

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 37-21108

Date Received: 6/3/2003

Receipt No:

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RHONDA L IVERSON Phone: (208) 788-3962
PO BOX 1578
HAILEY ID 83333

CLIFTON R IVERSON Phone: (208) 788-3962
PO BOX 1578
HAILEY ID 83333

2. Date of Priority: 06/15/1891

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
02N	18E	36	NE SW NW	BLAINE	

5. Description of diverting works:

HEADGATES IN RIVER DIVERT INTO THE DISTRICT CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.03	

7. Total Quantity Appropriated is:
0.03 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
01N	19E	33	SW	SW	IRRIGATION	4
Section Acres						4
Total Acres						4

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:

Rights 37-20929, 37-21104, 37-21106 and 37-21108 when combined shall not exceed a total annual maximum diversion volume of 14.0 af at the field headgate, and the irrigation of 4 acres.

The place of use is located within Lot 1, Block 1, of the Drussel Subdivision.

15. Basis of Claim: Decreed

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PO BOX 1578
HAILEY ID 83333

2. Date of Priority: 06/15/1891

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
02N	18E	36	NE SW NW	BLAINE	

5. Description of diverting works:

HEADGATES IN RIVER DIVERT INTO THE DISTRICT CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.03	

7. Total Quantity Appropriated is:
0.03 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
01N	19E	33	SW	SW	IRRIGATION	4
					Section Acres	4
					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:

PROPERTY IS ALSO KNOWN AS LOT 1, BLK 1, DRUSSEL SUBDIVISION.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-667J.

15. Basis of Claim: Decreed



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

June 3, 2003

CLIFTON IVERSON
RHONDA IVERSON
PO BOX 1578
HAILEY ID 83333

RE: SRBA Claim(s) 37-665G, 37-666E, 37-667J

Dear Claimants:

Pursuant to the notification that you purchased a portion of the property to which the above referenced adjudication claims are appurtenant, the department has split the original claims as requested. Your portions have been numbered 37-21104, 37-21106 and 37-21108.

Enclosed please find your copies of these computer-generated claims. Review these documents and should you have any questions or corrections, please contact this office.

Sincerely,

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

Trish Fawcett
Technical Records Specialist

enclosures

RECEIVED

APR 28 2003

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

Department of Water Resources
 900 North 1st Street
 Boise, ID 83726

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
	37-665G	✓			
	37-666E	✓			
	37-667J	✓			

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) Irwin G. & Ruth D. Druszel
307 Baseline Rd, Bellevue, ID 83313
4. New Owner/Claimant(s) Clifton R & Rhonda L Iverson
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address PO Box 1578
- City, State and ZIP Code Hailey, ID 83333
- New Telephone Number (208) 788-3762
5. Date you acquired the property 6-21-2000

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>37-6656</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.03 cfs</u>	<u>4 ac SW/SW Sec. 33</u>
Stock		<u>T 1 N R 19 E</u>
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 <u>37-666E</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.03 cfs</u>	<u>4 ac SW/SW Sec. 33</u>
Stock		<u>T 1 N R 19 E</u>
Domestic		
Other		
Total		

7. 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 IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

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

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>37-667J</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.03 cfs</u>	<u>4 ac SW/SW Sec. 33</u>
Stock		<u>TIN A. 19E</u>
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) Rhonda J. Ahernson
(include title if applicable)

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 [Signature] Date 4-28-03 Fee —
 Receipted by _____ Date _____ Receipt No. —
 Processed by AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

GENE and RUTH DRUSSEL, Trustees, or their successors in trust, under **GENE and RUTH DRUSSEL LIVING TRUST** dated June 15, 1995

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

CLIFTON R. IVERSON and RHONDA L. IVERSON, husband and wife

the grantees, whose current address is **PO Box 1578**
Hailey, ID 83333

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

Lot 1 in Block 1 of DRUSSEL SUBDIVISION, Blaine County, Idaho, as shown in the official plat there of, recorded March 9, 2000 as Instrument No. 437148, records of Blaine County, Idaho.

