

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

RECEIVED

MAY 25 2007

DEPT. 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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
37-20355					
37-20354					

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

3. Name and Address of Former Owner/Claimant(s)
Thomas M. And SALLIE B. Hanson
P.O. Box 1844 Hailey, ID 83333
4. New Owner/Claimant(s)
Thomas W. And Lisa McBroderick
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address
P.O. Box 3735
- City, State and ZIP Code
Hailey, ID 83333
- New Telephone Number
208 788-6143
5. Date you acquired the property
May 18, 2007

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

[Signature]
[Signature]
[Signature]

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish HDWR 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 _____

RECEIVED

MAY 25 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Thomas W. Broderick
P.O. Box 3735
Hailey, ID 83333

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

May 23, 2007

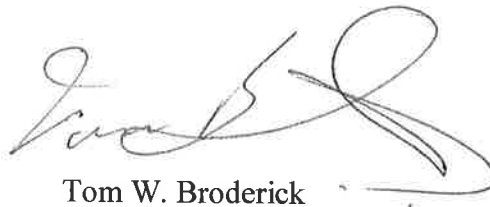
To Whom it may concern:

Re: Water Rights

No. 37-20355

No. 37-20354

We have purchased and closed on our property with the physical address of 206 Red Devil, Hailey, Idaho 83333 effective May 18, 2007. This property is also known as Lot 1, Block 1, Buckhorn Subdivision No. 3. As you will note, the right No. 37-20355 shows an address as Lot 2, Blk2, Buckhorn Subdivision #3. This discrepancy was addressed under Adjudication Claim A37-20350. If possible, could we have both water rights attached to the current address which is: Lot 1, Block 1, Buckhorn Subdivision No. 3? For your perusal, I have enclosed copies of the 3 Plat maps which have been utilized over the years to subdivide this entire property. Thank you for your attention.



Tom W. Broderick

Order No. 0057380

QUITCLAIM DEED

For Value Received, Thomas M. Hanson and Sallie B. Hanson, husband and wife

hereby conveys, releases, remises and forever quit claims unto Tom W. Broderick and Lisa M. Broderick, husband and wife

whose address is : P.O. Box 3735, Hailey, ID 83333 the following premises, to wit:

Lot 1 in Block 1 of BUCKHORN SUBDIVISION NO. 3, according to the official plat thereof, recorded as Instrument No. 310274, records of Blaine County, Idaho.

TOGETHER WITH Water Right No. 37-20355 with a priority date of March 24, 1883 and Water Right No. 37-20354 with a priority date of November 26, 1886

Dated: 10 May 07

Thomas M. Hanson
Thomas M. Hanson

Sallie B. Hanson
Sallie B. Hanson



State of Idaho)
 ss
County of Blaine)

On this 10th day of May, 2007 before me Marla G. Mink a notary public in and for said State, personally appeared Thomas M. Hanson and Sallie B. Hanson 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.

Marla G. Mink
Notary Public
Residing at: Belleme
Commission Expires: 02/12/09



Order No. 0057380

RECEIVED

MAY 25 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

WARRANTY DEED

For Value Received,

Thomas M. Hanson and Sallie B. Hanson, husband and wife

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

Thomas W. Broderick and Lisa M. Broderick, husband and wife

GRANTEE(s), whose address is: P.O. Box 3735, Hailey, ID 83333

the following described real property, to-wit:

Lot 1 in Block 1 of BUCKHORN SUBDIVISION NO. 3, according to the official plat thereof, recorded as Instrument No. 310274, records of Blaine County, Idaho.

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 10 day of May, 2007.

Thomas M. Hanson
Thomas M. Hanson

Sallie B. Hanson
Sallie B. Hanson



State of Idaho)

ss

County of Blaine)

On this 10th day of May, 2007 before me Marla G. Mink, a notary public in and for said State, personally appeared Thomas M. Hanson and Sallie B. Hanson 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.

Marla G. Mink

Notary Public

Residing at:

Commission Expires: 02/12/09

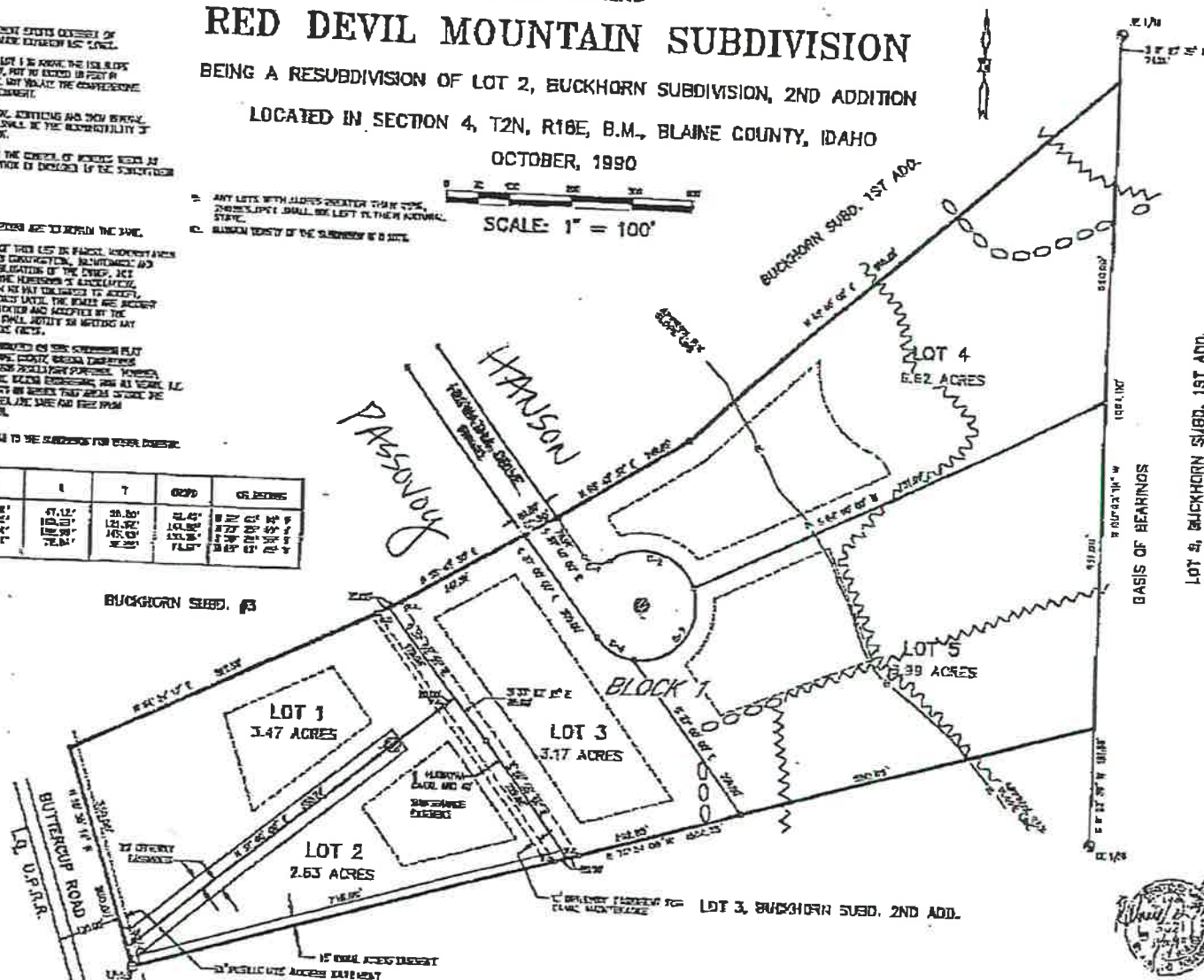


SCALE: 1" = 100'

1. ANY LOTS WITH ALLOYS GREATER THAN 20%,
ZINC ALLOY SHALL BE LEFT IN THEIR NATURAL
STATE.
2. MINIMUM TENSILE OF THE SUBSTRATE IS 80,000.

