

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 37-20494

Date Received:

Receipt No:

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN A TEDESCO Phone: (650)726-2181
1450 PURSIMA CREEK RD
HALF MOON BAY CA 94019

MEGAN TEDESCO Phone: (650)726-2181
1450 PURSIMA CREEK RD
HALF MOON BAY CA 94019

SAMANTHA TEDESCO Phone: (650)726-2181
1450 PURSIMA CREEK RD
HALF MOON BAY CA 94019

2. Date of Priority: 01/29/1965

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	20	SW NE	BLAINE	

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.1	167.7

7. Total Quantity Appropriated is:

1.1 C.F.S. and/or 167.7 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
01N	19E	20	SW	NE	IRRIGATION	16.1
			SE	NW	IRRIGATION	39.8
					Section Acres	55.9
					Total Acres	55.9

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

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

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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

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.

15. Basis of Claim: License



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 18, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN & SAMANTHA & MEGAN TEDESCO
1450 PURSIMA CRK RD
HALFMOON BAY CA 94019

Re: SRBA Claim #37-20494, #37-20882

Dear Applicants,

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carrie Hahn', is written over a faint, larger cursive signature that is partially obscured.

Carrie Hahn
Office Specialist

Enc.

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

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

RECEIVED

NOV 15 2004

WATER RESOURCES
WESTERN REGION

RECEIVED

NOV 17 2004

Department of Water Resources
Southern Region

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 the 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
~~3720894~~					
~~3720882~~					
3720882					
3720494					

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)

THE SMITH-PLEASANTS FAMILY TRUST
P/O BOX 1469

4. New Owner/Claimant(s)

SUN VALLEY, ID 83353

New Mailing Address

JOHN & SAMANTHA (MEGAN) TEDES CO
1450 PURISIMA CREEK RD.

City, State and ZIP Code

HALF MOON BAY, CA 94019

New Telephone Number

650 726-2181

5. Date you acquired the property

10/1/04

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)
(include title if applicable)

[Handwritten Signature]
[Handwritten Name: Samantha Tolosco] *[Handwritten Title: SOUTHERN REGIONAL MANAGER]*

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 _____

WARRANTY DEED

FOR VALUE RECEIVED, and as consideration as part of an IRC § 1031 tax-deferred exchange,

THE SMET-PLEASANTS FAMILY TRUST, dated June 25, 1992, ROBERT JOSEPH CHRISTIAAN SMET AND KATHERINE PEGGY PLEASANTS, trustees

the grantors, do hereby grant, bargain, sell and convey unto

JOHN A. TEDESCO AND SAMANTHA TEDESCO, husband and wife and MEGAN TEDESCO, a single woman

the grantees, whose current address is **1450 Pursima Creek Road
Half Moon Bay, CA 94019**

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

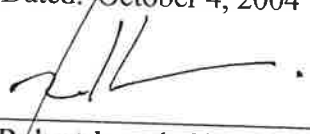
SEE EXHIBIT 'A'

This transaction is a 1031 Exchange for the benefit of **John A. Tedesco and Samantha Tedesco and Megan Tedesco, as replacement property.**

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and 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 and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 4, 2004


Robert Joseph Christiaan Smet, Trustee


Katherine Peggy Pleasants, Trustee

State of: Idaho

County of: Blaine

On this 4th day of Oct, 2004, Before me a Notary Public in and for said State, personally appeared **Robert Joseph Christiaan Smet and Katherine Peggy Pleasants, trustees THE SMET-PLEASANTS FAMILY TRUST, dated June 25, 1992** 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 in their capacity as trustees.


Notary Public

Residing at Hailey

Comm. Expires 1/23/2009



Exhibit 'A'

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO SECTION 20: A parcel of land more particularly described as follows:

Commencing at South East corner of Section 20; thence
South 89°54'59" West, 172.56 feet to the West side of Gannett Road; thence
North 30°50'32" West, 3050.48 feet along Gannett Road to the Real Point of
Beginning; thence
North 30°50'32" West, 1525.35 feet; thence
South 89°55'04" West, 1473.85 feet; thence
South 0°30'54" East, 1310.88 feet; thence
North 89°54'57" East, 2244.08 feet to the Real Point of Beginning

Also known as Tax Lot 7150

QUITCLAIM DEED

For Value Received

THE SMET-PLEASANTS FAMILY TRUST, dated June 25, 1992, ROBERT JOSEPH CHRISTIAAN SMET AND KATHERINE PEGGY PLEASANTS, trustees

Do hereby convey, release, remise and forever quitclaim unto

JOHN A. TEDESCO AND SAMANTHA S. TEDESCO, husband and wife and MEGAN E. TEDESCO, a single woman

Whose current address is 1450 Pursima Creek Road
Half Moon Bay, CA 94019

the following described premises, to-wit:

ANY AND ALL WATER RIGHT APPURTENANT TO THE PROPERTY DESCRIBED IN ATTACHED EXHIBIT 'A'

Instrument # 510931

HAILEY, BLAINE, IDAHO

2004-10-05 03:56:00 No. of Pages: 2

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

Together with their appurtenances.

