

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 37-21245  
Date Received: 1/30/2004  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LESLIE A TIDWELL Phone: (208)578-7769  
PO BOX 2919  
KETCHUM ID 83340

2. Date of Priority: 11/26/1886

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:

HEADGATE #22, HIAWATHA CANAL

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.14   |            |

7. Total Quantity Appropriated is:  
0.14 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 |
|----------|-------|---------|------------|-----|---------------|-------|
| 03N      | 18E   | 33      | NW         | NW  | IRRIGATION    | 0.1   |
|          |       |         | SW         | NW  | IRRIGATION    | 2.5   |
|          |       |         |            |     | Section Acres | 2.6   |
|          |       |         |            |     | Total Acres   | 2.6   |

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 2, BLK 1, SAGEBRUSH SUBDIVISION.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-20933.

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

February 2, 2004

LESLIE A TIDWELL  
PO BOX 2919  
KETCHUM ID 83340

RE: SRBA Claim(s) 37-20933 (Part)

Dear Ms. Tidwell:

Pursuant to the notification that you bought a portion of the property to which the above referenced adjudication claim is appurtenant, the department has split the original claim. Your portions have been numbered 37-21245 for lot 2 and 37-21246 for lot 3.

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

Sincerely,

Irish Fawcett  
Technical Records Specialist

enc.

12/01/2003 14:09 2087363037

IDWR SOUTHERN REGION

PAGE 01

Form 42-348/42-1409(8) July, 2000

**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**  
**DEC 08 2003**  
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 spaces 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<br>Right No(s) | Adjudication<br>Claim No(s) | Split                               | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------------------------------------|----------------------|-----------------------------|-------|
| A 37-00402           | 37-20933                    | <input checked="" type="checkbox"/> |                      |                             |       |
|                      |                             |                                     |                      |                             |       |
|                      |                             |                                     |                      |                             |       |
|                      |                             |                                     |                      |                             |       |
|                      |                             |                                     |                      |                             |       |

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):  
**FLAT 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 **FLAT OF PROPERTY or SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

KRISTINE TIGDON  
P.O. BOX 394, SUN VALLEY, ID 83353

4. New Owner/Claimant(s)

LESLIE A. TIDWELL  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. BOX 2919

City, State and ZIP Code

KETUTUM, ID 83340

New Telephone Number

208 578-7769

5. Date you acquired the property

1/13/99

Form 02-106/02-1409(4) 1/1/2000

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<br>(If the right(s) will not be split, skip this area and proceed to Item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>A37-00402 / 37-20933</u>                                                |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | <u>.14 CFS</u>                                                             | <u>2.6 Acres</u>                                             |
| Stock                                                                                                                   |                                                                            |                                                              |
| Domestic                                                                                                                |                                                                            |                                                              |
| Other                                                                                                                   |                                                                            |                                                              |
| Total                                                                                                                   | <u>.14 CFS</u>                                                             |                                                              |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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)

*Joshua A. Johnson*

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 <u>AJ</u> | Date _____ | WR _____ Date _____ |

# QUITCLAIM DEED

VALUE RECEIVED

BRUCE S. TIDWELL and LESLIE A. TIDWELL, husband and wife and LESLIE A. TIDWELL, as Custodian for MADISON JEAN TIDWELL, a minor, under the Idaho Uniform Transfers to Minors Act

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

LESLIE A. TIDWELL, a married woman, as her sole and separate property

whose address is: 398 Broadford Road, Bellevue, ID 83313

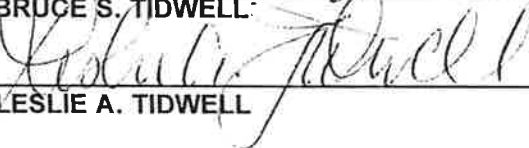
the following described premises situated in Blaine County, Idaho, to wit:

Lot 2, Block 1 of SAGEBRUSH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 422945, records of Blaine County, Idaho.

This Quitclaim Deed is being executed by the undersigned in order that the Grantee may hold the within described property as her sole and separate property.

together with their appurtenances.

Dated: September 9, 1999

  
\_\_\_\_\_  
BRUCE S. TIDWELL  
  
\_\_\_\_\_  
LESLIE A. TIDWELL

  
\_\_\_\_\_  
LESLIE A. TIDWELL, CUSTODIAN

State of Idaho }  
County of Blaine } ss.  
}

431712  
Deed  
BLAINE COUNTY REQUEST  
SAWTOOTH TITLE  
'99 SEP 20 PM 4 05  
MADISON JEAN TIDWELL, CLERK  
M P FEES \$  
3.00



# POLICY OF TITLE INSURANCE



*First American Title Insurance Company*

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

Countersigned

SAWTOOTH TITLE COMPANY

BY

*First American Title Insurance Company*

BY

PRESIDENT

ATTEST

SECRETARY

J 902021

Form No. 1402.92  
(10/17/92)  
ALTA Owner's Policy

**SCHEDULE A**

|                     |                               |            |            |
|---------------------|-------------------------------|------------|------------|
| Order No.           | 25304                         | Policy No. | J 902021   |
| Amount of Insurance | \$250,000.00                  | Premium    | \$1,005.00 |
| Date of Policy      | January 14, 1999 at 3:44 p.m. |            |            |

1. Name of Insured:

**BRUCE S. TIDWELL, LESLIE A. TIDWELL and LESLIE A. TIDWELL, as Custodian for MADISON  
JEAN TIDWELL, a minor**

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

**Fee Simple**

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

**BRUCE S. TIDWELL and LESLIE A. TIDWELL, husband and wife, as to an undivided 87.2%  
interest and LESLIE A. TIDWELL, as Custodian for MADISON JEAN TIDWELL, a minor, under  
the Idaho Uniform Transfers to Minors Act, as to an undivided 12.8% interest**

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

**Lot 2, Block 1 of SAGEBRUSH SUBDIVISION, according to the official plat thereof, recorded  
as Instrument No. 422945, records of Blaine County, Idaho.**

**SCHEDULE B**

Order No. 25304

Policy No. J 902021

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

**PART I  
SECTION 1**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims or easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents and state deeds or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material thereto or hereafter furnished, imposed by law and not shown by the public records.

**SECTION 2**

1. General taxes for the year 1999, a lien not yet due and payable.
2. Levies and Assessments for Sagebrush Homeowners Association, which are not assessed at this time.
3. Easements, Restrictions and Notes as shown on the recorded plat of said subdivision.
4. Restrictions and Easement in that certain State of Idaho Deed by and between State of Idaho, Department of Lands and Kristine S. Pigeon, recorded June 2, 1998, as Instrument No. 414922.

**END SCHEDULE B**

Order No. 25304

## WARRANTY DEED

FOR VALUE RECEIVED

KRISTINE S. PIGEON, a single woman

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

BRUCE S. TIDWELL and LESLIE A. TIDWELL, husband and wife, as to an undivided 87.2% interest and  
LESLIE A. TIDWELL, as Custodian for MADISON JEAN TIDWELL, a minor, under the Idaho Uniform Transfers  
to Minors Act, as to an undivided 12.8% interest

