

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 37-21727  
Date Received: 9/21/1988  
Receipt No:  
Received By:

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

1. Name of Claimant(s)

HARDEE CONSTRUCTION & DEVELOPMENT CO Phone:  
6477 FAIRVIEW AVE  
BOISE ID 83704

2. Date of Priority: 05/01/1887

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 |
|----------|-------|---------|-----------------------|--------|------|
| 01N      | 18E   | 12      | SW NE                 | BLAINE |      |

5. Description of diverting works:

HEADGATE IN RIVER. SYSTEM OF DITCHES TO PLACES OF USE.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 05/01 | 10/21 | 0.48   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 01N      | 18E   | 11      | SE         | SE  | IRRIGATION    | 24    |
|          |       |         |            |     | Section Acres | 24    |
|          |       |         |            |     | Total Acres   | 24    |

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 IS A PORTION OF APPROVED TRANSFER NO. 2617 FOR DECREED RIGHT 37-0364. PORTION WAS SPLIT FROM 37-0364B AND WAS FOR 47 INCHES PER THE ATTACHED LETTER DATED MAY 3, 1982 FROM LE MOYNE REALTY. | | | V \*\*\*\*\*MEMO TO FILE\*\*\*\*\* \*SUBSEQUENT TO FILING OF THIS CLAIM EXAMINATION OF TFR.# 2617 \* \*INDICATED THAT TFR.ALLOWED ONLY .64 CFS. FOR PARCEL B,CLAIMANTS\* \*PORTION OF LANDS,RATHER THAN .94 CFS CLAIMED AS PER LETTER \* \*CLAIMANT HAS BEEN NOTIFIED OF DISCREPANCY TO PURSUE WITH SELLER\* \*OR NOT FOR DOCUMENTATION CONTRARY TO THE TRANSFER.

This claim corresponds with water right 37-364C.

This right is a split from former right 37-364E.

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 20, 2006

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

HARDEE CONTRUCTION & DEVELOPMENT  
6477 FAIRVIEW AVE  
BOISE ID 83704

RE: SRBA Claim(s) 37-364E

Dear Claimants:

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. Your portion has been numbered 37-21727.

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 a horizontal line.

Trish Fawcett  
Technical Records Specialist

Enc.

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

RECEIVED  
 MAR 06 2006  
 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 (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 |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 37-364 E              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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) Hardee Construction and Development Co., Inc.  
6477 Fairview Ave, Boise Id 83704
4. New Owner/Claimant(s) John B. and Wendy I. Major  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 23
- City, State and ZIP Code Mt. Carroll, IL 61053
- New Telephone Number (815) 244-7356
5. Date you acquired the property September 27, 1989

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>37-364 E</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>20 acres</u>                                              |
| Stock                                                                                                                   | <u>1/2 x (.94 CFS)</u>                                                     |                                                              |
| Domestic                                                                                                                |                                                                            |                                                              |
| Other                                                                                                                   |                                                                            |                                                              |
| <b>Total</b>                                                                                                            | <u>.47 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                                                                                                                   | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s)  
(include title if applicable)

Wendy E Major

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 _____ |

**CORPORATION  
WARRANTY DEED**

HARDEE CONSTRUCTION AND DEVELOPMENT COMPANY, INC.,  
organized and existing under the laws of the State of Idaho, with its principal office at  
6477 Fairview Avenue, Boise, Idaho, 83704.

grantor, hereby CONVEYS or GRANTS and WARRANTS TO

JOHN B. MAJOR and WENDY I. MAJOR, husband and wife,  
grantee

whose current address is: 8075 West Hidden Lakes Drive, Roseville, CA 95678.

the following described tract(s) of land in Blaine County, State of Idaho

Lot 6 of SILVERWOOD SUBDIVISION, Blaine County, Idaho, according to the official  
plat thereof, recorded October 30, 1985, as Instrument no. 267927, records of  
Blaine County, Idaho.

310757  
BLAINE CO. REQUEST  
BLAINE COUNTY TITLE  
Need  
89 OCT 2 PM 3 58  
MARY GREEN, CLERK  
FEES \$ 3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns  
forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of  
said premises; that said premises are free from all incumbrances  
and that it will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized  
under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended  
by a quorum.

In witness whereof, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized  
officers this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19

HARDEE CONSTRUCTION AND DEVELOPMENT  
CO., INC., an Idaho Corporation

(CORPORATE NAME)

By Dan Hardee PRESIDENT

Attest: Judy Hardee SECRETARY

State of Idaho  
County of \_\_\_\_\_ ss.

On the 27 day of Sept, A.D. 1989  
personally appeared before me DAN HARDEE and  
who being by me duly sworn did say, each for himself, that he,  
is the president, and he, is the secretary  
of HARDEE CONSTRUCTION AND DEVELOPMENT CO., INC., a corporation, and that the within and  
foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board  
of directors and said DAN HARDEE and  
each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

(NOTARY SEAL)

Lisa L Black  
(NOTARY PUBLIC)

My residence is Boise, Idaho

My commission expires 4-20-93

# FINAL PLAT NOTES, CONDITIONS AND RESTRICTIONS

This declaration, made on the date hereinafter set forth by Hardee Construction and Development Company, Inc., hereinafter referred to as "Declarant." Whereas, Declarant is the owner of certain property located in Blaine County, State of Idaho, which is particularly described as:

Silverwood Subdivision

Lots 1 through 7

Now, therefore, Declarant hereby declares that all of the lots described above shall be held, sold, and conveyed subject to the following notes, restrictions and conditions which shall run with the real property and shall be binding on all parties having any right, title, or interest in the described properties, and to their heirs, successors and assigns. These restrictions and conditions are required as a part of the final plat approval of Silverwood Subdivision, given by the Blaine County Board of Commissioners on September 23, 1985 and recorded as Instrument Number 267927:

1. Each plat shall contain the following statement:  
 "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, his successors in interest, or 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."
2. All easements known herein are equal distance from centerline unless noted otherwise.
3. A 15-foot river access easement for pedestrian use is granted, as shown, above the mean high water line of the Big Wood River to allow for recreational use of the river. This public access shall have signs posted designating "public access."
4. Public access for pedestrian and horse access to BLM road shall be allowed where marked. Signing shall be posted designating this access road for "public pedestrian and horse access only".
5. Vehicle access on all subdivision roads for

official business of the Fish and Game Department, Bureau of Land Management, and Canal Company shall be allowed.

6. Any wildlife damage problems shall be the property owner's responsibility as per guidelines provided by the Department of Fish and Game.
7. No further subdivision of lots 1 through 7 will be allowed.
8. All areas shown are approximate and are for tax purposes only.
9. There will be a minimum 200-foot separation between all residences for fire safety purposes.
10. Location of building envelopes may be changed by applying for, and receiving, administrative approval of the Planning Department.
11. There shall be no construction within the floodplain.
12. Domestic water and septic systems are the responsibility of the individual lot owners, and shall be approved by the South Central Health District.
13. Developer shall record with the county a Declaration of Covenants, Conditions, and Restrictions (C.C. & R's) which shall apply to all lots of Silverwood Subdivision.
14. Property owners shall be responsible for noxious weed control per State regulations.
15. Two test water wells were drilled by the developer and results were:
  - A. Located on lot 1, 160 feet deep, 24 gallons per minute.
  - B. Located on Lot #7 (fill in lot number) 338 feet deep, 25-30 gallons per minute.
16. Existing water rights for irrigation shall be divided between lots 6 and 7 and the transfer of rights shall be done by the developer. Water shall be divided on an acreage basis.

Page 3

17. Rural address for each lot are as follows:

|          |                      |   |   |
|----------|----------------------|---|---|
| Lot 1 -- | 109 Silverwood Drive |   |   |
| Lot 2 -- | 113                  | " | " |
| Lot 3 -- | 114                  | " | " |
| Lot 4 -- | 110                  | " | " |
| Lot 5 -- | 102                  | " | " |
| Lot 6 -- | 105                  | " | " |
| Lot 7 -- | 101                  | " | " |

In witness whereof, the undersigned, being the Declarant  
herein, has hereunto set his hand and seal this 23 day of October, 1985.