10. FOURTH AND LAST IS NOT APPLICABLE TO THE RESEARCH FOR U.S.A. DOMESTIC
ON THE RESEARCH RESEARCH

姓名	王明	性别	男	年龄	18	民族	汉族	籍贯	湖南长沙	出生地	湖南长沙	现住址	湖南长沙	联系电话	13800000000	电子邮箱	123456789@163.com	身份证号	430101199001010001	学历	高中	毕业学校	长沙市第一中学	毕业时间	2008年6月	工作单位	长沙市教育局	职务	科员	入职时间	2008年7月	合同期限	3年	合同到期时间	2011年6月	工资	3000元/月	社保缴纳	缴纳	公积金缴纳	缴纳	其他保险	无	备注	无
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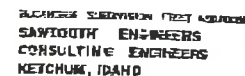
[illegible]

ST. LOUIS, MO.
JANUARY 1960

FIRST ADDITION

JUNE, 1980

2. That part of Red Devil Drive East of the Red-Dard-Hofwatha intersection shall be a private roadway, for the public may utilize Red Devil Drive for access to public lands east of the subdivision.



February 22, 2008

Hon. John Melanson
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Subcase No. 63-32447 (Van Berkel)

Dear Judge Melanson:

The Idaho Department of Water Resources ("IDWR") filed the Director's Report for Basin 63, Part 3 with the SRBA Court on December 19, 2006. Since that filing, IDWR has discovered a clerical error in the recommendation for this water right. Specifically, the quantity element of the water right was reported incorrectly. Accordingly, attached hereto is the revised recommendation showing the proposed corrections in underline/strikeout format. To date, this subcase is uncontested.

I am also sending a copy of this correspondence to the claimant to alert him of this issue.

If you should have any questions, please feel free to contact me at 287-4810.

Sincerely,

Andrea L. Courtney
Deputy Attorney General, IDWR

Enclosure

cc: Arnold J. Van Berkel

Jones, Doug

From: Martin A. Flannes [martin@flannes.net]
Sent: Tuesday, July 15, 2008 4:09 PM
To: Jones, Doug
Subject: FW: Request for Amended Report - 37-20355
Attachments: 3-6-08 to D. Jones - IDWR.pdf

Hi Doug,

I am following up on my voicemail of today.

I know that you will have many matters requiring attention upon your return from vacation next week. Please contact me regarding the request for an amended report on water right 37-20355 (set forth in the attached letter) that we discussed in March.

As you will recall, the recommendation for 37-20355 contains an obvious clerical error in the conditions of approval relating to the POU. The recommendation states "Lot 2 Blk 2," which is erroneous. The correct subdivision lot is **Lot 1 Blk 1**, which is the stated POU for my clients' other recommended water right (37-20354).

My clients have discussed this error re 37-20355 with the holder of the rights with a POU of Lot 2 Blk 2 (37-20351 and 37-20352) (Susan Passovoy), and she will consent to the correction of this clerical error re 37-20355.

I would prefer to correct the error administratively. However, if that is not possible, I want to have sufficient time to file a motion to file a late objection prior to the initial hearing for Basin 37.

I look forward to hearing from you.

Thank you.

Martin Flannes

Martin A. Flannes
FLANNES LAW, PLLC
P.O. Box 1090
Hailey, Idaho 83333
208.788.1315
208.788.1316 fax

This communication is intended only for the addressee(s). It may contain confidential and/or attorney-client privileged information or work product which must not be disclosed to unauthorized parties. If you have received this communication in error, please notify the sender as soon as possible.

From: Martin A. Flannes [mailto:martin@flannes.net]
Sent: Thursday, March 20, 2008 5:49 PM

7/22/2008

To: Doug Jones - IDWR (doug.jones@idwr.idaho.gov)
Subject: FW: Request for Amended Report - 37-20355

Doug,

I am following up of the attached email and letter that I sent to you two weeks ago requesting an amended report for 37-20355 to correct a clerical error in a condition of approval relating to the subdivision lot corresponding to the place of use.

At your convenience, if you could confirm receipt of the request and provide a general time estimate of when IDWR might be responding, I would greatly appreciate it.

Please contact me with any questions or if you require additional information.

Thank you again for your assistance.

Martin Flannes

Martin A. Flannes
Attorney At Law
P.O. Box 1090
Hailey, Idaho 83333
208.788.1315
208.788.1316 fax

From: Martin A. Flannes [mailto:martin@flannes.net]
Sent: Thursday, March 06, 2008 5:45 PM
To: Doug Jones - IDWR (doug.jones@idwr.idaho.gov)
Subject: Request for Amended Report - 37-20355

Doug,

Thank you for your time this afternoon.

Pursuant to our conversation, attached is my letter to you requesting the amended report, summarizing the supporting facts, and attaching some relevant documentation.

Let me know if you have any questions or require additional information.

Again, I enjoyed your presentation to the Blaine County Board of Commissioners last month. You and Allen provide the community with much appreciated information.

Regards,

Martin Flannes

Martin A. Flannes
Attorney At Law

7/22/2008

P.O. Box 1090
Hailey, Idaho 83333
208.788.1315
208.788.1316 fax

MARTIN A. FLANNES
Attorney At Law
P.O. Box 1090
Hailey, Idaho 83333
Telephone 208-788-1315 Fax 208-788-1316
Licensed in Idaho and California
martin@flannes.net

March 6, 2008

By email to doug.jones@idwr.idaho.gov

Doug Jones
IDWR Southern Regional Office
Twin Falls

Re: Thomas and Lisa Broderick
Water Right Nos. 37-20354 and 37-20355
Request for an Amended Report for 37-20355

Dear Doug:

Thank you for your time this afternoon to discuss a possible amended report on Water Right 37-20355 to correct what appears to be a clerical error in a reference to a subdivision lot.

Pursuant to our conversation, I will set forth the basic facts that we discussed and attach a few relevant documents for your ease of reference.

Background

My clients, Thomas and Lisa Broderick, are the owners of a 3.54 acre lot at 206 Red Devil Drive in the unincorporated portion of Blaine County (Lot 1 of Block 1, Buckhorn Subdivision No. 3 1989 Plat) ("Lot 1"). The Brodericks also own Water Right Nos. 37-20354 and 37-20355 with a Place of Use on Lot 1. The Brodericks purchased Lot 1 from Thomas and Sallie Hanson (the "Hansons") on May 18, 2007.

Prior to the acquisition of Lot 1 by the Brodericks, the Hansons returned a Notice of Error Reply dated 12-20-06 relating to 37-20355 (0.07 CFS) indicating that they agreed the proposed recommendation. Unfortunately, there was a minor typographical error in Condition of Approval No. 2, which read "Property is also known as Lot 2, Blk 2, Buckhorn Sub #3." The **bold and underscored** portion is in error. The correct subdivision lot reference for the property relating to the Place of Use of 37-20355 is actually Lot 1, Block 1. The incorrect Lot 2, Blk 2 reference actually refers to a neighbor's property located at 198 Red Devil Drive ("Neighbor's Lot 2").

Doug Jones
IDWR Southern Regional Office
Re: Thomas and Lisa Broderick
Water Right Nos. 37-20354 and 37-20355
Request for an Amended Report for 37-20355
March 6, 2008
Page 2 of 3

Request for an Amended Report on 37-20355

Pursuant to our telephone conversation, my clients request that the Department administratively correct Condition of Approval 2 for 37-20355 to read "Property is also known as Lot 1, Block 1, Buckhorn Subdivision No. 3" so that it is identical to Condition of Approval 2 for 37-20354 based on the following:

1. Previous Attempt to Correct in May 2007

On May 23, 2007, the Brodericks attempted to correct this clerical error (See, attached letter to the Twin Falls Office). However, apparently because the letter also contained a Notice of change of Water Right Ownership, staff did not focus on the request to correct the clerical error and returned my clients \$50.00 check (See, attached June 13, 2007 letter).

2. Same ratio of Hiawatha Canal Water Rights

Both of the lots in question are in the same subdivision (See, the attached Buckhorn Subdivision No. 3 Plat from 1989). Each lot was allocated a portion of an 1883 right and of an 1886 right from the Hiawatha Canal in the same proportions relative the respective lot acreages.

Lot	Acreage		1883	CFS/acre		1886	CFS/acre
Brodericks			37-20355			37-20354	
Lot 1, Block 1	3.54		0.070 CFS	0.0198		0.21 CFS	0.0593
Neighbor			37-20352			37-20351	
Lot 2, Block 2	3.16		0.063 CFS	0.0199		0.189 CFS	0.0598

3. The Lot Sizes Confirm the Clerical Error

The acreage references in all four relevant Adjudication Recommended Right Reports set forth acreages consistent with the 1989 Plat.

The Adjudication Recommended Right Reports for my clients' water rights (37-20354 and 37-20355) each describe the lot size as 3.5 acres, which is consistent with the acreage stated on the 1989 Plat of 3.54 acres.

Doug Jones
IDWR Southern Regional Office
Re: Thomas and Lisa Broderick
Water Right Nos. 37-20354 and 37-20355
Request for an Amended Report for 37-20355
March 6, 2008
Page 3 of 3

on the 1989 Plat of 3.54 acres.

The Adjudication Recommended Right Reports for their neighbor's water rights (37-20351 and 37-20352) each describe the lot size as 3 acres, which is consistent with the acreage stated on the 1989 Plat of 3.16 acres.

4. The Quarter-Quarter Section References Are Accurate and Describe Different Lots

The Quarter-Quarter Section references in all four relevant Adjudication Recommended Right Reports set forth the correct quarter-quarter sections of the respective Places of Use. Please note that my clients' Lot 1 is completely in NWNE; whereas, the Neighbors Lot 2 is partially in NWNE and in NENW. (See attached Blaine County GIS Parcel Map).

The Adjudication Recommended Right Reports for my clients' water rights (37-20354 and 37-20355) each state the Place of Use as the NWNE quarter section of 02N 18E Section 4.

The Adjudication Recommended Right Reports for their neighbor's water rights (37-20351 and 37-20352) each state the Place of Use as the NWNE quarter section (for 2 of the 3 acres) and the NENW quarter section (for 1 of the 3 acres) of 02N 18E Section 4.

Please confirm whether the Department will be able to make this administrative correction through an amended report.

Please contact me with any questions or if you require additional information. Thank you.

Very Truly Yours,



Martin A. Flannes

Attachments:

1. 5-23-07 letter to IDWR
2. 6-13-07 letter to the Brodericks
3. Buckhorn Subdivision No. 3 Plat from 1989
4. Blaine County GIS Parcel Map with relevant quarter-quarter sections

Thomas W. Broderick
P.O. Box 3735
Hailey, ID 83333

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

May 23, 2007

To Whom it may concern:

Re: Water Rights

No. 37-20355

No. 37-20354

We have purchased and closed on our property with the physical address of 206 Red Devil, Hailey, Idaho 83333 effective May 18, 2007. This property is also known as Lot 1, Block 1, Buckhorn Subdivision No. 3. As you will note, the right No. 37-20355 shows an address as Lot 2, Blk2, Buckhorn Subdivision #3. This discrepancy was addressed under Adjudication Claim A37-20350. If possible, could we have both water rights attached to the current address which is: Lot 1, Block 1, Buckhorn Subdivision No. 3? For your perusal, I have enclosed copies of the 3 Plat maps which have been utilized over the years to subdivide this entire property. Thank you for your attention.

Tom W. Broderick

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.
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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 under the "split" heading, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
37-20355					
37-20354					

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

Name and Address of Former
Owner (Claimant(s))

Thomas M. And SAALIE B. Hanson
 P.O. Box 1844 Hailey, ID 83333

New Owner/Claimant(s)

Thomas W. And Lisa McBroderick

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P.O. Box 3735

City, State and ZIP Code

Hailey, ID 83333

New Telephone Number

208 788-6143

Date you acquired the property

May 18, 2007

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the boxes 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 DWR 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	_____	_____

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish DWR 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 _____	Date _____	WR _____ Date _____



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 • www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 13, 2007

TOM BRODERICK
LISA BRODERICK
PO BOX 3735
HAILEY ID 83333

RE: Notice of Change of Water Right Ownership
SRBA Claim Nos. 37-20354 and 37-20355

Dear Mr. and Mrs. Broderick:

I am in receipt of the Notice of Change of Water Right Ownership you recently submitted. Because the Snake River Basin Adjudication Court has not yet decreed these claims, no fee is due to process the owner change. I am herein returning your check 2117 in the amount of \$50.00.

Thanks and should you have any questions please feel free to give me a call.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

A PLAT SHOWING BUCKHORN SUBDIVISION NO. 3

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

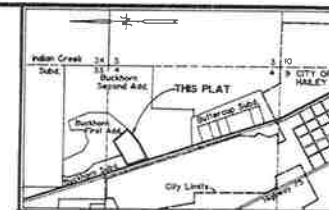
LOCATED IN

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

AUGUST 1989

SCALE: 1" = 100'

SCALE IN FEET:
0 50 100 150 200 250 300

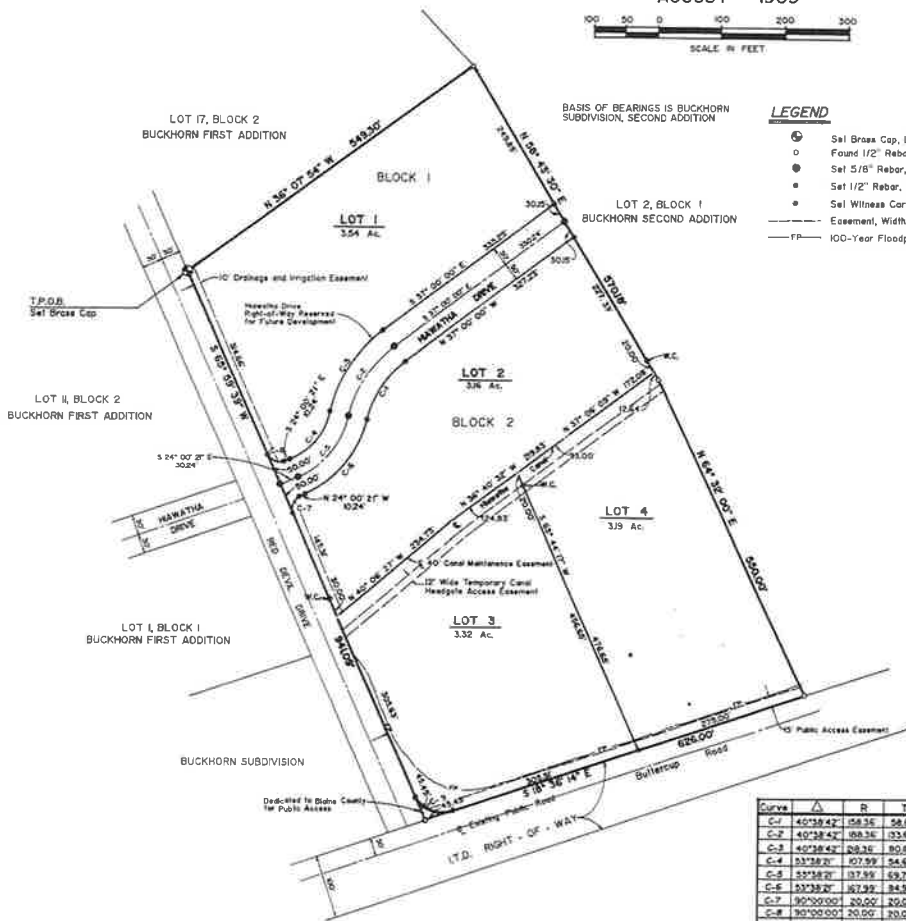


VICINITY MAP SCALE: 1" = 2000'

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



NOTES

1. A 10 foot Public Utility easement exists centered on all interior lot lines and is included within the western portion of the 40 foot canal easement. A 5 foot Public Utility easement exists adjacent to exterior lot lines.
2. Hawatha 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 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.
3. Fences constructed across the Hawatha Canal Maintenance easement shall have a gate adjacent to and on the southwest side of said canal.
4. There shall be no blockage of natural drainage, including along side any road.
5. Owners are responsible for weed control and shall follow any county regulations pertaining to weed control.
6. Notes, restrictions and conditions which affect this parcel (referred to as Lot 1, Block 1, Buckhorn No. 2) are recorded with the Blaine County Records Office as Instrument No. 270438, dated Feb. 1986.
7. Temporary Headgate Access Easement to be abandoned upon dedication of future access acceptable to Hawatha Canal water users.

Curve	Δ	R	T	L	Ch	Ch Bearing
C-1	40°39'42"	158.35	58.65	82.34	80.00'	N 57°19'20" W
C-2	40°38'42"	188.35	132.67	133.62	130.84'	"
C-3	40°38'42"	188.35	80.87	154.56	156.68'	S 57°19'20" E
C-4	53°38'27"	107.99	54.60	100.00'	97.44'	S 50°43'30" E
C-5	53°38'27"	107.99	69.76	129.80'	124.52'	"
C-6	53°38'27"	167.92	84.83	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°33'33"	50.00'	45.49'	73.83'	67.30'	S 23°41'42" W

Richard D. Fosbury
3621
AUG 1989

Richard D. Fosbury, L.S. 3621

BUCKHORN SUBDIVISION NO. 3

GALENA ENGINEERING, INC.

KETCHUM, IDAHO

SHEET 1 OF 2

JOB No. 245

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
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 Joe 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.
Deborah C. Hoffman 5-2-96
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.
Paul Davis
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.
Robert House
Chairman

SANITARY RESTRICTIONS

SURVEYOR'S CERTIFICATION

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



ACKNOWLEDGEMENT

STATE OF IDAHO } ss
COUNTY OF BLAINE }
On this 12 day of September, 1989, before me, a Notary Public in and for said State, personally appeared Richard D. Fosbury, known to me to be the person whose name is subscribed to the above Surveyor's Certificate and acknowledged to me that he executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.
Deborah C. Hoffman 5-2-96
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.



APPROVAL OF CITY COUNCIL

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

CITY ENGINEER'S APPROVAL

The foregoing plat was approved by Bruce T. Butler City Engineer for Holley on this 12 day of Sept, 1989.
Bruce T. Butler
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.
Markus Clemens
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 11:11 A.M., and duly recorded in Plat Book 310274 at page 1.
Deborah C. Hoffman 5-2-96
Ex-officio Recorder

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

BC GIS Sec 4, T 2N R 18E





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 • www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 13, 2007

TOM BRODERICK
LISA BRODERICK
PO BOX 3735
HAILEY ID 83333

RE: Notice of Change of Water Right Ownership
SRBA Claim Nos. 37-20354 and 37-20355

Dear Mr. and Mrs. Broderick:

I am in receipt of the Notice of Change of Water Right Ownership you recently submitted. Because the Snake River Basin Adjudication Court has not yet decreed these claims, no fee is due to process the owner change. I am herein returning your check 2117 in the amount of \$50.00.

Thanks and should you have any questions please feel free to give me a call.

Sincerely,

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

Trish Fawcett
Technical Records Specialist

Enc.

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 37-20355
Date Received: 10/24/00
Receipt No: 5023456
Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THOMAS M HANSON
SALLIE B HANSON
PO BOX 1844
HAILEY ID USA 83333

Phone: (208)788-3178

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:

Diversion dam and headgate

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	11/15	0.07	

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

8. Total consumptive use:

9. Non-irrigation uses:

37-20355

10/24/2000

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	4	NW	NE	IRRIGATION	3.5
					Section Acres	3.5
					Total Acres	3.5

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: A37-20354 (Portion of 37-00297)

14. Remarks:

This is a portion of decreed right 37-00028 for 3.54 inches. 10/24/2000 jr
Place of use also known as Lot 1, Block 1, Buckhorn Subdivision No. 3.

15. Basis of Claim: Decreed

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): Thomas M. Hanson Date: 10/24/00

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 24th
of October 2000

Jeanie Robertson
Notary Public

Residing at Twin Falls, ID.
My commission Expires 9-23-2006



RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 8023456

Date: 10/24/2000
Time: 16:41:48

Received
From: HANSEN, THOMAS

Type of Payment	Program A cct	Amount
ADJUDICATION CLAIM NO. A37-20355	41503 337 1155	50.00

CHECK 19886

Total \$ 50.00

A37-20355 Water Right Numbers

Region: SOUTHERN

Signature: Janie Robertson

WARRANTY DEED

For Value Received

Kenneth R. Buttram, dealing as his sole and separate property, as to an undivided 3/4 interest; and Kenneth R. Buttram, Trustee under the Will of Gladys Buttram, dated July 6, 1978, as to an undivided 1/4 interest. Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Robert M. Brennan, an unmarried man
whose address is: 1411 Marsh St., San Luis Obispo, CA 93401 -

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

Lots 1, 2, 3 and 4 in Block 1 of BUCKHORN SUBDIVISION, 2ND. ADDITION, according to the official plat thereof, recorded as Instrument No. 270487, records of Blaine County, Idaho.

Together with all water rights, including 86 inches of Alameda Co. and 272 inches of the Hailey water power right.

STATE OF CALIFORNIA
COUNTY OF BLAINE
On AUGUST 9, 1989
said State, personally appeared

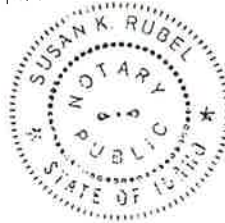
before me, the undersigned, a Notary Public in and for

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

WITNESS my hand and official seal

Signature

Susan K. Rubel
Commission Expires 3-11-93



Notary Public Seal

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

Dated: July 19, 1989

Kenneth R. Buttram, Trustee under the Will of Gladys Buttram, dated July 6, 1978

Kenneth R. Buttram
Kenneth R. Buttram, Trustee

Kenneth R. Buttram
Kenneth R. Buttram, individually

STATE OF IDAHO, COUNTY OF BLAINE
On this 8 day of August, 1989,
before me, a notary public in and for said State, personally appeared

Kenneth R. Buttram, Trustee under the Will of Gladys Buttram, dated July 6, 1978.

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

Susan K. Rubel
Notary Public

Residing at Hailey
Commission Expires 3-11-93

BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.

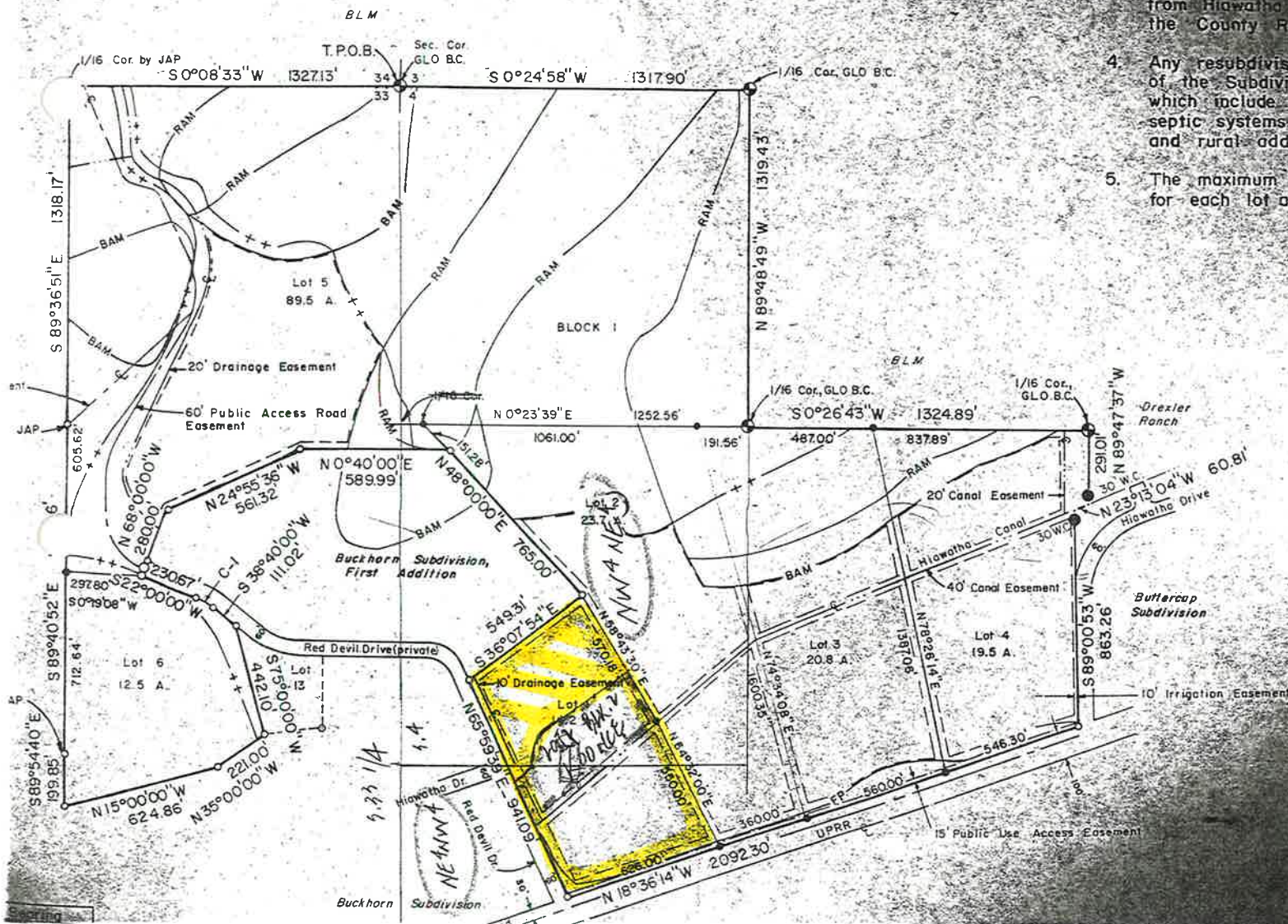
'89 AUG 9 PM 2:31

MARY GREEN, CLERK S.F.

FEES \$ 2.00

308437

Instrument No.



- Any road or driveway engineered for public maintenance.
- Access to Lots 1, 5, 6 from Hiawatha Drive, the County Road.
- Any resubdivision of the lots of the Subdivision Ordinance, which include fire protection, septic systems, homeowners association and rural addressing.
- The maximum allowable building density, provided for each lot as follows:
 - Lot 1 = 5 units
 - Lot 2 = 5 units
 - Lot 3 = 8 units
 - Lot 4 = 8 units
 - Lot 5 = 3 units
 - Lot 6 = unbuildable (see Note 1)
- No structure will be allowed in an avalanche or mountain overlay, or 25%. Access roads will not exceed 25%.
- Red Devil Drive, past Hiawatha Drive, with public access, and shall meet Section 9.17.1 of the Blaine County Sub 77-6. The purchaser and/or owner of the parcel understands and agrees that the construction, maintenance and snow removal obligation of the owner, his successors, homeowners association, and no way obligated to accept Red Devil Drive until it is brought up, dedicated, and accepted by the owner shall notify in writing of the interest of these facts.

8. Specific address shall be building permit is required.

9. Notes, restrictions of the Blaine County Number.

WARRANT DEED

For Value Received

Robert M. Brennan, an unmarried man

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
 Thomas M. Hanson and Sallie B. Hanson, husband and wife
 whose address is: P. O. Box 1844, Hailey, ID 83333

Hereinafter called the Grantee, the following described premises situated in Blaine County, Id

Lot 1 in Block 1, of BUCKHORN SUBDIVISION NO. 3, according to the official
 thereof, recorded as Instrument No. 310274, records of Blaine County, Idaho

Together with 3.54 inches of Alturas Water Co. and 10.62 inches of Hailey
 power right.

3/24/1800

1/24/1300

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

Suzanne K. Rubel
 Notary Public

Residing at *Hailey*
 Commission Expires: *3/1/93*

BEAR & REVERSON
 FIRST AMERICAN TITLE CO
filed
 SEP 21 PM 2 28
 KID GREEN CLERK
 FEES \$ 3.00

BASIS OF BEARINGS IS BUCKHORN
SUBDIVISION, SECOND ADDITION

LOT 2, BLOCK 1
BUCKHORN SECOND ADDITION

T.P.O.B.
Set Brass Cap

Hiawatha Drive
Right-of-Way Reserved
for Future Development

5 37 00 00 E
HAWAIIA DRIVE
N 37 00 00 W
LOT 2
316 AC.
BLOCK 2

LOT 2
3.16 Ac.
BLOCK 2

LOT - 4
3.9 Ac.

LOT 1, BLOCK 1
BUCKHORN FIRST ADDITION.

LOT 3
3.32 Ac.

332 Ac.
Bonne



SCHEDULE A

Order No. 13869

Policy No. H-422163

Amount of Insurance: \$55,000.00

Premium: \$354.50

Date of Policy: September 21, 1989 at 2:28 p.m.

1. Name of Insured:

Thomas M. Hanson and Sallie B. Hanson

2. The estate or interest in the land which is covered by this policy is:

A fee simple estate.

3. Title to the estate or interest in the land is vested in:

Thomas M. Hanson and Sallie B. Hanson, husband and wife

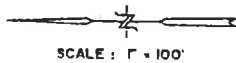
4. The land referred to in this policy is described as follows:

Lot 1 in Block 1, of BUCKHORN SUBDIVISION NO. 3, according to the official plat thereof, recorded as Instrument No. 310274, records of Blaine County, Idaho.

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'

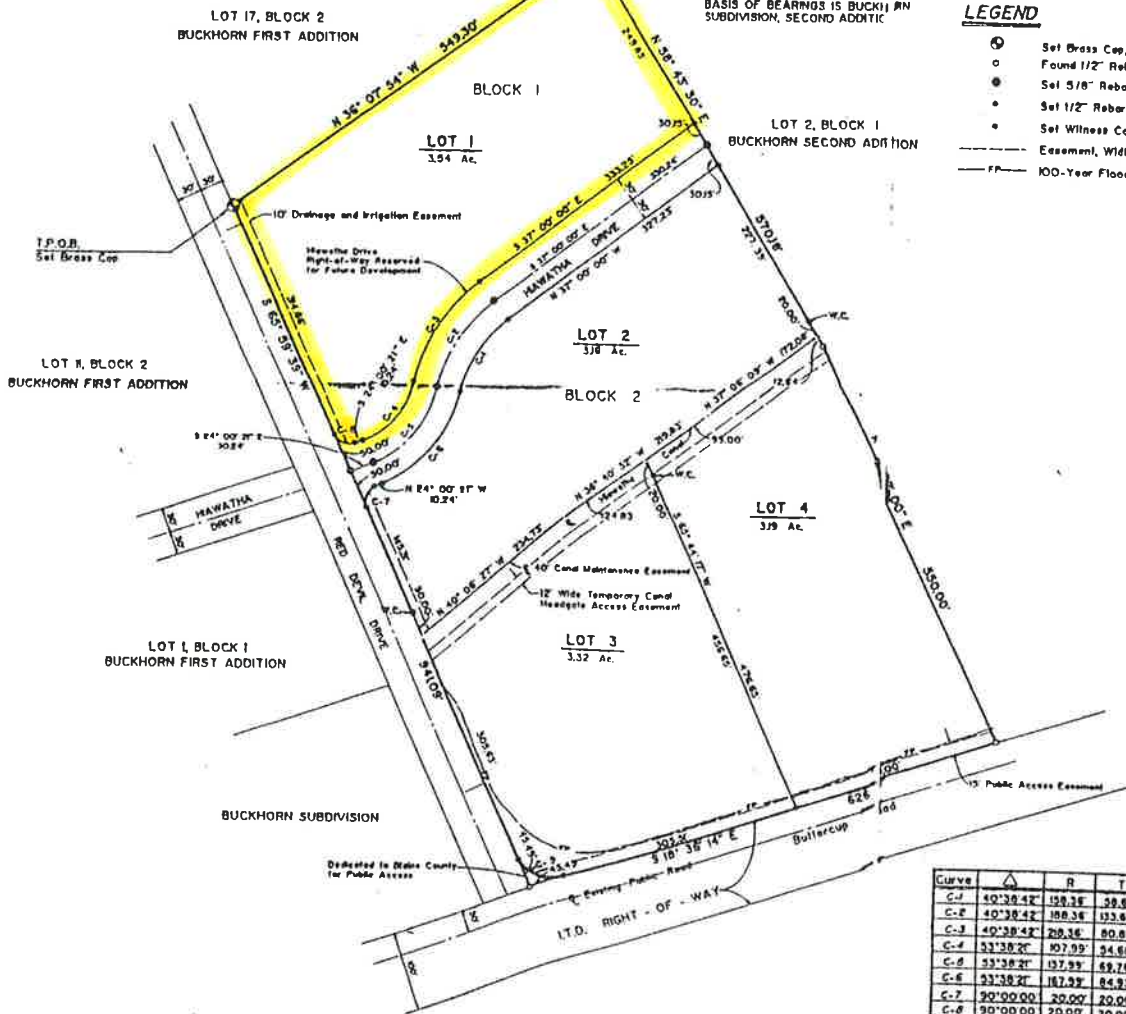


SCALE IN FEET

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
- FP — 100-Year Floodplain per FEMA Flood Insurance Study Dated 1980



NOTES

1. A 10 foot Public Right-of-Way is included within the lot Public Utility.
2. Hawatha Drive is a right-of-way reserved for future development. The purchaser shall be responsible for the obligation of the road that Hawatha Drive is created by the owner in interest of the.
3. Fences constructed have a gate edge.
4. There shall be no.
5. Owners are responsible for any lines pertaining to.
6. Notes, restrictions, Block 1, Buckhorn Office as shown.
7. Temporary Head of future access.

Curve	Δ	R	T	L	CH	Ch Bearing
C-1	40°38'42"	158.21	39.83	12.34	80.00	N 57°19'20" W
C-2	40°38'42"	158.24	133.87	133.42	130.84	"
C-3	40°38'42"	208.36	80.87	154.91	156.88	S 27°19'21" E
C-4	33°38'21"	107.99	34.60	100.00	97.44	S 30°49'31" E
C-5	33°38'21"	137.99	69.78	129.18	124.57	"
C-6	33°38'21"	187.39	84.93	197.27	195.59	N 50°49'32" W
C-7	20°00'00"	20.00	20.00	34.42	28.28	S 69°00'21" E
C-8	20°00'00"	20.00	20.00	34.42	28.28	S 20°39'39" W
C-9	64°35'23"	50.00	46.49	73.83	67.30	S 23°47'42" W

WATER DISTRICT 37 BIG WOOD RIVER ABOVE MAGIC DECREE BOOK

DIVER NO	R	DIVER NAME	OWNER	ST_ID	DECREE TO	PRIOR DATE	INCHES	CFS	OWNER CFS	CANAL CFS
2	D	HIAWATHA	DAVID L CROPPER	37-0577	W.T.RILEY	03 / 24 / 1883	44.90	0.90	1.01	11.64
	D	HIAWATHA	J D SPRING CREEK RANCH	37-577BH	W.T.RILEY	03 / 24 / 1883	141.10	2.82	2.82	
	D	HIAWATHA	J D SPRING CREEK RANCH	37-0577BK	W.T.RILEY	03 / 24 / 1883	207.10	4.14	6.96	
	D	HIAWATHA	J D SPRING CREEK RANCH	37-0191	W.T.DRAKE	04 / 30 / 1889	143.00	2.86	9.82	
	D	HIAWATHA	J D SPRING CREEK RANCH	37-0648A	SUTHERLAND & WEBER	04 / 30 / 1889	279.00	5.58	15.40	
	D	HIAWATHA	J D SPRING CREEK RANCH	37-0648B	SUTHERLAND & WEBER	04 / 30 / 1889	428.00	8.56	23.96	
	D	HIAWATHA	NON-DELIVERABLE	37-0483	ANNIE I.MILLER ET AL	08 / 01 / 1902	150.00	3.00	26.96	
	D	HIAWATHA	JUANITA DREXLER	37-0004A	WILLIAM ABBOTT	03 / 24 / 1883	29.50	0.59	0.59	12.23
	D	HIAWATHA	EDMUND E DUMKE	37-0577	W.T.RILEY	03 / 24 / 1883	70.70	1.41	1.41	13.64
	D	HIAWATHA	EMB-HAILEY L P	37-0577	W.T.RILEY	03 / 24 / 1883	42.00	0.84	0.84	14.48
	D	HIAWATHA	EMB-HAILEY L P	37-0334	ADAM IFLAND	06 / 30 / 1884	100.00	2.00	2.84	16.48
	D	HIAWATHA	EMB-HAILEY L P	37-0298	S.G.HAMLETT	09 / 18 / 1885	50.00	1.00	3.84	17.48
	D	HIAWATHA	EMB-HAILEY L P	37-0183	PHILLIP S DITTOF	05 / 01 / 1888	210.00	4.20	8.04	21.68
	D	HIAWATHA	S F ECCLES	37-0577	W.T.RILEY	03 / 24 / 1883	350.00	7.00	7.00	28.68
	X	HIAWATHA	KEITH FRIEDLY-RLR-41 PER 37-08819 .02 CFS TRANSFERED TO GROUNDWATER CHG AS SURFACE	37-0577BN	W T RILEY	03 / 24 / 1883	1.00	0.02		
	D	HIAWATHA	ELMAR GRABHER	37-0004A	WILLIAM ABBOTT	03 / 24 / 1883	55.00	1.10	1.10	29.78
	D	HIAWATHA	Z WAYNE GRIFFIN-TR# 4884 TRANSFER TO GROUNDWATER CHG AS SURFACE	37-30000D	W.T.RILEY	03 / 24 / 1883	2.00			
	D	HIAWATHA	THOMAS HANSON	37-0028	ALTURAS WATER CO	03 / 24 / 1883	3.54	0.07	0.07	29.85
	D	HIAWATHA	THOMAS HANSON	37-0297	HAILEY WATER POWER	11 / 26 / 1886	10.62	0.21	0.21	30.06
	D	HIAWATHA	DAVID B HENNESSY	37-0577	W.T.RILEY	03 / 24 / 1883	5.00	0.10	0.10	30.16
	D	HIAWATHA	HIAWATHA CANAL CO	37-0577	W.T.RILEY	03 / 24 / 1883	1.00	0.02	0.02	30.18
	D	HIAWATHA	HIAWATHA CANAL CO	37-0577	W.T.RILEY	03 / 24 / 1883	1.00	0.02	0.02	30.18

COPY

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

2008 JUL 25 11 54

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

Subcase No. 37-20355

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

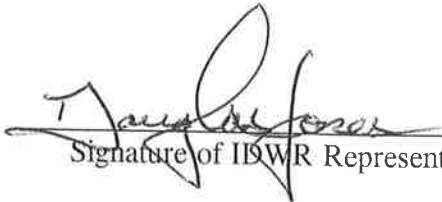
IDWR has completed the following Administrative proceedings: **SUBSTITUTION OF PARTY
CLERICAL ERROR CORRECTION**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 7/25/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7/25, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Thomas Broderick
Lisa Broderick
PO Box 3735
Hailey ID 83333

Thomas Hanson
Sallie Hanson
PO Box 1844
Hailey ID 83333

Martin Flannes
Flannes Law PLLC
PO Box 1090
Hailey ID 83333


Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Property is also known as Lot 1, Blk 1, Buckhorn Sub #3.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 23, 2008

Hon. John Melanson
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: *Subcase No. 37-20355 (Broderick – formerly Hanson)*

Dear Judge Melanson:

The Idaho Department of Water Resources ("IDWR") filed the Director's Report for Basin 37, Part 3 with the SRBA Court on February 21, 2007. Since that filing, IDWR has discovered a clerical error in the recommendation for this water right. Specifically, the Lot and Block for the property of the water right was reported incorrectly. This clerical error came to light during processing of an ownership change conveying the property from the Hansons to the Brodericks. Attached is a letter from the Brodericks' attorney outlining the issue and requesting the change. IDWR concurs with the conclusions in the letter and confirm that this change will in no way compromise the water right appurtenances of the owners of Lot 2 Block 2 (water rights 37-20351 and 37-20352 which are siblings of the same priorities).

Accordingly, attached hereto is the revised recommendation showing the proposed corrections in underline/strikeout format and a Notice of Completed Administrative Proceeding – Substitution of Party for this right and right number 37-20354. To date, this subcase is uncontested.

I am also sending a copy of this correspondence to the claimant and their attorney to alert him of the progress for the resolution of this issue.

If you should have any questions, please feel free to contact me at 736-3033.

Sincerely,

Douglas R Jones
Technical Engineer

Enclosure

cc: Martin Flannes, Lisa & Thomas Broderick

MARTIN A. FLANNES
Attorney At Law
P.O. Box 1090
Hailey, Idaho 83333
Telephone 208-788-1315 Fax 208-788-1316
Licensed in Idaho and California
martin@flannes.net

March 6, 2008

By email to doug.jones@idwr.idaho.gov

Doug Jones
IDWR Southern Regional Office
Twin Falls

Re: Thomas and Lisa Broderick
Water Right Nos. 37-20354 and 37-20355
Request for an Amended Report for 37-20355

Dear Doug:

Thank you for your time this afternoon to discuss a possible amended report on Water Right 37-20355 to correct what appears to be a clerical error in a reference to a subdivision lot.

Pursuant to our conversation, I will set forth the basic facts that we discussed and attach a few relevant documents for your ease of reference.

Background

My clients, Thomas and Lisa Broderick, are the owners of a 3.54 acre lot at 206 Red Devil Drive in the unincorporated portion of Blaine County (Lot 1 of Block 1, Buckhorn Subdivision No. 3 1989 Plat) ("Lot 1"). The Brodericks also own Water Right Nos. 37-20354 and 37-20355 with a Place of Use on Lot 1. The Brodericks purchased Lot 1 from Thomas and Sallie Hanson (the "Hansons") on May 18, 2007.

Prior to the acquisition of Lot 1 by the Brodericks, the Hansons returned a Notice of Error Reply dated 12-20-06 relating to 37-20355 (0.07 CFS) indicating that they agreed the proposed recommendation. Unfortunately, there was a minor typographical error in Condition of Approval No. 2, which read "Property is also known as Lot 2, Blk 2, Buckhorn Sub #3." The **bold and underscored** portion is in error. The correct subdivision lot reference for the property relating to the Place of Use of 37-20355 is actually Lot 1, Block 1. The incorrect Lot 2, Blk 2 reference actually refers to a neighbor's property located at 198 Red Devil Drive ("Neighbor's Lot 2").

COPY

Doug Jones
IDWR Southern Regional Office
Re: Thomas and Lisa Broderick
Water Right Nos. 37-20354 and 37-20355
Request for an Amended Report for 37-20355
March 6, 2008
Page 2 of 3

Request for an Amended Report on 37-20355

Pursuant to our telephone conversation, my clients request that the Department administratively correct Condition of Approval 2 for 37-20355 to read "Property is also known as Lot 1, Block 1, Buckhorn Subdivision No. 3" so that it is identical to Condition of Approval 2 for 37-20354 based on the following:

1. Previous Attempt to Correct in May 2007

On May 23, 2007, the Brodericks attempted to correct this clerical error (See, attached letter to the Twin Falls Office). However, apparently because the letter also contained a Notice of change of Water Right Ownership, staff did not focus on the request to correct the clerical error and returned my clients \$50.00 check (See, attached June 13, 2007 letter).

2. Same ratio of Hiawatha Canal Water Rights

Both of the lots in question are in the same subdivision (See, the attached Buckhorn Subdivision No. 3 Plat from 1989). Each lot was allocated a portion of an 1883 right and of an 1886 right from the Hiawatha Canal in the same proportions relative the respective lot acreages.

Lot	Acreage		1883	CFS/acre		1886	CFS/acre
Brodericks			37-20355			37-20354	
Lot 1, Block 1	3.54		0.070 CFS	0.0198		0.21 CFS	0.0593
Neighbor			37-20352			37-20351	
Lot 2, Block 2	3.16		0.063 CFS	0.0199		0.189 CFS	0.0598

3. The Lot Sizes Confirm the Clerical Error

The acreage references in all four relevant Adjudication Recommended Right Reports set forth acreages consistent with the 1989 Plat.

The Adjudication Recommended Right Reports for my clients' water rights (37-20354 and 37-20355) each describe the lot size as 3.5 acres, which is consistent with the acreage stated on the 1989 Plat of 3.54 acres.

COPY

Doug Jones
IDWR Southern Regional Office
Re: Thomas and Lisa Broderick
Water Right Nos. 37-20354 and 37-20355
Request for an Amended Report for 37-20355
March 6, 2008
Page 3 of 3

on the 1989 Plat of 3.54 acres.

The Adjudication Recommended Right Reports for their neighbor's water rights (37-20351 and 37-20352) each describe the lot size as 3 acres, which is consistent with the acreage stated on the 1989 Plat of 3.16 acres.

4. The Quarter-Quarter Section References Are Accurate and Describe Different Lots

The Quarter-Quarter Section references in all four relevant Adjudication Recommended Right Reports set forth the correct quarter-quarter sections of the respective Places of Use. Please note that my clients' Lot 1 is completely in NWNE; whereas, the Neighbors Lot 2 is partially in NWNE and in NENW. (See attached Blaine County GIS Parcel Map).

The Adjudication Recommended Right Reports for my clients' water rights (37-20354 and 37-20355) each state the Place of Use as the NWNE quarter section of 02N 18E Section 4.

The Adjudication Recommended Right Reports for their neighbor's water rights (37-20351 and 37-20352) each state the Place of Use as the NWNE quarter section (for 2 of the 3 acres) and the NENW quarter section (for 1 of the 3 acres) of 02N 18E Section 4.

Please confirm whether the Department will be able to make this administrative correction through an amended report.

Please contact me with any questions or if you require additional information. Thank you.

Very Truly Yours,



Martin A. Flannes

Attachments:

1. 5-23-07 letter to IDWR
2. 6-13-07 letter to the Brodericks
3. Buckhorn Subdivision No. 3 Plat from 1989
4. Blaine County GIS Parcel Map with relevant quarter-quarter sections

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

July 25, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

THOMAS BRODERICK
LISA BRODERICK
PO BOX 3735
HAILEY ID 83333

RE: SRBA Claim(s) 37-20354, 37-20355

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Thomas Hanson
Sallie Hanson
PO Box 1844
Hailey ID 83333

Martin Flannes
Flannes Law PLLC
PO Box 1090
Hailey ID 83333

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-20355

NAME AND ADDRESS: SALLIE B HANSON
PO BOX 1844
HAILEY ID 83333

THOMAS M HANSON
PO BOX 1844
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.070 CFS

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION: T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 11/15

0.070 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04 NWNE 3.50

3.5 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 2, Blk 2, Buckhorn Sub #3.

11/21/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 26 2006

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 37-20355

SALLIE B HANSON
PO BOX 1844
HAILEY ID 83333
Telephone Number: (208)788-3178

THOMAS M HANSON
PO BOX 1844
HAILEY ID 83333
Telephone Number: (208)788-3178

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/20/06 SIGNATURE: Thomas M. Hanson

Please print your name: Thomas M. Hanson

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

0.070 CFS

SCANNED

DEC 27 2006

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

RIGHT NUMBER: 37-20355

NAME AND ADDRESS: SALLIE B HANSON
PO BOX 1844
HAILEY ID 83333

THOMAS M HANSON
PO BOX 1844
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.070 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 11/15

0.070 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T02N R18E S04 NWNE 3.50

3.5 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 2, Blk 2, Buckhorn Sub #3.



Idaho Department of Water Resources

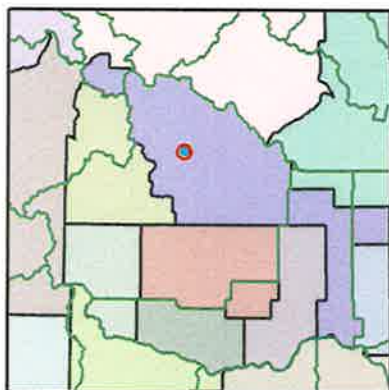
SRBA Recommendation:

37-20355

(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 Wednesday, October 18, 2006
1987/88 Aerial Photography

37-28 Splits

	CFS
37-28 ~~Robert~~ Sheffer Lt 3, 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
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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
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37-28 Splits

37-20352 Susan J. Passovoy 3 acres Lot 2, Blk 2, Buckhorn Sub #3	0.063
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37-28H: .15 cfs Temporary Robert Brennan	
--	--

37-20355 Thomas Hanson 3.5 acres Lot 1, Blk 1, Buckhorn Sub #3	0.07
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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
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Total	0.74	1.085
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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

10/24/2000

WATER RIGHT NO. 37-20355

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TOM HANSON PO BOX 1844 HAILEY, ID 83333 (208)788-3178

Priority Date: 03/24/1883
Basis: Decreed
Status: Valid

Source: BIG WOOD RIVER Trib. to: MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	11/15	0.07 CFS		
Total Diversion			0.07 CFS		

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	18E	20	SE SW NW		BLAINE

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02N	18E	4		NWNE	3.5									

Total Acres: 3.5

Remarks:

1.