

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 37-21440
Date Received: 4/1/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

PHYLLIS BALDWIN TRUST Phone: (208)939-1322
PHYLLIS BALDWIN TRUSTEE
3155 W STATE ST
EAGLE ID 83616

2. Date of Priority: 06/01/1889

3. Source: LOVING CREEK Trib. to: SILVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	19E	24	NE SE NW	BLAINE	

5. Description of diverting works:

GILLIHAN #11 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.02	

7. Total Quantity Appropriated is:
0.02 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
01S	20E	19	SW	NE	IRRIGATION	7
					Section Acres	7
					Total Acres	7

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:

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

April 7, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PHYLLIS BALDWIN
3155 W STATE ST
EAGLE ID 83616

RE: SRBA Claim(s) 37-137A, 37-138A, 37-448A, 37-945A,
37-951A

Dear Mrs. Baldwin:

Pursuant to the notification that you acquired a portion of the property to which the above referenced adjudication claims are appurtenant, the department has split the original claims. Your portions have been numbered 37-21440, 37-21442, 37-21444, 37-21446 and 37-21448.

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,


Trish Fawcett
Technical Records Specialist

enc.

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

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 MAR 03 2005
 Department of Water Resources
 Southern Region

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, 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
37-137A		YES			
37-138A					
37-448A					
37-945A					
37-951A					

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) are 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) LORENE AGAM BARRI
- RUTH BROWNING
4. New Owner/Claimant(s) PHYLLIS J. BALDWIN - PHYLLIS BALDWIN
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or TRUST
- New Mailing Address 3155 W STATE ST.
- City, State and ZIP Code EAGLE, ID 83616
- New Telephone Number (208) 939-1322
5. Date you acquired the property _____

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 ALL SHOWN ON Page 1

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	137A .4 cfs ¹²⁹ 136	129 ac
Stock	138A .6 cfs "	
Domestic	448A 1.35 cfs "	
Other	945A 1.60 cfs " 951A 1.50 cfs	
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	137A .4 cfs ⁷ 136	7
Stock	138A .6 cfs "	
Domestic	448A 1.35 cfs " 945A 1.60 cfs	
Other	951A 1.50 cfs "	
Total		