ATTEST: 

NOTARY PUBLIC: Carroll A. [Signature]

REVIEWED AND APPROVED BY Edward V. Nigro  
PLANNING DIRECTOR, ON THIS 30th DAY OF October, 1985

CLARENCE  
SECRET  
OCT 30 PM 4 19  
MISS  
MARIE DE CLECK  
CLERK  
CLERK

Handwritten: Handwritten

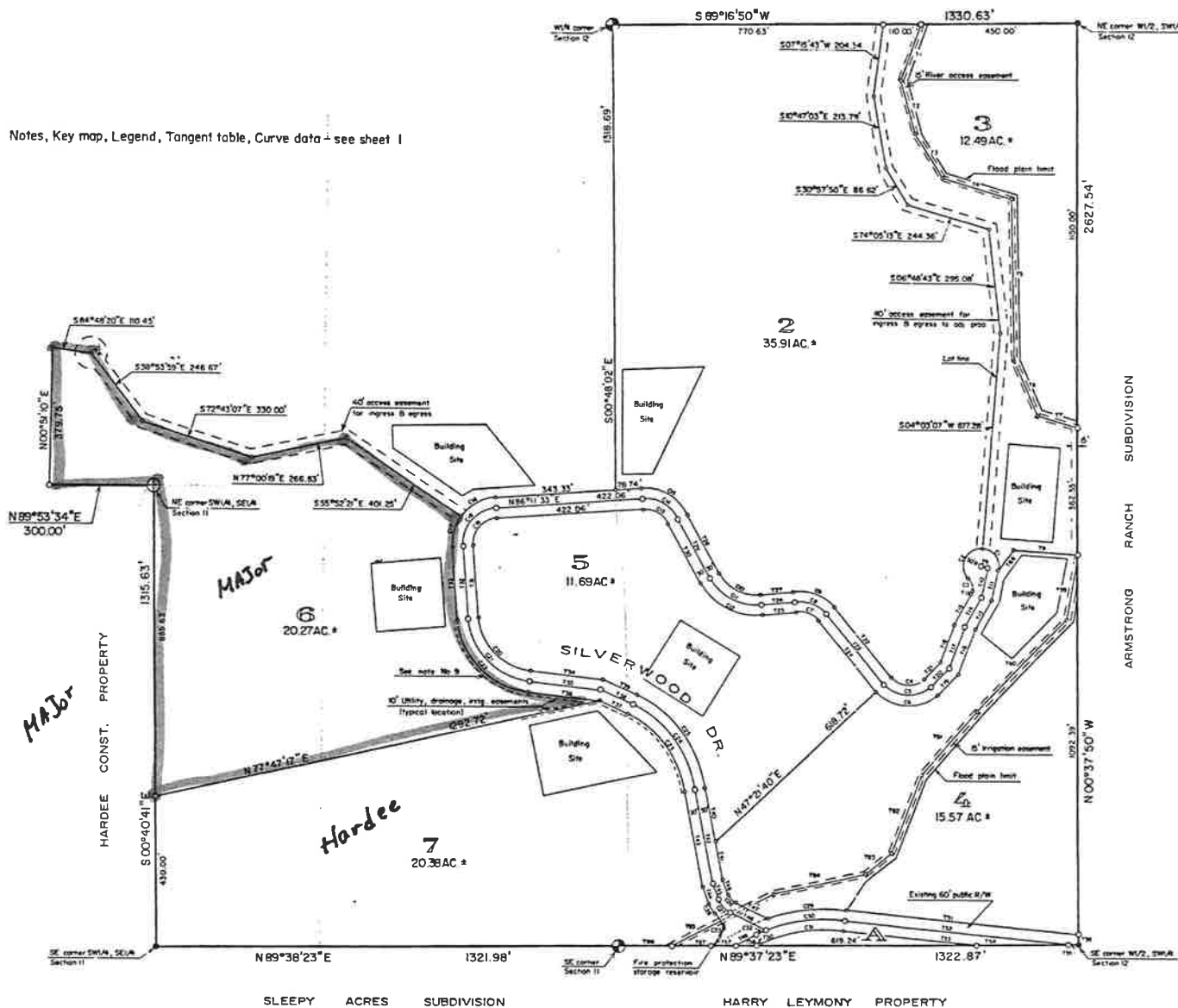
257929

FINAL PLAT OF  
**SILVERWOOD SUBDIVISION**  
 SITUATED IN PORTIONS OF SECTIONS 11 & 12, T.1N., R.18E., B.M., BLAINE COUNTY, IDAHO.  
 ROYLANCE & ASSOCIATES P.A. - 1985

SCALE IN FEET  
 400 200 0 100 250 400

B.L.M.  
 UNPLATTED

Notes, Key map, Legend, Tangent table, Curve data - see sheet 1



# SILVERWOOD SUBDIVISION

## CERTIFICATE OF OWNERS

This is to certify that we the undersigned are the owners of the following described parcel of land:

A tract of land situated in portions of Section 11 and Section 12, Township 1 North, Range 18 East, Boise Meridian, Blaine County, Idaho described as follows:

Commencing at the West 1/4 Corner of said Section 11, said Corner being the REAL POINT OF BEGINNING.

Thence along the east-west center-of-section line of said Section 11 N89°-54'-02"E a distance of 1317.44 feet to the Northwest Corner of Lot 1 of said Section 11,  
Thence leaving said east-west center-of-section line along the westerly line of said Lot 1 S00°-21'-12"E a distance of 140.90 feet to a point on the northerly boundary of the Lark Lode (M.S. No. 793),  
Thence along the boundary of said Lark Lode (M.S. No. 793) the following courses:  
S82°-28'-00"E a distance of 1139.29 feet to a point,  
Thence S07°-32'-00"W a distance of 600.00 feet to a point,  
Thence N82°-28'-00"W a distance of 1106.17 feet to the intersection of said boundary with the westerly line of said Lot 1,  
Thence leaving the boundary of said Lark Lode (M.S. No. 793) along the westerly line of said Lot 1 S00°-21'-12"E a distance of 366.06 feet to the Southwest Corner of said Lot 1,  
Thence leaving said westerly line along the southerly line of said Lot 1 N89°-50'-59"E a distance of 1323.47 feet to the Southeast Corner of said Lot 1,  
Thence leaving said southerly line along the northerly line of the Southwest 1/4 of the Southeast 1/4 of said Section 11 N89°-53'-34"E a distance of 1317.32 feet to the Northeast Corner of the Southwest 1/4 of the Southeast 1/4 of said Section 11,  
Thence leaving said northerly line along the easterly line of the Southwest 1/4 of the Southeast 1/4 of said Section 11 S00°-40'-54"E a distance of 1315.63 feet to the Southeast Corner of the Southwest 1/4 of the Southeast 1/4 of said Section 11,  
Thence leaving said easterly line along the southerly line of said Section 11 N39°-38'-23"E a distance of 1321.98 feet to the Southeast Corner of said Section 11,  
Thence leaving the southerly line of said Section 11 along the southerly line of said Section 12 N89°-37'-23"E a distance of 1322.87 feet to the Southeast Corner of the West 1/2 of the Southwest 1/4 of said Section 12,  
Thence leaving said southerly line along the easterly line of the West 1/2 of the Southwest 1/4 of said Section 12 N00°-37'-50"W a distance of 2627.54 feet to the Northeast Corner of the West 1/2 of the Southwest 1/4 of said Section 12,  
Thence leaving said easterly line along the northerly line of the West 1/2 of the Southwest 1/4 of said Section 12 S89°-16'-50"W a distance of 1330.63 feet to the West 1/4 Corner of said Section 12,  
Thence leaving said northerly line along the east-west center-of-section line of said Section 11 S89°-58'-30"W a distance of 2632.87 feet to the Center 1/4 Corner of said Section 11,  
Thence leaving said east-west center-of-section line along the north-south center-of-section line of said Section 11 N00°-32'-41"W a distance of 1310.72 feet to the Northeast Corner of the South 1/2 of the Northwest 1/4 of said Section 11,  
Thence leaving said north-south center-of-section line along the northerly line of the South 1/2 of the Northwest 1/4 of said Section 11 N89°-58'-02"W a distance of 2625.31 feet to the Northwest Corner of the South 1/2 of the Northwest 1/4 of said Section 11,  
Thence leaving said northerly line along the westerly line of said Section 11 S00°-07'-35"E a distance of 1316.74 feet to the REAL POINT OF BEGINNING.

The above described tract of land contains 302.39 acres, more or less, subject to all existing easements and rights-of-way. Public Utility, Drainage & Irrigation easements are not dedicated to the public, however the right of access to and use of said easements necessary to service all lots with this platting is perpetually reserved. SILVERWOOD DRIVE as shown hereon is a private drive and is not dedicated to the public. Lot "A" and the 60 foot public right-of-way adjoining thereto shall be dedicated to the public, for public use forever.

Hardee Construction and Development Company, Inc.  
By Dan Hardee, President

## ACKNOWLEDGEMENT

STATE OF Idaho )  
COUNTY OF Ada ) ss

On this 23 day of July, A.D. 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared Dan Hardee, known to me to be the President of Hardee Construction and Development Company, Inc., the Corporation who executed the within instrument and acknowledged to me that such Corporation executed the same.

[Signature]  
Notary Public for the State of Idaho

Residing at Boise, Idaho.  
My Commission expires like time.

Matthew Cloughton  
Matthew Cloughton

Louise C. Cloughton  
Louise Cloughton

## ACKNOWLEDGEMENT

STATE OF Idaho )  
COUNTY OF Twin Falls ) ss

On this 14th day of December, A.D. 1984, before me, the undersigned, a Notary Public in and for said State, personally appeared Matthew Cloughton and Louise Cloughton known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

[Signature]  
Notary Public for the State of Idaho

Residing at Boise, Idaho.  
My Commission expires 11-11-85.

[Signature]  
Notary Public for the State of California

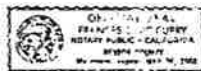
## ACKNOWLEDGEMENT

STATE OF California )  
COUNTY OF Merced ) ss

On this 12th day of April, A.D. 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared Gregory C. Walsh known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

[Signature]  
Notary Public for the State of California

and to me as the basis of satisfactory evidence  
Residing at Merced Valley, California.  
My Commission expires March 16, 1988.



# SILVERWOOD SUBDIVISION

## CERTIFICATE OF SURVEYOR

I, DAVID H. ROYLANCE, do hereby certify that I am a Registered Land Surveyor by the State of Idaho, and that this plat of "SILVERWOOD SUBDIVISION" as described in the "Certificate of Owners" was drawn from an actual survey made on the ground under my supervision and this plat accurately represents the points platted thereon and is in conformity with the State of Idaho Code relating to Plats and Surveys.

DAVID H. ROYLANCE L.S. 3624

## SANITARY RESTRICTIONS

## CERTIFICATE OF COUNTY SURVEYOR

I, JIM W. KOONCE, County Surveyor for Blaine County, Idaho have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.



## APPROVAL OF BLAINE COUNTY PLANNING AND ZONING

The foregoing plat was approved by the Blaine County Planning and Zoning Commission on this 30<sup>th</sup> day of October, 1985.

Edward V. Nighor  
Administrator

## APPROVAL OF BLAINE COUNTY COMMISSIONERS

The foregoing plat was approved by the Blaine County Board of Commissioners on this 30 day of Oct 1985.

Respect House  
Chairman

## CERTIFICATE OF COUNTY TREASURER

I, the undersigned, County Treasurer in and for the County of Blaine, State of Idaho, per the requirements of I.C. 50-1303, do hereby certify that any and all current and/or delinquent County Property Taxes for the Property included in this proposed subdivision have been paid in full.

