

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 37-21422
Date Received: 2/7/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

KRISTINE SUE PIGEON Phone: (208)788-9636
PO BOX 394
SUN VALLEY ID 83353

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	0.41	

7. Total Quantity Appropriated is:
0.41 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	SW	NW	IRRIGATION	10.5
			NW	NW	IRRIGATION	0.3
					Section Acres	10.8
					Total Acres	10.8

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 4, BLOCK 1, SAGEBRUSH SUBDIVISION.

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 8, 2005

KRISTINE PIGEON
PO BOX 394
SUN VALLEY ID 83353

RE: SRBA Claim(s) 37-21244 (Part)

Dear Claimants:

Pursuant to the notification that you purchased a portion of the property to which the above referenced adjudication claim is appurtenant, the department has split the original claim. Your portion has been numbered 37-21422.

Enclosed please find your copy of the computer-generated claim. Review this document and should you have any questions or corrections, please contact this office.

Sincerely,


Trish Fawcett
Technical Records Specialist

enc.

Form 42-248/42-1409(6) 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
FEB 03 2005
 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 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
A37-20933		• 12 CFS			

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) KRISTINE PIGEON
PO Box 394, SUN VALLEY, IDAHO 83353
4. New Owner/Claimant(s) LYNN - BONTRAGER, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 2092
- City, State and ZIP Code KETCHUM IDAHO 83340
- New Telephone Number (208) 788 3690
5. Date you acquired the property AUG 1999

Form 42-248/42-1409(6) July, 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>A 37-20933</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>.12 CFS</u>	<u>2.34 ACRES</u>
Stock		
Domestic		
Other		
Total	<u>.12 CFS</u>	

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

7. Signature of New Owner(s) or Claimant(s) Kathleen Lynn, member
(include title if applicable) LYNN-BONTRAGER, LLC

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 _____

RECEIVED
FEB 03 2005
Department of Water Resources
Southern Region

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Sagebrush Subdivision

This declaration is made on _____ 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

NEW# 37-20933

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.

Order No. 25308A

**CORPORATION
WARRANTY DEED**

RECEIVED
FEB 03 2005
Department of Water Resources
Southern Region

FOR VALUE RECEIVED and as replacement property in an I.R.C. 1031 tax deferred exchange for the
Grantee

B.C. EXCHANGE CORPORATION

a corporation duly organized and existing under the laws of the State of Idaho, does hereby GRANT, BARGAIN, SELL and CONVEY unto

CARL G. BONTRAGER and KATHLEEN K. LYNN, husband and wife

GRANTEE whose address is: P.O. Box 815, Ketchum, ID 83340

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

Lot 1, 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, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the 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 above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its Secretary.

Dated: August 11, 1999

B.C. EXCHANGE CORPORATION

ROBERT KORB, SECRETARY

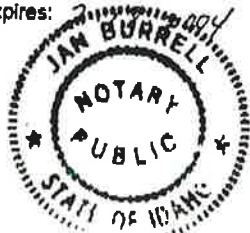
State of Idaho

County of Blaine

On this 12th day of August, in the year 1999, before me, the undersigned, personally appeared ROBERT KORB known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

Notary Public
Commission Expires:



