

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:
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: 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
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.
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) and
deeds received 2/6/01.

15. Basis of Claim: Decreed

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

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

RECEIVED
FEB 06 2001
 Department of Water Resources
 Southern Region

- I. 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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-0028G</u>	<u>37-20367</u>	☐	_____	_____	☐
<u>37-00297I</u>	<u>37-20327L</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. 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

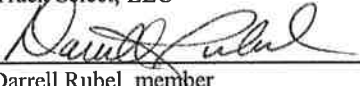
6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water 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 (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New owner(s) or Claimant(s)
(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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Order No. 21286

QUITCLAIM DEED

390969

FOR VALUE RECEIVED

BLAINE CO. REQUEST

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

~~SAWTOOTH TITLE~~

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

'96 JUN 5 PM 1 33

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

CLERK

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

FEES \$ 300

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.

together with their appurtenances.

Dated: May 21, 1996



Charles B. Bonner



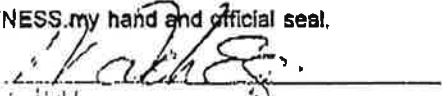
Torene E. Bonner

State of California

County of Fresno

On this 30th day of May, in the year 1996, before me, the undersigned, personally appeared Charles B. Bonner and Torene 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.



MARSHA C. J. AMI

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.

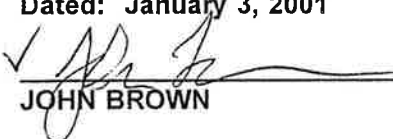
TOGETHER WITH ALL OF THE WATER RIGHTS APPURTENANT THERETO INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

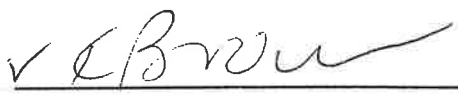
STATE WATER RIGHT #37-0028G PRIORITY DATE OF 3-24-1883 3.25"

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

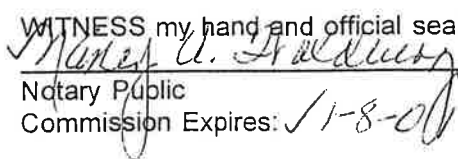

JOHN BROWN


KAREN BROWN

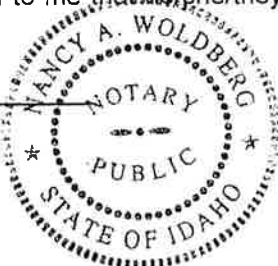
State of California *Idaho* }
County of *Blaine* } ss.
}

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

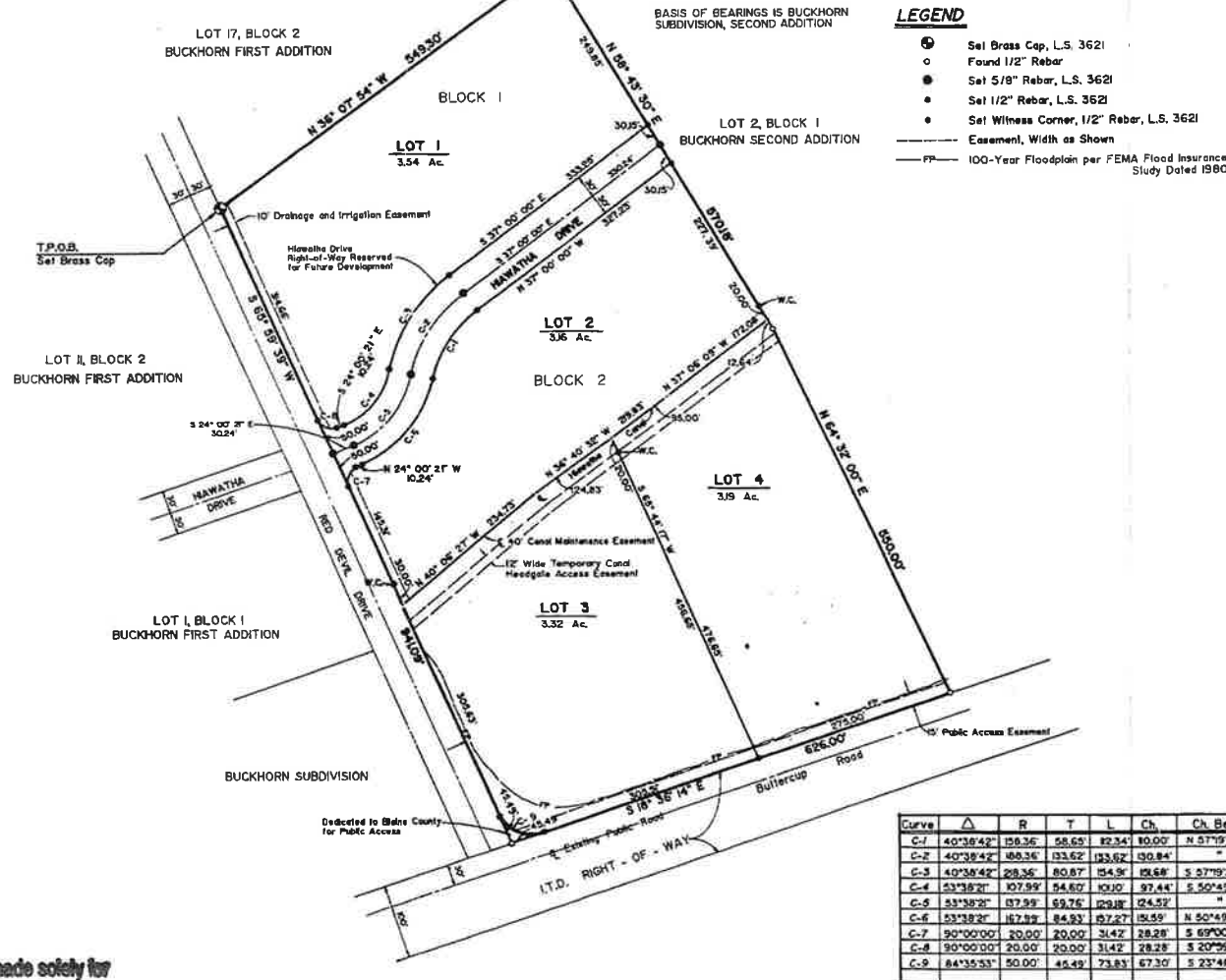
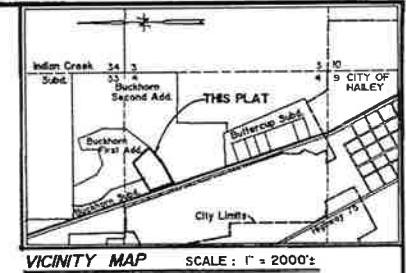
Commission Expires: 1-8-01