Dated: September 29, 2004

Robert Joseph Christiaan Smet, Trustee

Katherine Peggy Pleasants, Trustee

State of: Idaho

County of: Blaine

On this 4th day of Oct, 2004, Before me a Notary Public in and for said State, personally appeared Robert Joseph Christiaan Smet and Katherine Peggy Pleasants, trustees THE SMET-PLEASANTS FAMILY TRUST, dated June 25, 1992 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 in their capacity as trustees.

Notary Public

Residing at

Comm. Expires

Carolyn Baird

Hailey

11/23/2009

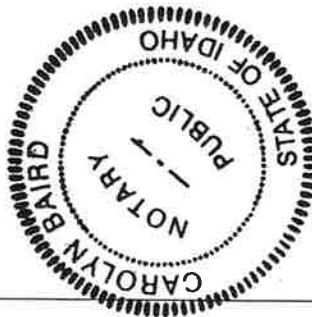


Exhibit 'A'

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO SECTION 20: A parcel of land more particularly described as follows:

Commencing at South East corner of Section 20; thence
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North 30°50'32" West, 1525.35 feet; thence
South 89°55'04" West, 1473.85 feet; thence
South 0°30'54" East, 1310.88 feet; thence
North 89°54'57" East, 2244.08 feet to the Real Point of Beginning

Also known as Tax Lot 7150

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENT:

That I, **MEGAN TEDESCO** have made, constituted, and appointed, and by these presents do make, constitute and appoint **JOHN A. TEDESCO** of **Half Moon Bay, CA**, my true and lawful attorney for and in my name, place and stead, and for my use and benefit as follows:

to execute any and all documents including but not limited to HUD Settlement Statement, Escrow Instructions, Deed of Trust, Note, Loan Documents and Disclosures regarding the purchase of the following described property:

SEE EXHIBIT 'A'

Address verified as: **400 Gannett Road, Unincorporated Blaine County, ID 83313**

and to sign, seal, execute, deliver and acknowledge such instruments in writing of whatever kind and nature as may be necessary or proper in the premises.

Giving and granting unto said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the above stated premises, as fully to all intents and purposes as the signer might or could do if personally present, and hereby ratifying and confirming all that said attorney shall lawfully do or cause to be done in the above stated premises by virtue of these presents.

Dated: September 13, 2004

Megan Tedesco
Megan Tedesco

Instrument # 510929

HAILEY, BLAINE, IDAHO

2004-10-05

03:54:00 No. of Pages: 2

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: POWER OF ATTORNEY-GENERAL/SPECIAL

State of: California
County of: San Mateo

On this 19th day of September, 2004, before me, a notary public, personally appeared Megan Tedesco known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Aimee Hurley
Notary Public
Residing at: San Mateo, California
Commission Expires: July 15, 2007

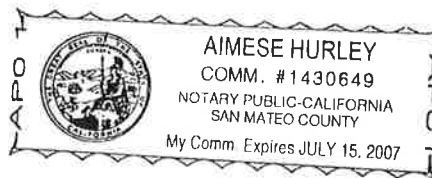


Exhibit 'A'

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO SECTION 20: A parcel of land more particularly described as follows:

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Beginning; thence
North $30^{\circ}50'32''$ West, 1525.35 feet; thence
South $89^{\circ}55'04''$ West, 1473.85 feet; thence
South $0^{\circ}30'54''$ East, 1310.88 feet; thence
North $89^{\circ}54'57''$ East, 2244.08 feet to the Real Point of Beginning

Also known as tax lot #7150



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

November 15, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

John & Samantha Tedesco
Megan Tedesco
1450 Pursima Creek Rd.
Half Moon Bay, CA 94019

RE: Water Right No.

Dear Claimant(s):

This office has received your Notice of Change of Water Right Ownership (copy enclosed), recently submitted. We also received check number 7379 in the amount of \$50; however, we are returning it to you, as the ownership change fee is not required for this particular water right claim. This claim has not yet been decreed by the SRBA Court. The ownership change is being processed and a copy will be mailed to you upon completion.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region

LG: lg

Enclosures

RECEIVED
NOV 17 2004
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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-20494
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THE SMET-PLEASANTS FAMILY TRUST Phone: (208)622-9134
PO BOX 1469
SUN VALLEY ID 83353

2. Date of Priority: 01/29/1965

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	20	SW NE	BLAINE	

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.1	167.7

7. Total Quantity Appropriated is:
1.1 C.F.S. and/or 167.7 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
01N	19E	20	SW	NE	IRRIGATION	16.1
			SE	NW	IRRIGATION	39.8
					Section Acres	55.9
					Total Acres	55.9

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

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

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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

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.

15. Basis of Claim: License

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

11-3-2000
IDWR

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Water Right Number(s) 37-00667H SRBA and 37-02705 SRBA

Adjudication Claim Number(s) _____

The following **REQUIRED** information must be submitted with this form.

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

Name and Address of Former Owner/Claimant(s) Robert J. Struthers

New Owner/Claimant(s) The Smet-Pleasants Family Trust dated June 25, 1992

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

New Mailing Address Box 1469

City, State and ZIP Code Sun Valley ID 83353

New Telephone Number () - -

Date you acquired the property 11/2/00

If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Signature of New Owner/Claimant(s) Kathleen Pleasants Date 11-2-00

[Signature] Date 11-02-00

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Exhibit "A"

TOWNSHIP 1 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 20: A parcel of land more particularly described as follows:

Commencing at SE corner of Section 20; thence
S 89° 54' 59" W, 172.56 feet to the West side of Gannett Road; thence
N 30° 50' 32" W, 3050.48 feet along Gannett Road to the Real Point of
Beginning, thence
N 30° 50' 32" W, 1525.35 feet; thence
S 89° 55' 04" W, 1473.85 feet; thence
S 0° 30' 54" E, 1310.88 feet; thence
N 89° 54' 57" E, 2244.08 feet to the Real Point of Beginning

November 2, 2000

SUN VALLEY
TITLE
C O M P A N Y



Idaho Department of Water Resources
1341 Filmore Street
Suite 200
Twin Falls ID 83301

Re: 00-16133
Robert J. Struthers/Smet-Pleasants
Tsp: 01N Rge: 19E Sec: 20

RECEIVED

NOV - 3 2000

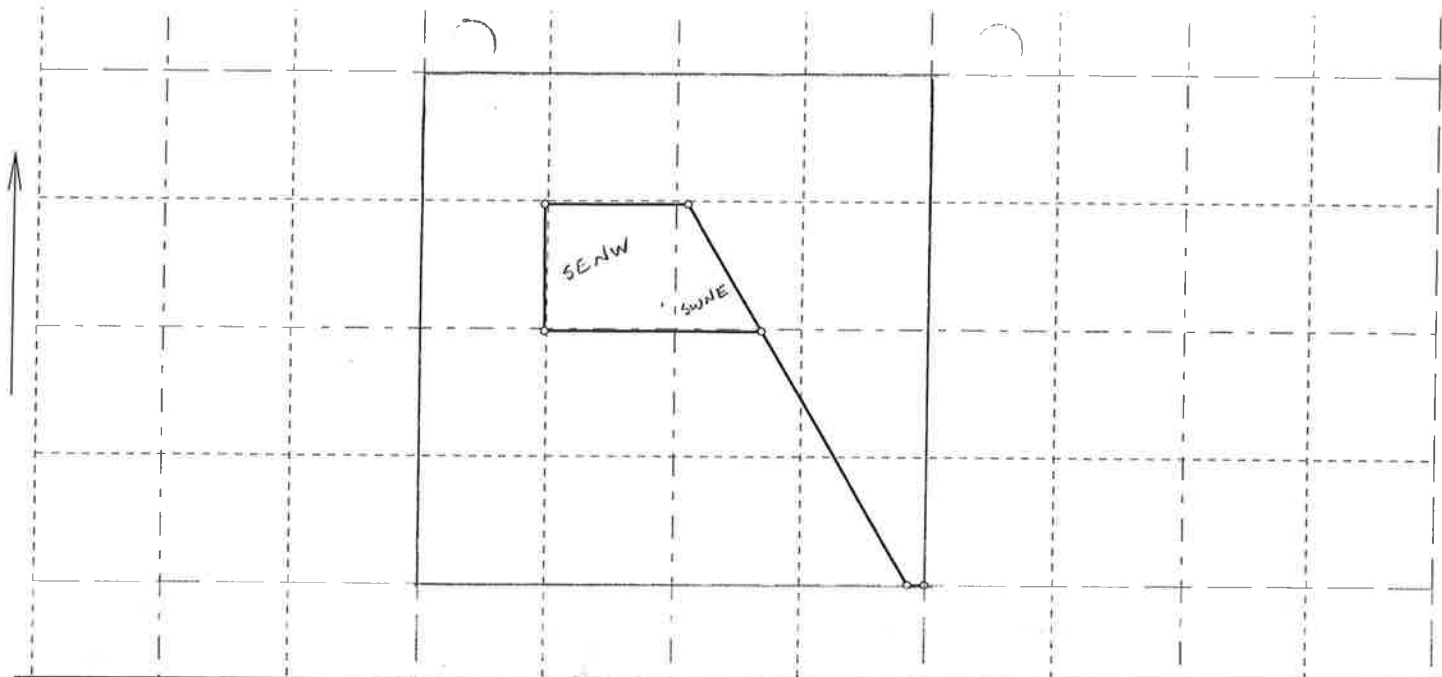
Department of Water Resources
Southern Region

Regarding the above, I have enclosed the following:

Quitclaim Deed
Water Transfer form

Sincerely,

Carolyn Baird
Escrow Closing Agent



Title: Smet-Pleasant's Family Trust

Date: 11-28-2001

Scale: 1 inch = 2000 feet

File:

Tract 1: 55.940 Acres: 2436748 Sq Feet: Closure = n14.3303w 0.01 Feet: Precision = 1/904517: Perimeter = 6554 Feet

001=n30.5032w 1525.35

003=s0.3054e 1310.88

002=s89.5504w 1473.85

004=n89.5457e 2244.08

RECEIVED

NOV - 3 2000

Department of Water Resources
Southern Region

QUITCLAIM DEED

For Value Received **Robert J. Struthers, an unmarried man**

Does hereby convey, release, remise and forever quitclaim unto

The Smet-Pleasants Family Trust, dated June 25, 1992, Robert Joseph Christiaan Smet and Katherine Peggy Pleasants, Trustees

Whose current address is P. O. Box 1469
Sun Valley, ID 83353

the following described premises, to-wit:

55 miners inches or 1.1 cfs of June 15, 1891 priority decreed right number 37-00667H SRBA claim number A37-00667H

55 miners inches or 1.1 cfs of January 29, 1965 priority ground water license number 37-02705 SRBA claim number A37-02705

as attached to the property described as Exhibit "A" attached hereto and made a part hereof

Together with their appurtenances.

Dated: October 30, 2000

Robert J. Struthers, Jr.
Robert J. Struthers, Jr.

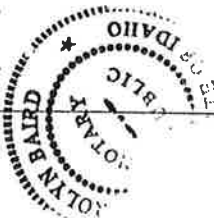
[Signature]

State of Idaho

County of Blaine

On this 2nd day of Oct 2000, before me, a Notary Public in and for said State, personally appeared Robert J. Struthers Jr. 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.

Carolyn Brund
Notary Public
Residing at: Hailey
Comm. Expires: 3-14-2003



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: 37-20494

JOHN A TEDESCO
1450 PURSIMA CREEK RD
HALF MOON BAY CA 94019
Telephone Number: (650) 726-2181

MEGAN TEDESCO
1450 PURSIMA CREEK RD
HALF MOON BAY CA 94019
Telephone Number: (650) 726-2181

SAMANTHA TEDESCO
1450 PURSIMA CREEK RD
HALF MOON BAY CA 94019
Telephone Number: (650) 726-2181

RECEIVED

DEC 15 2006

**DEPT. OF WATER RESOURCES
SOUTHERN REGION**

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:

12/7/06

SIGNATURE:

[Handwritten signature: JOHN A TEDESCO]

Please print your name:

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

SCANNED

DEC 13 2006



Idaho Department of Water Resources

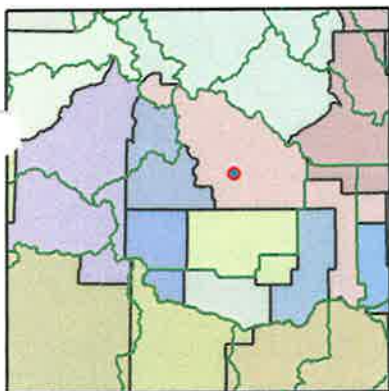
SRBA Recommendation:

37-20494

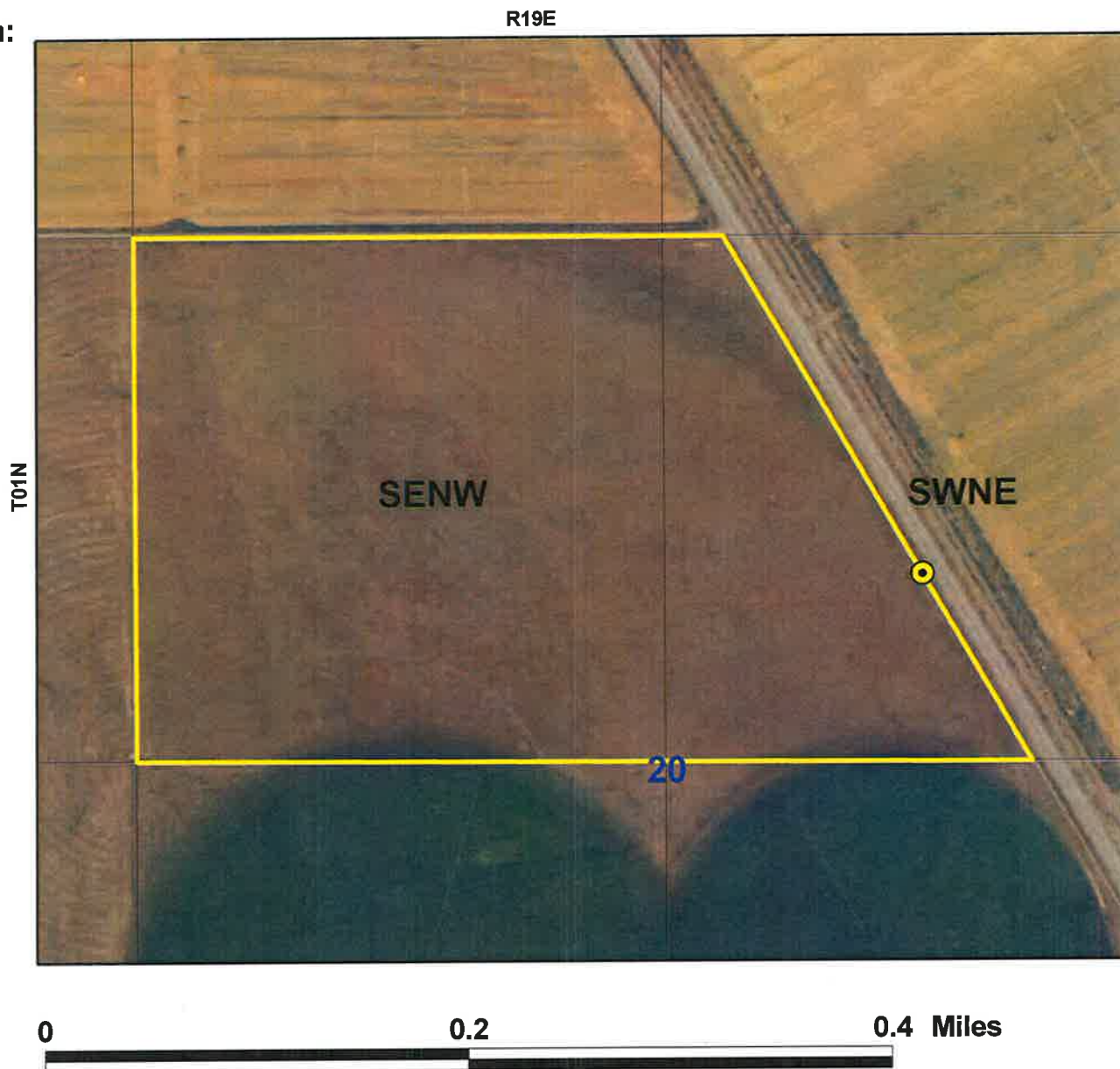
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by A. Merritt
On Thursday, November 9, 2006
2004 Aerial Photography

12/19/2006

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

RIGHT NUMBER: 37-20494

NAME AND ADDRESS: JOHN A TEDESCO
1450 PURSIMA CREEK RD
HALF MOON BAY CA 94019

MEGAN TEDESCO
1450 PURSIMA CREEK RD
HALF MOON BAY CA 94019

SAMANTHA TEDESCO
1450 PURSIMA CREEK RD
HALF MOON BAY CA 94019

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

QUANTITY: 1.100 CFS
167.700 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 01/29/1965

POINT OF DIVERSION:

T01N R19E S20 SWSWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.100 CFS 167.70 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S20	SWNE	16.10	T01N R19E S20	SENE	39.80
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55.9 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 - License

12/19/2006

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

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

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

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.