A PLAT SHOWING SAGEBRUSH SUBDIVISION

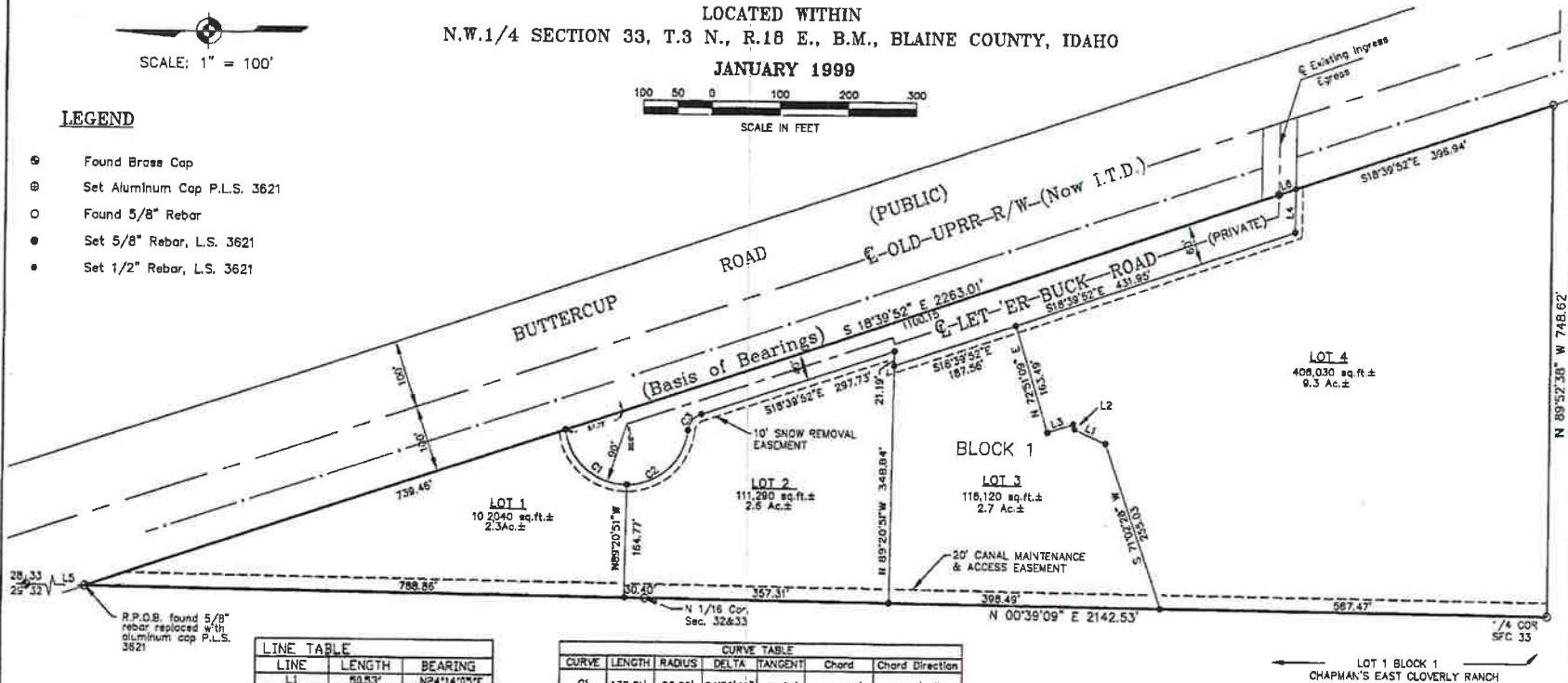
LOCATED WITHIN
N.W.1/4 SECTION 33, T.3 N., R.18 E., B.M., BLAINE COUNTY, IDAHO
JANUARY 1999

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	59.53'	N24°14'05\"E
L2	7.75'	N76°42'53\"E
L3	39.83'	N18°01'03\"W
L4	63.51'	S52°11'26\"E
L5	503.96'	S0°19'00\"W
L6	26.46'	S18°39'52\"E

CURVE	LENGTH	RADIUS	DELTA	TANGENT	Chord	Chord Direction
C1	132.81'	80.00'	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'	85°58'50\"	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 prohibit 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
Richard D. Fosbury
South Central District Health Dept., CHS

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

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

Job No. 4568

Department of Water Resources
Southern Region

RECEIVED
FEB 03 2005

Wednesday, February 02, 2005

RECEIVED
10
FEB 03 2005
Department of Water Resources
Southern Region

IDWR Southern Region
1341 Fillmoe Street
Suite 200
Twin Falls, ID 83301-3380
208-736-3033

Hello Jim Stanton,

Please find enclosed a Notice of Change in Water Right Ownership for Water Right
A37 20933 (Previous # A37-00402).

I believe I have enclosed all the necessary documents, etc. that you requested. This water
right is being divided as indicated.

If you have any questions, please give me a call at 208 788 3690.

Thanks for your help.

Sincerely,



Kathleen Lynn
Member
Lynn-Bontrager, LLC
P O Box 2092
Ketchum, Idaho 83340

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 37-21244
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)

KRISTINE SUE PIGEON Phone: (208)788-9636
PO BOX 394
SUN VALLEY ID 83353

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	0.53	

7. Total Quantity Appropriated is:
0.53 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	2.6
			SW	NW	IRRIGATION	10.5
					Section Acres	13.1
					Total Acres	13.1

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 LOTS 1 AND 4, 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

KRISTINE PIGEON
PO BOX 394
SUN VALLEY ID 83353

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

Dear Ms. Pigeon:

Pursuant to the notification that you sold a portion of the property to which the above referenced adjudication claim is appurtenant, the department has split the original claim. The remaining portion of your claim has been numbered 37-21244.