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'

100 50 0 100 200 300
 SCALE IN FEET



NOTES

- 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.
- Hawatha Drive is a private drive with public access and shall meet the requirements of Section 517.1 of the Blaine County Subdivision Ordinance 77-6. The purchaser and/or owner of this lot or parcel understands and agrees that Hawatha Drive construction, maintenance and snow removal shall be the obligation of the owner, his successors in interest, or homeowners association and that Blaine County is in no way obligated to accept, maintain or improve Hawatha 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.
- Fences constructed across the Hawatha Canal Maintenance easement shall have a gate adjacent to and on the southwest side of said canal.
- There shall be no blockage of natural drainage, including along side any road.
- Owners are responsible for weed control and shall follow any county regulations pertaining to weed control.
- Notes, restrictions and conditions which affect this parcel (referred to as Lot 1, Block 1, Buckhorn No. 2) are recorded with the Blaine County Recorders Office as Instrument No. 270491, dated Feb. 1986.
- Temporary Headgate Access Easement to be abandoned upon dedication of future access acceptable to Hawatha Canal water users.

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.

Richard D. Fosbury, L.S. 3621

BUCKHORN SUBDIVISION NO. 3
 SALENA ENGINEERING, INC.
 KETCHUM, IDAHO
 SHEET 1 OF 2
 Job No. 2415

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	A37-00297L	X	_____	_____	_____
_____	A 37-00028G	X	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

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
(If the right(s) will not be split, skip this area and proceed to item 7)

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

Peter Brinsford

For Office Use only

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

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



LORENE MARCHETTI
COMM. #1002949
NOTARY PUBLIC - CALIFORNIA
FRESNO COUNTY
My Comm. Exp. August 22, 1997

308106

Deed

SUN VALLEY TITLE

SUN VALLEY TITLE

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

Mary Green CLERK

FEES \$

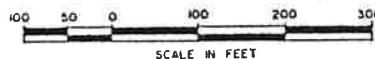
3.00

TIPP

A REPLAT OF LOT 1, BLOCK 1, BUCKHORN SUBDIVISION, SECOND ADDITION

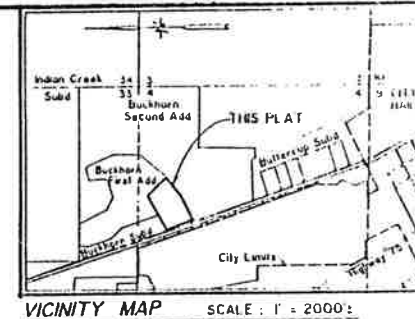
SECTION 4, T.2 N., R.18 E., B.M., BLAINE COUNTY, IDAHO

SCALE : 1" = 100'



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 Wilness Corner, 1/2" Rebar, L.S. 3621
 --- Easement, Width as Shown
 --- FP --- 100-Year Floodplain per FEMA Flood Insurance Study Dated 1980



NOTES

1. A 10 foot Public Utility easement exists centered on all exterior lot lines and is located within the westerly portion of the 40 foot canal easement. A 5 foot Public Utility easement exists adjacent to exterior lot lines.
2. Howeltha Drive is a private drive with public access and shall meet the requirements of Section 9173 of the Blaine County Subdivision Ordinance. The purchaser and/or owner of this lot or parcel understands and agrees that Howeltha Drive construction, maintenance and snow removal shall be the obligation of the owner. His successors in interest, or homeowners association. That Blaine County is in no way obligated to accept, maintain or improve Howeltha 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 Howeltha 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 1, Block 1, Section 20, 2) are recorded with the Blaine County Recorder's Office as Instrument No. 270491, dated Feb 1986.
7. Temporary Headgate Access Easement to be abandoned upon dedication of future access acceptable to Howeltha Canal water user.

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

Curve	Δ	R	T	I	Ch	Ch Bearing
C-1	40°36'42"	158.36	33.62	12°34'	80.00	N 57°19'20" W
C-2	40°36'42"	166.36	133.62	13°42'	130.84	
C-3	40°36'42"	218.36	80.87	15°41'	156.68	S 57°19'21" E
C-4	53°23'21"	107.99	54.60	10°00'	97.44	S 50°14'31" E
C-5	23°23'21"	137.99	65.76	12°18'	124.52	
C-6	23°23'21"	169.76	84.93	15°27'	150.49	S 50°49'32" W
C-7	80°00'00"	20.00	20.00	34°42'	28.28	S 69°00'21" E
C-8	80°00'00"	20.00	20.00	31.42	28.28	S 20°59'39" W
C-9	84°32'53"	50.00	45.49	73.83	67.30	N 23°41'42" W

Richard D. Fosbury, L. S. 3621

BUCHHOFFER SUBDIVISION, 14

GALFINA EUGENIEFF HUNG, H
FETTERMAN, ARIZONA
SHEET 1 OF 2

July 14, 2415

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 A37-000280
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>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</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>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	---------------------------------	---------------------------------	---------------------------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</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>1/4</u>	<u>1/4</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).

