

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 37-21626
Date Received: 1/6/2006
Receipt No: 5028269
Received By: NT

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

1. Name of Claimant(s)

HARRY EUGENE LIVERMORE Phone: (208) 788-1369
PO BOX 4690
KETCHUM ID USA 83340

SUSAN GENE LIVERMORE Phone: (208) 788-1369
PO BOX 4690
KETCHUM ID USA 83340

2. Date of Priority: 06/01/1988

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	29	SE SW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township Range Section 1/4 of 1/4 Lot Use Acres

11. Place of use in counties:

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Susan Gene Swimmer Date: Jan 6, 2006
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

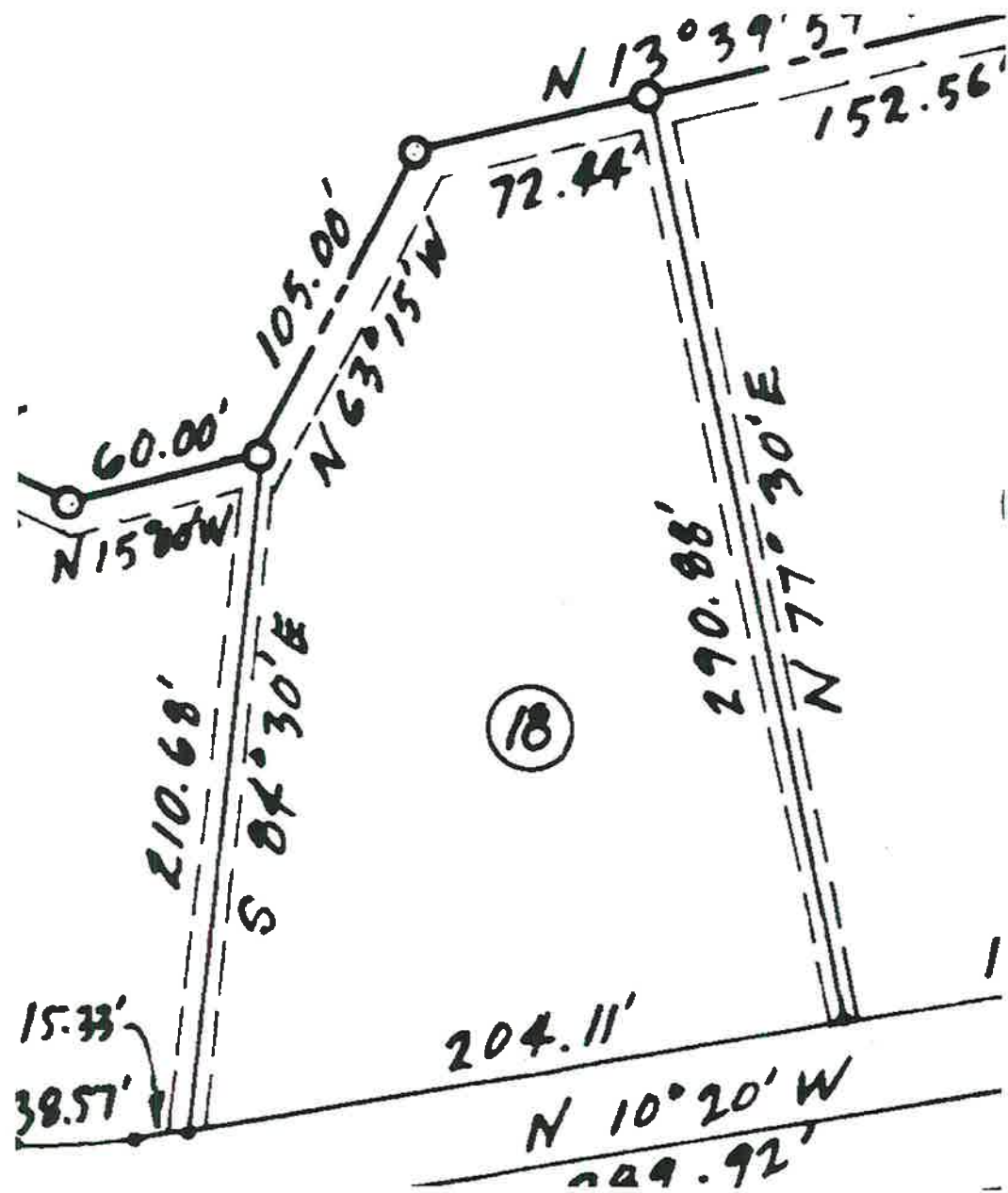
Subscribed and sworn (or affirmed) before me this 6th
of January 2006 Mary A. Baldwin