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

Instrument # 440551

HAILEY BLAINE, IDAHO

2000-06-26

03:35:00 No. of Pages: 1

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 3.00

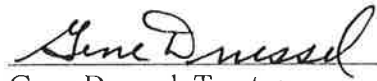
Ex-Officio Recorder Deputy

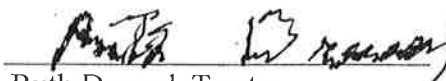
Index to: WTY/QC/CORP DEED

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: June 21, 2000


Gene Drussel, Trustee


Ruth Drussel, Trustee

State of
County of



POLICY OF TITLE INSURANCE

SCHEDULE A

Amount of Insurance: **\$60,000.00**

Policy No. **A60-285442**

Premium: **\$415.00**

Order No. **00-15947**

Date of Policy: **June 26, 2000 at 3:36 PM**

1. Name of Insured:

CLIFTON R. IVERSON and RHONDA L. IVERSON

2. The estate or interest in the land described herein and which is covered by this policy is **FEE SIMPLE** and is at Date of Policy vested in:

CLIFTON R. IVERSON and RHONDA L. IVERSON, husband and wife, as community property

3. The land referred to in this policy is described in the said instrument, is situated in the County of **BLAINE**, State of **IDAHO**, and is identified as follows:

Lot 1 in Block 1 of DRUSSEL SUBDIVISION, Blaine County, Idaho, as shown in the official plat there of, recorded March 9, 2000 as Instrument No. 437148, records of Blaine County, Idaho.