Idaho Department of Water Resources

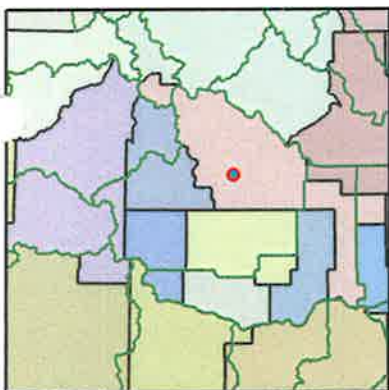
SRBA Recommendation:

37-20494

(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles



Prepared by A. Merritt
On Thursday, November 9, 2006
2004 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69417

Southern
RECEIVED
JUN 05 2002
Department of Water Resources
Southern Region

This is to certify that: THE SMET-PLEASANTS FAMILY TRUST
PO BOX 1469
SUN VALLEY ID 83353
(208)622-9134

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
37-2705A	AJC/License	01/29/1965	5.92 cfs	896.2 af		317.0	GROUND WATER

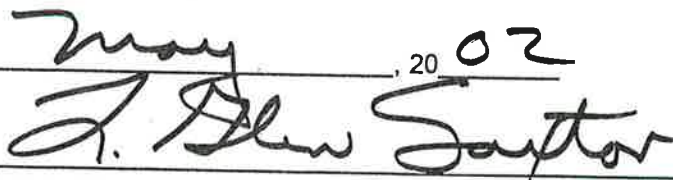
Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-2705A	YES	YES	NO	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
37-2705A	37-20494	1.10 cfs	167.7 af	N/A	55.9	37-20493	4.82 cfs	720.3 af	240.1	257.0
TOTALS		1.10 cfs	167.7 af	N/A	55.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 31st day of May, 2002

Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20493
As Modified by Transfer No. 69417

In accordance with the approval of Transfer No. 69417, Water Right No. 37-20493 is now described as follows.

Right Holder: ROBERT J STRUTHERS
 388 GANNETT RD
 BELLEVUE ID 83313

Priority Date: 01/29/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	4.82 CFS	720.3 AF
		4.82 CFS	720.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSW Sec. 20 Twp 01N Rge 19E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N 19E 20							37.0		40.0	40.0	35.0	40.0			40.0	25.0	257.0

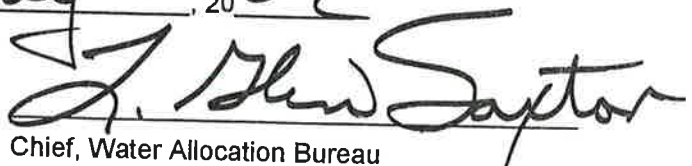
Total Acres: 257

CONDITIONS OF APPROVAL

1. Right 37-20493 when combined with all other rights for the same 240.1 acres shall not exceed a total diversion rate of 4.82 cfs, a total annual maximum diversion volume of 720.3 af at the field headgate.
2. 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 31st day of May, 2002


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20494
As Modified by Transfer No. 69417

In accordance with the approval of Transfer No. 69417, Water Right No. 37-20494 is now described as follows.

Right Holder: THE SMET-PLEASANTS FAMILY TRUST
PO BOX 1469
SUN VALLEY ID 83353

Priority Date: 01/29/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.10 CFS	167.7 AF
			1.10 CFS	167.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNE Sec. 20 Twp 01N Rge 19E 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	
01N	19E	20			16.1				39.8										55.9

Total Acres: 55.9

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

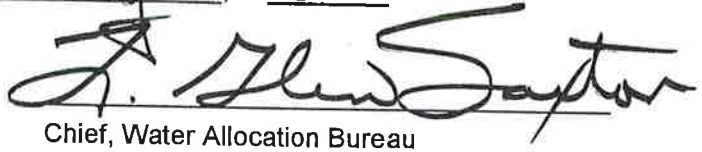
WATER RIGHT NO. 37-20494
As Modified by Transfer No. 69417

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 31st day of May, 20 02


Chief, Water Allocation Bureau