Notary Public

Residing at Twin Falls, ID

My commission Expires 10/16/2010





Instrument # 478340

HAILEY, BLAINE, IDAHO

2003-02-10

01:26:00 No. of Pages: 1

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

SVTC Order No. 03-18562

QUITCLAIM DEED

For Value Received **HARRY EUGENE LIVERMORE AND SUSAN GENE LIVERMORE, Trustees of the LIVERMORE FAMILY REVOCABLE TRUST Dated August 31, 1987 now known as the LIVERMORE FAMILY AMENDED AND RESTATED REVOCABLE TRUST Dated September 27, 1996**

Do hereby convey, release, remise and forever quitclaim unto

HARRY EUGENE LIVERMORE AND SUSAN GENE LIVERMORE, Trustees of the LIVERMORE FAMILY AMENDED AND RESTATED REVOCABLE TRUST Dated September 27, 1996

Whose current address is PO Box 4690
Ketchum, ID 83340

the following described premises, to-wit:

Lot 18, Block 2 of ZINC SPUR RANCH UNIT 2, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded in Book 8 of Plats, Page 18, records of Blaine County, Idaho.

Together with their appurtenances.

Dated: January 16, 2003

the **LIVERMORE FAMILY REVOCABLE TRUST Dated August 31, 1987**

Harry Eugene Livermore, Trustee
Harry Eugene Livermore, Trustee

Susan Gene Livermore, Trustee
Susan Gene Livermore, Trustee



State of: IDAHO

County of: BLAINE

On this 16 day of JANUARY 2003, before me, a Notary Public in and for said State, personally appeared Harry Eugene Livermore and Susan Gene Livermore, trustees of the Livermore Family Revocable Trust dated August 31, 1987 known or identified to me to be the person s whose name are subscribed to the within instrument, and acknowledged to me that they executed the same. In their stated capacity as Trustees.

[Signature]
Notary Public

Residing at: KETCHUM ID

Comm. Expires: 9/18/06

CERTIFICATE OF OWNER

This is to certify that we the undersigned are the owners in fee simple of the following described property: A portion of SE 1/4 SW 1/4 Section 20 and NW 1/4 NE 1/4 Section 23 T3N, R18E, S4M, Blaine County, Idaho and more specifically described as follows:

Commencing at the most westerly corner of Lot 11, Block 1 of Zinc Spur Ranch-Unit 1 as recorded in Blaine County, Idaho in Plat Book 6 at Page 8, said point being the Real Point of Beginning;

Then S 62° 10' 01" W, 60.00 feet;
Then 90.87 feet along a curve to the left, said curve having a central angle of 161° 20' 00", a radius of 143.43 feet, a tangent of 872.61 feet and a long chord of 283.06 feet bearing S 71° 30' 01" W;

Then S 9° 07' 59" E, 97.87 feet;
Then N 80° 30' 01" E, 152.66 feet;

Then along a side channel of the Big Wood River the following courses and distances: S 11° 20' E, 210.00 feet; S 36° 12' E, 250.00 feet; S 32° 10' E, 220.00 feet; S 14° 30' E, 150.00 feet; S 36° 30' W, 120.00 feet; S 42° 00' W, 125.00 feet; S 83° 50' W, 50.00 feet; S 49° 30' W, 60.00 feet; S 0° 30' E, 60.00 feet; S 83° 30' E, 75.00 feet; S 24° 30' W, 100.00 feet; S 15° 00' E, 60.00 feet; S 83° 10' E, 70.50 feet; S 13° 39' 59" E, 22.50 feet; S 18° 39' 59" E, 60.00 feet. The foregoing courses and distances have all been common with Zinc Spur Ranch-Unit 1.

Then S 71° 20' 01" W, 153.55 feet;
Then 99.37 feet along a curve to the right, said curve having a central angle of 20° 18' 53", a radius of 280.00 feet, a tangent of 50.21 feet and a long chord of 72.85 feet bearing S 61° 30' 01" W;

Then N 88° 20' W, 120.14 feet;
Then N 10° 20' W, 61.34 feet;
Then N 88° 20' W, 300.00 feet;

Then along the Big Wood River the following courses and distances: N 15° 20' W, 342.00 feet; N 36° 40' E, 57.00 feet; N 57° 24' 06" W, 183.31 feet; N 5° 00' W, 110.00 feet; N 15° 00' E, 49.00 feet; N 82° 00' E, 128.00 feet; N 7° 00' E, 357.82 feet; N 31° 00' W, 150.00 feet; N 45° 00' W, 142.73 feet;

Then N 80° 30' 01" E, 274.51 feet;
Then N 3° 07' 59" W, 110.00 feet;

Then 120.67 feet along a curve to the right, said curve having a central angle of 99° 18' 48", a radius of 110.00 feet, a tangent of 122.51 feet and a long chord of 167.68 feet bearing N 40° 27' 25" E;

Then S 83° 51' 11" E, 110.00 feet;
Then 220.20 feet along a curve to the right, said curve having a central angle of 62° 01' 12", a radius of 203.43 feet, a tangent of 122.28 feet and a long chord of 209.61 feet bearing S 58° 50' 35" E to the Real Point of Beginning.

