

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 37-20358
Date Received: 11/22/2000
Receipt No:
Received By:

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

1. Name of Claimant(s)

ALAN D BILLER AND NANCY T MELTON REVOCABLE TRUST Phone: (650)323-7484
557 WEST CRESCENT DR
PALO ALTO CA 94301

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 4, 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 15 2005
 Department of Water Resources
 Southern Region

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (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
	3720328				
	3720358				

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) PETER BRINKMAN & JAY HORTON as personal representative for the Estate of PAUL BRINKMAN, deceased.
4. New Owner/Claimant(s) ALAN D. BILLER & NANCY T. MELTON
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 557 WEST CRESCENT DR.
- City, State and ZIP Code PALO ALTO CA 94301
- New Telephone Number 650-323-7484
5. Date you acquired the property 12/13/2004

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

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

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

7. Signature of New Owner(s) or Claimant(s) Alan D. Biller, Nancy Smith, trustees
(include title if applicable) of the Alan D. Biller & Nancy Smith Revocable
Trust, 3/11/2003.

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 _____

Instrument # 513876

HAILEY, BLAINE, IDAHO

2004-12-13

03:58:00 No. of Pages: 3

Recorded for: AMERITITLE

MARSHA RIEMANN

Fee: 9.00

Ex-Office Recorder Deputy

Index to: WTY/CORP DEED

Order No. 54976

This document may be executed simultaneously in one or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

WARRANTY DEED

FOR VALUE RECEIVED

as his sole and separate property

PETER BRINKMAN, a married man/and JAY CORDELL HORTON, AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF PAUL BRINKMAN, deceased

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

ALAN D. BILLER and NANCY T. MELTON, AS TRUSTEES OF THE ALAN D. BILLER AND NANCY T. MELTON REVOCABLE TRUST, AS AMENDED MARCH 11, 2003

GRANTEE(s) whose address is: 557 W. Crescent Drive, Palo Alto, CA 94301

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

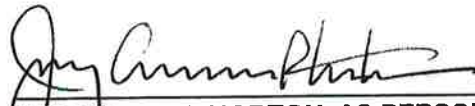
Lot 4 in Block 2 of BUCKHORN SUBDIVISION NO. 3, according to the official plat thereof, recorded as Instrument No. 310274, records of Blaine County, Idaho.

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.

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: November 29, 2004

PETER BRINKMAN, BY ANNIE BRINKMAN,
HIS ATTORNEY IN FACT



JAY CORDELL HORTON, AS PERSONAL
REPRESENTATIVE TO THE ESTATE OF PAUL
BRINKMAN, DECEASED

State of California

}

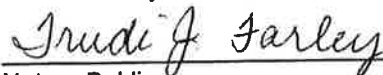
}ss.

County of Orange

}

On this 30 day of November, in the year 2004, before me, the undersigned, personally appeared JAY CORDELL HORTON, IN HIS CAPACITY AS PERSONAL REPRESENTATIVE TO THE ESTATE OF PAUL BRINKMAN, DECEASED known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.



Notary Public

Commission Expires:



This document may be executed
Order No. 54976 simultaneously in one or more coun-
terparts, each of which shall be
deemed an original but all of which
together shall constitute one and the
same instrument.

WARRANTY DEED

FOR VALUE RECEIVED

as his sole and separate property
**PETER BRINKMAN, a married man/and JAY CORDELL HORTON, AS PERSONAL REPRESENTATIVE FOR
THE ESTATE OF PAUL BRINKMAN, deceased**

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

**ALAN D. BILLER and NANCY T. MELTON, AS TRUSTEES OF THE ALAN D. BILLER AND NANCY T. MELTON
REVOCABLE TRUST, AS AMENDED MARCH 11, 2003**

GRANTEE(s) whose address is: **557 W. Crescent Drive, Palo Alto, CA 94301**

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

**Lot 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.**

**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.**

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: December 7, 2004

Peter Brinkman, By Annie Brinkman,

**PETER BRINKMAN, BY ANNIE BRINKMAN,
HIS ATTORNEY IN FACT**

His attorney in fact

**JAY CORDELL HORTON, AS PERSONAL
REPRESENTATIVE TO THE ESTATE OF PAUL
BRINKMAN, DECEASED**

State of California

}
}ss.
}

County of

On this 7th day of December, in the year 2004, before me, the undersigned, personally appeared
**JAY CORDELL HORTON, IN HIS CAPACITY AS PERSONAL REPRESENTATIVE TO THE ESTATE OF PAUL
BRINKMAN, DECEASED** known or identified to me to be the person whose name is subscribed to the within
instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Notary Public

Commission Expires:

*See
ATTACHED*

State of California

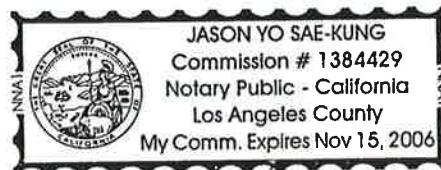
} ss.

County of LOS ANGELES

On this 7th day of December, in the year 2004, before me, the undersigned, personally appeared **ANNIE BRINKMAN** known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of **PETER BRINKMAN**, and acknowledged to me that she subscribed the name of **PETER BRINKMAN** thereto as principal, and her own name as attorney in fact.

WITNESS my hand and official seal.

Notary Public
Commission Expires:



State of California

} ss.

County of

On this 7th day of December, in the year 2004, before me, the undersigned, personally appeared **JAY CORDELL HORTON, IN HIS CAPACITY AS PERSONAL REPRESENTATIVE TO THE ESTATE OF PAUL BRINKMAN, DECEASED** known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Notary Public
Commission Expires:

A PLAT SUBDIVISION **BUCKHORN SUBDIVISION NO. 3**

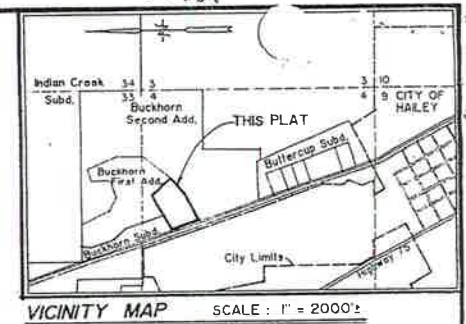
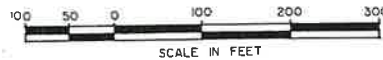
A REPLAT OF LOT 1, BLOCK 1, BUCKHORN SUBDIVISION, SECOND ADDITION

LOCATED IN

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

AUGUST 1989

SCALE: 1" = 100'



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 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 9.17 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 1, 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.

LOT II, BLOCK 2
 BUCKHORN FIRST ADDITION

LOT 17, BLOCK 2
 BUCKHORN FIRST ADDITION

LOT 2
 3.16 Ac.

BLOCK 2

LOT 4
 3.19 Ac.

LOT 3
 3.32 Ac.

LOT I, BLOCK I
 BUCKHORN FIRST ADDITION

BUCKHORN SUBDIVISION

Dedicated to Blaine County
 for Public Access

17.0' RIGHT-OF-WAY

Curve	Δ	R	T	L	Ch.	Ch. Bearing
C-1	40°38'42"	158.36'	58.65'	12.34'	10.00'	N 57°19'20" W
C-2	40°38'42"	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'	100.00'	97.44'	S 50°48'33" E
C-5	53°38'21"	137.99'	69.75'	129.18'	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

Richard D. Fosbury
 3621
 8-9-12-1989

Richard D. Fosbury, L. S. 3621

BUCKHORN SUBDIVISION NO. 3

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.



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

August 16, 2005

ALAN D BILLER AND NANCY T MELTON REVOCABLE TRUST
557 WEST CRESCENT DR
PALO ALTO CA 94301

Re: SRBA Claim #37-20328, #37-20358

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Carrie Hahn', is written over a light, circular stamp or watermark.

Carrie Hahn
Office 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 **37-20358**
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)

PAUL BRINKMAN

Phone: (208) 544-3661

PO BOX 6267
STATELINE NV USA 89449

PETER BRINKMAN

Phone: (208) 544-3661

PO BOX 6267
STATELINE NV USA 89449

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
_____	<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 ☒ 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

SVTC Order No. 22-13177

WARRANTY DEED

FOR VALUE RECEIVED

[illegible]

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, assessments, 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

Torena E. Bonner

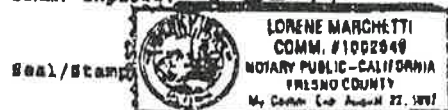
STATE OF CALIFORNIA

COUNTY OF Fresno

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

NOTARY PUBLIC

Residing at: 1314 E. Yalukian
Comm. expiration: 8-22-97



3 8 8 1 0 6

Dead

AL. N. CO. REQUEST

SUN VALLEY TITLE

'96 MAR 18 PM 2 39 (2134)

Mary Green CLERK
FEES \$ 3.00 NIPP

BUCKHORN SUBDIVISION NO. 3

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

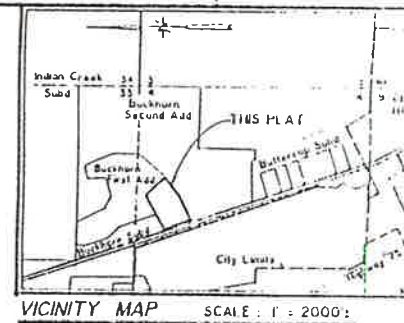
LOCATED IN

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

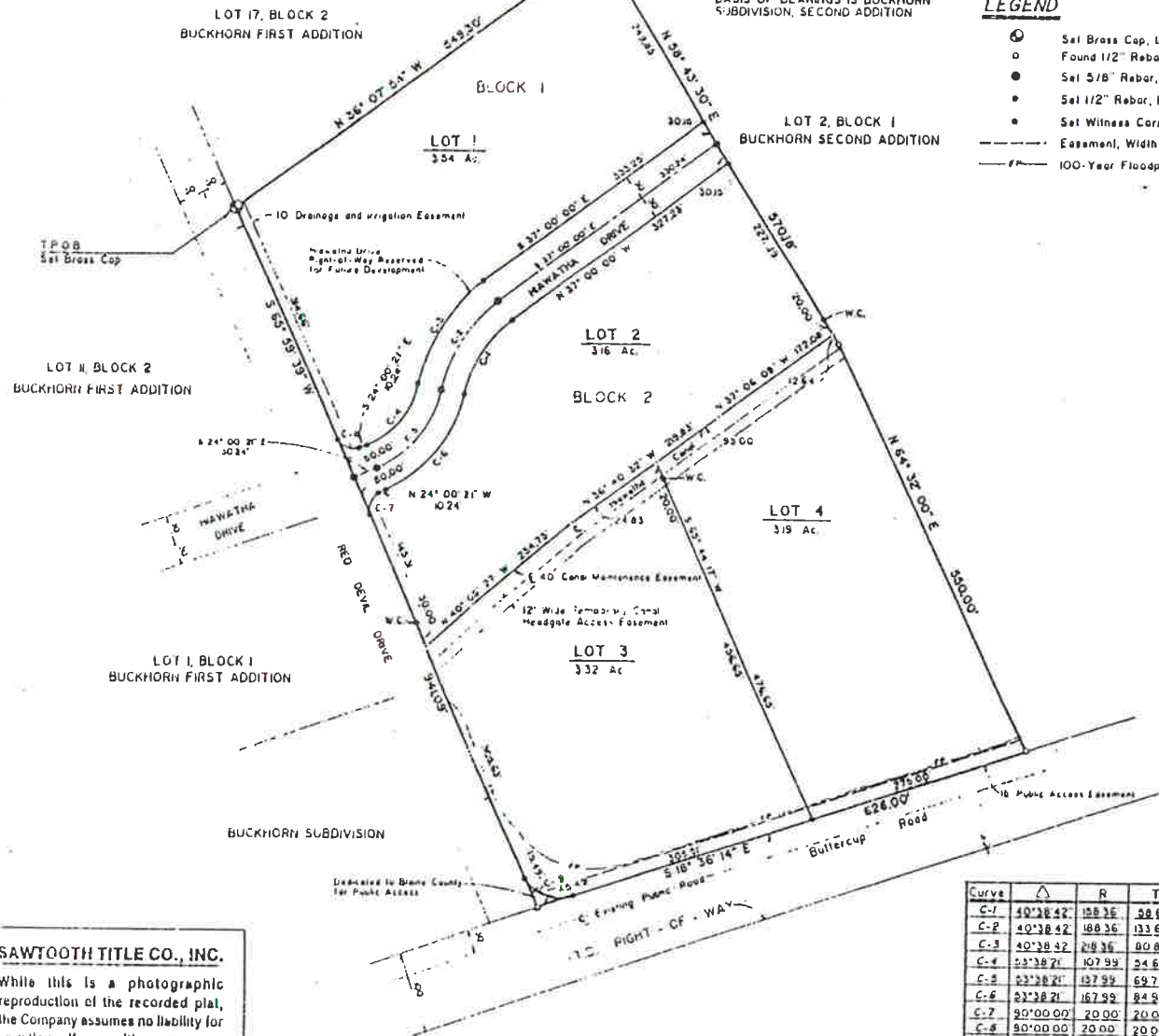


VICINITY MAP SCALE: 1" = 2000'

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



Curve	Δ	R	T	I	Ch	Ch Bearing
C-1	40°38'42"	158.36	38.65	12.34	10.00	N 67°18'20" W
C-2	40°38'42"	188.36	131.62	12.34	10.00	"
C-3	40°38'42"	208.36	80.87	12.34	10.00	S 27°18'21" E
C-4	23°38'21"	107.99	24.60	10.00	12.44	S 50°49'31" E
C-5	23°38'21"	137.99	69.76	12.34	12.44	"
C-6	23°38'21"	167.99	84.93	12.34	12.44	N 50°49'32" W
C-7	30°00'00"	20.00	31.42	28.28	5.69	S 69°00'21" E
C-8	30°00'00"	20.00	31.42	28.28	5.69	S 20°59'39" W
C-9	84°32'32"	50.00	42.49	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.

NOTES

- A 10 foot Public Utility easement exists centered on an interior lot line and is included within the westerly portion of the 40 foot canal easement. A 1 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 9.17.1 of the Blaine County Subdivision Ordinance. 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 lot.
- 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 1, Buckhorn No. 2) are recorded with the Blaine County Recorder's 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 user.



Richard D. Fosbury, L.S. 3621

BUCKHORN SUBDIVISION NO. 3

GALINA ECHOLS & SONS, INC.
RECORDING ENGINEER
SHEET 1 OF 2

JOB NO. 2415

11/21/2006

**NOTICE OF ERROR
REPLY**

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: 37-20358

ALAN D BILLER AND NANCY T MELTON REVOCABLE TRUST
557 WEST CRESCENT DR

PALO ALTO CA 94301
Telephone Number: (650)323-7484

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:

12/10/2006

SIGNATURE:

Alan D. Biller

Please print your name:

ALAN D. BILLER

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

SCANNED

DEC 15 2006

10/18/2006

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

RIGHT NUMBER: 37-20358

NAME AND ADDRESS: ALAN D BILLER AND NANCY T MELTON REVOCABLE TRUST
557 WEST CRESCENT DR
PALO ALTO CA 94301

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:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

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 4, Blk 2, Buckhorn Subd. No. 3.



Idaho Department of Water Resources

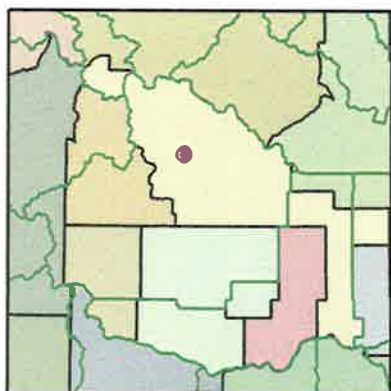
SRBA Recommendation:

37-20358

(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

Lot 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 Tamara

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

37-20352 Susan J. Passovoy 3 acres Lot 2, Blk 2, Buckhorn Sub #3	0.063
---	-------

37-28H: .15 cfs Temporary Robert Brennan	
--	--

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
-------	------	-------



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

November 24, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

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

Dear Mr. Speck,

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

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

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

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

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
8/10/0

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

Department of Water Resources
Southern Region

SEP 20 2004

RECEIVED

37-20328
37-20358

Kelly

BRINKMAN
PO BOX 6267
STATELINE NV 89449

BRIN267 894492020 1704 06 09/14/04
RETURN TO SENDER
BRINKMAN
201 N BUNDY DR
LOS ANGELES CA 90049-2825

894492020 1704 06 09/14/04