7. Signature of New Owner(s) or Claimant(s) Phyllis Baldwin TRUST
(include title if applicable) Phyllis Baldwin TRUSTEE

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

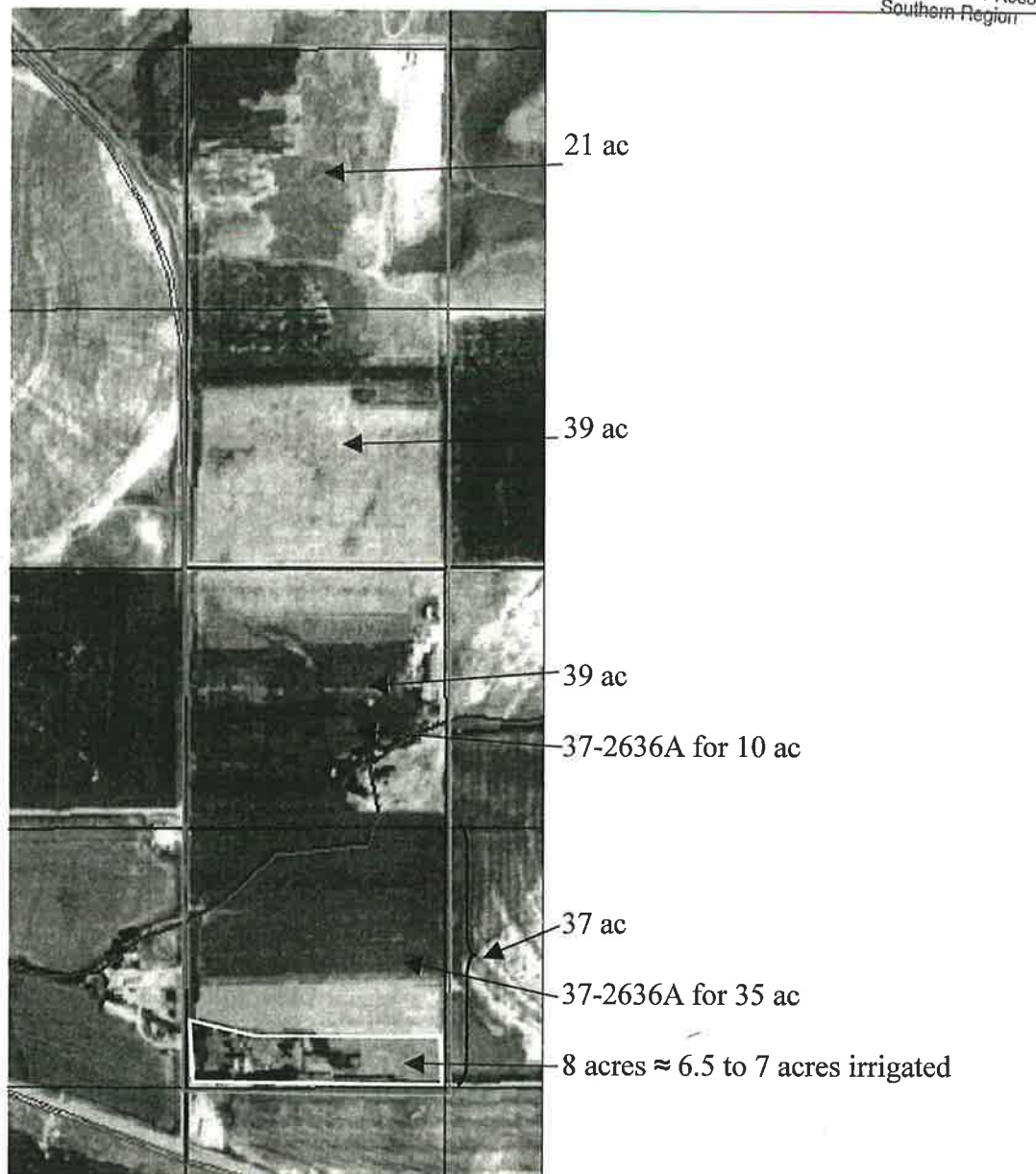
For Office Use Only

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

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Department of Water Resources
Southern Region



Claims 37-137A, 37-138A, 37-448A, 37-945A, 37-951A all for the same 136 acres.

Claim 37-2636A groundwater irrigation for 45 ac.

37-11582 domestic right already decreed in the SRBA.

Information based upon February 23, 2005 data.

Kelly K Christensen

AFTER RECORDING RETURN TO:

Phyllis Baldwin
3155 W. State Street
Eagle, ID 83616

Instrument # 465245

HAILEY, BLAINE, IDAHO

2002-05-13 03:17:00 No. of Pages: 2

Recorded for : PHYLLIS J BALDWIN

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

QUITCLAIM DEED

GRANTOR: PHYLLIS J. BALDWIN, a married woman dealing with her separate property,

GRANTEE: PHYLLIS BALDWIN, AS TRUSTEE OF THE PHYLLIS BALDWIN TRUST
UNDER TRUST AGREEMENT DATED APRIL 26, 2002, AND HER SUBSTITUTES AND
SUCCESSORS AS TRUSTEE THEREUNDER.

GRANTEE'S ADDRESS: 3155 W. State Street, Eagle, ID 83616

DESCRIPTION OF REAL PROPERTY CONVEYED BY THIS DEED:

Situated in the County of Blaine, State of Idaho: The real estate more particularly
described upon Exhibit "A" attached hereto and by this reference incorporated herein and
made a part hereof; Subject to any encumbrances thereon.

FOR VALUE RECEIVED, The above-named Grantor does hereby convey, release, remise, and
forever QUITCLAIM unto the above-named Grantee, the real property above described, together
with the appurtenances.

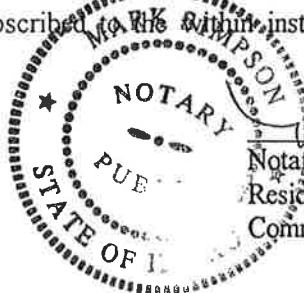
This deed is given for estate planning purposes to vest title to the property in a living trust
established by Grantor. There is no value consideration in cash or property.

DATED this 26 day of 4, 2002

Phyllis J Baldwin
PHYLLIS J. BALDWIN

STATE OF IDAHO)
) ss.
COUNTY OF Canyon)

On this 26 day of 4, 2002, before me, a Notary Public in and for the
said State, personally appeared PHYLLIS J. BALDWIN, known or identified to me to be the
person whose name is subscribed to the within instrument, and acknowledged to me that she
executed the same.



Mark Simpson
Notary Public for IDAHO
Residing at: Caldwell
Comm. Expires: 05 2007

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Department of Water Resources
Southern Region

EXHIBIT "A"

A parcel of land located in the W1/2 NE1/4 Section 19 T.1S, R.20E, Boise meridian, Blaine County, Idaho; more particularly described as follows;

Beginning at the SE corner of the W1/2 NE1/4 said point also being the REAL POINT OF BEGINNING; Thence S89°53'18W 1237.62 feet to a point on the easterly Right of Way line of Highway 23; Thence along the easterly Right of Way line of said Highway 280.32 feet on the arc of a curve to the right, having a radius of 915.00 feet, a delta angle of 17°33'13" and a chord which bears N10°06'26"W 279.23 feet; Thence along a line that lies 275.00 feet northerly of and parallel to the southerly boundary of said W1/2 NE1/4 N89°53'18"E 1283.83 feet to a point on the easterly boundary of the W1/2 NE1/4; Thence along said easterly boundary of the W1/2 NE1/4 S0°34'57"E 275.00 feet to the REAL POINT OF BEGINNING. Said parcel containing 8.0 Acres more or less Together with all Water Rights Appurtenant THERE to including 8 inches.

