

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 37-20392
Date Received: 5/2/01
Receipt No:
Received By:

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

1. Name of Claimant(s)

JENNIFER HALVERSON
PO BOX 3722
HAILEY ID USA 83333

Phone: (208)788-3975

MICK HALVERSON
PO BOX 3722
HAILEY ID USA 83333

Phone: (208)788-3975

2. Date of Priority: 11/16/1989

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	35	NE NW NW	BLAINE	

5. Description of diverting works:

WELL, PUMP, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.04	7

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	26	SW	SW	IRRIGATION	0.3
					Section Acres	0.3
02N	18E	35	NW	NW	IRRIGATION	1.7
					Section Acres	1.7
					Total Acres	2

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:

OWNER CHANGE SPLIT 37-2644J INTO 37-20391 (BAUMAN) AND 37-20392 (HALVERSON).
5/2/01, DJ.

15. Basis of Claim: License

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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
	37-26444	☒			

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) Patrick A. Bowman
4. New Owner/Claimant(s) PO Box 230 S.V. ID 83353
Mick & Jennifer Halverson
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address P.O. Box 3722
- City, State and ZIP Code Hailey, Idaho 83333
- New Telephone Number (208) 788-3975
5. Date you acquired the property 1/30/98

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 <u>37-26441</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.04 cfs</u>	<u>2 acres</u>
Stock		
Domestic		
Other		
Total	<u>.04 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
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)
- + Michael T. Hansen*
Jennifer Jane Marshall-Hatrensen

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Order No. 23685

WARRANTY DEED

FOR VALUE RECEIVED

PATRICK A. BAUMAN, an unmarried man

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

JENNIFER WILSON, an unmarried woman

GRANTEE(s) whose address is: **977 Henderson, Ogden, UT 84040**

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

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

[Handwritten signature]

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: January 14, 1998

[Handwritten signature of Patrick A. Bauman]
PATRICK A. BAUMAN

State of Idaho

County of Blaine

}
}ss.
}

On this 21st day of January, in the year 1998, before me, the undersigned, personally appeared **PATRICK A. BAUMAN**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

[Handwritten signature of Maria G. Mine]

Notary Public

Commission Expires: 12/01/2000



ORDER NO. 23685
LEGAL DESCRIPTION

EXHIBIT "A"

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTIONS 35 AND 26:

A parcel of land located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 35 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 26 and also within the vacated Townsite of Broadford, more particularly described as follows:

COMMENCING at an Iron pin marking the Northwest corner of said Section 35, which point lies

S. 89° 57' 07" W., 2644.28 feet from an Iron pin marking the North $\frac{1}{4}$ corner of said Section 35; thence

N. 80° 32' 23" E., 612.00 feet to a $\frac{1}{2}$ " Iron pin marking the centerline of North Main Street and Southerly right-of-way boundary of Cross Street of said vacated Broadford Townsite, said point also being the REAL POINT OF BEGINNING; thence

N. 69° 30' E., 190.00 feet along the Southerly right-of-way boundary of Cross Street better known as Broadford Road; thence continuing along said Broadford Road right-of-way 268.71 feet along the arc of a curve to the right, with a central angle of 89° 00", a radius of 172.99 feet and a chord which bears South 66° 00' E., 242.50 feet, to a point on the Westerly right-of-way of Cottonwood Street of said vacated Broadford Townsite; thence

S. 21° 30' E., 79.00 feet along said Cottonwood Street right-of-way, vacated Broadford Townsite; thence

S. 66° 09' 29" W., 360.24 feet to a point on the center line of said North Main Street, vacated Broadford Townsite; thence

N. 21° 30' W., 270.00 feet along said North Main Street, vacated Broadford Townsite, to the REAL POINT OF BEGINNING.

RECORDED  _____

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 37-2644J
Date Received: 8/8/90
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

PATRICK A BAUMAN
PO BOX 730
SUN VALLEY ID USA 83353

Phone: (208)726-3399

2. Date of Priority: 11/16/1989

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
02N	18E	35	NE	NW	NW	BLAINE	

5. Description of diverting works:

WELL, PUMP, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.08	14

7. Total Quantity Appropriated is:
0.08 C.F.S. and/or 14 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	26	SW	SW	IRRIGATION	0.3
					Section Acres	0.3
02N	18E	35	NW	NW	IRRIGATION	3.7
					Section Acres	3.7
					Total Acres	4

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:

The use of water on the lands to which the above referenced water rights were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water rights.