1999 JAN 14 PM 3 44

arsha Riemann, CLERK

1999 JAN 14 PM 3 44

WARRANTY DEED

BLAINE CO. REQUEST

Deed

423068

GRANTEE(s) whose address is: 398 Broadford Road, Bellevue, ID 83313

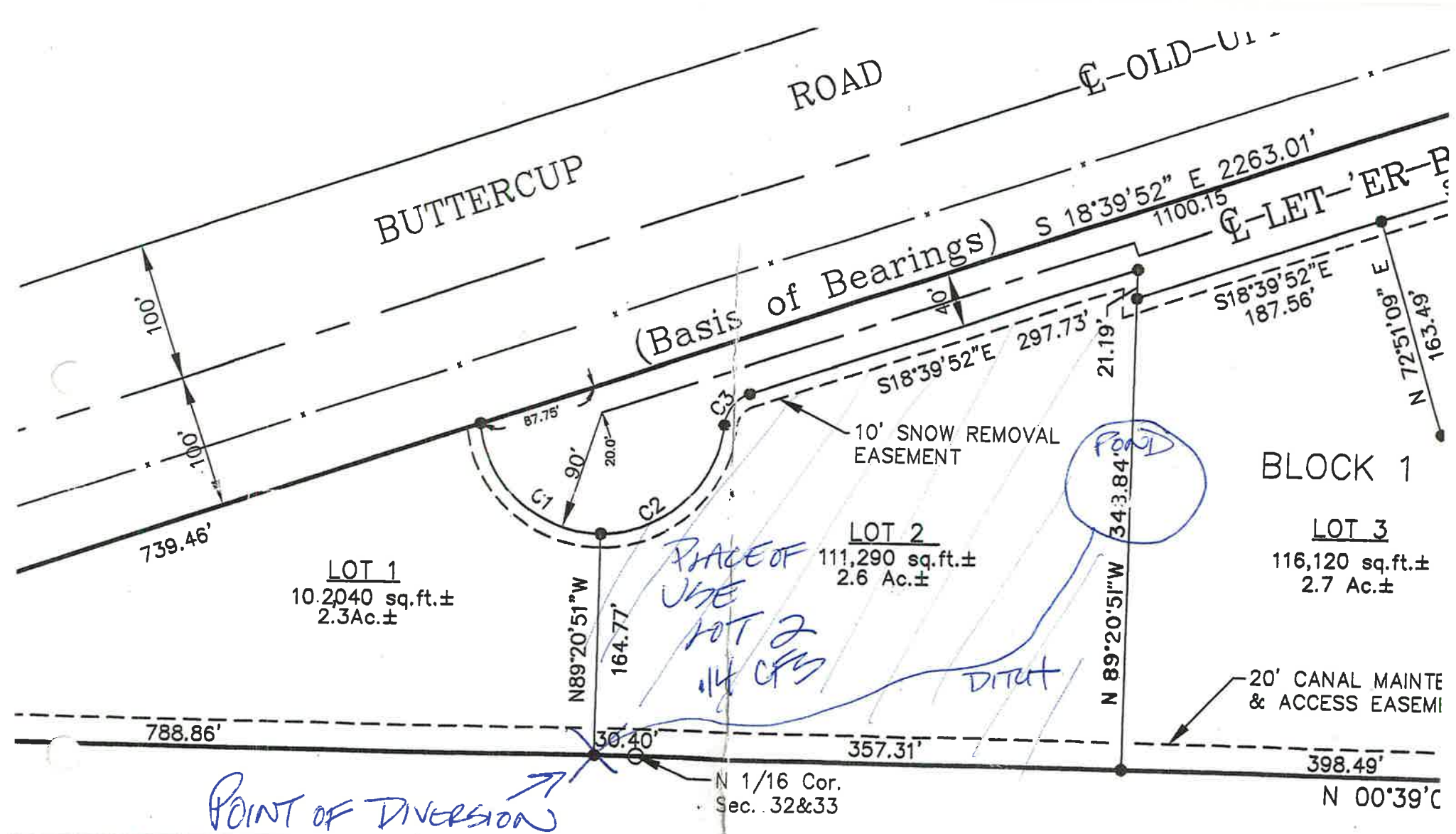
the following described real property in Blaine County, Idaho, to wit:

Lot 2, Block 1 of SAGEBRUSH SUBDIVISION, according to the official plat thereof, recorded as Instrument  
No. 422945, 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: January 13, 1999



| LENGTH  | BEARING     |
|---------|-------------|
| 50.53'  | N24°14'05"E |
| 7.75'   | N76°42'53"E |
| 39.83'  | N18°01'03"W |
| 63.51'  | S89°31'26"E |
| 503.96' | S0°39'09"W  |
| 26.46'  | S18°39'52"E |

| CURVE TABLE |         |        |           |         |         |                 |
|-------------|---------|--------|-----------|---------|---------|-----------------|
| CURVE       | LENGTH  | RADIUS | DELTA     | TANGENT | Chord   | Chord Direction |
| C1          | 132.81' | 90.00' | 84°32'49" | 81.82'  | 121.08' | S41°54'06"W     |
| C2          | 132.40' | 90.00' | 84°17'24" | 81.45'  | 120.78' | S42°31'00"E     |
| C3          | 32.25'  | 28.00' | 65°59'50" | 18.18'  | 30.50'  | N51°39'47"W     |

Understands and

8. This property includes and is adjacent to active agricultural uses. Residents and

# A PLAT SHOWING SAGEBRUSH SUBDIVISION

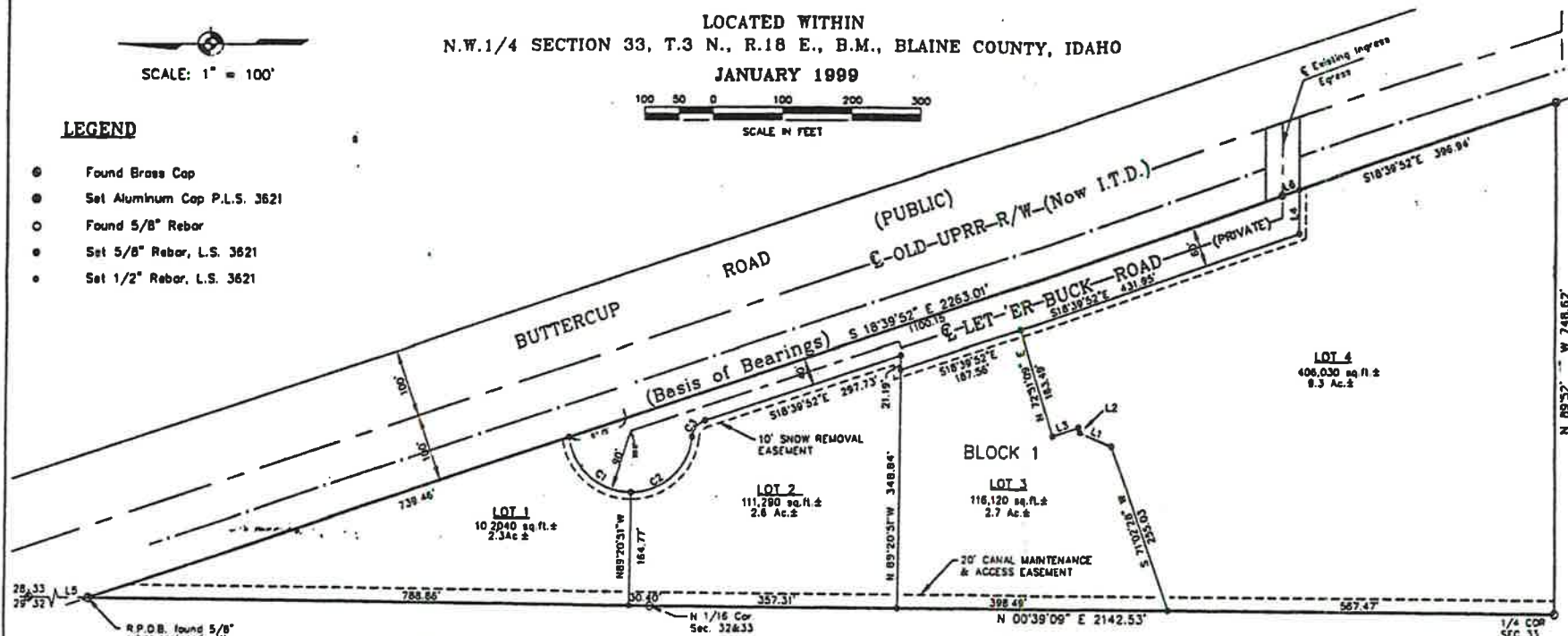
LOCATED WITHIN  
N.W.1/4 SECTION 33, T.3 N., R.18 E., B.M., BLAINE COUNTY, IDAHO  
JANUARY 1999

SCALE: 1" = 100'

SCALE IN FEET  
100 50 0 100 200 300

## LEGEND

- Found Brass Cap
- Set Aluminum Cap P.L.S. 3621
- Found 5/8" Rebar
- Set 5/8" Rebar, L.S. 3621
- Set 1/2" Rebar, L.S. 3621



| LINE | LENGTH  | BEARING     |
|------|---------|-------------|
| L1   | 50.53'  | N24°14'05"E |
| L2   | 7.75'   | N76°42'53"E |
| L3   | 59.83'  | N18°01'03"W |
| L4   | 63.51'  | S89°31'26"E |
| L5   | 503.88' | S0°39'09"W  |
| L6   | 26.46'  | S18°39'52"E |

| CURVE | LENGTH  | RADIUS | DELTA     | TANGENT | Chord   | Chord Direction |
|-------|---------|--------|-----------|---------|---------|-----------------|
| C1    | 132.81' | 90.00' | 84°32'49" | 81.82'  | 121.08' | S41°54'08"W     |
| C2    | 132.40' | 90.00' | 84°17'24" | 81.45'  | 120.78' | S42°31'00"E     |
| C3    | 32.25'  | 28.00' | 65°59'50" | 18.18'  | 30.50'  | N51°39'47"W     |

## NOTES

- The purchaser and/or owner of this lot or parcel understands and agrees that private road construction, maintenance and snow removal shall be the obligation of the owner, owner's successors in interest or the homeowners association, and that Blaine County is in no way obligated to accept, maintain or improve these roads until the roads are brought up to county standards, dedicated, and accepted by the county, and that each owner shall notify in writing any successor in interest of these facts.
- A public utility easement of 10 feet in width exists along all side and rear lot lines.
- Individual lot owners are responsible for control of noxious weeds as per state regulations. Mowing and manual removal are recommended.
- All fire protection requirements of the Wood River Rural Fire District (or otherwise applicable fire district), the Uniform Fire Code and the Blaine County Fire Protection Ordinance including but not limited to water supply, clear zones and year round access to fire hydrants shall be complied with prior to the issuance of any building permits within this subdivision.
- Septic systems and drain field locations shall be approved by South Central Health District prior to issuance of a building permit.
- All utilities shall be underground.
- All new domestic wells in this subdivision shall be metered.

- This property includes and is adjacent to active agricultural uses. Residents and purchasers shall be aware that agricultural practices, livestock grazing and operations, occurring day and night, are allowed and may result in dust, odors, use and application of agricultural chemicals, spraying, ground preparation, harvesting, etc. In addition, the roads accessing this property are used by agricultural vehicles. Such practices and uses are normal functions on agricultural lands and are not considered nuisances.
- Blaine County School District bus routes do not include Let-er-Buck Road. School children may need to be transported to the nearest school bus stop on Buttercup Road.
- The decreed water rights shall remain with the four (4) lots contained herein in perpetuity and shall not be sold off the land.
- Neither the owner of any lot within this subdivision nor any association of homeowners shall inhibit the wintertime use of the Wood River Trail System by completely plowing all of the snow from the pathway.
- Owners shall comply with Health Department regulations including sewage disposal system setbacks from irrigation distribution systems.
- A blanket easement to benefit the Sagebrush Homeowners is reserved for a water delivery line and fire protection pond to be constructed on Lots 2 and 3.

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.

1-11-99  
Date

Robert E. Enright  
South Central District Health Dept., CHS

Richard D. Fosbury  
P.L.S. 3621  
JAN 13 1999  
BLAINE COUNTY, IDAHO

RICHARD D. FOSBURY, P.L.S. 3621

SAGEBRUSH SUBDIVISION  
CALENA ENGINEERING, INC.  
KETCHUM, IDAHO  
SHEET 1 OF 2

Job No 4588

## DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

### Sagebrush Subdivision

This declaration is made on February 7 1999, by Kristine Pigeon, hereinafter, referred to as "Declarant". Whereas, "Declarant is the owner of certain property located in Blaine County, State of Idaho which will be subdivided into four (4) lots called the Sagebrush Subdivision.

#### Definitions

"Declarant": original property owner, Kristine Pigeon.

"Owner": the recorded owner(s) that hold title to any lot within the subdivision.

"Lot": divided parcels, 1,2,3, and 4 as depicted on the Preliminary Plat Map.

#### Membership

Every owner is entitled and required to be a member of the Sagebrush Homeowners Association. Each lot is entitled to one voting right.

#### Rules and Regulations

The Association can make reasonable rules and regulations governing the use, operation and improvements to the road and water system.

#### Fire Protection

The Declarant will be responsible for the construction of a pond and dry hydrant to meet minimum standards as set forth by the Wood River Rural Fire District. The surface water right #A37-00402 will be used to maintain water in the pond. The pond will also be used for irrigation purposes.

#### Irrigation Water and Weed Abatement

Water right #A37-00402, (0.81 cfs surface water from the Hiawatha Canal), will be divided for use by the owners as follows:

Lot 1: .12 cfs

Lot 2: .14 cfs

Lot 3: .14 cfs

Lot 4: .41 cfs

The Declarant will install a pump and pipe to each lot from the pond. It will be the responsibility of each owner to install an irrigation system. The owner will be responsible for irrigating their lot and for controlling and removing noxious weeds.

Maintenance of Water System

The Owners Association will be responsible for operating and maintaining the water system. The cost of operation and repairs to the main system will be divided proportionally, as determined by the amount of ground under irrigation, among the owners.

Let 'Er Buck Road

The Declarant will build to Blaine County standards a private road, Let 'Er Buck Road, that will provide access to all lots. Maintenance and snow removal will be the responsibility of the Association.

Amenities for Owners

The Owners and their families will have the right to use, without charge, the Sagebrush equestrian facility riding arenas during the period of time that Declarant owns lot #4. However, first consideration will be the use by the Sagebrush Equine Training Center for the Handicapped. All riders are subject to the Idaho Horse Bill and must sign the standard Sagebrush Release Form.

Building Restrictions

All owners will be required to follow the codes and guidelines established by Blaine County and the City of Hailey.

Animals and Livestock

There are no restrictions as to types of animals that can be maintained on the property. Owners, with the exception of Lot 4, will not be allowed to board horses or provide riding instruction.

Signed

  
Kristine S. Pigeon

Date

2/8/99

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

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

JUN 16 1998

1. Water Right Number(s) # A37-00402 JUN 16 1998  
Adjudication Claim Number(s) SAME Department of Water Resources  
Southern Region
2. 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. FLAT 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.
3. Name and Address of Former Owner/Claimant(s) STATE OF IDAHO  
IDAHO DEPT. OF LANDS, PO BOX 83720, BOISE, ID 83720 00
4. New Owner/Claimant(s) KRISTINE PIGEON  
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR  
New Mailing Address PO Box 394  
City, State and ZIP Code SUN VALLEY, ID, 83353  
New Telephone Number (208) 788-9636
5. Date you acquired the property JUNE 1, 1998
6. 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.  
40 HORSES  
Number of acres actually irrigated 18.4 Number and type of stock 0-8 HEAD CATTLE  
Diversion rate in CFS .81 Number of homes 0 Other uses PASTURE  
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.
7. Signature of New Owner/Claimant(s) Kristine Pigeon Date 6/5/98  
Date \_\_\_\_\_
8. 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.

AJ5809WP  
No. A37-00402

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/04/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | STATE OF IDAHO<br>DEPT. OF LANDS<br>STATEHOUSE<br>BOISE ID 83720<br>(208) 334-2933 | 11/26/1886       | IRRIGATION | 04-01 11-01           | 4.00 CFS          |                     |
| TOTAL DIVERSION: |                                                                                    |                  |            |                       | 4.00 CFS          |                     |
| CONSUMPTIVE USE: |                                                                                    |                  |            |                       |                   | 226.50 AFA          |

Water Source: BIG WOOD RIVER

Tributary to: MALAD RIVER

Stage: DECREED

Point(s) of Diversion: T03N R18E S20

SE6WNW

BLAINE County

Place of use Legal Description for: IRRIGATION

| NE  |  |     |  |    |  |      |  |      |  | NW   |  |      |  |      |  |      |  |      |  | SW   |  |      |  |      |  |      |  |      |  | SE   |  |      |  |      |  |             |  |     |  |  |
|-----|--|-----|--|----|--|------|--|------|--|------|--|------|--|------|--|------|--|------|--|------|--|------|--|------|--|------|--|------|--|------|--|------|--|------|--|-------------|--|-----|--|--|
| T   |  | R   |  | S  |  | NENE |  | NWNE |  | SWNE |  | SENE |  | NENW |  | NWNW |  | SWNW |  | SENW |  | NESW |  | NWSW |  | SWSW |  | SESW |  | NESE |  | NWSE |  | SWSE |  | SESE        |  | SUM |  |  |
| Lt  |  | Ac  |  | Lt |  | Ac   |  | Lt   |  | Ac   |  | Lt   |  | Ac   |  | Lt   |  | Ac   |  | Lt   |  | Ac   |  | Lt   |  | Ac   |  | Lt   |  | Ac   |  | Lt   |  | Ac   |  |             |  |     |  |  |
|     |  |     |  |    |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  | 40.0        |  |     |  |  |
| 03N |  | 18E |  | 28 |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  | 5.7         |  |     |  |  |
| 03N |  | 18E |  | 29 |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  | 44.9        |  |     |  |  |
| 03N |  | 18E |  | 33 |  |      |  |      |  |      |  |      |  |      |  | 26   |  | 18   |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  | 90.6        |  |     |  |  |
|     |  |     |  |    |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  |      |  | TOTAL ACRES |  |     |  |  |

POU County: BLAINE

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN AC. IRRIG. NOT SPECIFIED. FARM = 125 AC.  
P/U INCLUDES 5.7 AC. EAST OF RAILROAD TRACK IN SESE S29.  
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

Dates: Exam Made Date:

Verified Date:

Objection filed Date:

Misc: Water District Number: 37

Field Inspection Flag:  
Presumption Flag:

Audit: 07/02/90 HARRINGT 07/03/90 HARRINGT 01/30/91 FRAZEE

|                   |               |                  |   |
|-------------------|---------------|------------------|---|
| Date              | 7671          | # of pages       | 3 |
| Post-it® Fax Note | To Kathy Lynn | From Jim Stanton |   |
|                   | Co. Dept.     | Co. J. D. W. R.  |   |
|                   | Phone #       | Phone #          |   |
|                   | Fax #         | Fax #            |   |

JAN-04-1999 13:21

2087363037

97%

P.01

WR5809NP  
No. 37-00402

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 01/04/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS    | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | HAROLD LAKES      | 11/26/1886       | IRRIGATION | 00/00 00/00           | 4.000 CFS         |                     |
| C                | ARTHUR LAKES, JR. |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                   |                  |            |                       | 4.000 CFS         |                     |

Water Source: BIG WOOD RIVER

Tributary to: MALAD RIVER

Stage: DECREED

Point(s) of Diversion:

T03N R18E S20

SWNW

BLAINE County

Place of Use Legal Description for: IRRIGATION

|     |     |    |   | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    |     |
|-----|-----|----|---|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|-----|
|     |     |    |   | NESE | NWSE | SWSE | SESE | NESE | NWSE | SWSE | SESE | NESE | NWSE | SWSE | SESE |    |    |    |    | SUM |
| T   | R   | S  |   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt | Ac | Lt | Ac |     |
| 03N | 18E | 28 | : |      |      |      |      |      |      |      |      |      |      |      |      |    |    |    |    |     |
| 03N | 18E | 29 | : |      |      |      |      |      |      |      |      |      |      |      |      |    |    |    |    |     |
| 03N | 18E | 33 | : |      |      |      |      |      |      |      |      |      |      |      |      |    |    |    |    |     |

Pol County: BLAINE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

|            |            |            |           |           |           |           |           |          |            |
|------------|------------|------------|-----------|-----------|-----------|-----------|-----------|----------|------------|
| 37-00004A  | 37-00004B  | 37-00024   | 37-00028  | 37-00183  | 37-00297  | 37-00298A | 37-00334D | 37-00451 | 37-00521M  |
| 37-00522B  | 37-00522F  | 37-00522G  | 37-00523B | 37-00523D | 37-00523E | 37-00637A | 37-00657B | 37-00658 | 37-00659A  |
| 37-00896   | 37-00897   | 37-00898   | 37-00899  | 37-00900  | 37-00901  | 37-00902A | 37-00902B | 37-00903 | 37-00904   |
| 37-00905   | 37-00906   | 37-00907   | 37-00908  | 37-00909  | 37-00910  | 37-00911  | 37-00912  | 37-00913 | 37-00914   |
| 37-00915   | 37-00916   | 37-00917   | 37-00918  | 37-00919  | 37-00920  | 37-00921  | 37-00922  | 37-00923 | 37-01193   |
| 37-30000B  | 37-30000E  | 37-30002   | 37-30008  | 37-30019  | 37-30024C | 37-30034  | 37-30037  | 37-30039 | 137-30000B |
| 137-30000G | 137-30000K | 137-30000M |           |           |           |           |           |          |            |

Other Water Rights Listing Overlapping Place(s) of use:

37-00521J 37-00522G 37-00523E 37-00912 37-00919

Remarks: GEN AC, IRRIG. NOT SPECIFIED. FARM = 125 AC.  
P/U INCLUDES ABOUT 5 AC. EAST OF RAILROAD TRACK IN SESE S29.  
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

Dates: App. Received: Priority Date: 11/26/1886  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee:

Audit: 06/18/85 05/28/88 CONVERT

## STATE OF IDAHO DEED

Deed No. 13254  
(U.S. Bank Land Exchange)

THIS INDENTURE made this 1 day of June, 1998 by and between STATE OF IDAHO, DEPARTMENT OF LANDS, acting by and through the State Board of Land Commissioners, party of the first part, hereinafter referred to as "Grantor", and KRISTINE S. PIGEON, Sagebrush Arena, P.O. Box 394, Sun Valley, Idaho 83353; party of the second part, hereinafter referred to as "Grantee".

WITNESSETH, That the Grantor in accordance with Section 58-138, Idaho Code, does hereby convey and confirm in fee unto the said Grantee and her heirs and assigns forever, all of the following described real property situate in Blaine County, State of Idaho, to-wit:

A tract of land located in the W $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 33, Township 3 North, Range 18 East, Boise Meridian, lying west of the former Union Pacific Railroad R/W and being more particularly described as follows:

Commencing at the northwest section corner of said Section 33, thence South 0°39'09" West, 503.96 feet along the west section line of said Section 33 to a point on the west boundary of the former Union Pacific Railroad R/W, said point being the REAL POINT OF BEGINNING; thence continuing South 0°39'09" West a distance of 2,142.53 feet along the west section line of said Section 33; thence South 69°52'38" East, 748.62 to a point on the west boundary of the former Union Pacific Railroad R/W; thence North 18°39'52" West a distance of 2,263.01 feet along said former railroad R/W returning to the real point of beginning, the above described area containing 18.4099 acres, more or less, together with 0.81 cubic feet per second which covers the surface irrigation water rights available from the Big Wood River through the Hiawatha Canal with a priority date of November 26, 1886 (Water Right #A37-00402).

TO HAVE AND TO HOLD the above-described premises and parcel of land and granted real property unto KRISTINE S. PIGEON, and her heirs and assigns forever, subject only to the following:

Rights-of-way thereon reserved to the United States for ditches and canals constructed by the authority of the United States (Act of August 30, 1890; 26 Stat. 394; U.S.C. 945) on all lands.

These lands are subject to the following lease:

State of Idaho Temporary Permit No. 2113 to Idaho Power.

414922

Deal  
H. H. & CO. REQUEST  
FIRST AMERICAN TITLE CO

\*98 JUN 2 PM 3 44

PAID BY BANK

FEES \$ 4

State of Idaho Deed No. 13254  
Page 2 of 2

IN WITNESS WHEREOF, I, PHILIP E. BATT, the Governor of the State of Idaho and President of the State Board of Land Commissioners, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed, this 1 day of June, 1998.

Philip E. Batt  
Governor of Idaho and President of the  
State Board of Land Commissioners

COUNTERSIGNED:

Pete T. Cenarrusa  
Secretary of State

Stanley F. Hamilton  
Director, Department of Lands

STATE OF IDAHO )  
County of Ada ) ss.  
On this 1 day of June, 1998

and for said State, personally appeared PHILIP E. BATT, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners, and PETE T. CENARRUSA, known to me to be the Secretary of State of the State of Idaho, and STANLEY F. HAMILTON, known to me to be the Director of the Department of Lands of the State of Idaho, who executed the said instrument and acknowledged to me that such State of Idaho executed the same.



Stanley A. Baker  
NOTARY PUBLIC  
Residing at Mardan, Idaho  
My Commission expires: 5/22/2001

Page 1

12/01/2003

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-20933

WATER RIGHT NUMBER: 37-20933

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                     |
|-------------------|-------------------------------------------------------------------------------------------------------------|
| Original Owner    | HAROLD LAKES                                                                                                |
|                   | , ID                                                                                                        |
| Original Owner    | ARTHUR LAKES JR                                                                                             |
|                   | , ID                                                                                                        |
| Original Owner    | STATE OF IDAHO<br>DEPT OF LANDS<br>984 W JEFFERSON<br>PO BOX 83720<br>BOISE, ID 83720-0050<br>(208)834-0200 |
| Current Owner     | KRISTINE BUE PIGEON<br>PO BOX 394<br>SUN VALLEY, ID 83353<br>(208)788-9638                                  |

Priority Date: 11/28/1886

Basis: Decreed

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| BIG WOOD RIVER | MALAD RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 11/01          | 0.810 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.810 CFS             |                      |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| BIG WOOD RIVER | SE1/4SW1/4NW1/4 | Sec. 20, Twp 03N, Rge 18E, B.M. |
| BLAINE County  |                 |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | NW  | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE | Total |
|-----|-----|-----|----|-----|------|----|----|----|----|----|----|----|----|----|-------|
| 03N | 18E | 33  |    |     |      |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    | 2.7 | 15.7 |    |    |    |    |    |    |    |    |    | 18.4  |

Total Acres: 18.4

Conditions of Approval:Remarks:

Page 2

12/01/2003

**IDAHO DEPARTMENT OF WATER RESOURCES**

**Adjudication Claim Report 37-20033**

1. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-402.

Comments:

Dates and Other Information:

Claim Received Date: 5/2/2003  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal: S  
Owner Name Connector: AND  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:



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 10, 2003

LESLIE TIDWELL  
PO BOX 2919  
KETCHUM ID 83340

RE: SRBA Owner change 37-20933 (Part)

Dear Ms. Tidwell:

I am in receipt of the Notice of Change of Water Right Ownership you recently submitted. Because this claim has not yet been decreed in the Snake River Basin Adjudication, no fee is due to process the owner change. I am herein returning your check nos. 5422 and 5423 each in the amount of \$25.00.

Once I have made the splits, I will send computer print outs confirming the changes have been completed. Should you have any questions, please feel free to give me a call.

Sincerely,

Trish Fawcett  
Technical Records Specialist

Enc.

10/30/2006

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

RIGHT NUMBER: 37-21245

NAME AND ADDRESS: LESLIE A TIDWELL  
PO BOX 2919  
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 11/26/1886

POINT OF DIVERSION:

T03N R18E S20 SESWNW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.140 CFS

PLACE OF USE:

IRRIGATION Within BLAINE County

T03N R18E S33

NWNW

0.10

T03N R18E S33

SWNW

2.50

2.6 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.

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

Water diverted from Headgate #22 delivered through Hiawatha Canal.

PROPERTY IS ALSO KNOWN AS LOT 2, BLK 1, SAGEBRUSH SUBDIVISION.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-20933.

THIS RIGHT ORIGINALLY WAS A SPLIT FROM FORMER RIGHT 37-402.



# Idaho Department of Water Resources

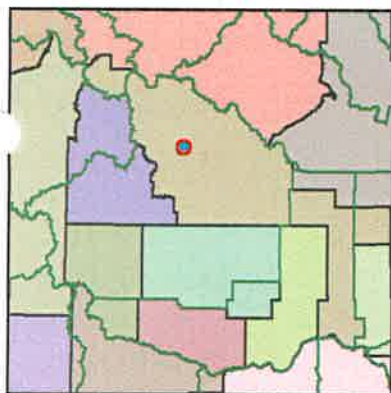
SRBA Recommendation:

**37-21245**

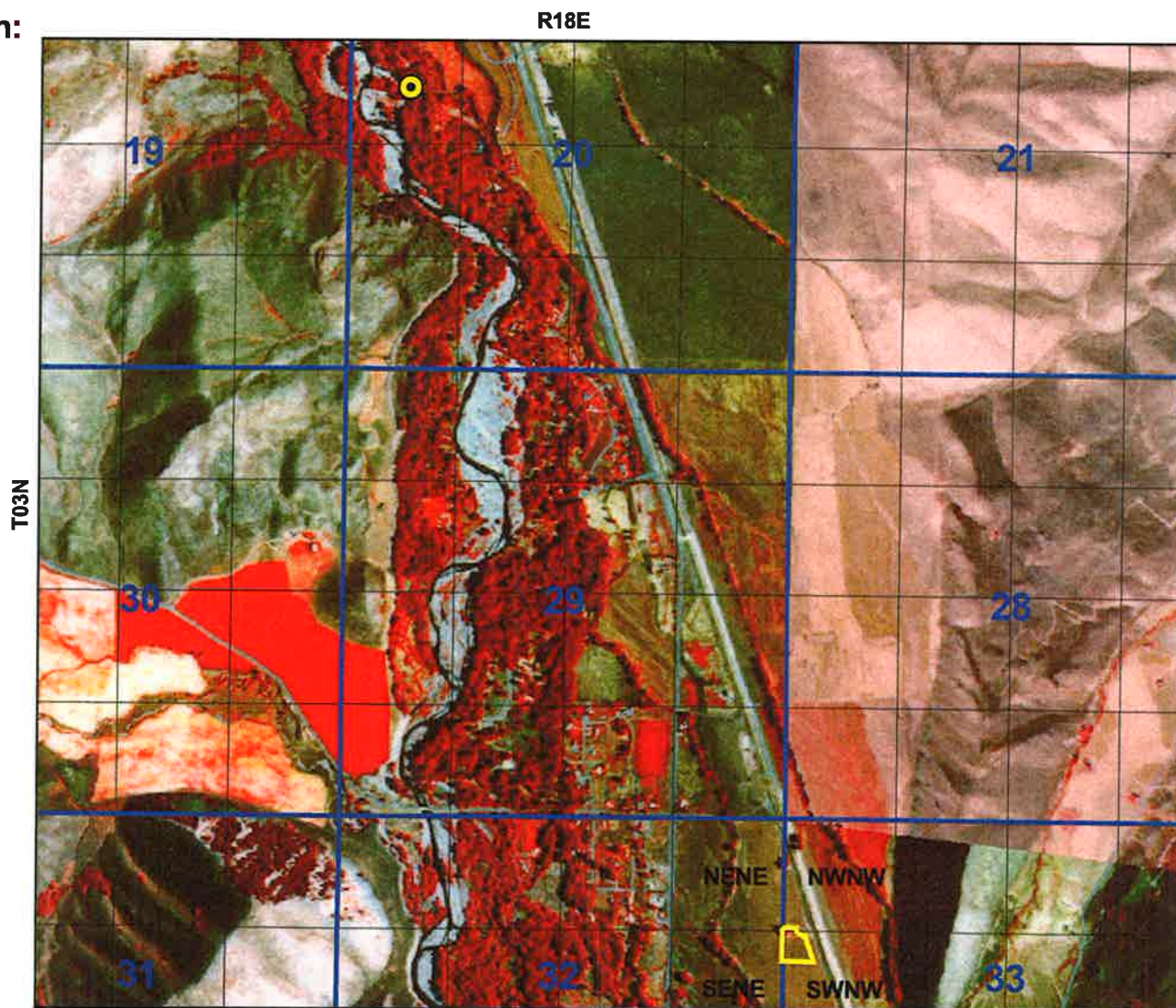
(Irrigation)

## Legend

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



Blaine County  
IDWR Basin 37

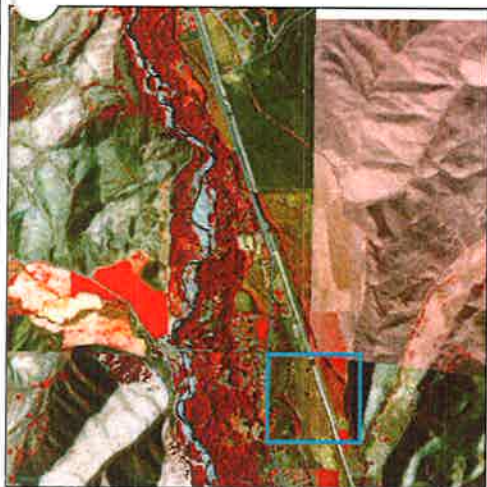
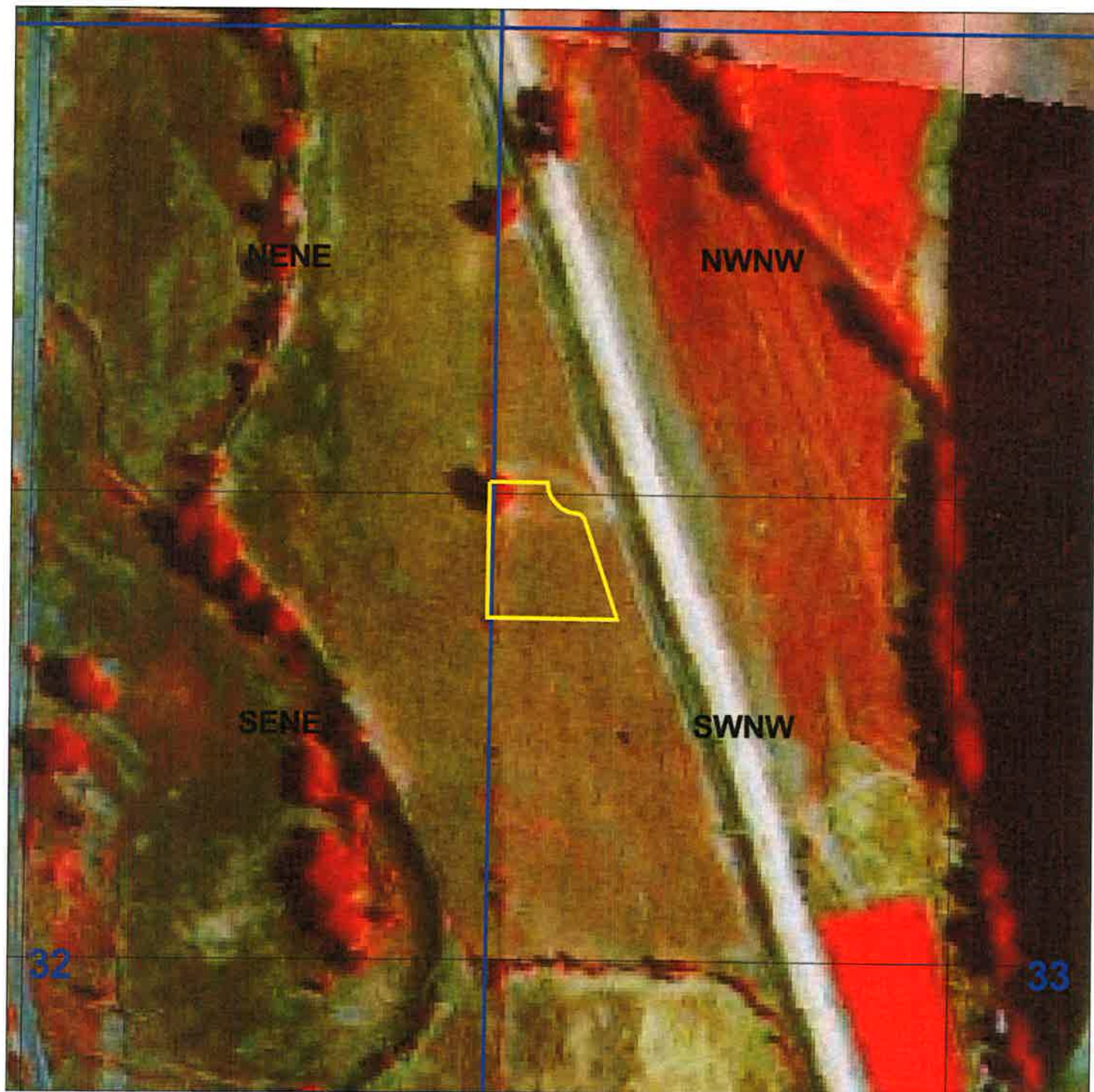


0 0.8 1.6 Miles



Prepared by E. NORQUES  
On Thursday, November 2, 2006  
1987/88 Aerial Photography

**37-21245**





# Idaho Department of Water Resources

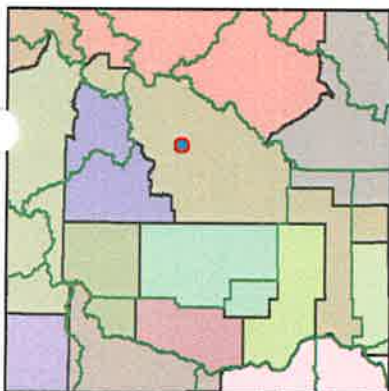
SRBA Recommendation:

**37-21245**

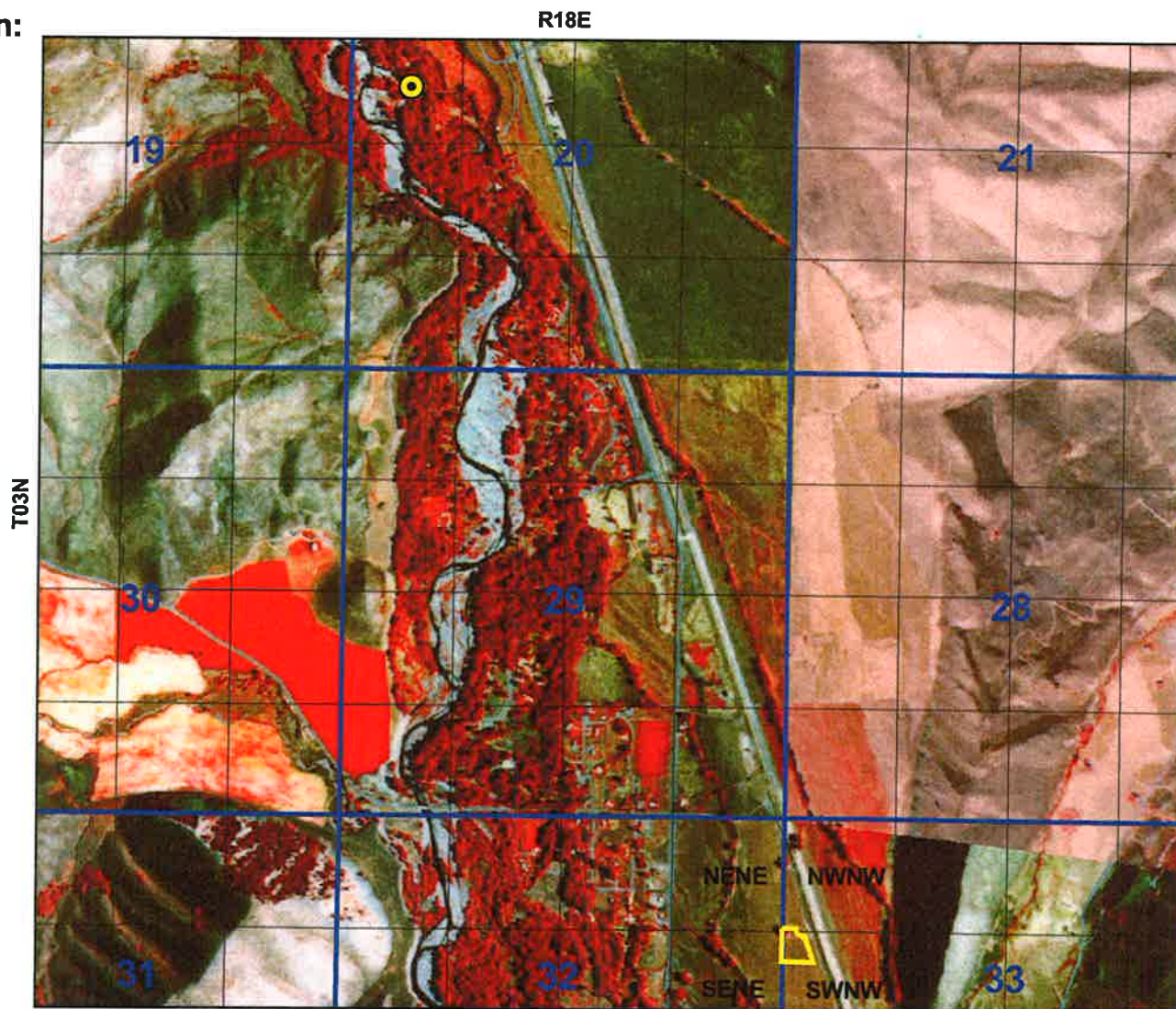
(Irrigation)

## Legend

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



Blaine County  
IDWR Basin 37

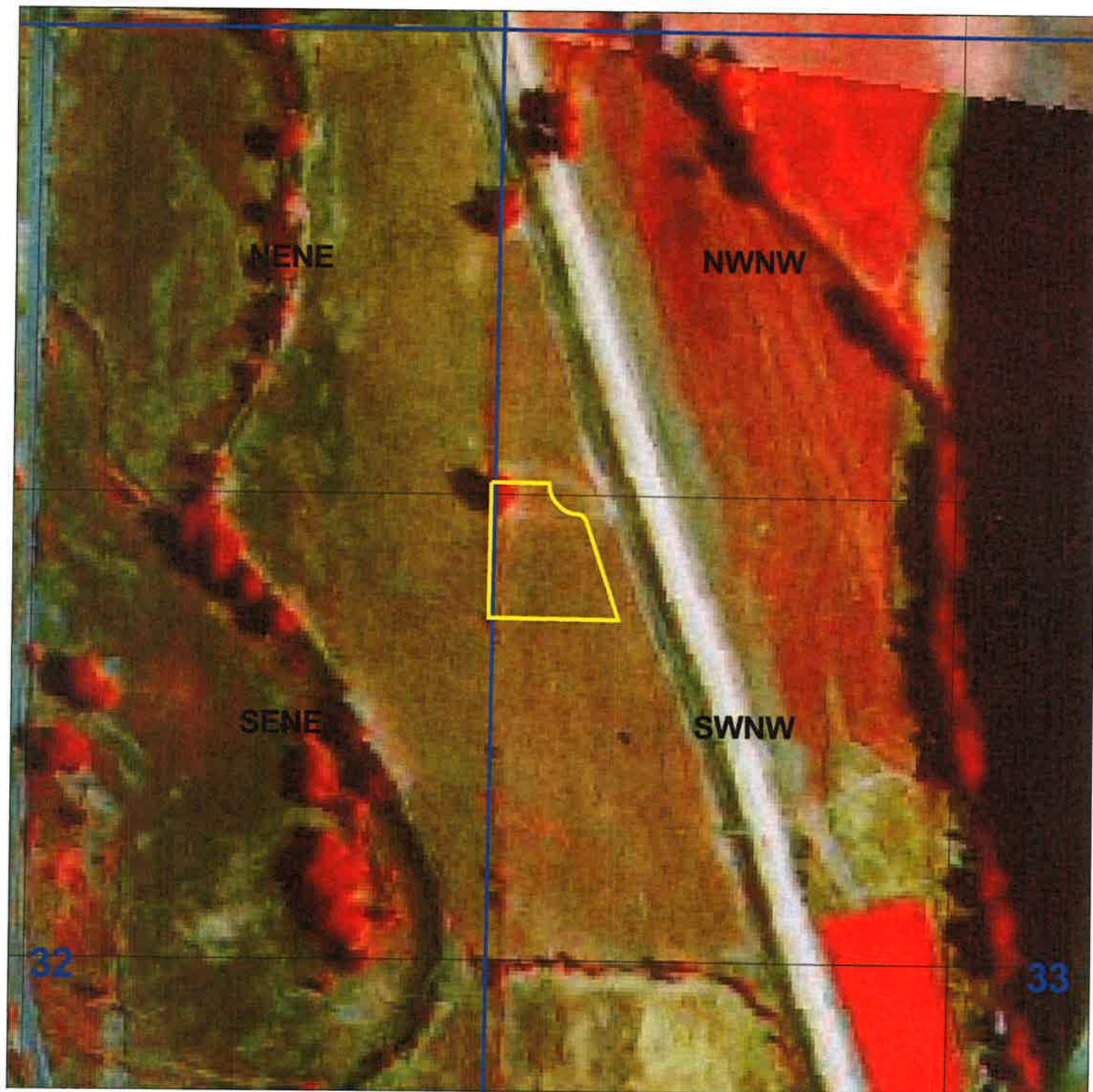
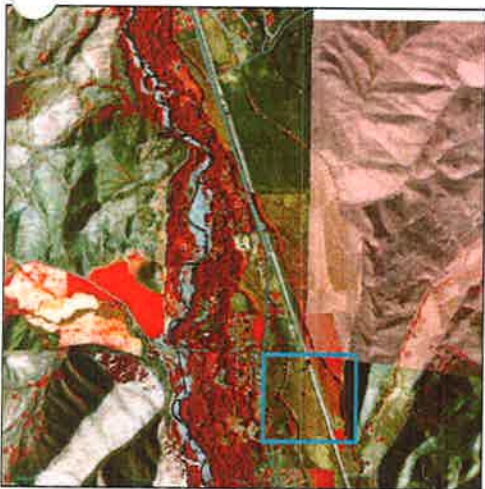


0 0.8 1.6 Miles



Prepared by E. NORQUES  
On Thursday, November 2, 2006  
1987/88 Aerial Photography

37-21245





# Idaho Department of Water Resources

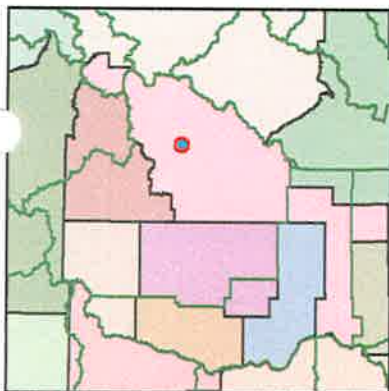
SRBA Recommendation:

**37-21245**

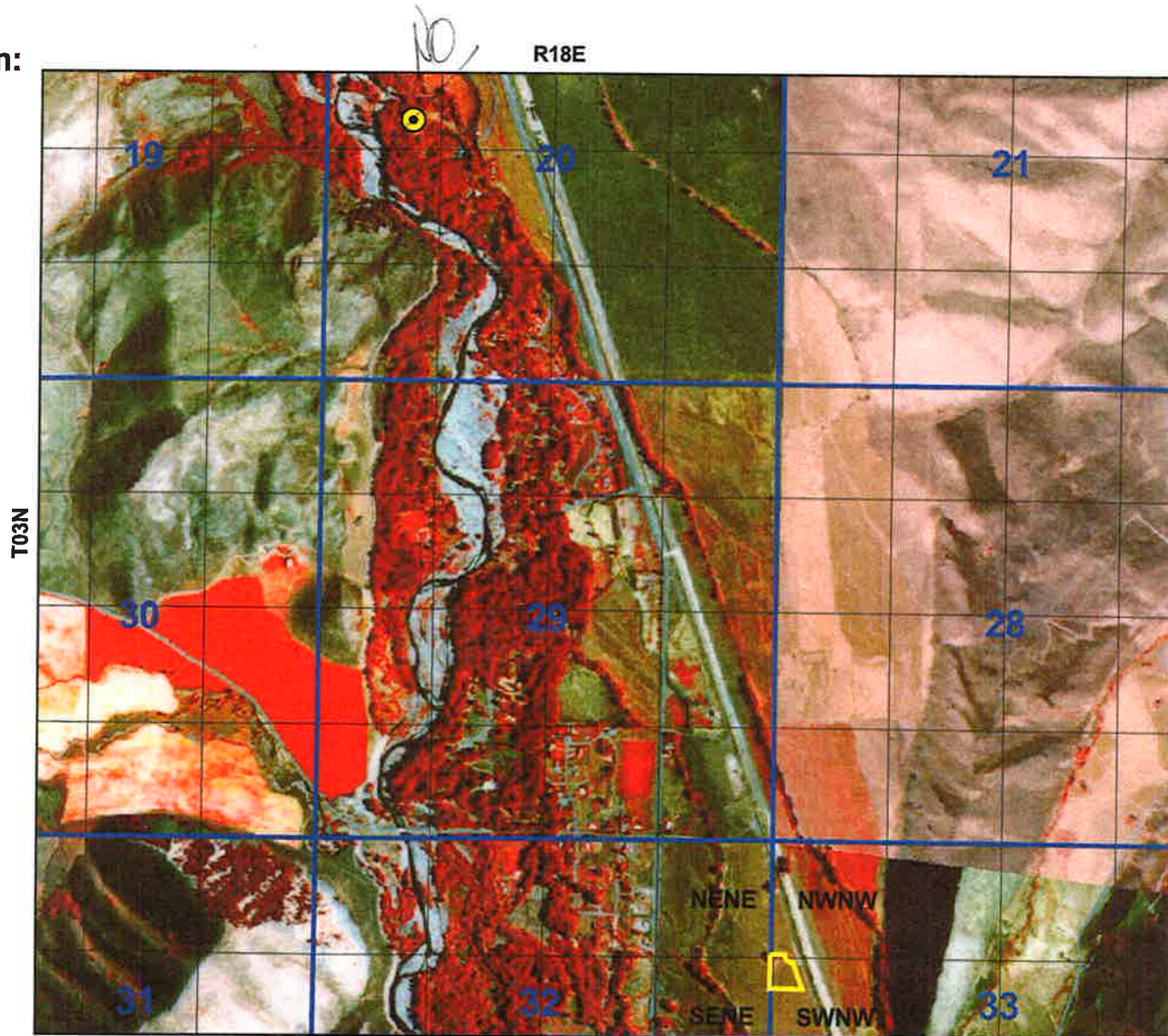
(Irrigation)

## Legend

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

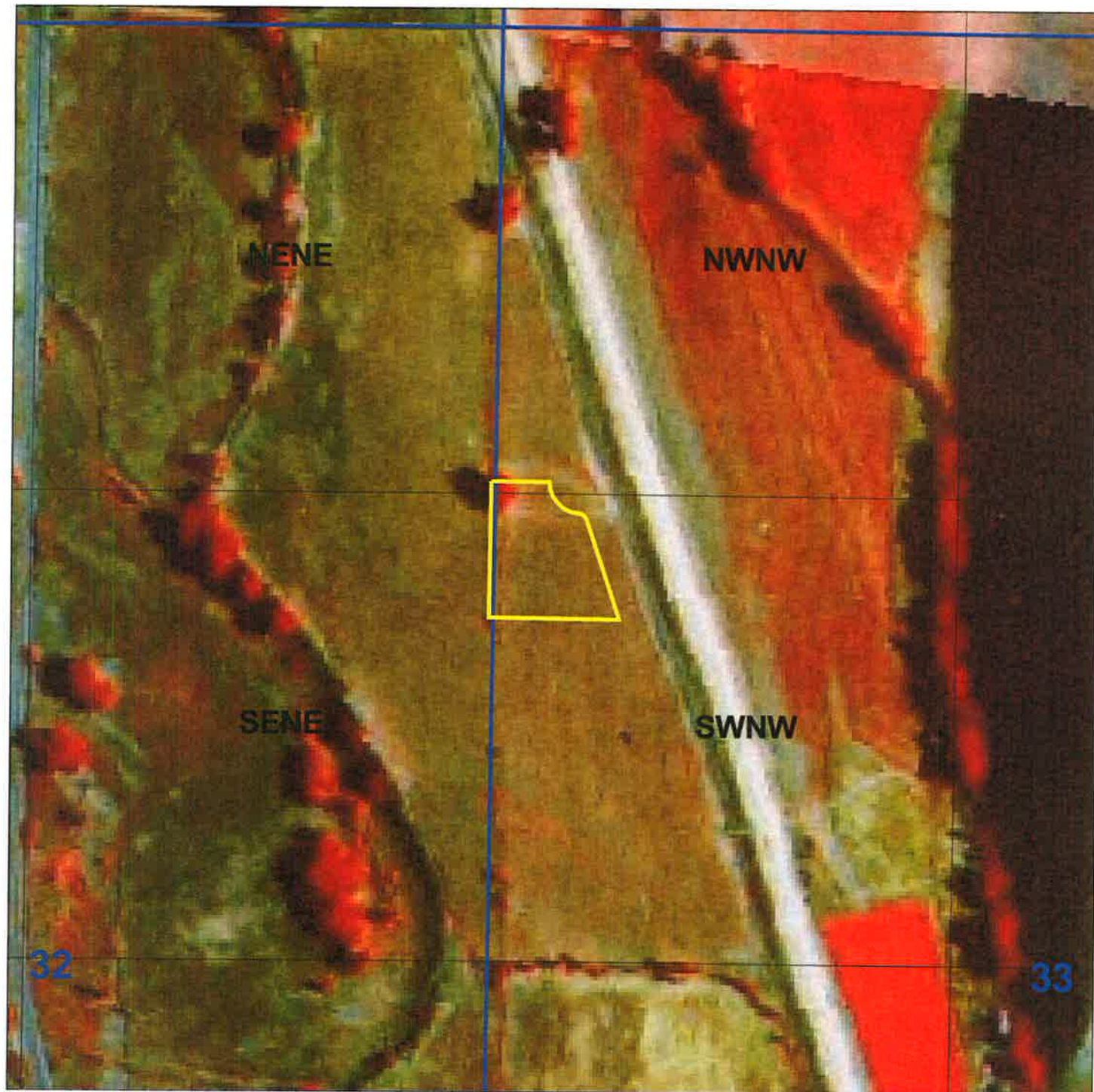


Blaine County  
IDWR Basin 37



Prepared by E. NORQUES  
On Thursday, October 26, 2006  
1987/88 Aerial Photography

37-21245





# Idaho Department of Water Resources

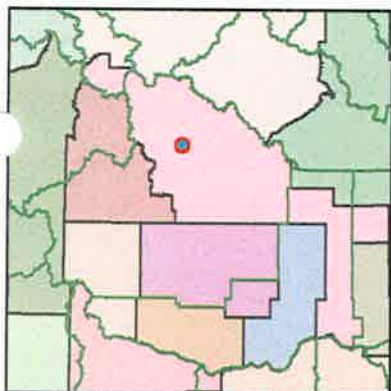
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**37-21245**

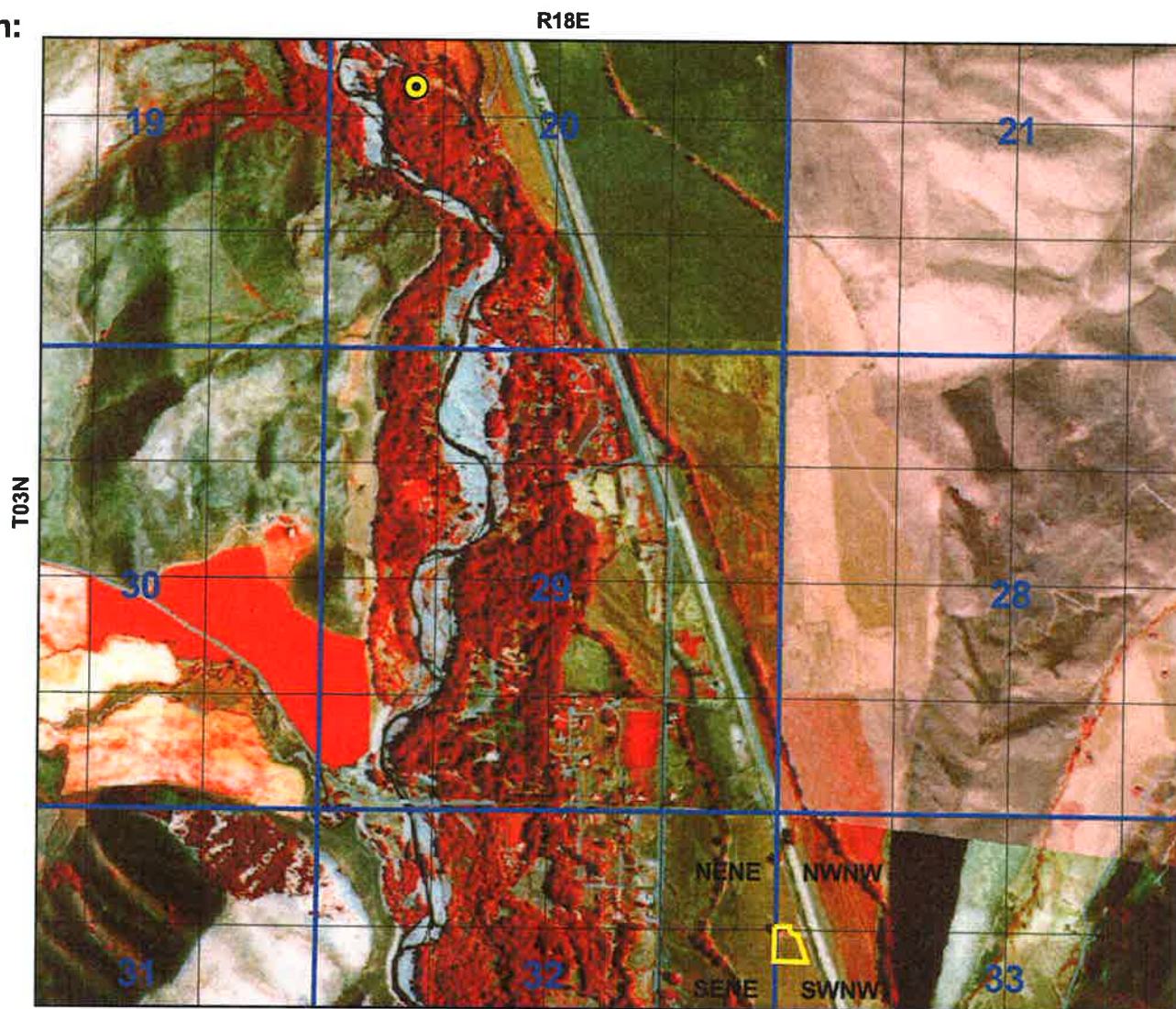
(Irrigation)

## Legend

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



Blaine County  
IDWR Basin 37



0 0.8 1.6 Miles



Prepared by E. NORQUES  
On Thursday, October 26, 2006  
1987/88 Aerial Photography

37-21245