Enclosed please find your copy of the computer-generated claim. Review this document and should you have any questions or corrections, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over the typed name.

Trish Fawcett
Technical Records Specialist

enc.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-20933
Date Received: 5/2/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KRISTINE SUE PIGEON Phone: (208) 788-9636
PO BOX 394
SUN VALLEY ID 83353

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	0.81	

7. Total Quantity Appropriated is:
0.81 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	2.7
			SW	NW	IRRIGATION	15.7
					Section Acres	18.4
					Total Acres	18.4

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:

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

15. Basis of Claim: Decreed

split

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.

RECEIVED

JUN 16 1998

Department of Water Resources
 Southern Region

1. Water Right Number(s) # A37-00402

Adjudication Claim Number(s) SAME

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. 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.

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

STATE OF IDAHO
IDAHO DEPT. OF LANDS, PO BOX 83720, BOISE, ID 83720-0050

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.

Number of acres actually irrigated 18.4 Number and type of stock 40 HORSES
0-8 HEAD CATTLE

Diversion rate in CFS .81 Number of homes 2 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 6/9/98

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

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.

RECEIVED

JUN 16 1998

STATE OF IDAHO DEED

Department of Water Resources
Southern Region

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 89°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. 391; 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.

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)
 (ss.
County of Ada)

On this 1 day of June, in the year 1998, before me a Notary Public in 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.

Shirley A. Baker

NOTARY PUBLIC

Residing at Meridian, Idaho

My Commission expires: 5/22/2001



SCALE IN FEET

SAGEBRUSH ARENA
OWNER: KRISTINE PIGEON
18.4 ACRES

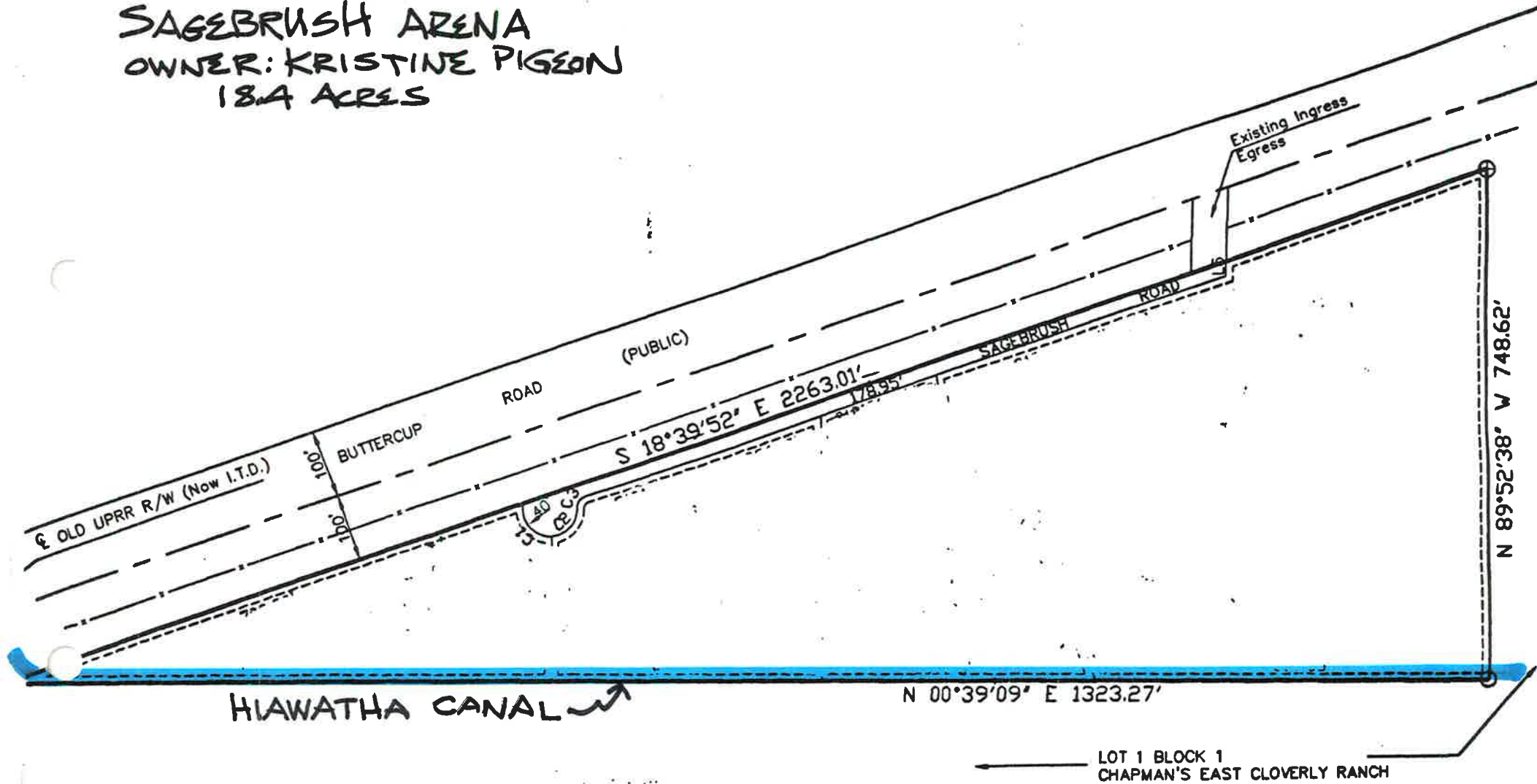
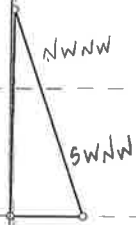


TABLE		
LINE	LENGTH	BEARING
L1	50.59	N24°14'05"E
L2	7.15	N76°42'53"E
L3	29.76	N 01°22' W

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	Chord	Chord Direction
C1	73.09'	40.00'	104°41'22"	51.84'	63.34'	S50°25'44"W
C2	61.54'	40.00'	88°09'09"	38.73'	55.65'	S45°59'2"E



33

Title: -----			Date: 04-16-2003
Scale: 1 inch = 2000 feet	File:		
Tract 1: 18.410 Acres: 801936 Sq Feet: Closure = s47.0722e 0.00 Feet: Precision >1/999999: Perimeter = 5154 Feet			
001=/nw,33,3n,18e	003=s0.3909w 2142.53	005=p18.3952w 2263.01	
002=/s0.3909w 503.96	004=s89.5238e 748.62		

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: 37-21422

KRISTINE SUE PIGEON

~~PO BOX 394~~

~~SUN VALLEY ID 83353~~

Telephone Number: (208) 788-9636

109 Greenhorn Rd.
Hailey, ID 83333

Not a Entry
12/11/2006
Chris

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: 11-27-06

SIGNATURE:

[Signature]

Please print your name:

Kristine Sue Pigeon

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

* please see address change



Idaho Department of Water Resources

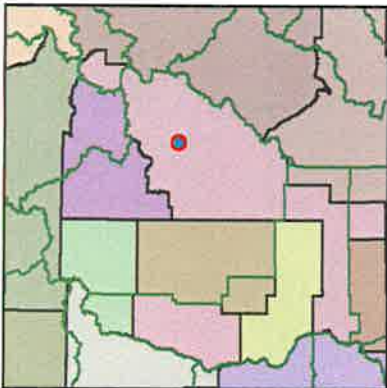
SRBA Recommendation:

37-21422

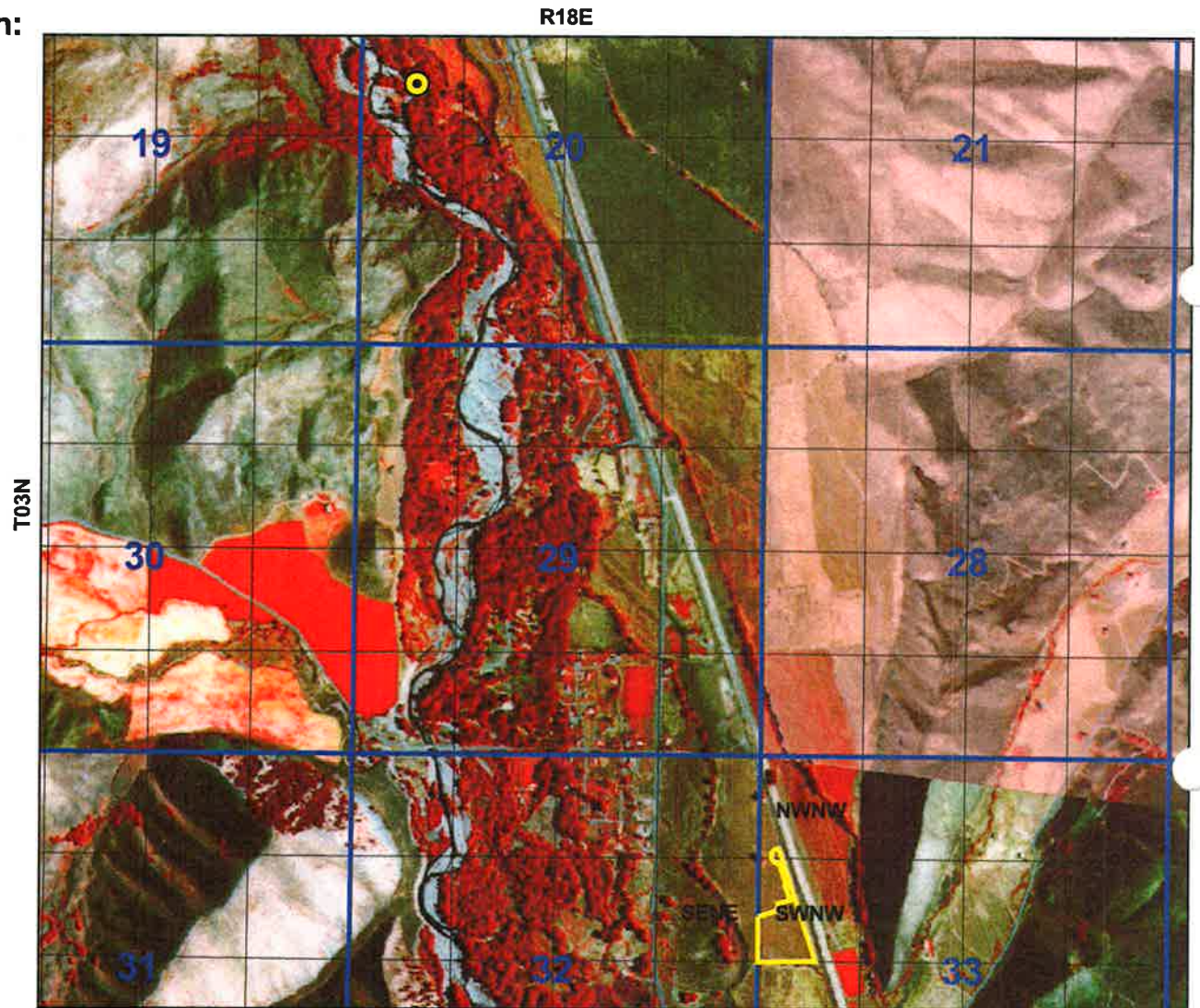
(Irrigation)