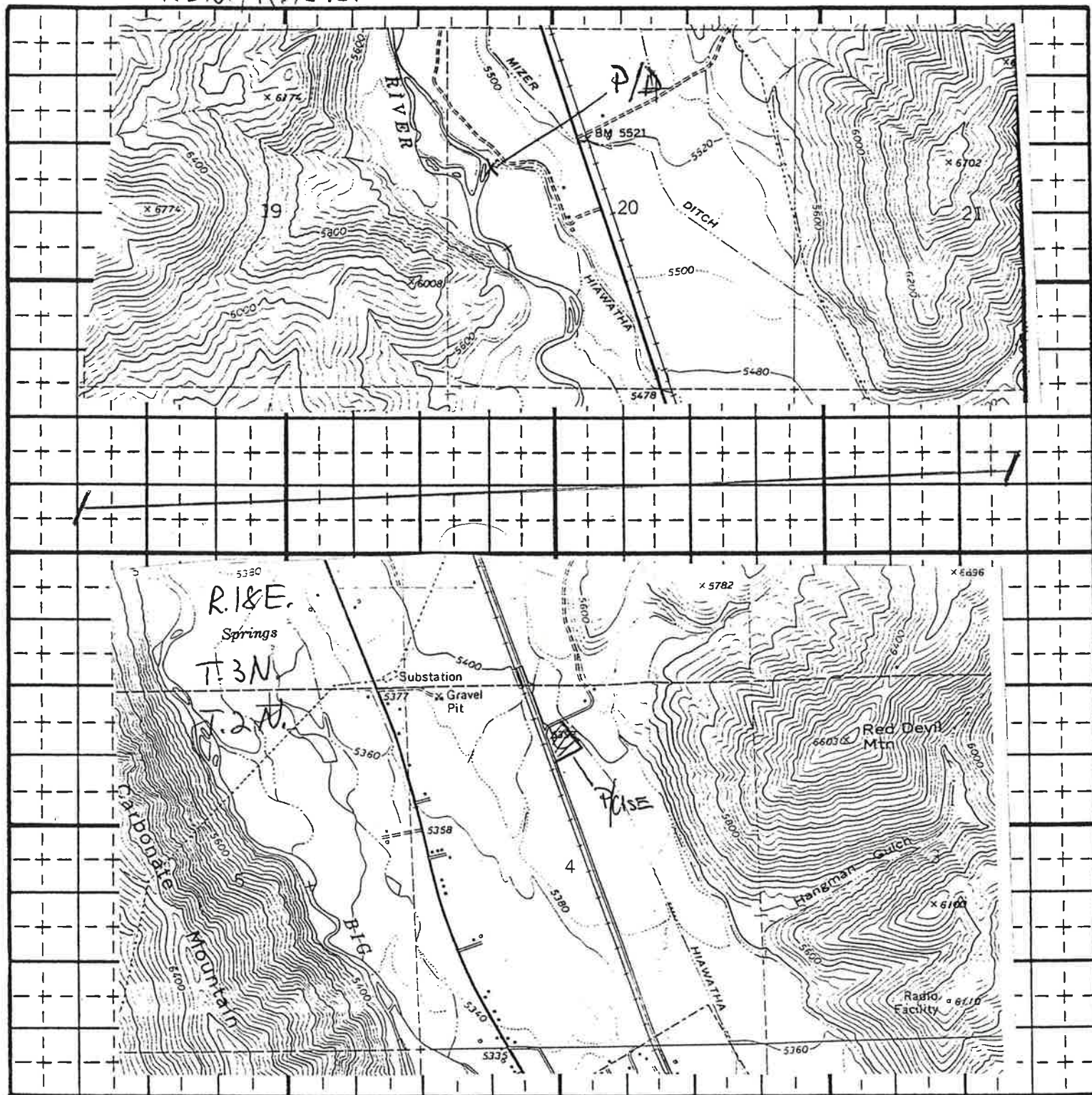
Last Name: Bonner Ident No. _____

MICROFILMED
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

RECEIVED

JUL 02 1991

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

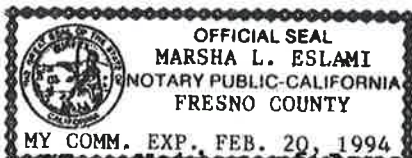
6.24.91

State of California)

) ss.

County of Fresno)

Subscribed and sworn before me this 24th day of June, 1991.



Notary Public Marsha Esami

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 & Aanstad
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

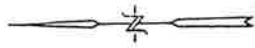
BUCKHORN SUBDIVISION NO. 3

A REPLAT OF LOT I, BLOCK I, BUCKHORN SUBDIVISION, SECOND ADDITION

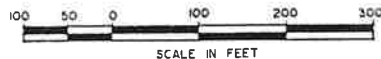
LOCATED IN

SECTION 4, T.2 N., R.18 E., B.M., BLAINE COUNTY, IDAHO

AUGUST 1989



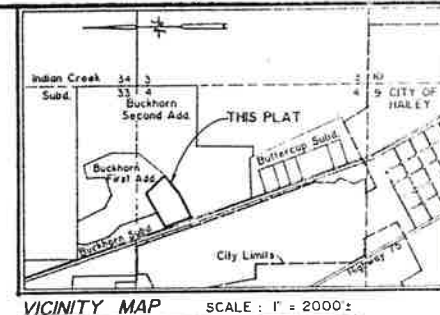
SCALE: 1" = 100'



BASIS 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
- 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 9.171 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 and that 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 I, Buckhorn No. 2) are recorded with the Blaine County Recorders Office as Instrument No. 270491, dated Feb. 1986.
7. Temporary Headgate Access Easement to be abandoned upon dedication of future access acceptable to Hiawatha Canal water users.

RECEIVED

JUL 02 1991

Department of Water

Southern Region



Curve	Δ	R	T	L	Ch	Ch Bearing
C-1	40°38'42"	158.36	28.65	82.34	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"	218.36	80.87	154.91	151.68'	S 57°19'21" E
C-4	53°38'21"	107.99	54.60	101.10	97.44'	S 50°49'31" E
C-5	53°38'21"	137.99	69.76	128.16	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	28.28'	S 69°00'21" E
C-8	90°00'00"	20.00	20.00	31.42	28.28'	S 20°59'39" W
C-9	84°35'53"	50.00	45.49	73.83	67.30'	S 23°41'42" W

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.

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 subscribed to the Owner's Certificate and acknowledged to me that 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.

[Signature]
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 Sept, 1989.

[Signature]
Administrator

APPROVAL OF BLAINE COUNTY COMMISSIONERS

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

[Signature]
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.

[Signature]
7/12/89

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.

Dorothy 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 Hailey on this 11 day of September, 1989.

[Signature]
City Clerk

CITY ENGINEER'S APPROVAL

The foregoing plat was approved by Bruce T. Bulger City Engineer for Hailey on this 12 day of Sept, 1989.

[Signature]
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.

[Signature]
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 12 day of Sept, 1989, at 11:44 A.M., and duly recorded in Plat Book 12, of page 2.

[Signature]
Ex-officio Recorder

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

BOBNER
Attachment #1

RECORDED
FEB 22 1993

Order No. 13870

THIS SLIP FURNISHED BY FIRST AMERICAN TITLE CO.

WARRANTY DEED

For Value Received
Robert M. Brennan, an unmarried man

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

RECEIVED

JUL 02 1991

Department of Water Resources
Southern Region Office

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
Robert M. Brennan

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 TITLE CO.
OF: Idaho

SEP 21 PM 2 23

MARY GREEN CLERK

FEES \$ 3.00

310341

MICROFILMED
FEB 22 1993

BONNER

ATTACHMENT 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

Department of Water Resources
Southern Region Office

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

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

Jim
James P. Speck

JPS\dmk
Enclosures

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

MICROFILMED
FEB 22 1993

RECEIVED

SEP 14 2000

Form 42-248/42-1409(6) July, 2000

Department of Water Resources

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

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 is limited to a portion of the water right, then enter the following information:

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
 (If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number A37-000028G

Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u>0.066 cfs</u>	<u>3 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.066 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u> A37-00297L </u>		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u> 0.198 cfs </u>	<u> 3 acres </u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u> 0.198 cfs </u>	

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

(Peter Brinsford)

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 _____

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 17, 1996

Charles B. Bonner
 Charles B. Bonner

Torene E. Bonner
 Torene E. Bonner

STATE OF CALIFORNIA

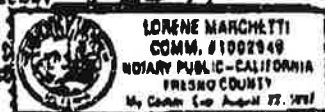
COUNTY OF *Fresno*

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: *1514 E. Yartikian*
 Comm. expires: *8-22-97*

Seal/Stamp



308106

TO: N. CO. REQUEST

SUN VALLEY TITLE

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

Mary Green CLERK mpp

FEES \$ 3.00

VICINITY MAP SCALE - 1" = 2000'

July 14, 241°

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 37-20327L
Date Received: 8/16/00
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:

37-20327L

02/27/2001

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-0028G	37-20367	☐			☐
37-00297I	37-20327L	☐			☐
		☐			☐
		☐			☐
		☐			☐

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

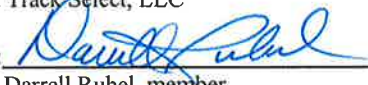
If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** 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 (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New owner(s) or Claimant(s)
(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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Order No. 21286

QUITCLAIM DEED

390969

FOR VALUE RECEIVED

Charles B. Bonner and Torene 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

SAWTOOTH TITLE

'96 JUN 5 PM 1 33

RECEIVED, CLERK

FEES \$ 3.00

together with their appurtenances.

Dated: May 21, 1996



Charles B. Bonner



Torene E. Bonner

State of California

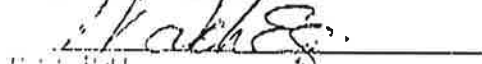
}

County of Fresno

}ss.

On this 30th day of May, in the year 1996, before me, the undersigned, personally appeared Charles B. Bonner and Torene 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.




MARSHA TSAMI

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"

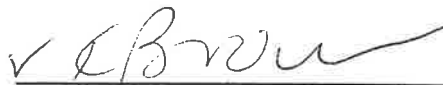
STATE WATER RIGHT #37-0297I PRIORITY DATE OF 11-26-1886 9.77"

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

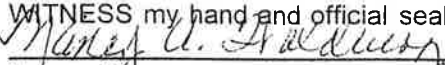


KAREN BROWN

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

On this 8th 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



This sitech 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 37-20327L
Date Received: 8/16/00
Receipt No:
Received By:

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

1. Name of Claimant(s)

Name: CHARLES B BONNER Phone: (208)726-4397

Address: 1130 E FAIRMONT
FRESNO CA USA 93704

Name: TORENE E BONNER Phone: (208)726-4397

Address: 1130 E FAIRMONT
FRESNO CA USA 93704

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
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.

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	A37-00297L	X			
	A 37-00028G	X			

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 sc

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 (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u> A37-000028G </u>		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u> 0.066 cfs </u>	<u> 3 acres </u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u> 0.066 cfs </u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u> A37-00297L </u>		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u> 0.198 cfs </u>	<u> 3 acres </u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u> 0.198 cfs </u>	

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

Peter Brim (sudan)

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 _____
 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 Terene 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

Terene E. Bonner

STATE OF CALIFORNIA

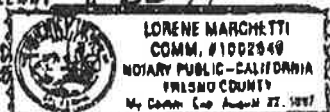
COUNTY OF Fresno

On this 29 day of February 1996, before me a Notary Public in and for said State, personally appeared Charles B. Bonner and Terene 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.

Notary Public

Residing at: 1314 E. Yartikian
Comm. expires: 8-22-97

Seal/Stamp



308106

SUN VALLEY TITLE

SUN VALLEY TITLE

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

Mary Green CLERK
FEES \$ 3.00

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'

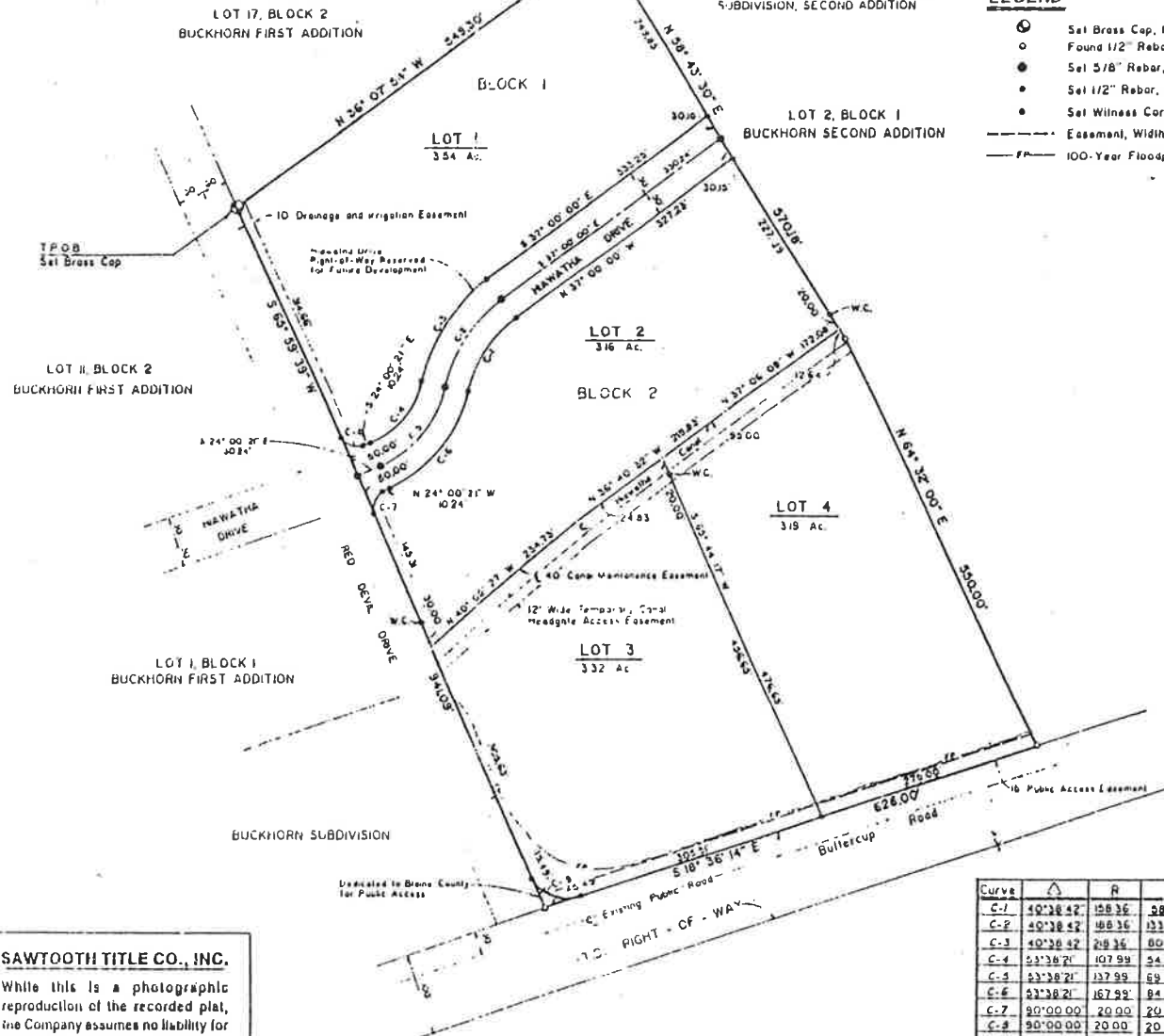
SCALE IN FEET

BASIS 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
- 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 2 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 9171 of the Blaine County Subdivision Ordinance. 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 and that 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 successors 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 lot.
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, Buckhorn No. 2) are recorded with the Blaine County Recorder's Office as Instrument No. 270491, dated Feb. 1986.
7. Temporary Headgate Access Easement to be abandoned upon dedication of future access acceptable to Hiawatha Canal water users.

Curve	Δ	R	T	I	Ch	Ch Bearing
C-1	40°38'42"	158.36	38.62	12.34	80.00'	N 67°19'20" W
C-2	40°38'42"	158.36	38.62	12.34	130.84'	"
C-3	40°38'42"	249.36	80.87	19.49	151.68'	S 27°19'21" E
C-4	23°38'21"	107.99	24.60	10.10	87.44'	S 90°49'31" E
C-5	23°38'21"	137.99	69.76	12.58	124.92'	"
C-6	23°38'21"	167.99	84.93	15.27	151.59'	N 50°49'32" W
C-7	90°00'00"	20.00	20.00	31.42	28.28'	S 69°00'21" E
C-8	90°00'00"	20.00	20.00	31.42	28.28'	S 20°59'39" W
C-9	84°20'33"	30.00	45.49	73.83	67.30'	S 23°41'42" W

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.

Richard D. Fosbury, L.S. 3621

BUCKHORN SUBDIVISION NO. 3

LOT 1, BLOCK 1, BUCKHORN NO. 2
RECORDED WITH
SHEET 1 OF 2

JOB NO. 2415

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: **A37-00297L**
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: NOV 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
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	0.396		

7. Total Quantity Appropriated is:

0.396 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 1991

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:
A37-00028G

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: _____

MICROFILMED
FEB 22 1993

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

RECEIVED

JUL 02 1991

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
Department of Water Resources
Southern Region Office

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 A37-00297L
Date Received _____
Receipt Number 5013499 *AD*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

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: November 22, 1886

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>1/4</u>	<u>1/4</u>	<u>1/4</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>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>

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

FILED
FEB 22 1993

RECEIVED

JUL 02 1991

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	0.396 cfs

Department of Water Resources
Southern Region Office

7. Total Quantity Claimed: 0.396 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>1/4</u>	<u>1/4</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 37-00028.

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. _____

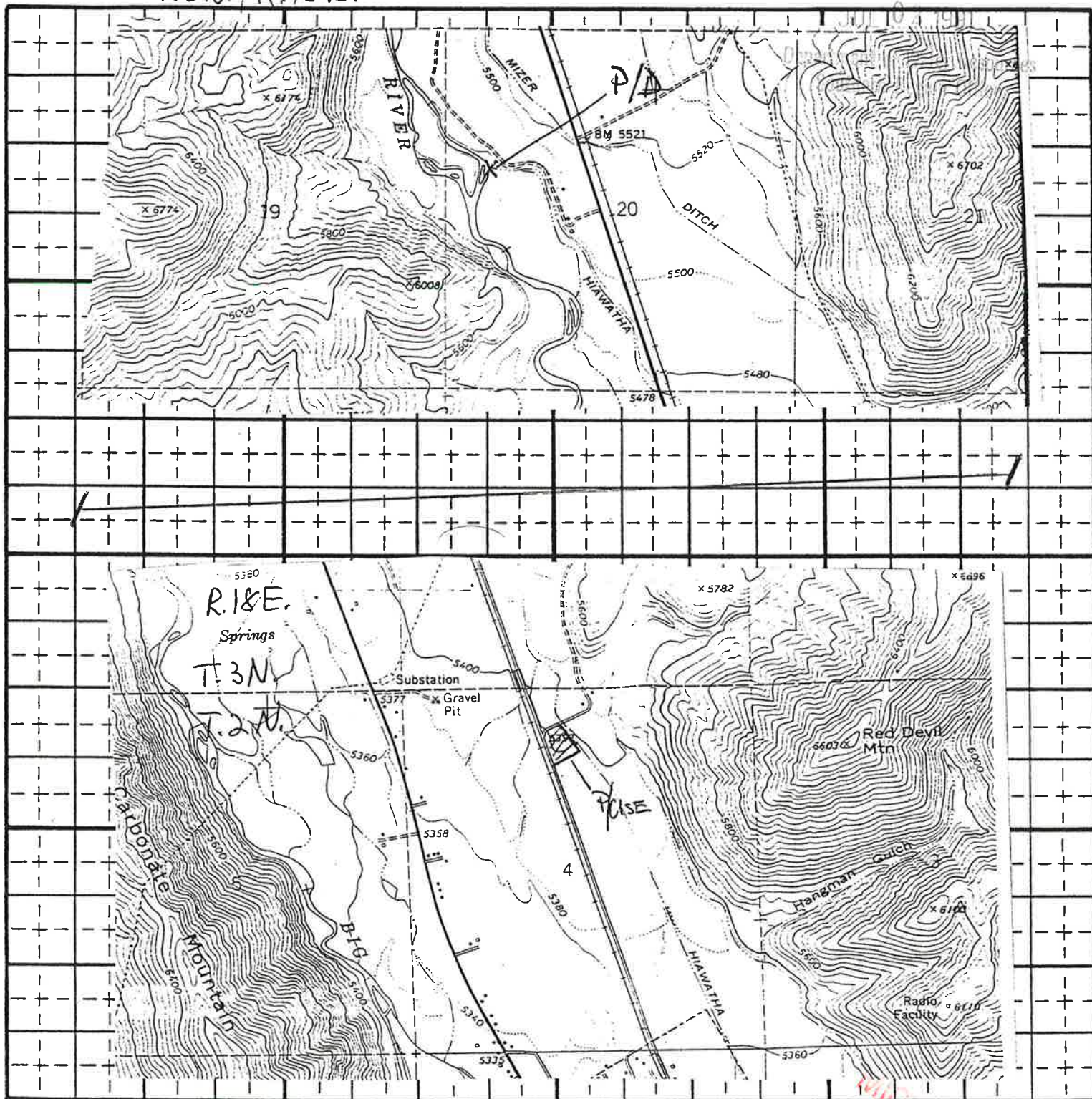
MICROFILMED
FEB 22 1993

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

Scale: 2 inches equals 1 mile

RECEIVED

T.3N., R.18E.



Last Name BONNER

Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED
FEB 22 1993

15. **Basis of Claim:** Decree
IDWR Water Right Number: 37-00297
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

RECEIVED

JUL 02 1991

Department of Water Resources
Southern Region Office

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

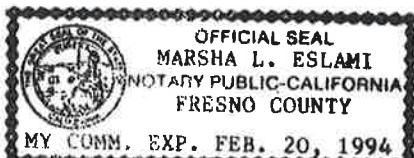
Date 6-24-91

State of California)

County of Fresno)

ss.

Subscribed and sworn before me this 24th day of June, 1991.



Notary Public Marsha L. ESLAMI
Residing at 2251 Miami, Clovis CA 93612
Commission Expires 2-20-94

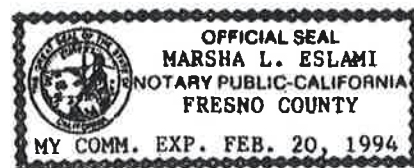
17. **Notice of Appearance:**

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\bonner2.clm

4/2/91

RECEIVED
FEB 22 1993

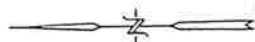
BUCKHORN SUBDIVISION NO. 3

A REPLAT OF LOT I, BLOCK I, BUCKHORN SUBDIVISION, SECOND ADDITION

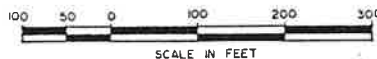
LOCATED IN

SECTION 4, T.2 N., R.18 E., B.M., BLAINE COUNTY, IDAHO

AUGUST 1989



SCALE: 1" = 100'



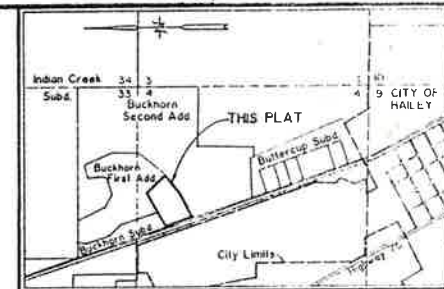
EASIS OF BEARINGS IS BUCKHORN SUBDIVISION, SECOND ADDITION

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**

- 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.
- Hiawatha Drive is a private drive with public access and shall meet the requirements of Section 9171 of the Blaine County Subdivision Ordinance 77. 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, and that 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.
- Fences constructed across the Hiawatha Canal Maintenance easement shall have a gate adjacent to and on the southwest side of said canal.
- There shall be no blockage of natural drainage, including along side any road.
- Owners are responsible for weed control and shall follow any county regulations pertaining to weed control.
- Notes, restrictions and conditions which affect this parcel (referred to as Block I, Buckhorn No. 2) are recorded with the Blaine County Records Office as Instrument No. 270491, dated Feb. 1986.
- Temporary Headgate Access Easement to be abandoned upon dedication of future access acceptable to Hiawatha Canal water users.

RECEIVED

JUL 02 1991

Department of Water Resources

Southern Region Office

BUCKHORN SUBDIVISION NO. 3

Richard D. Fosbury, L.S. 3621

GALENA ENGINEERING, INC.
KETCHUM, IDAHO
SHEET 1 OF 2

JOB No. 2415

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.

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 Sept, 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.

[Signature]
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 Sept, 1989.

[Signature]
Administrator

APPROVAL OF BLAINE COUNTY COMMISSIONERS

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

[Signature]
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.

[Signature]
9/12/89

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.

Dorothy 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.

Jim W. Koonce
9/11/89

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 Hailey on this 11 day of Sept, 1989.

Constance M. Elway
City Clerk

CITY ENGINEER'S APPROVAL

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

[Signature]
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.

[Signature]
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 20 day of Sept, 1989, at 11:44 A.M., and duly recorded in Plot Book 1 of page 1.

[Signature]
Ex-officio Recorder

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

Job No. 2415

Order No. 13870

THIS SLAB FURNISHED BY FIRST AMERICAN TITLE CO

WARRANTY DEED

For Value Received

Robert M. Brennan, an unmarried man

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

RECEIVED

JUL 02 1991

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. 316274, 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

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 REAL ESTATE

OF:

SEP 21 PM 2 23

MARY GREEN CLERK

FEES \$ 3.00

310341

MICROFILMED
FEB 22 1993

BONNER ATTACHMENT #1

10/17/2006

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

RIGHT NUMBER: 37-20357

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

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.066 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T03N R18E S20 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 10/31	0.066 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 Subdivision. No. 3.



Idaho Department of Water Resources

SRBA Recommendation:

37-20357

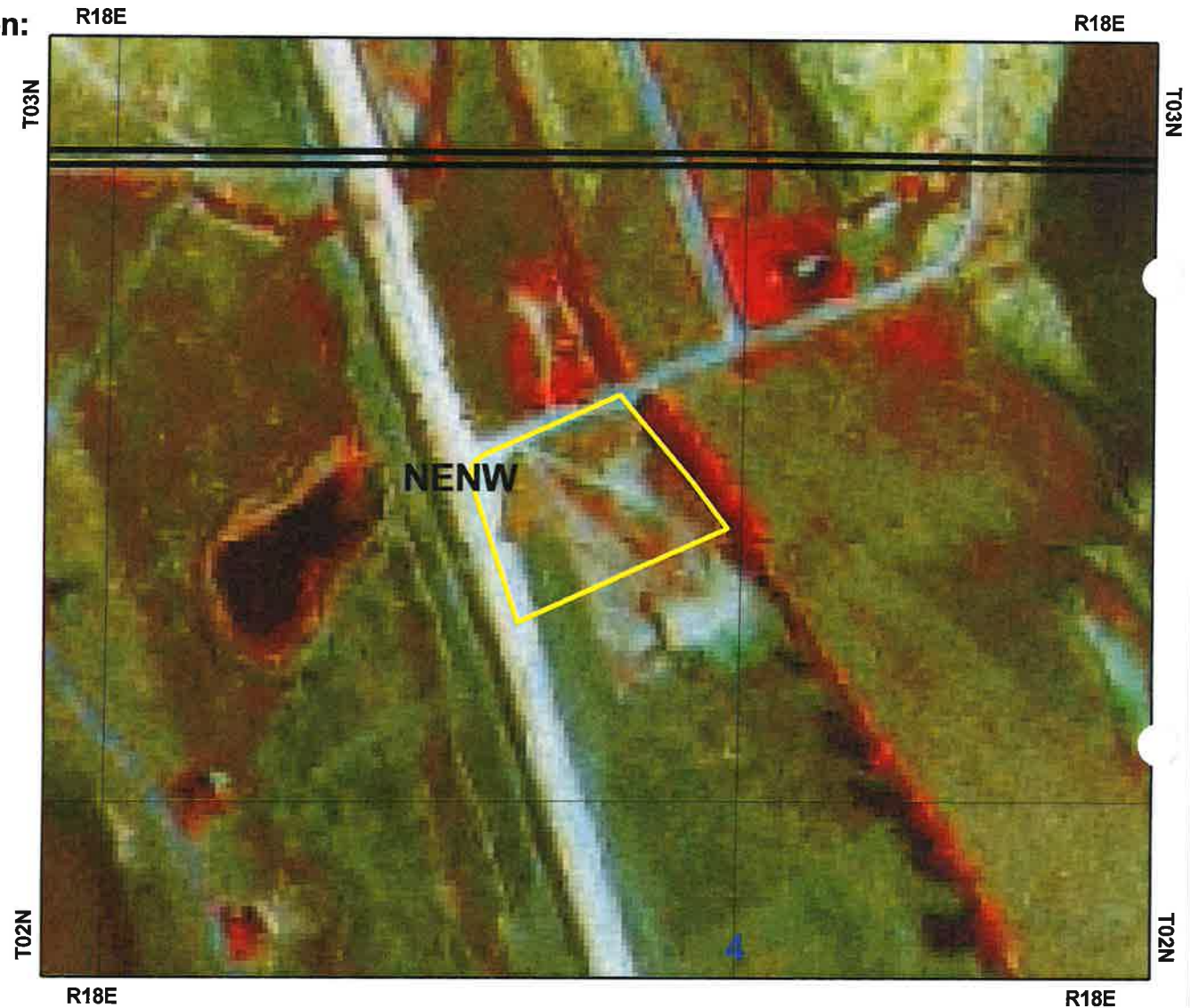
(Irrigation)

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 Tuesday, October 17, 2006
1987/88 Aerial Photography

37-28 Splits

	CFS
37-28 Robert Sheffer 43, Blk 1, Buckhorn Sub #1	0.04
37-28A John Bazovsky Lot 7, Blk 1, Buckhorn Sub #1	0.04
37-28B The Jeffrey K Rice Family Lot 6, Blk 1, Buckhorn Sub #1	0.04
37-28C Karin t. Martin Lot 4, Blk 1, Buckhorn Sub #1	0.02
37-28D Clifford Tamera Lot 1, Blk 1, Buckhorn Sub #1	0.04

37-20924 Lorraine Wilcox Split from 37-28E Lt 4A, Buckhorn, 2nd Add Lt 3C, Buttercup	0.63
--	------

37-28E Parent Lorraine Wilcox LOTS 3 & 4, BUCKHORN SUBD., 2ND ADDITION	
---	--

37-20925 Peter George Split from 37-28E 9.4 acres Lot 3D of a replat of Lot 4, Block 1, Buckhorn Subdivision, Second	0.19
--	------

37-28F Red Devil Mountain Homeowners Assoc Lot 2, Buckhorn Sub #2	0.48
---	------

37-20357 Cat Track Select LLC 3.0 acres Lot 3, Blk2, Buckhorn Sub #3	0.066
---	-------

37-28G: .13 cfs Parent Bonner, Charles Lots 3 & 4, Sub. No. 3	
--	--

37-20358 Peter Brinkman 3 acres Lot 4, Blk 2, Buckhorn Sub #4	0.066
--	-------

37-28 Splits

37-28H: .15 cfs Temporary Robert Brennan		37-20352 Susan J. Passovoy 3 acres Lot 2, Blk 2, Buckhorn Sub #3	0.063
		37-20355 Thomas Hanson 3.5 acres Lot 1, Blk 1, Buckhorn Sub #3	0.07
37-28J Thomas Kennedy Lot 2, Blk 1, Buckhorn Sub #1	0.04		
37-20359 Jean-Pierre Chesnel Lot 5, Blk 1, Buckhorn Sub #1	0.04		
Total	0.74		1.085

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

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

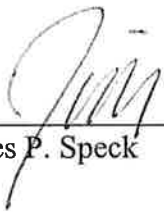
Dear Allen:

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 24, 2000

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
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

August 9, 2000

RECEIVED
AUG 10 2000
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 - 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.

✓ sc
8/10/00

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

Speck & Aanestad

A Professional Corporation

120 East Avenue

P. O. Box 987

Ketchum, Idaho 83340

(208) 726-4421

FAX: (208) 726-0752

RECEIVED
AUG 10 2000
Department of Water Resources
Southern Region

**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

)
)
)
)
)
)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

This is a notice of appearance by counsel on behalf of the new claimants and purchasers of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimants, Peter Brinkman and Paul Brinkman, for portions of the following water right claims which are not the subject of any subcases: A37-00297L and A37-00028G. The portions are described in the Notice of Change in Water Right Ownership filed by claimants with the Idaho Department of Water Resources.

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

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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


JAMES P. SPECK