The gross area contained in this platted land as described is 26.08 acres. That it is the intention of the undersigned to and they do hereby include said land in this plat, that the undersigned does by these presents dedicate to the public for public use forever all streets as shown on this plat. The easements indicated on this plat are not dedicated to the public but the rights to use said easements are hereby perpetually reserved for public utilities and for other public services, and no structure other than for said utility purposes are to be erected within the lines of said easements. Other easements, not shown, include a 500 foot wide easement along the right-of-way boundaries of all public streets as dedicated and shown on this plat. Protective covenants for this subdivision are duly recorded in the Blaine County Recorder's Office under Fee Number _____.

Samuel J. DeLand

Samuel J. DeLand



COUNTY COMMISSIONER'S ACCEPTANCE

The foregoing plat was duly approved and accepted by the Board of County Commissioners of Blaine County, Idaho on this _____ day of _____ 1972.

ATTEST: CLERK

CHAIRMAN

COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO } ss.
COUNTY OF BLAINE }

This is to certify that the foregoing plat was filed in the Office of the Recorder of Blaine County, Idaho on this _____ day of _____, 1972, at _____ M, and duly recorded in Plat Book _____ of Page _____.

DEPUTY

EX-OFFICIO RECORDER

COUNTY PLANNING & ZONING COMMISSIONER'S ACCEPTANCE

The foregoing plat was duly approved and accepted by the Planning and Zoning Commissioners of Blaine County, Idaho on this _____ day of _____ 1972.

William C. Hays
CHAIRMAN

ACKNOWLEDGEMENT

STATE OF IDAHO } ss.
COUNTY OF BLAINE }

On this 11th day of July, 1972, before me a Notary Public in and for said state personally appeared Gary J. Hibbard and Donna Hibbard known to me to be the persons whose names are subscribed to the Certificate of Owner and acknowledged to me that they executed the same.

In Witness Whereof I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Jackie H. Hansen
NOTARY PUBLIC for the STATE of IDAHO

COUNTY ENGINEER'S CERTIFICATE

This is to certify that the undersigned has the foregoing plat and computations for me same and has determined that they comply with the laws of the state of Idaho relating to the same.

Dated this 11th day of July, 1972.
James H. Kuy
COUNTY ENGINEER



SANITARY RESTRICTION

Each lot shown on this plat is approved for the development of individual water and subsurface sewage disposal systems. Subsurface sewage disposal system shall be to provide a minimum of four (4) feet of natural soil between drain field and main ground water and shall be further restricted to locations providing maximum protection from the side channel of the Big Wood River.

James H. Kuy
SOUTH CENTRAL DISTRICT
DEPARTMENT OF HEALTH
DISTRICT SANITARIAN

ACKNOWLEDGEMENT

STATE OF IDAHO } ss.
COUNTY OF BLAINE }

On this 11th day of July, 1972, before me a Notary Public in and for said state personally appeared Philip B. Ritzau known to me to be the person whose name is subscribed to the Certificate of Engineer and acknowledged to me that he executed the same.

In Witness Whereof I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Philip B. Ritzau
NOTARY PUBLIC for the STATE of IDAHO

CERTIFICATE OF ENGINEER

This is to certify that I, Philip B. Ritzau, Registered Professional Engineer in the State of Idaho, made the survey of the land shown on this plat and that the same is a true and correct representation of the survey as made and stated by me on said