Legend

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



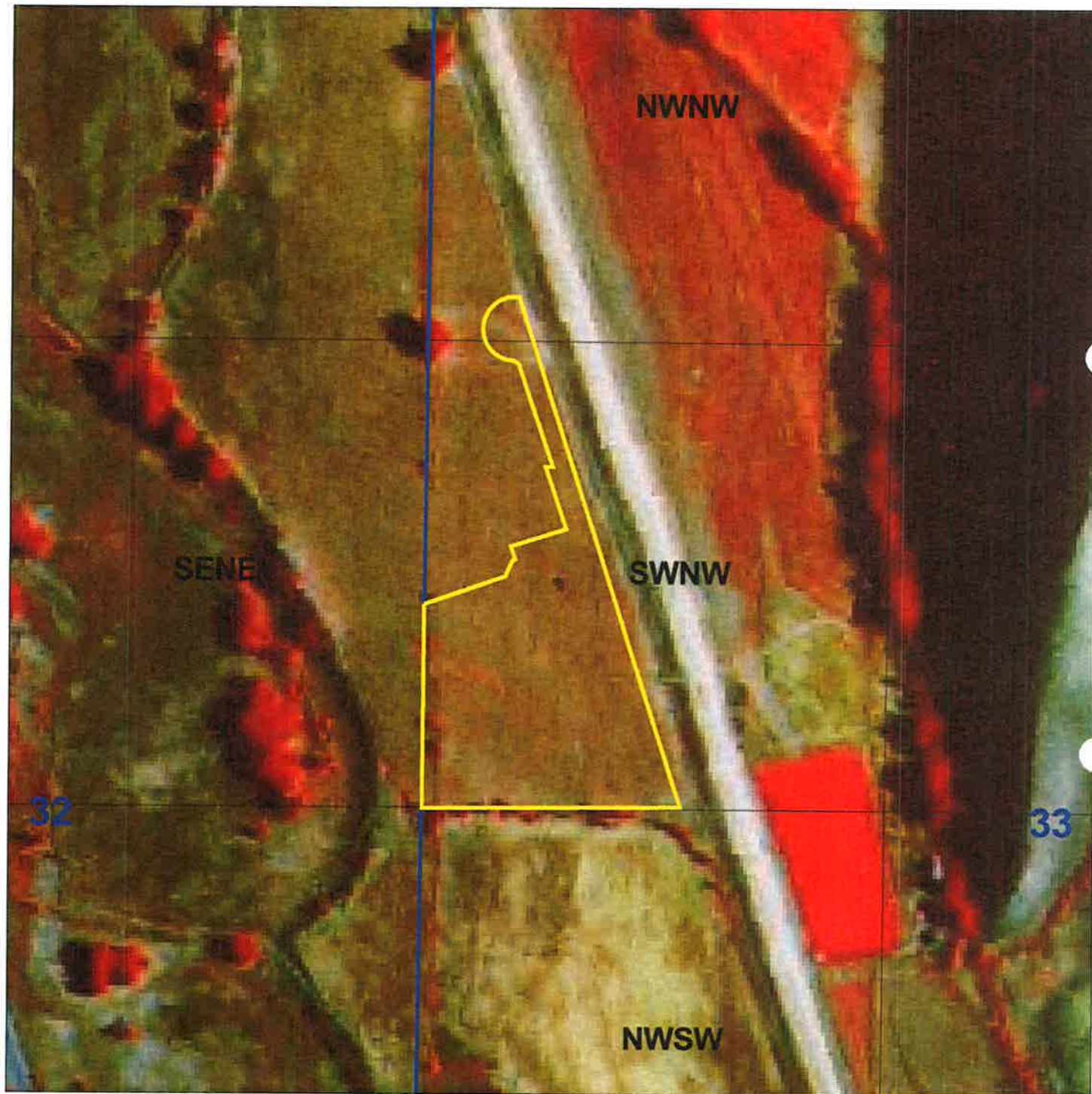
Blaine County
IDWR Basin 37



0 0.9 1.8 Miles

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

37-21422





Idaho Department of Water Resources

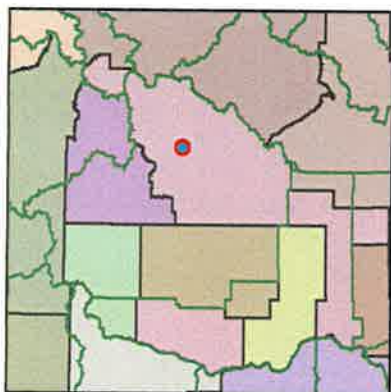
SRBA Recommendation:

37-21422

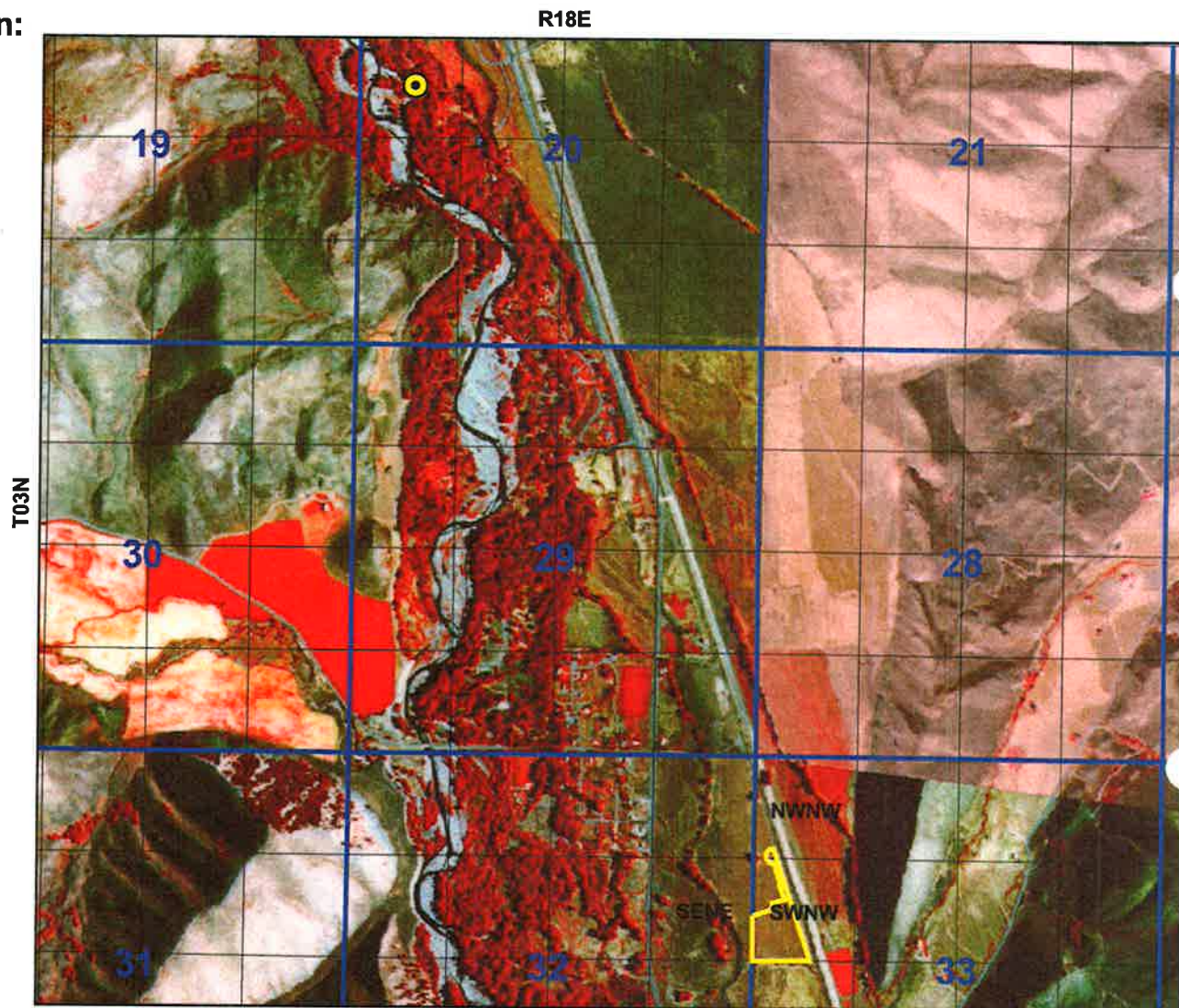
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
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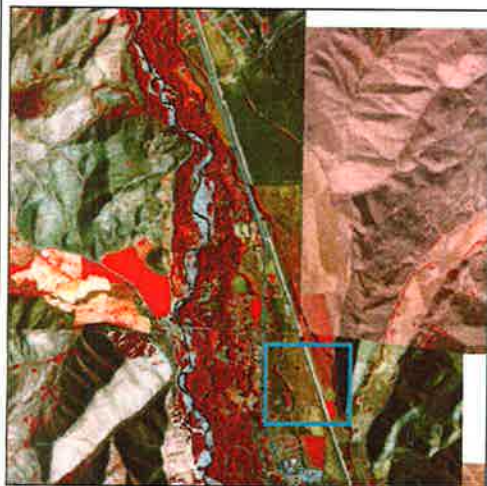
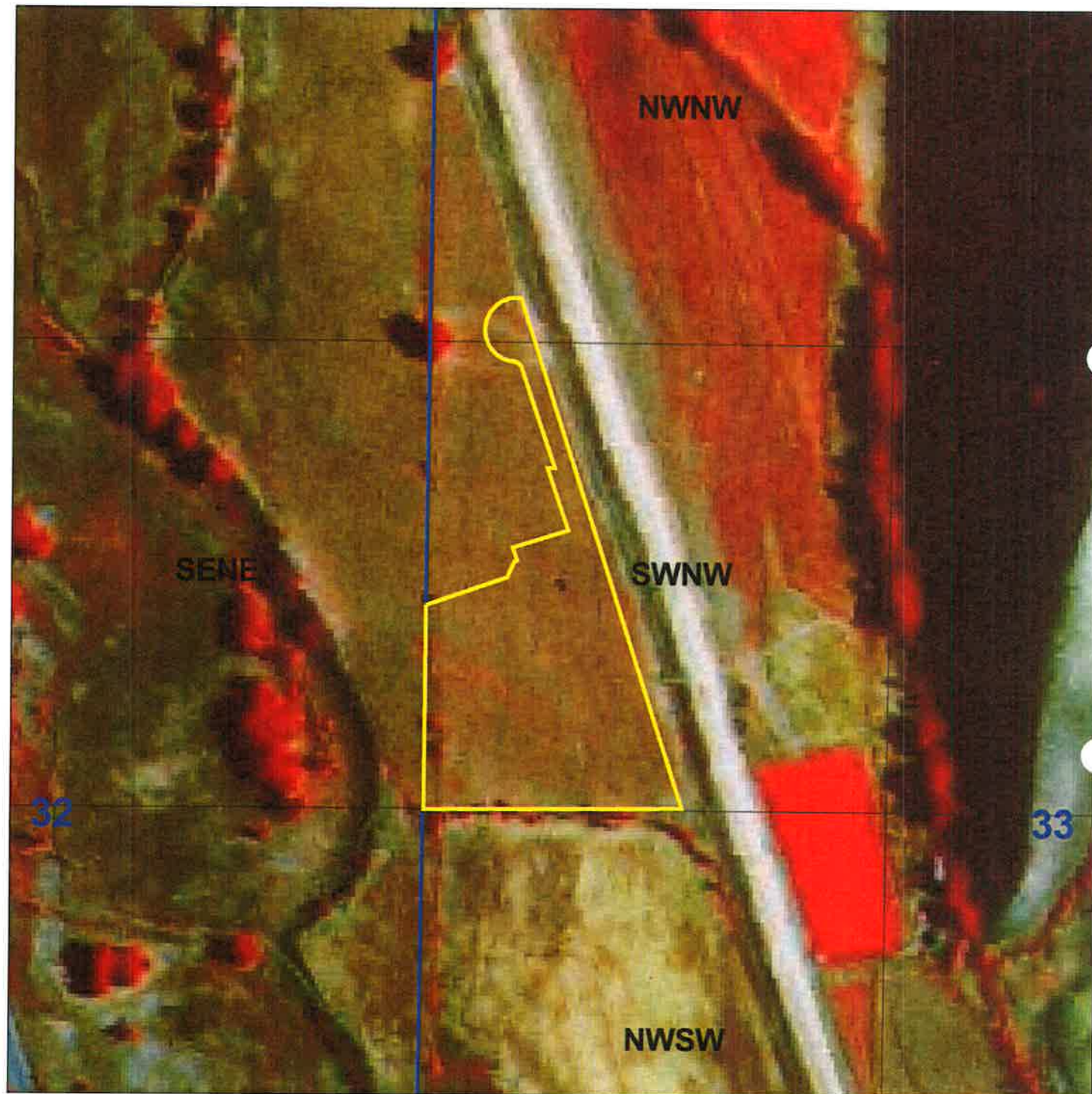
Blaine County
IDWR Basin 37



0 0.9 1.8 Miles

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

37-21422



10/30/2006

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

RIGHT NUMBER: 37-21422

NAME AND ADDRESS: KRISTINE SUE PIGEON
PO BOX 394
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.410 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

04/15 10/31

0.410 CFS

PLACE OF USE:

IRRIGATION Within BLAINE County

T03N R18E S33

NWNW

0.30

T03N R18E S33

SWNW

10.50

10.8 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PROPERTY IS ALSO KNOWN AS LOT 4, BLOCK 1, SAGEBRUSH
SUBDIVISION.

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

Water diverted from Headgate #22 delivered through Hiawatha Canal.