Countersigned: _____

Cassie Jones
Authorized Officer or Agent

NM 1 PA 10

American Land Title Association Owners Policy

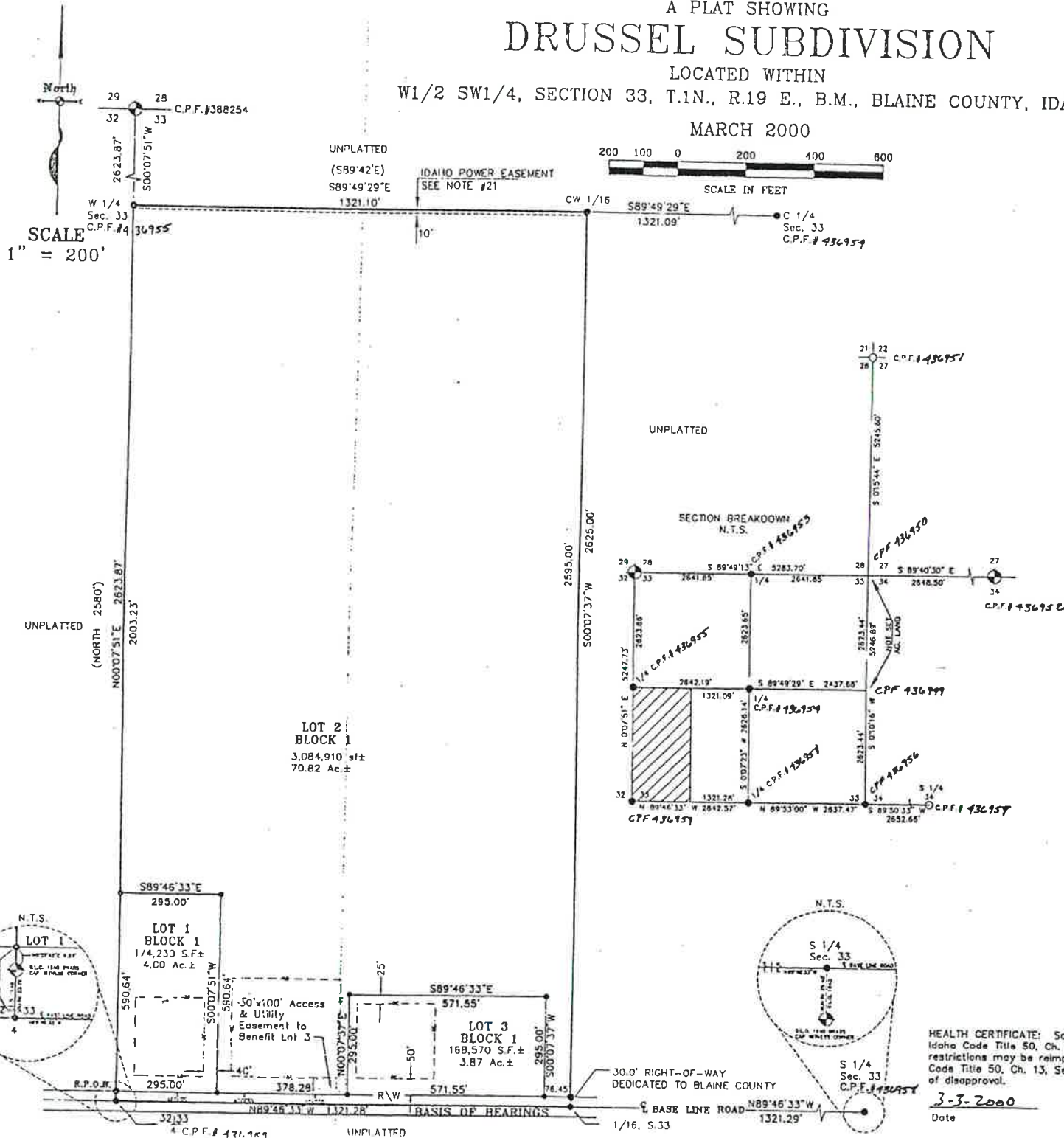
Schedule A

FORM 1190-13

DRUSSEL SUBDIVISION

LOCATED WITHIN
W1/2 SW1/4, SECTION 33, T.1N., R.19 E., B.M., BLAINE COUNTY, IDAHO

MARCH 2000



LEGEND

- Found Brass Cap
- Found 5/8" Rebar
- Set 5/8" Rebar, L.S. 3621
- Set 1/2" Rebar, L.S. 3621
- Building Envelope
- Access Location

NOTES

SEE SHEET 2 OF 3 FOR NOTES



THIS MAP IS A PHOTOGRAPHIC REPRODUCTION OF THAT ON FILE IN EITHER THE RECORDER'S OR SURVEYOR'S OFFICE. THE COMPANY ASSUMES NO LIABILITY FOR VARIATION, IF ANY, WITH ANOTHER OR RE-SURVEY.

CERTIFICATE OF SURVEYOR

I hereby certify that I am a Registered Land Surveyor in the State of Idaho and that this map is a true accurate representation of a survey done under my direct supervision.

Richard D. Fosbury
REGISTERED LAND SURVEYOR
STATE OF IDAHO
EXPIRATION DATE 12/31/2004
RICHARD D. FOSBURY

Richard D. Fosbury P.L.S. 3621

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of disapproval.

3-3-2000
Date

Robert W. Eichen
South Central District Health Dept., EHS

DRUSSEL SUBDIVISION
GALENA ENGINEERING,
KETCHUM, IDAHO

SHEET 1 OF 3

11/24/2006

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

RIGHT NUMBER: 37-21108

NAME AND ADDRESS: RHONDA L IVERSON
PO BOX 1578
HAILEY ID 83333

CLIFTON R IVERSON
PO BOX 1578
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.030 CFS

Right Nos. 37-20929, 37-21104, 37-21106, and 37-21108 are limited to a total combined annual diversion volume of 14.0 AF.

PRIORITY DATE: 06/15/1891

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.030 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S33 SWSW 4.00

4 ACRES TOTAL

Right Nos. 37-20929, 37-21104, 37-21106, and 37-21108 are limited to the irrigation of a combined total of 4.0 acres in a single irrigation season.

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

The place of use is located within Lot 1, Block 1, of the Drussel Subdivision.



Idaho Department of Water Resources

SRBA Recommendation:

37-21108

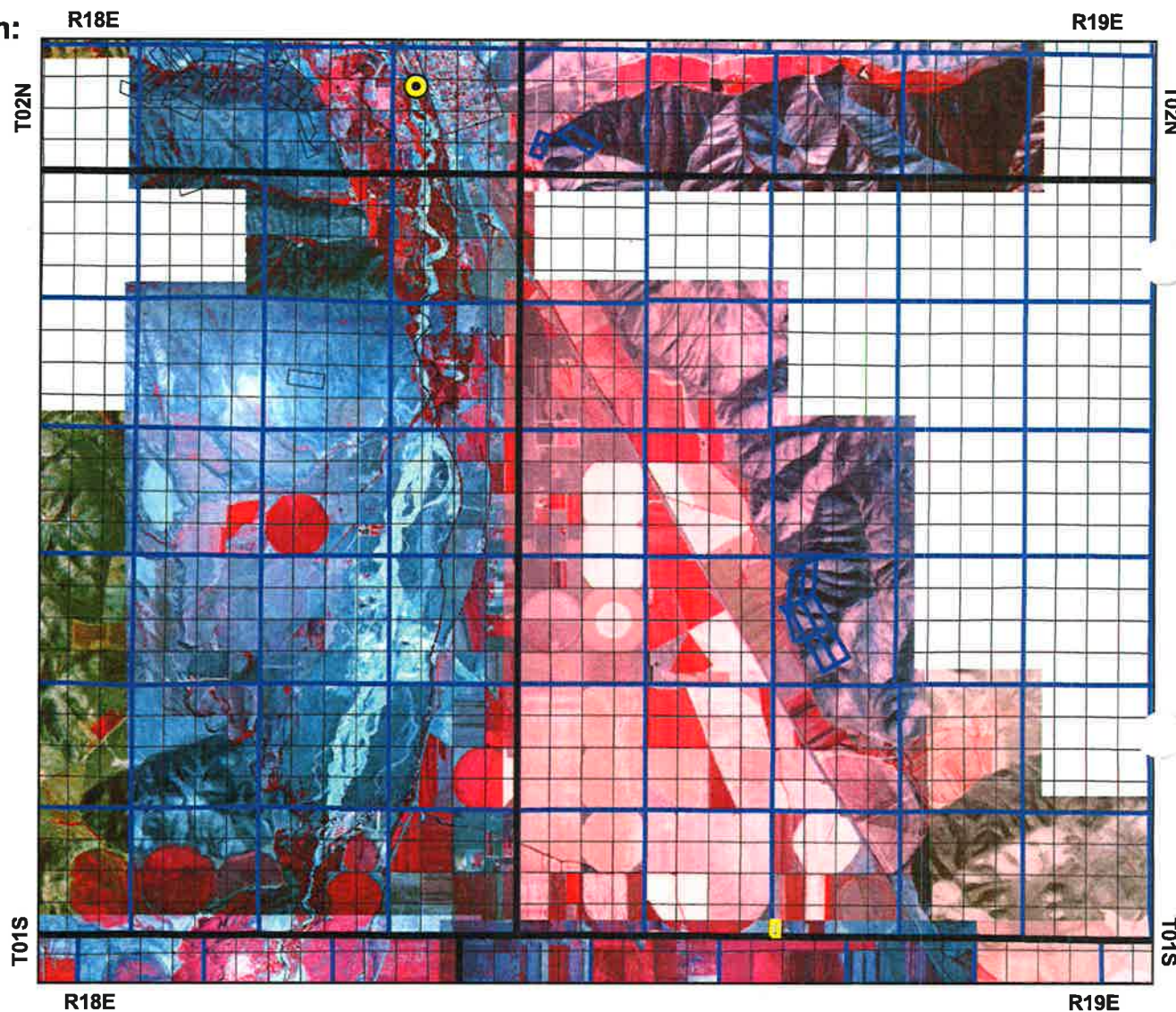
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 3 6 Miles

Prepared by E. NORQUES
On Wednesday, September 20, 2006
1987/88 Aerial Photography

37-21108



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70547

This is to certify that: RHONDA L IVERSON And
CLIFTON R. IVERSON
PO BOX 1578
HAILEY ID 83333
(208)788-3962

have 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. A summary of the changes is also listed below. 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

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-2588	AJC/License	07/09/1956	1.6 cfs	N/A	N/A	80.0	GROUND WATER

Associated Water Rights Also Included In Transfer Approval (Conditions Updated)

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-21104	AJC/Decreed	10/15/1884	0.03 cfs	N/A	N/A	4.0	BIG WOOD RIVER
37-21106	AJC/Decreed	06/12/1886	0.03 cfs	N/A	N/A	4.0	BIG WOOD RIVER
37-21108	AJC/Decreed	06/15/1891	0.03 cfs	N/A	N/A	4.0	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-2588	YES	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-2588	37-20929	0.08 cfs	14 af	N/A	4.0	37-20928	1.46 cfs	255.5 af	N/A	73.0
COMBINED										
TOTALS		0.08 cfs	14 af	N/A	4.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of February, 2004



Chief, Water Allocation Bureau

Right Holder: IRWIN GENE DRUSSEL And
RUTH D DRUSSEL
307 BASELINE RD
BELLEVUE ID 83313

Source: GROUND WATER

GROUND WATER NWNWSW Sec. 33 Twp 01N Rge 19E BLAINE County

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	33											40.0	33.0					73.0

1. The portion of original Right 37-2588 in excess of Rights 37-20928 and 37-20929 in the amount of 0.06 cfs, 10.5 af and 3.0 acres shall be considered forfeited through approval of Transfer 70547 due to failure to put this water to beneficial use for 5 consecutive years prior to filing a claim on this right in the Snake River Basin Adjudication.
2. Approval of Transfer 70547 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Dated this 27th day of February, 2004

Gary Spaulina
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20929

As Modified by Transfer No. 70547

In accordance with the approval of Transfer No. 70547, Water Right No. 37-20929 is now described as follows.

Right Holder: RHONDA L IVERSON And
 CLIFTON R IVERSON
 PO BOX 1578
 HAILEY ID 83333

Priority Date: July 09, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.08 CFS	14.0 AF
			0.08 CFS	14.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWSW Sec. 33 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 33												4.0					4.0

Total Acres: 4

CONDITIONS OF APPROVAL

1. Rights 37-20929, 37-21104, 37-21106 and 37-21108 when combined shall not exceed a total annual maximum diversion volume of 14.0 af at the field headgate, and the irrigation of 4 acres.
2. 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.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The point of diversion and place of use are located within Lot 1, Block 1 of the Drussel Subdivision.
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.

WATER RIGHT NO. 37-20929
As Modified by Transfer No. 70547

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. 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 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 27th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21104

As Modified by Transfer No. 70547

In accordance with the approval of Transfer No. 70547, Water Right No. 37-21104 is now described as follows.

Right Holder: RHONDA L IVERSON And
CLIFTON R IVERSON
PO BOX 1578
HAILEY ID 83333

Priority Date: October 15, 1884

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.03 CFS	
			0.03 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NESWNW Sec. 36 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	
01N 19E 33																	4.0

Total Acres: 4

CONDITIONS OF APPROVAL

1. Rights 37-20929, 37-21104, 37-21106 and 37-21108 when combined shall not exceed a total annual maximum diversion volume of 14.0 af at the field headgate, and the irrigation of 4 acres.
2. The place of use is located within Lot 1, Block 1, of the Drussel Subdivision.

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 27th day of February, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21106
As Modified by Transfer No. 70547

In accordance with the approval of Transfer No. 70547, Water Right No. 37-21106 is now described as follows.

Right Holder: RHONDA L IVERSON And
CLIFTON R IVERSON
PO BOX 1578
HAILEY ID 83333

Priority Date: June 12, 1886

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.03 CFS	
			0.03 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NESWNW Sec. 36 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	
01N 19E 33												4.0					4.0

Total Acres: 4

CONDITIONS OF APPROVAL

1. Rights 37-20929, 37-21104, 37-21106 and 37-21108 when combined shall not exceed a total annual maximum diversion volume of 14.0 af at the field headgate, and the irrigation of 4 acres.
2. The place of use is located within Lot 1, Block 1, of the Drussel Subdivision.

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 27th day of February, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21108
As Modified by Transfer No. 70547

In accordance with the approval of Transfer No. 70547, Water Right No. 37-21108 is now described as follows.

Right Holder: RHONDA L IVERSON And
CLIFTON R IVERSON
PO BOX 1578
HAILEY ID 83333

Priority Date: June 15, 1891

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.03 CFS	
			0.03 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NESWNW Sec. 36 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	
01N 19E 33												4.0					4.0

Total Acres: 4

CONDITIONS OF APPROVAL

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Dated this 27th day of February, 20 04



Chief, Water Allocation Bureau



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

December 8, 2003

Jim Rush
Rocky Mountain Environmental
482 Constitution
Idaho Falls, Idaho 83402

RE: Snake River Basin Adjudication (SRBA)
Claim Nos: 37-481B, 37-482G, 37-483B,
37-665K, 37-667J, 37-667N

Dear Mr. Rush:

In response to your request and our phone conversation December 5, 2003, I am enclosing copies of the above mentioned SRBA Claims to water rights in the name of NMS Leasing, Inc.

A superficial review reveals that each of the rights on which these SRBA claims are based was included in the 1909 S.C. Frost -vs- Alturus Water Company Decree, and that each of the base rights have been split numerous times by parties claiming a portion of the right. Without doing a complete and in-depth investigation, I cannot tell you at this time whether the claims filed by NMS Leasing accurately reflect their valid portions of the 1909 decreed water rights.

As we discussed, IDWR is diligently proceeding toward the review of claims in the Wood River Valley, but agents are not scheduled to begin in that area for another year or perhaps longer. The Department is sensitive to the concerns of buyers and sellers of property with claims to water rights, however at this time I must point out that the enclosed are claims which may or may not reflect the eventual water right decreed to this land in the SRBA.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Regional Office, Twin Falls