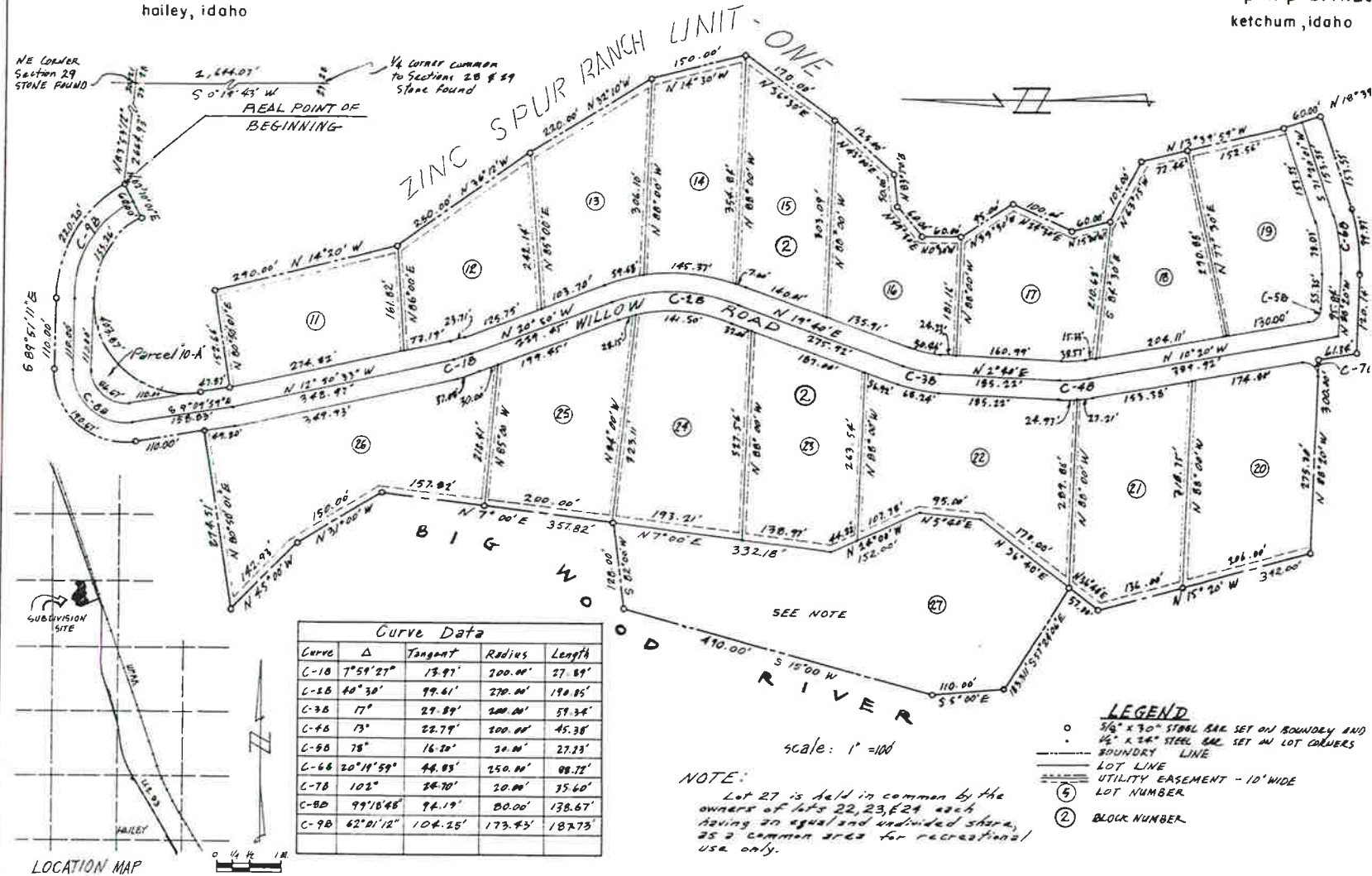


ZINC SPUR RANCH-UNIT TWO

LOCATED IN THE SE⁴SW⁴ SECTION 20 AND NW⁴NE⁴ + NE⁴NW⁴ SECTION 29 T.3N, R.18E, B.M.
BLAINE COUNTY, IDAHO

owner and developer
gary j. hibbard
hailey, idaho

engineer
philip b. ritzc
ketchum, idaho



WARRANTY DEED

For Value Received
 BELINDA BROWNELL, an unmarried woman

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
 HARRY EUGENE LIVERMORE and SUSAN GENE LIVERMORE, husband and wife

whose address is: P. O. Box AL, Pacific Grove, CA 93950

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 18 of ZINC SPUR RANCH-UNIT TWO, according to the official plat thereof, recorded
 in Book 8 of Plats, page 18, records of Blaine County, Idaho.

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 incum-
 brances except as above described and that Grantor will warrant and defend the same from all lawful
 claims whatsoever.

Dated: November 7, 1986

Belinda Brownell
 BELINDA BROWNELL

STATE OF IDAHO COUNTY OF

On this 26 day of November, 1986,
 before me, a notary public in and for said State, per-
 sonally appeared

BELINDA BROWNELL, an unmarried woman

proved to me on the basis of satisfactory evidence or
 known to me to be the person whose name is
 subscribed to the within instrument and acknowledged to
 me that she executed the same

Belinda Brownell
 Notary Public
 Residing at HARRIS, IDAHO

FOR RECORDER'S USE ONLY

25 DEC 8 PM 3 55
 DEPUTY

Mail to: Grantee herein

Instrument No.

279726

FIRST AMERICAN TITLE CO.

11/01/2006

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

RIGHT NUMBER: 37-21626

NAME AND ADDRESS: HARRY EUGENE LIVERMORE
PO BOX 4690
KETCHUM ID 83340

SUSAN GENE LIVERMORE
PO BOX 4690
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1988

POINT OF DIVERSION:

T03N R18E S29 NENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

PLACE OF USE:

DOMESTIC Within BLAINE County

T03N R18E S29

NENW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

Property also known as Lot 18, Block 2 of Zinc Spur Ranch Unit 2.