#17804

①

Warranty Deed

Case # 41107

For Value Received Ruth Browning, an unmarried woman

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Department of Water Resources
Southern Region

the grantor , do eshereby grant, bargain, sell and convey unto Phyllis J. Baldwin, a married woman dealing with her sole and separate property

whose current address is 3155 West State Street Eagle, ID 83616

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

See Attached Exhibit A

BLAINE CO. REQUEST
OF FIRST AMERICAN TITLE CO.

1994 OCT 25 P 3:22

372196

MARY GREEN. CLERK

FEES \$ 6⁰⁰ mp

Deed

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , her heirs and assigns forever. And the said Grantor do eshereby covenant to and with the said Grantee , that she the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: October 24, 1994

Ruth Browning
Ruth Browning



STATE OF IDAHO, COUNTY OF BLAINE, 19 94
On this 24th day of October, 1994, before me, a notary public in and for the State of Idaho, personally appeared Ruth Browning



known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that she executed the same.

Nan Marie Holmes
Nan Marie Holmes Notary Public

Residing at Boise, Idaho
Comm. Expires 8/14/96

37- 21439	Lena Castle	Claimed on 69 ac within
21441	Frank Arambari	Sec 19
	S.G. Castle II	Recom on 64 ac within
	Carbyle Castle	Sec 19

37-2636A	Gary Castle	Claimed on 45 ac in Sec 19
		Recom on 64 ac limited to 45 ac

Jeffery Hall et al owns ≈ 5.7 ac in $1/2$ NW $1/4$

The 3 claims probably should be split through an ownership change, with Gary having 64 ac & the rest going to Jeffery Hall et al.

I seem to recall that there was language in the Hall et al warranty deed that identified portions of water rights (some what generically)

Apparently there is some conflict between Gary & Jeffery et al making the resolution problematic.

T- 3731 approved Apr 15, 1991 appears to place the $1/4$ on top of the Jeffery et al property.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21439 V1

WATER RIGHT NUMBER: 37-21439 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LENA CASTLE C/O PHYLLIS BALDWIN 3155 W STATE EAGLE, ID 83616 (208)939-0109
Current Owner	FRANK I ARAMBARRI 7024 HILL RD BOISE, ID 83703 (208)853-5555
Original Owner	C W CASTLE , ZZ
Current Owner	S G CASTLE II PO BOX 399 BELLEVUE, ID 83313 (208)788-4898
Current Owner	CARLYLE CASTLE PO BOX 399 BELLEVUE, ID 83312 (208)788-4898

Priority Date: 06/01/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LOVING CREEK	SILVER CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.380 CFS	
	<u>Total Diversion:</u>	0.380 CFS	

Location of Point(s) of Diversion

LOVING CREEK	NE1/4SE1/4NW1/4	Sec. 24, Twp 01S, Rge 19E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	20E	19	34.0	30.0											64.0

Total Acres: 64

39 30 claimed

1.3 ac owned by kids
not part of P/u.

10 35 claimed P/u for 37-2636A

34 30 recommended

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-21439 V1

Conditions of Approval:

1. C18 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.
2. P21 This right is a split from former right 37-137A.
3. E55 Right Nos. 37-2636A, 37-21439 and 37-21441 are limited to the irrigation of a combined total of 64 acres in a single irrigation season.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		64

Combined Water Rights: 37-2636A , 37-21439 , 37-21441

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			01/03/2007	mciscell	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	1/3/2007 6:31:49 PM	mciscell	Updated shape
POU	1/3/2007 6:33:56 PM	mciscell	Updated shape for Active POU

Water Right Report 37-951A

DRAFT

Priority Date:
Basis:
Status: Pending Transfer DRAFT

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.500 CFS	
	<u>Total Diversion:</u>	1.500 CFS	

D MAIN DRAIN
BLAINE County

SE1/4NW1/4

Sec. 24, Twp 01S, Rge 19E, B.M.

T- 5815
to S.O. 11-22-2000

[illegible]

1. TRANS. 666.
P/D GIVEN IN TRANSFER AS NESE S11 & NESW S24 T1S R19E; PRESENT P/D VERIFIED BY WATERMASTER.
RT. EXCLUSIVE OF PRIORITY AS LONG AS D DRAIN IS MAINTAINED.
RT. DECREED FROM D DRAIN BUT DELIVERED FROM LOVING CREEK.
RT. SUBJECT TO 1% CONVEYANCE LOSS ACCORDING TO WATERMASTER.

Remarks:

1. JSTANTON 8/6/2000 TRANSFER NO. 5815
Comment: App. proposes to create a permissible place of use by tying all surface rights together in a common sprinkler system. Groundwater rights on this ranch are being tied into the same system via separate transfer.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-951A

Dates and Other Information:

Licensed Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37M
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank: