OF THE WATER RIGHTS APPURTENANT THERETO INCLUDING BUT NOT LIMITED TO THE FOLLOWING:**

**STATE WATER RIGHT #37-0028G PRIORITY DATE OF 3-24-1883 3.25"**

**STATE WATER RIGHT #37-0297I PRIORITY DATE OF 11-26-1886 9.77"**

**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: **January 3, 2001**

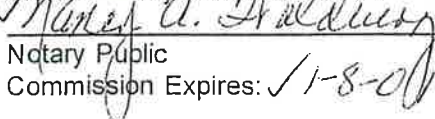
  
\_\_\_\_\_  
**JOHN BROWN**

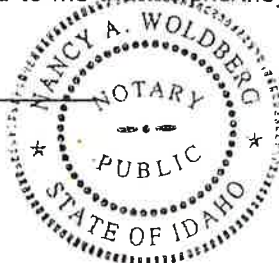
  
\_\_\_\_\_  
**KAREN BROWN**

State of California *Idaho* }  
County of *Blaine* } ss.  
}

On this 18th day of January, in the year 2001, before me, the undersigned, personally appeared **JOHN BROWN and KAREN BROWN**, 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.

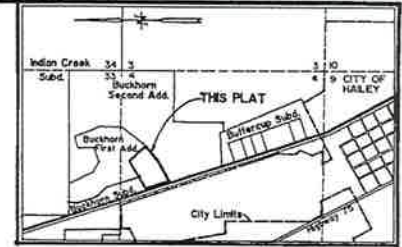
  
\_\_\_\_\_  
Notary Public  
Commission Expires: 1-8-01



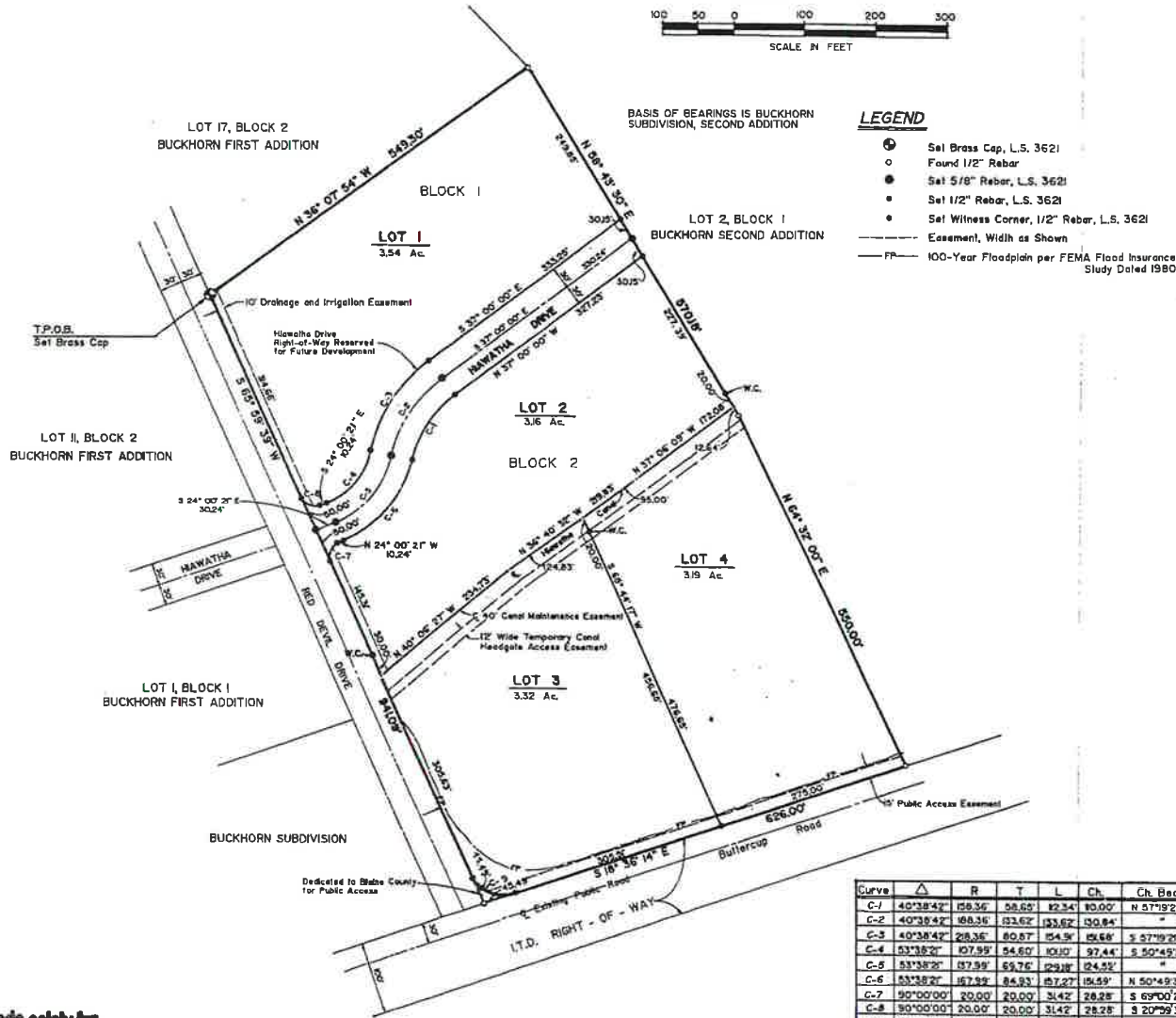
A PLAT SHOWING  
**BUCKHORN SUBDIVISION NO. 3**  
 A REPLAT OF LOT 1, BLOCK 1, BUCKHORN SUBDIVISION, SECOND ADDITION  
 LOCATED IN  
 SECTION 4, T.2 N., R.18 E., B.M., BLAINE COUNTY, IDAHO  
 AUGUST 1989

SCALE: 1" = 100'

SCALE IN FEET



VICINITY MAP SCALE: 1" = 2000'



| Curve | Δ         | R      | T      | L      | Ch.     | Ch. Bearing   |
|-------|-----------|--------|--------|--------|---------|---------------|
| C-1   | 40°38'42" | 158.36 | 58.65  | 12.34  | 10.00'  | N 57°19'20" W |
| C-2   | 40°38'42" | 168.36 | 133.62 | 133.62 | 130.84' | "             |
| C-3   | 40°38'42" | 28.36  | 80.87  | 154.96 | 156.68' | S 57°19'20" E |
| C-4   | 53°38'20" | 107.99 | 54.60  | 103.10 | 97.44'  | S 50°45'31" E |
| C-5   | 53°38'20" | 137.99 | 69.76  | 129.18 | 124.52' | "             |
| C-6   | 53°38'20" | 167.99 | 84.93  | 157.27 | 151.59' | N 50°49'32" W |
| C-7   | 50°00'00" | 20.00  | 20.00  | 31.42  | 28.28'  | S 69°00'21" E |
| C-8   | 50°00'00" | 20.00  | 20.00  | 31.42  | 28.28'  | S 20°39'39" W |
| C-9   | 84°35'53" | 50.00  | 46.49  | 73.83  | 67.30'  | S 23°41'42" W |



Richard D. Fosbury, L.S. 3621

BUCKHORN SUBDIVISION NO. 3  
 GALINA ENGINEERING, INC.  
 KETCHIKAN, IDAHO  
 SHEET 1 OF 2  
 JOB NO. 2415

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

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 **37-20357**  
Date Received: 11/22/00  
Receipt No: S013499  
Received By:

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

1. Name of Claimant(s)

CHARLES B BONNER

Phone: (208)726-4397

1130 E FAIRMONT  
FRESNO CA USA 93704

TORENE E BONNER

Phone: (208)726-4397

1130 E FAIRMONT  
FRESNO CA USA 93704

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 |
|----------|-------|---------|-----------------------|--------|
| 03N      | 18E   | 20      | SE SW NW              | BLAINE |

5. Description of diverting works:

VIA HIAWATHA CANAL HEADGATE #22 TO DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.066  |            |

7. Total Quantity Appropriated is:  
0.066 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 |
|----------|-------|---------|------------|-----|---------------|-------|
| 02N      | 18E   | 4       | NE         | NW  | IRRIGATION    | 3     |
|          |       |         |            |     | Section Acres | 3     |
|          |       |         |            |     | Total Acres   | 3     |

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:

SPLIT BY CHANGE OF OWNERSHIP; 11/22/00 SCC.

15. Basis of Claim: Decreed

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

RECEIVED  
 AUG 10 2000  
 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 water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split    | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|----------|-----------------------|------------------------------|-------|
| _____                 | A37-00297L                   | <u>X</u> | _____                 | _____                        | _____ |
| _____                 | A 37-00028G                  | <u>X</u> | _____                 | _____                        | _____ |
| _____                 | _____                        | _____    | _____                 | _____                        | _____ |
| _____                 | _____                        | _____    | _____                 | _____                        | _____ |
| _____                 | _____                        | _____    | _____                 | _____                        | _____ |

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 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) Charles B. and Torene E. Bonner  
1130 E. Fairmont, Fresno, CA 93704
4. New Owner/Claimant(s) Peter Brinkman and Paul Brinkman  
 Name Connector (Check one): [ ] and, [ ] or [X] and/or
- New Mailing Address PO Box 6267
- City, State and Zip Code Stateline, NV 89449
- New Telephone Number (530) 544-3661
5. Date you acquired the property February 27, 1996

No fees due at this time, return check # 30116 for \$100.00.  
 8/10/00 SCC

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

SVTC Order No. 22-13177

## WARRANTY DEED

## FOR VALUE RECEIVED

Charles B. Bonner and Torene E. Bonner, husband and wife  
the grantors, do hereby grant, bargain, sell and convey unto  
Peter Brinkman, a single man and Paul Brinkman, a single man  
the grantees, whose current address is

Box 6267  
State Line, NV 89449

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

Lot 4, Block 2 of BUCKHORN SUBDIVISION NO. 3, BLAINE  
COUNTY, IDAHO, according to the official plat thereof, on  
file in the office of the County Recorder, recorded  
September 20, 1989, as Instrument No. 310274, records of  
Blaine County, Idaho.

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, his heirs and assigns forever. And the said 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 incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 27, 1996

*Charles B. Bonner*  
Charles B. Bonner

*Torene E. Bonner*  
Torene E. Bonner

STATE OF CALIFORNIA  
COUNTY OF *Fresno*

On this *29* day of February  
1996, before me a Notary Public in  
and for said State, personally  
appeared Charles B. Bonner and  
Torene E. Bonner  
known or identified to me to be the  
persons whose names are subscribed to  
the within instrument, and  
acknowledged to me that they executed  
the same.

*Lorene Marchetti*  
Notary Public

residing at: *1314 E. Yastikian*  
Comm. expires: *8-22-97*

Seal/Stamp



308106

*Deed*  
CALIF. CO. REQUEST

SUN VALLEY TITLE

'96 MAR 18 PM 2 39 (2:39)

Mary Green CLERK *WIPP*

FEES \$ *3.00*

IDAHO BLUEPRINT & SUPPLY CO., INC. BOISE, IDAHO

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: **A37-00028G**  
Date Received: 7/ 2/1991  
Receipt No: S013499  
Received By: \_\_\_\_\_

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

1. Name: CHARLES B. BONNER 208-726-4397  
Address: 1130 E. FAIRMONT  
FRESNO, CA 93704

AND/OR

Name: TORENE E. BONNER 208-726-4397  
Address: 1130 E. FAIRMONT  
FRESNO, CA 93704

2. Date of Priority: MAR 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 |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N      | 18E   | 20      | SE     | SW     | NW  |     | BLAINE |

5. Description of diverting works:  
VIA HIAWATHA CANAL HEADGATE #22 TO DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.132  |      |        |

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

MICROFILMED  
FEB 22 1993

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 02N           | 18E   | 4       | NE     | NW  |     | IRR | 6.0   |
| Section Acres |       |         |        |     |     |     | 6.0   |
| Total Acres   |       |         |        |     |     |     | 6.0   |

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:  
A37-00297L

14. Remarks:

PLACE OF USE IS LOTS 3 AND 4 , BLOCK 2, BUCKHORN SUBDIV. NO. 3.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST ET. AL.  
Decree Plaintiff

ALTURUS WATER CO. ET. AL.  
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 \_\_\_\_ 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 \_\_\_\_\_

MICROFILMED  
FEB 22 1993

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: 39356

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

Ident Number 437-000286  
Date Received \_\_\_\_\_  
Receipt Number 5013499

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 02 1991

Department of Water Resources  
Southern Region Office

1. Name of Claimant(s): Charles B. and/or Torene E. Bonner  
Phone: 1-208-726-4397  
Mailing Address: 1130 E. Fairmont  
Fresno, CA 93704

2. Date of Priority: March 24, 1883

3. Source of water supply (a) Big Wood River  
which is tributary to (b) Malad River

4. a. Location of point of diversion is:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u>Lot</u> | <u>County</u> |
|-----------------|--------------|----------------|---------------------------------|---------------------------------|---------------------------------|------------|---------------|
| 3N              | 18E          | 20             | SE                              | SW                              | NW                              |            | Blaine        |

Additional points of diversion if any: None

b. If instream flow, beginning point:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u>Lot</u> | <u>County</u> |
|-----------------|--------------|----------------|---------------------------------|---------------------------------|---------------------------------|------------|---------------|
|-----------------|--------------|----------------|---------------------------------|---------------------------------|---------------------------------|------------|---------------|

Ending point:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u><math>\frac{1}{4}</math></u> | <u>Lot</u> | <u>County</u> |
|-----------------|--------------|----------------|---------------------------------|---------------------------------|---------------------------------|------------|---------------|
|-----------------|--------------|----------------|---------------------------------|---------------------------------|---------------------------------|------------|---------------|

5. Description of existing diversion works: Hiawatha Headgate #22;  
Hiawatha Canal; flood irrigation.

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FEB 22 1993

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6. Water is claimed for following purposes:

| <u>Purpose</u> | <u>From</u> | <u>To</u>  | <u>Amount</u> |
|----------------|-------------|------------|---------------|
| Irrigation     | April 1     | November 1 | 0.132 cfs     |

JUL 02 1991

Department of Water Resources  
Southern Region Office

7. Total Quantity Claimed: 0.132 cfs

8. Total consumptive use claimed is 15 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>¼</u> | <u>¼</u> | <u>Use</u> | <u>Irrig. Acres</u> |
|-----------------|--------------|----------------|----------|----------|------------|---------------------|
| 2N              | 18E          | 4              | NE       | NW       | I          | 6                   |

Total number of irrigated acres: 6

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? Portion of 37-00297.

14. Remarks: Place of use is Lots 3 and 4, Block 2, Buckhorn Subdivision No. 3 (see Attachment 1). Claimant acquired the property and water rights in September 1989 (see Attachment 2 - copy of Warranty Deed).

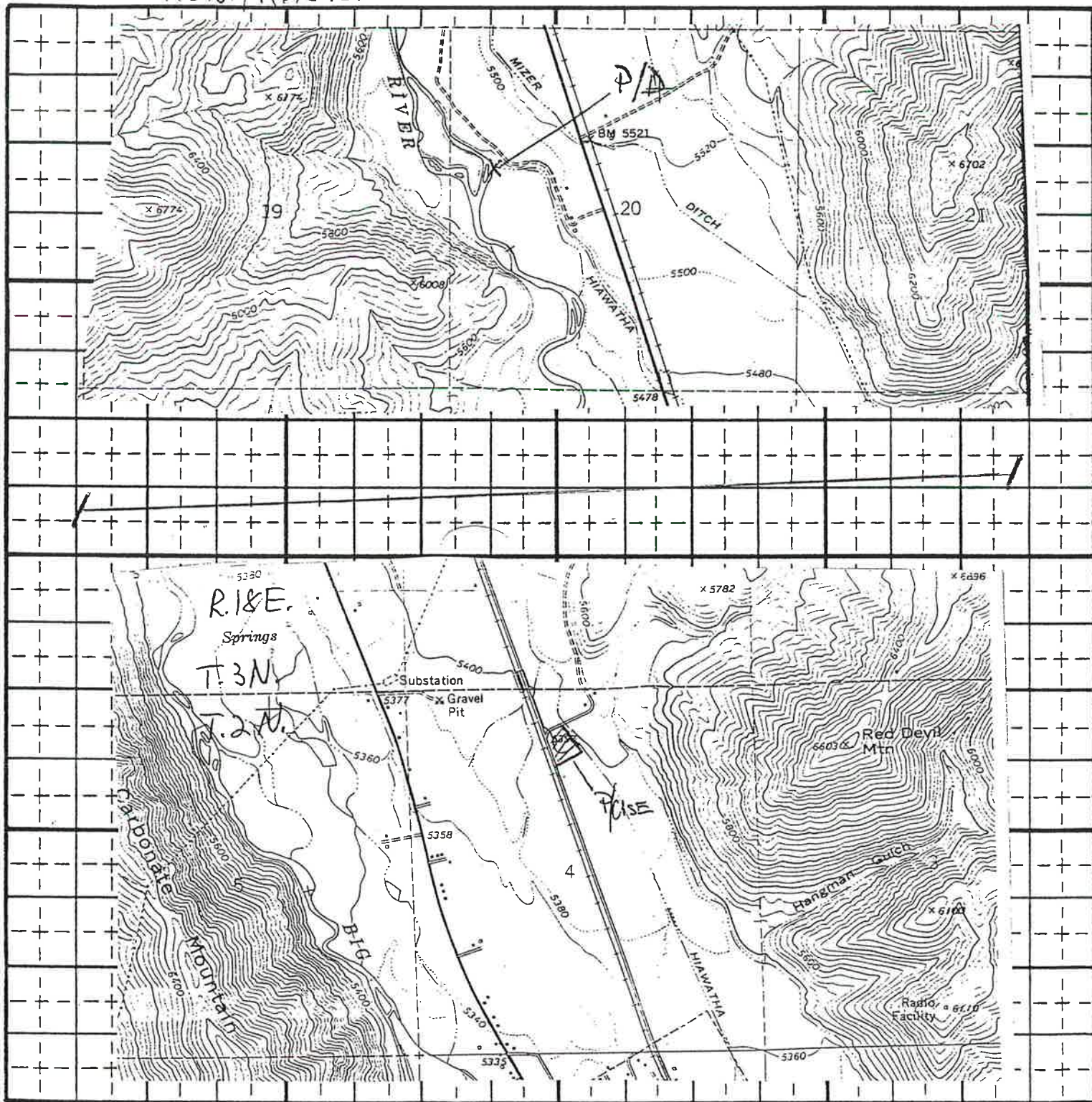
Last Name: Bonner Ident No. \_\_\_\_\_

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FEB 22 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T.3N., R.18E.



Last Name

BONNER

Ident No.

Copies: White-State, Yellow-Claimant

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FEB 22 1993

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Department of Water Resources  
Southern Region Office

15. Basis of Claim: Decree  
IDWR Water Right Number: 37-00028  
Court: Lincoln County District Court  
Case Number:  
Decree Date: December 13, 1909  
Plaintiff v. Defendant:

S.C. Frost et al v. Alturus Water Company et ux

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - 2

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

Signature of Claimant(s)

*Charles B. Bonner*

CHARLES B. BONNER

Date

*6/24/91*

*Torene E. Bonner*

TORENE E. BONNER

Date

*6/24/91*

State of California )

)

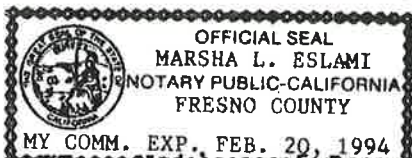
ss.

County of

*Fresno*

)

Subscribed and sworn before me this *24<sup>th</sup>* day of *June*, 1991.



Notary Public

*Marsha Es.*

Residing at

*2251 Miami, Clovis CA 93612*

Commission Expires

*2-20-94*

~~17. 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*

James P. Speck

Hogue, Speck & Aanestad

P.O. Box 987

Ketchum, ID 83340

Date:

*6/26/91*

Last Name: Bonner

Ident No.:

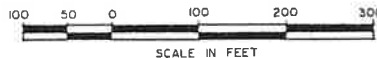
j\water\bonner1.clm

4/2/91

MICROFILMED  
FEB 22 1993

AUGUST 1989

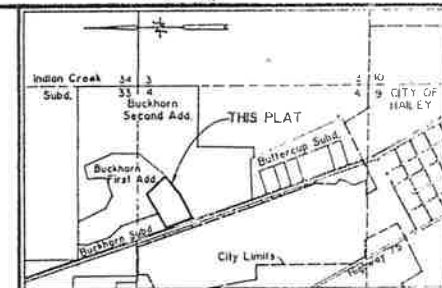
SCALE : 1" = 100'



EASIS OF BEARINGS IS BUCKHORN  
SUBDIVISION, SECOND ADDITION

**LEGEND**

- Set Brass Cap, L.S. 3621  
 ○ Found 1/2" Rebar  
 • Set 5/8" Rebar, L.S. 3621  
 • Set 1/2" Rebar, L.S. 3621  
 • Set Witness Corner, 1/2" Rebar, L.S. 3621  
 ----- Easement, Width as Shown  
 — FP — 100-Year Floodplain per FEMA Flood Insurance Study, Dated 1980



VICINITY MAP SCALE: 1" = 2000'±

## NOTES

1. A 10 foot Public Utility easement exists centered on all interior lot lines and is included within the westerly portion of the 40 foot canal easement. A 5 foot Public Utility easement exists adjacent to exterior lot lines.
2. Hiawatha Drive is a private drive with public access and shall meet the requirements of Section 917.1 of the Blaine County Subdivision Ordinance 77-6. The purchaser and/or owner of this lot or parcel understands and agrees that Hiawatha Drive construction, maintenance and snow removal shall be the obligation of the owner. His successors in interest, or homeowners' association of the Blaine County is in no way obligated to accept, maintain or improve Hiawatha Drive until it is brought up to County standards, dedicated and accepted by the county, and that the owner shall notify in writing any successor in interest of these facts.
3. Fences constructed across the Hiawatha Canal Maintenance easement shall have a gate adjacent to and on the southwest side of said canal.
4. There shall be no blockage of natural drainage, including along side any road.
5. Owners are responsible for weed control and shall follow any county regulations pertaining to weed control.
6. Notes, restrictions and conditions which affect this parcel (referred to as Lot 1, Block 1, Buchhorn No. 2) are recorded with the Blaine County Recorders Office as Instrument No. 270491, dated Feb. 1996.
7. Temporary Headgate Access Easement to be abandoned upon dedication of future access acceptable to Hiawatha Canal water users.

# REGISTRATION

JUL 02 1999

Department of Veterinary Medicine, University of California, Davis, California 95616, U.S.A.

Southern Region 26

3621  
9/12/89

BUCKHORN SUBDIVISION NO. 5

GALENA ENGINEERING, LLC  
KETCHUM, IDAHO  
SHEET 1 OF 2

Job No. 2413

Richard D. Fosbury, L. S. 3621

## SAWTOOTH TITLE CO., INC.

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

| Curve | $\Delta$  | R      | T      | L       | Ch      | Ch Bearing    |
|-------|-----------|--------|--------|---------|---------|---------------|
| C-1   | 40°38'42" | 188.36 | 26.65  | 12.34   | 80.00'  | N 57°19'20" W |
| C-2   | 40°38'42" | 188.36 | 133.62 | 133.62  | 130.84' | " "           |
| C-3   | 40°38'42" | 208.36 | 80.87  | 154.91  | 156.68' | S 57°19'21" E |
| C-4   | 53°38'21" | 107.99 | 54.60  | 100.00' | 97.44'  | S 50°49'31" E |
| C-5   | 53°38'21" | 137.99 | 69.76  | 129.86  | 124.52' | " "           |
| C-6   | 53°38'21" | 167.99 | 84.93  | 157.27  | 151.59' | N 50°49'32" W |
| C-7   | 90°00'00" | 20.00  | 20.00  | 31.42   | 28.26'  | S 69°00'21" E |
| C-8   | 90°00'00" | 20.00  | 20.00  | 31.42   | 28.26'  | S 20°59'39" E |
| C-9   | 84°53'53" | 50.00' | 45.49  | 73.63'  | 67.30'  | S 23°41'42" W |

# CERTIFICATE OF OWNERSHIP

This is to certify that I, the undersigned, am the owner in fee simple of the following described parcel of land:

Lot 1, Block 1, Buckhorn Subdivision, 2nd Addition

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements. Protective covenants governing this Subdivision are recorded under County Recorder Instrument No. 270491.

The road as shown on this plat is reserved for future development.

It is the intent of the owner to hereby include said land in this plat.

Robert M. Brennan

## ACKNOWLEDGEMENT

STATE OF Idaho } ss  
COUNTY OF Blaine

On this 12 day of September, 1989, before me, a Notary Public in and for said State, personally appeared the person whose name Robert M. Brennan subscribed to the Owner'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 the day and year in this certificate first above written.

Notary Public

## APPROVAL OF BLAINE COUNTY PLANNING AND ZONING

The foregoing plat was approved by the Blaine County Planning and Zoning Commission on this 12 day of September, 1989.

Administrator

## APPROVAL OF BLAINE COUNTY COMMISSIONERS

The foregoing plat was approved by the Blaine County Board of Commissioners on this 12 day of September, 1989.

Chairman

## SAWTOOTH TITLE CO., INC.

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

## SANITARY RESTRICTIONS

## SURVEYOR'S CERTIFICATION

I, Richard D. Fosbury, a duly licensed land surveyor in the State of Idaho, do hereby certify that this plat of Buckhorn Subdivision No. 3 is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.

## ACKNOWLEDGEMENT

STATE OF IDAHO } ss  
COUNTY OF BLAINE

On this 12 day of September, 1989, before me, a Notary Public in and for said State, personally appeared Richard D. Fosbury, known to me to be the person whose name is subscribed to the above 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 the day and year in this certificate first above written.

D. K. Hoffman 6-3-95  
Notary Public in and for the State of Idaho

## COUNTY ENGINEER'S APPROVAL

I, Jim W. Koonce, County Engineer for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.

RECEIVED

JUL 02 1991

Department of Water Resources  
Southern Region Office

## APPROVAL OF CITY COUNCIL

The foregoing plat was approved by the City Council of Holley on this 12 day of September, 1989.

City Clerk

## CITY ENGINEER'S APPROVAL

The foregoing plat was approved by Bruce T. Butler City Engineer for Holley on this 12 day of September, 1989.

City Engineer

## COUNTY TREASURER'S APPROVAL

The taxes on the foregoing parcel of land have been paid to this date and this plat of Buckhorn Subdivision No. 3 is hereby approved this 12 day of Sept, 1989.

Blaine County Treasurer

## COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO } ss  
COUNTY OF BLAINE

This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho on this 30 day of Sept, 1989, at BLAINE, and duly recorded in Plat Book 12 of page 1.

Ex-officio Recorder

Buckhorn Subdivision No. 3  
GALENA ENGINEERING, INC.  
KETCHUM, IDAHO  
SHEET 2 OF 2  
Job No. 2415

Order No. 13870

THIS DEED FURNISHED BY FIRST AMERICAN TITLE CO.

## WARRANTY DEED

For Value Received

Robert M. Brennan, an unmarried man

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JUL 02 1991

Department of Water Resources  
Southern Region Office

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto  
Charles B. Bonner and Terene E. Bonner, husband and wife  
whose address is: 1130 E. Fairmont, Fresno, CA 93704

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

Lots 3 and 4 in Block 2, of BUCKHORN SUBDIVISION NO. 3, according to the official  
plat thereof, recorded as Instrument No. 310274, records of Blaine County, Idaho.

Together with 6.51 inches of Alturas Water Co. and 19.53 inches of the Hailey  
Water power right.

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 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 incum-  
brances except as above described and that Grantor will warrant and defend the same from all lawful  
claims whatsoever.

Dated: September 18, 1989

Robert M. Brennan

Instrument No.

STATE OF Idaho COUNTY OF Blaine  
On this 20 day of September 1989  
before me, a notary public in and for said State, per-  
sonally appeared

Robert M. Brennan

proved to me on the basis of satisfactory evidence or  
known to me to be the person whose name  
subscribed to the within instrument, and acknowledged to  
me that he executed the same.

Notary Public  
Residing at Hailey  
Commission Expires 3-1-93

FIRST AMERICAN REALTY CO.

OF:

SEP 21 PM 2 23

MARY GREEN CLERK

FEES \$ 3.00

31034

MICROFILMED  
FEB 22 1993

BONNER

Amendment 2

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION  
ATTORNEYS

TERRY G. HOGUE  
JAMES P. SPECK  
DOUGLAS J. AANESTAD  
J. STEPHEN CRABTREE  
TRACY DUNLAP

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

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

July 1, 1991

CERTIFIED MAIL NO. 059-724-096  
RETURN RECEIPT REQUESTED

RECEIVED

JUL 02 1991

Mr. Loren Holmes  
Department of Water Resources  
222 Shoshone Street East  
Twin Falls, Idaho 83301

Department of Water Resources  
Southern Region Office

Re: Mr. and Mrs. Charles B. Bonner  
Notices of Claim for Portions of Water Rights  
Nos. 37-00028 and 37-00297

Dear Loren:

Enclosed you will find Notices of Claims for the above-referenced water rights which I have prepared on behalf of Mr. and Mrs. Charles B. Bonner. I have also enclosed our check payable to the Department in the sum of \$106.00 representing the total filing fees for these two Claims. I have not included any late fee and am hereby requesting such a fee be waived since the Bonner's predecessor in interest to these lots, Mr. Robert Brennan, failed to file the Claims or notify my clients of the water rights. However, if the Department is not willing to so waive the late fees, please notify me and I will immediately send the additional filing fee.

If you have any questions concerning these Claims, please call me. Once they are accepted and put into the Department's computer database, please return to me copies of the Claims as filed. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS\dmk  
Enclosures

*CKed ML3 and  
Bonner not shown.  
Accepted without late fee.  
Adm 7/2/91*

MICROFILMED  
FEB 22 1993

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20925 V1

WATER RIGHT NUMBER: 37-20925 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                            |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Current Owner     | KOSS FAMILY LTD PARTNERSHIP<br>PO BOX 277<br>HAILEY, ID 83333                                                                      |
| Attorney          | JAMES P SPECK<br>SPECK & AANESTAD<br>PO BOX 987<br>KETCHUM, ID 83340<br>(208)726-4421                                              |
| Original Owner    | RON WILCOX<br>PO BOX 2382<br>SUN VALLEY, ID 83353<br>(208)726-4397                                                                 |
| Original Owner    | LORRAINE WILCOX<br>PO BOX 2382<br>SUN VALLEY, ID 83353<br>(208)788-7329                                                            |
| Previous Owner    | GEORGE PETER KOSS 2001 REVOCABLE TRUST<br>GEORGE PETER KOSS TRUSTEE<br>PO BOX 277<br>HAILEY, ID 83333<br>(208)788-5677             |
| Previous Owner    | VICTORIA JANE KERR KOSS 2001 REVOCABLE TRUST<br>VICTORIA JANE KERR KOSS TRUSTEE<br>PO BOX 277<br>HAILEY, ID 83333<br>(208)788-5677 |

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| BIG WOOD RIVER | MALAD RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/15 to 10/31          | 0.190 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.190 CFS             |                      |

Location of Point(s) of Diversion

|                |              |                                 |
|----------------|--------------|---------------------------------|
| BIG WOOD RIVER | SW 1/4NW 1/4 | Sec. 20, Twp 03N, Rge 18E, B.M. |
| BLAINE County  |              |                                 |

Place of Use

IRRIGATION

|    |     |     |    |    |    |    |    |    |    |    |    |  |    |  |    |  |        |
|----|-----|-----|----|----|----|----|----|----|----|----|----|--|----|--|----|--|--------|
| Tw | Rge | Sec |    | NE |    | NW |    | SW |    | SE |    |  |    |  |    |  |        |
|    | NE  |     | NW |    | SW |    | SE |    | NE |    | NW |  | SW |  | SE |  | Totals |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 37-20925 V1

|         |   |  | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|---------|---|--|----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 02N 18E | 4 |  |    | .8  | 8.6 |    |    |    |    |    |    |    |    |    |    |    |    |    | 9.4    |
|         |   |  |    | L 2 |     |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total Acres: 9.4

Conditions of Approval:

1. J01 Property is also known as Lot 3D of a replat of Lot 4, Block 1, Buckhorn Subdivision, Second Addition and Lots 3A and 3B, Buttercup Meadows Subdivision.
2. E55 Right Nos. 37-20925 and 37-20927 are limited to the irrigation of a combined total of 9.4 acres in a single irrigation season.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. csaxton 1/17/2007 From Claim (1)

Comment: THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-28E.

2. csaxton 1/17/2007 NOE

Comment: POU limiting condition added per NOE. Note, that no limiting condition on diversion rate was added despite the combine diversion rate is well over one inch per acre. Per Chris Bromley, it is not uncommon for rights in this area to be over one inch per acre.

3. csaxton 2/15/2007 POU

Comment: Changed POU to include only the lot described in the claim. Updated PLS.

Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20924 V1

WATER RIGHT NUMBER: 37-20924 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                               |
|-------------------|---------------------------------------------------------------------------------------|
| Attorney          | JAMES P SPECK<br>SPECK & AANESTAD<br>PO BOX 987<br>KETCHUM, ID 83340<br>(208)726-4421 |
| Current Owner     | RON WILCOX<br>PO BOX 2382<br>SUN VALLEY, ID 83353<br>(208)726-4397                    |
| Current Owner     | LORRAINE WILCOX<br>PO BOX 2382<br>SUN VALLEY, ID 83353<br>(208)788-7329               |

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| BIG WOOD RIVER | MALAD RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/15 to 10/31          | 0.630 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.630 CFS             |                      |

Location of Point(s) of Diversion

|                |              |                                 |
|----------------|--------------|---------------------------------|
| BIG WOOD RIVER | SW 1/4NW 1/4 | Sec. 20, Twp 03N, Rge 18E, B.M. |
| BLAINE County  |              |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |      |    | NW |    |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|------|----|----|----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW   | SE | NE | NW | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 02N | 18E | 4   |    |    | 27.6 |    |    |    | 3.0 |    |    |    |    |    |    |    |    |    | 30.6   |

Total Acres: 30.6

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Property also known as Lot 4A, Buckhorn, 2nd Add. & Lot 3C, Buttercup Subdivision.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20924 V1

3. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-28E.

Remarks:

Comments:

Water Supply Bank:

02/08/2007

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

RIGHT NUMBER: 37-20327

NAME AND ADDRESS: CAT TRACK SELECT LLC  
PO BOX 3308  
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.198 CFS

PRIORITY DATE: 11/26/1886

POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.198 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04 NENW 3.00

3 ACRES TOTAL

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

Property is also known as Lot 3, Blk 2, Buckhorn Subd. No. 3.

10/20/2006

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

RIGHT NUMBER: 37-20327

NAME AND ADDRESS: CAT TRACK SELECT LLC  
PO BOX 3308  
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.198 CFS

PRIORITY DATE: 11/22/1886

POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.198 CFS

PLACE OF USE:

IRRIGATION Within BLAINE County

T02N R18E S04 NENW 3.00

3 ACRES TOTAL

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

Property is also known as Lot 3, Blk 2, Buckhorn Subd. No. 3.



# Idaho Department of Water Resources

SRBA Recommendation:

**37-20327**

(Irrigation)

## Legend

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



Blaine County  
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by A. Warntjes  
On Friday, October 20, 2006  
1987/88 Aerial Photography

20327

RECEIVED

SEP 14 2000

Department of Water Resources

**Claimants Names:**

**Peter Brinkman**

**Paul Brinkman**

**Attorney Name & Address:**

**James P. Speck, ISB#2067**

**Speck & Aanestad**

**A Professional Corporation**

**120 East Avenue**

**P. O. Box 987**

**Ketchum, Idaho 83340**

**(208) 726-4421**

**FAX: (208) 726-0752**

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

**In Re SRBA**

**Case No. 39576**

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**NOTICE OF APPEARANCE**

**DESCRIPTIVE SUMMARY**

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DATED this 9 day of August, 2000.

SPECK & AANESTAD  
A Professional Corporation

By

  
James P. Speck

### CERTIFICATE OF SERVICE

I hereby certify that on the 9 day of August, 2000, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

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

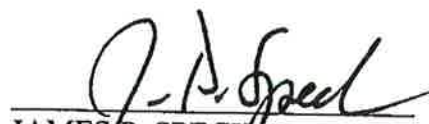
- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

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

- ☒ United States Mail, Postage Prepaid
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Idaho Department of Water Resources  
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P.O. Box 83720  
Boise, ID 83720-0098

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JAMES P. SPECK

**SPECK & AANESTAD**

A PROFESSIONAL CORPORATION  
ATTORNEYS

120 EAST AVENUE  
POST OFFICE BOX 987  
KETCHUM, IDAHO 83340

JAMES P. SPECK  
DOUGLAS J. AANESTAD  
BENJAMIN W. WORST

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

February 5, 2001

RECEIVED  
FEB 06 2001  
Department of Water Resources  
Southern Region

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

**RE: Notice of Change in Water Right Ownership - Cat Track Select, LLC**  
**Our File No.: 000234**

Dear Allen:

Enclosed you will find a Notice of Change in Water Right Ownership signed by Cat Track Select, LLC, an Idaho limited liability company. My client recently purchased Lot 3 in Block 2 of Buckhorn Subdivision No. 3 together with the water rights described in the deeds. Please receipt date stamp the enclosed copy of the Notice and return it to me in the self addressed and postage prepaid envelope I have included for that purpose. Kindly call me right away if you have any questions about this Notice.

Thank you.

Sincerely yours,

SPECK & AANESTAD  
A Professional Corporation

By: \_\_\_\_\_

James P. Speck

JPS:rsd

enclosures

cc: Client, w/encl.  
Scott Nicastro, w/encl.



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

November 24, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

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

RE: Change of Ownership of SRBA Claims 37-00297L & 37-00028G

Dear Mr. Speck,

Pursuant to your request for a change in ownership and/or the notification that your clients recently purchased portions of the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owner as requested for right listed above.

Please find enclosed a copy of the adjudication report, as it now appears in our records. Please refer to these numbers, 37-20327L, 37-20328, 37-20357 & 37-20358, in your future correspondence with IDWR. I did not forward copies of these claims to your clients at this time since you are listed as attorney of record for both parties.

If you have any further corrections or questions please contact our office.

Sincerely,

STEVE CLELLAND  
Sr. Water Resource Agent

ENC:

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

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Southern Region

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

**RE: Notice of Change in Water Right Ownership - A37-00297L and A37-00028G  
Peter Brinkman  
Our File No.: 990150**

Dear Allen:

I represent Peter Brinkman. Enclosed you will find a Notice of Change in Water Right Ownership for portions of the above-referenced claims filed in the SRBA together with a Notice of Appearance by my firm for Mr. Brinkman for his portions of these claimed water rights. I have also included copies of these documents and a stamped and pre-addressed return envelope. Please place the Department's receipt/date stamp on the copies of the documents and return them to me. I have also included our check in the sum of \$100 as the filing fee for this water right ownership change.

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

Sincerely yours,

SPECK & AANESTAD  
A Professional Corporation

By: Jim  
James P. Speck

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

**Claimants Names:**

Peter Brinkman  
Paul Brinkman

**Attorney Name & Address:**

James P. Speck, ISB#2067  
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In Re SRBA

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By   
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By: Jim  
James P. Speck

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**Paul Brinkman**

**Attorney Name & Address:**

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