OWNERSHIP CHANGE JOHNSTON TO BAUMAN, 1409(6) RECEIVED 2/14/01. DJ

15. Basis of Claim: License

T2N R18E S26 & S35

660 0 660 1320 Feet



37-2644J

2/14/01, D Jones

09/22/2006

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

RIGHT NUMBER: 37-20392
NAME AND ADDRESS: MICK HALVERSON
PO BOX 3722
HAILEY ID 83333

JENNIFER HALVERSON
PO BOX 3722
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
7.000 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 11/16/1989

POINT OF DIVERSION:

T02N R18E S26 SESWSW Lot 1 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/15

QUANTITY
0.040 CFS
7.00 AFY

The use of water for irrigation under this right may begin as early as April 5 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within BLAINE County

T02N R18E S26 Lot 1 SWSW 1.50
T02N R18E S35 Lot 2 NWNW 0.50

2 ACRES TOTAL

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

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The use of water on the lands to which the above referenced water rights were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water rights.

See remarks for additional conditions of approval.

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

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.

TRANS. 3546. THE PRIORITY DATE OF THIS RIGHT IS SET TO THE DATE OF APPROVAL OF THIS TRANSFER & SHALL BE JUNIOR TO ALL EXISTING WATER RIGHTS IN USE AT THE TIME OF SAID APPROVAL. THE

09/22/2006

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

DIRECTOR RETAINS JURISDICTION OF THIS TRANSFER UP TO 5 YEARS FOR THE PURPOSE OF DETERMINING POTENTIAL INJURY TO EXISTING RIGHTS IN THE VICINITY OF THE TRANSFERRED POINT OF DIVERSION. P/U IS LOT 1, BLK. 1 OF OWL CREEK SUBDIV. AND TAX LOT 6108 OF SEC. 26, T1N, R18E.

***** PURSUANT TO APPROVED TRANSFER NO. 4049: 1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.

2. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.

3. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

4. RIGHT NOS. 37-02644G, 37-02644H, 37-02644J SHALL NOT EXCEED COMBINED TOTALS OF 10 ACRES, 0.20 CFS AND 35.0 AFA.

5. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

6. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

7. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

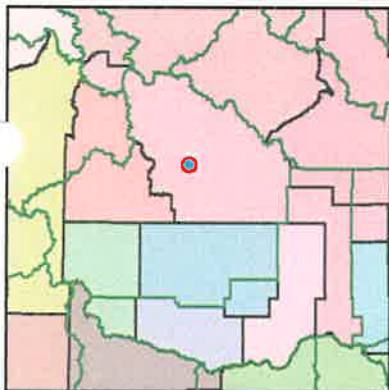
SRBA Recommendation:

37-20392

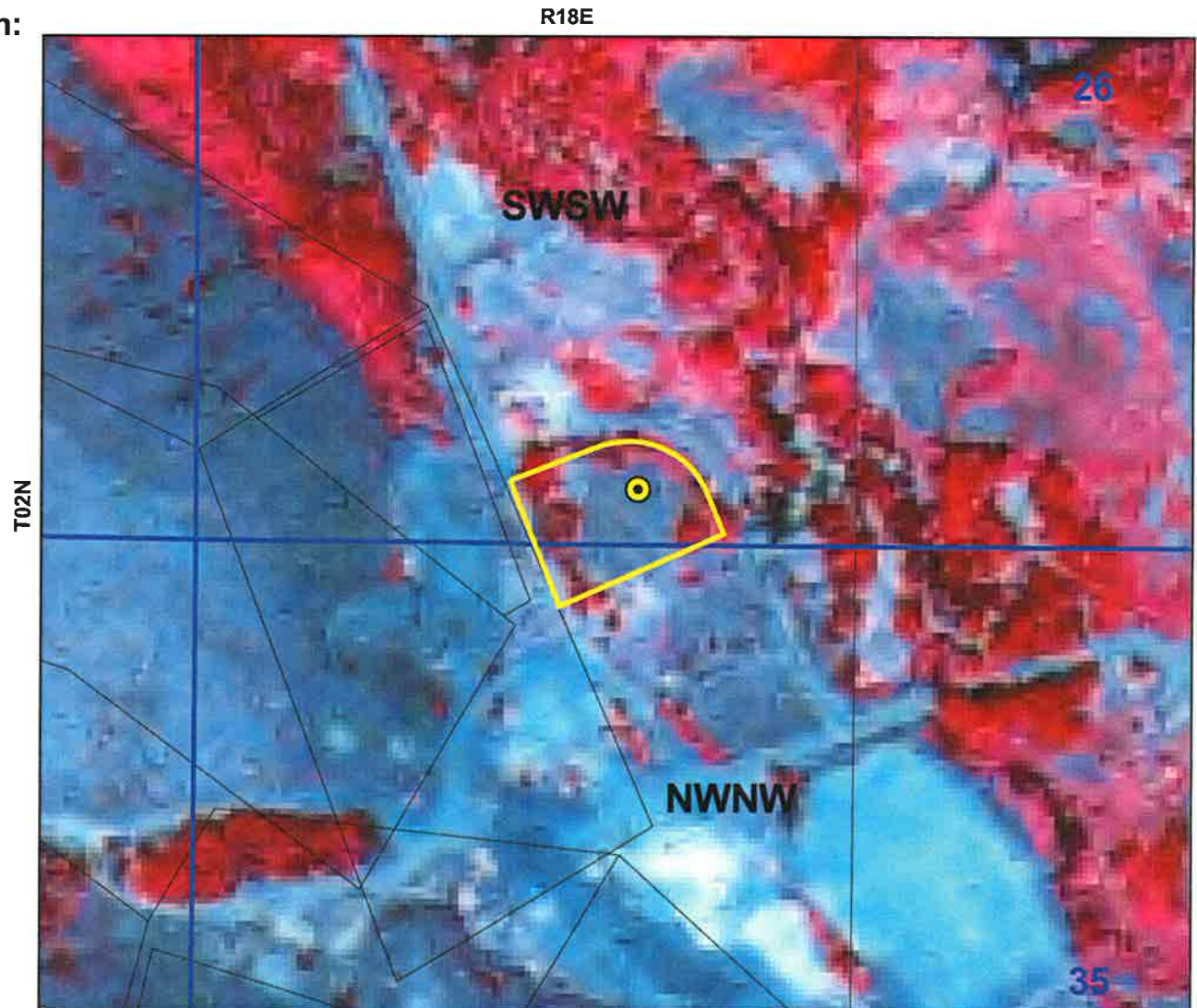
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

A scale bar showing distances of 0, 0.1, and 0.2 miles.

Prepared by E. NORQUES
On Friday, September 22, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

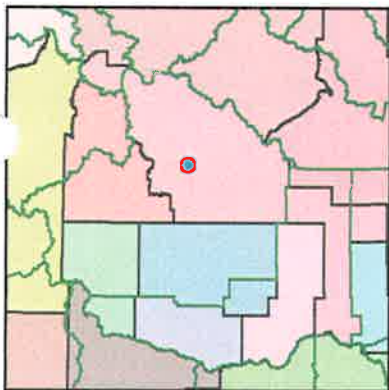
SRBA Recommendation:

37-20392

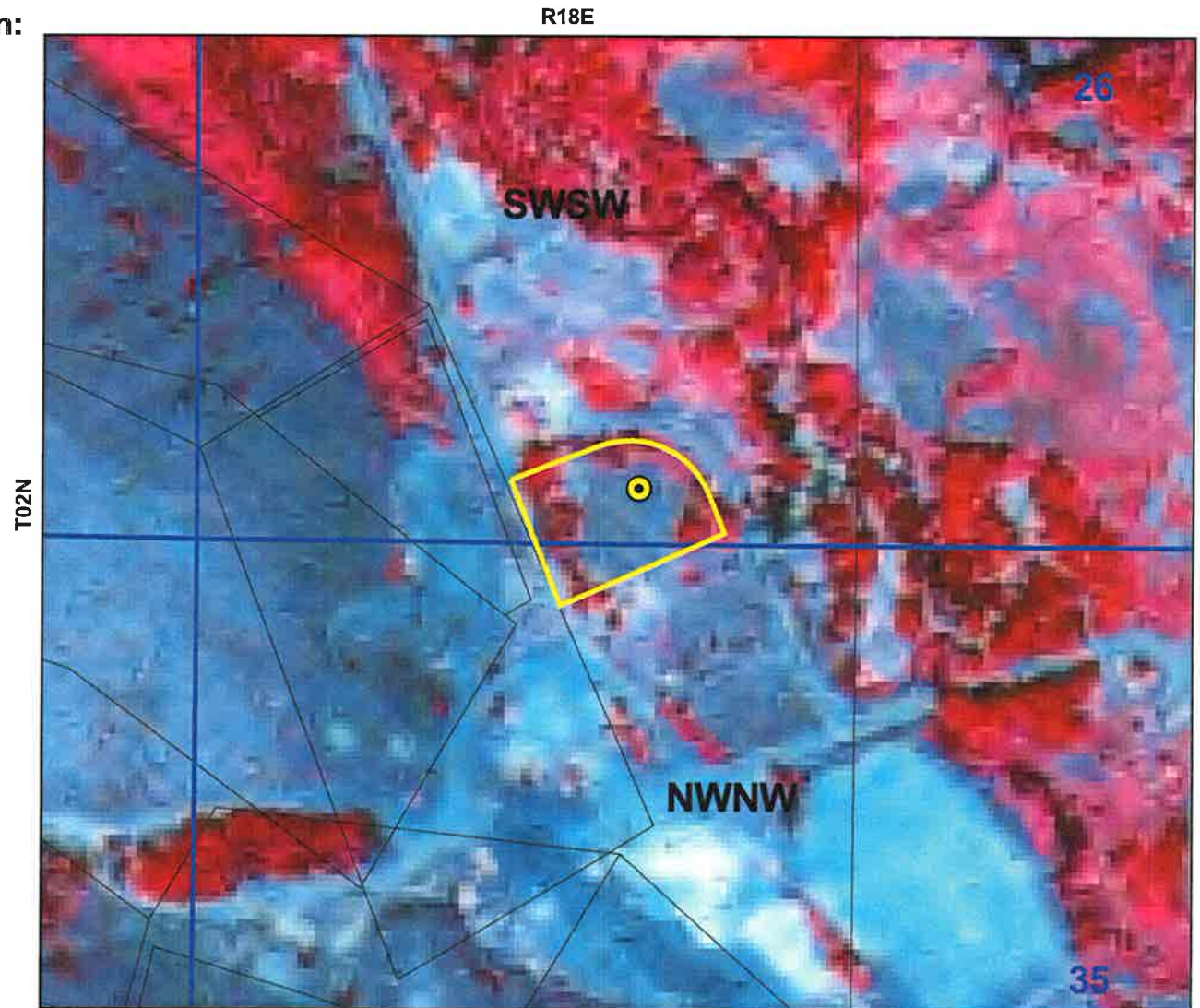
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by E. NORQUES
On Friday, September 22, 2006
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69177

This is to certify that: MICK HALVERSON

PO BOX 3722
HAILEY ID 83333
(208)788-3975

And/Or

JENNIFER HALVERSON
PO BOX 3722
HAILEY ID 83333
(208)788-3975

RECEIVED

SEP 05 2002

Department of Water Resources
Southern Region

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
37-20392	AJC/License	11/16/1989	0.04 cfs	7 af	2.0	2.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-20392	NO	YES	YES	NO	NO	NO

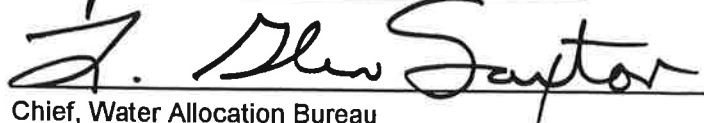
Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-20392	37-20392	0.04 cfs	7 af	N/A	2.0		N/A	N/A	N/A	N/A
TOTALS		0.04 cfs	7 af	N/A	2.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of

September, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20392
As Modified by Transfer No. 69177

In accordance with the approval of Transfer No. 69177, Water Right No. 37-20392 is now described as follows.

Right Holder: MICK HALVERSON
PO BOX 3722
HAILEY ID 83333

And/Or

JENNIFER HALVERSON
PO BOX 3722
HAILEY ID 83333

Priority Date: 11/16/1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.04 CFS	7.0 AF
			0.04 CFS	7.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 1 SESWSW Sec. 26 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 18E 26											1.5						1.5
											L 1						
02N 18E 35							.5										.5
							L 2										

Total Acres: 2

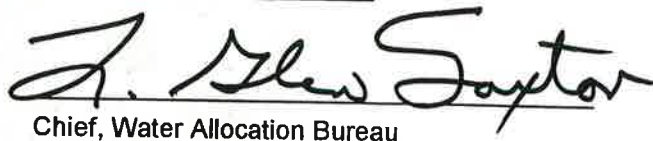
WATER RIGHT NO. 37-20392
As Modified by Transfer No. 69177

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

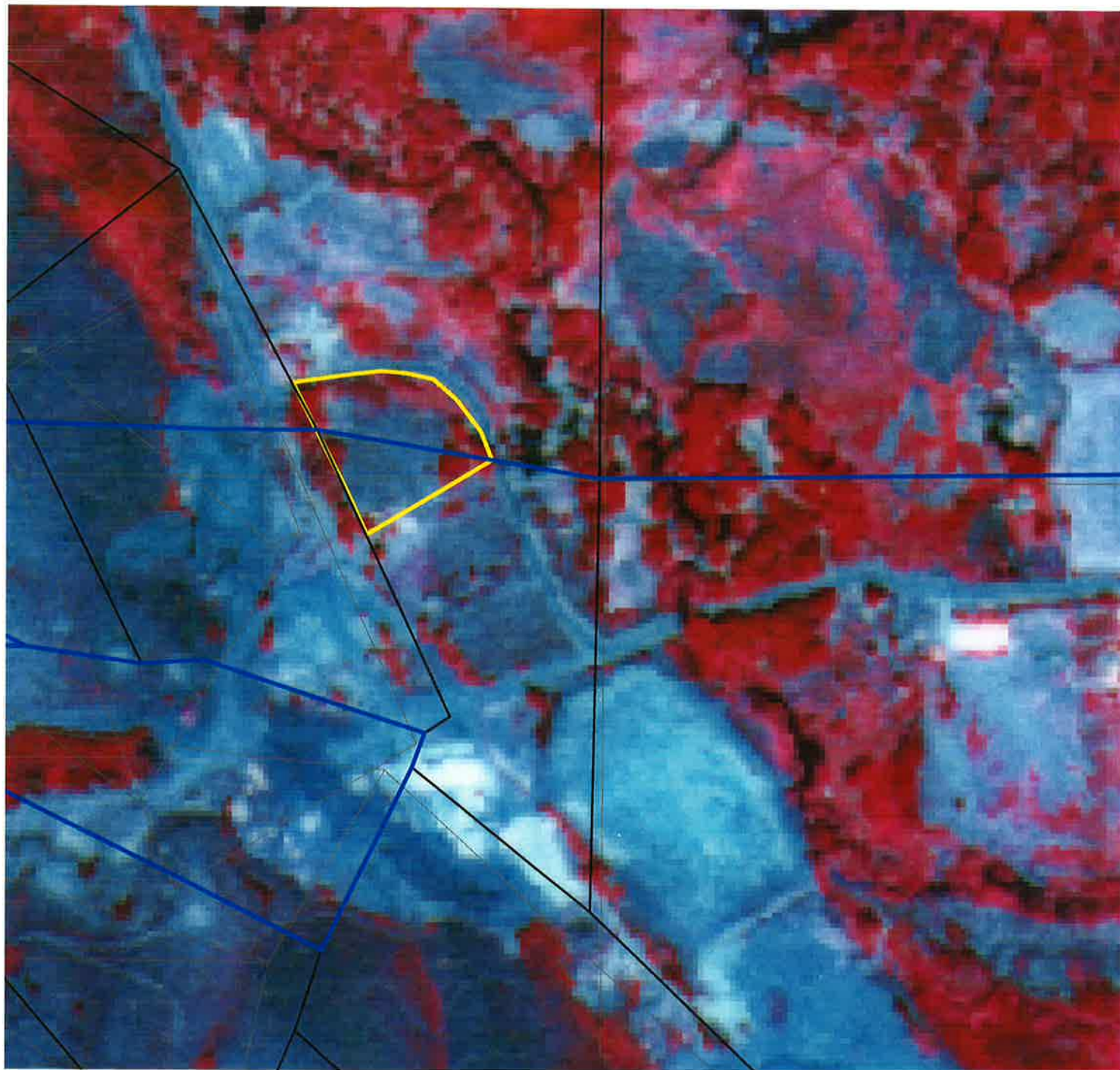
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of September, 2002


Chief, Water Allocation Bureau

IDAHO DEPARTMENT OF WATER RESOURCES

37-20392



200 0 200 400 Feet

- ⊙ POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES

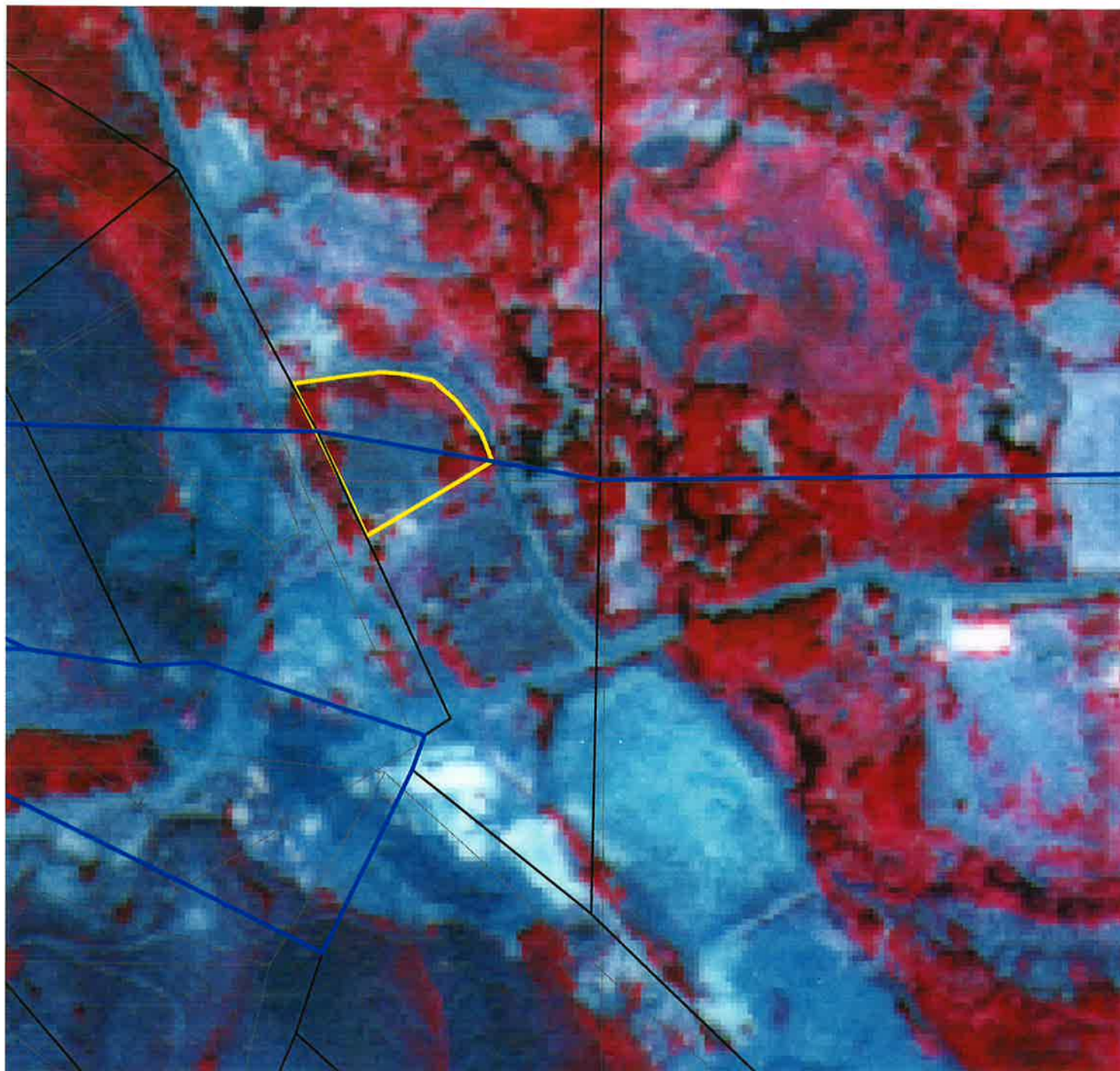


T02N R18E S26 SWSW
T02N R18E S35 NWNW

GIS WATER RIGHT PRESENTATION
PHOTOGRAPHY: 1987 &/OR 1988 NAPP
DATA ENTRY: DEC, 2001
DOUGLAS JONES

IDAHO DEPARTMENT OF WATER RESOURCES

37-20392



200 0 200 400 Feet

- ⊙ POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES



T02N R18E S26 SWSW
T02N R18E S35 NWNW

GIS WATER RIGHT PRESENTATION
PHOTOGRAPHY: 1987 &/OR 1988 NAPP
DATA ENTRY: DEC, 2001
DOUGLAS JONES