County Treasurer Date September 23, 1985

## CERTIFICATE OF COUNTY RECORDER

INSTRUMENT NUMBER

STATE OF )  
COUNTY OF ) ss

I hereby certify that this plat of "SILVERWOOD SUBDIVISION" was filed at the request of \_\_\_\_\_ at \_\_\_\_\_ minutes past \_\_\_\_\_ o'clock \_\_\_\_\_ M., this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19\_\_\_\_, in my office and was duly recorded as Instrument Number \_\_\_\_\_.

Deputy Fee Ex-officio Recorder

March 1, 2006

John and Wendy Major  
P.O. Box 23  
Mt. Carroll, IL 61053

Mr. Doug Jones, Agent  
IDWR Southern Region  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301-3380

RECEIVED

MAR 06 2006

Department of Water Resources  
Southern Region

Dear Mr. Jones:

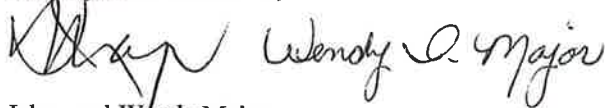
Enclosed is my **Notice of Change in Water Right Ownership for Water Right NO. 37-364 E** which we discussed by telephone on 3-1-06. Thank you for taking the time to explain the current adjudication process ongoing regarding this water right.

As per the the Department of Water Resources instructions I have included additional attachments to aid in your processing of my claim of one-half the **0.94 CFS Diversion Rate** recorded for **Water Right No. 37-364::**

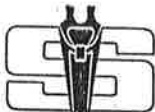
- 1) **Corporation Warranty Deed** executed by Hardee Construction and Development, Co. Inc. on September 27, 1989 where in Lot 6 of Silverwood Subdivision is conveyed to my self and my wife.
- 2) **Final Plat Notes, Conditions and Restrictions for Silverwood Subdivision** recorded October 30, 1985. See item no. 16 wherein developer is to divide water rights between lot 6 and lot 7 on an acreage basis..
- 3) **Silverwood Subdivision Plat Map** approved October 30, 1985 showing **lots 6 and 7** to be approximately twenty acres each.
- 4) Idaho Department of Water Resources **Water Right Report** dated 2/15/06 showing **Water Right no. 37-364E** as having a **0.94 Diversion Rate**.

If you need further information or attachments for the filing of this notice please contact me.

Thank you for assistance,



John and Wendy Major  
Tel: 815-244-7356



RECORD BY ELECTRONIC FILING, INC.  
AS AN ACCUMULATED COPY IT HAS  
NOT BEEN EXAMINED AS TO ITS EXECU-  
TION OR AS TO ITS EFFECT UPON THE  
TITLE.

Order No. ACOMM  
This form furnished by  
Blaine County Title Associates

## WARRANTY DEED

For Value Received **HARPJOR RANCH PARTNERS, A CALIFORNIA PARTNERSHIP**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **JOHN B. MAJOR AND WENDY I. MAJOR, HUSBAND AND WIFE**

the Grantee whose current address is: **8075 WEST HIDDENLAKES DRIVE, GRANITE BAY CA 95746**

the following described premises, to-wit:

**SW1/4SE1/4, SECTION 11, TOWNSHIP 1 NORTH, RANGE 18 EAST, B.M.,  
BLAINE COUNTY, IDAHO**

THIS AGREEMENT MAY BE EXECUTED IN COUNTERPART,  
AND AS EXECUTED IN ONE AGREEMENT,  
BINDING ON ALL PARTIES, EVEN THOUGH ALL THE  
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME  
COUNTERPART.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all incumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated:

**HARPJOR RANCH PARTNERS, A  
CALIFORNIA PARTNERSHIP**

(Partnership Name)

By

By

State of

SS:

County of

On this 4th day of April 1997, before me, the undersigned, a Notary Public, in and for said State, personally appeared ROBERT H. HARPER AND  
DONNA L. HARPER

evidence, to be GENERAL PARTNERS, known to me, or identified to me on the basis of satisfactory the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Claudia Manning

Notary Public

Residing at State of Illinois, DePue County

Commission Expires: 2-13-2001



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: A37-00364E  
Date Received: 9/21/1988  
Receipt No: C002640  
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: HARDEE CONSTRUCTION & DEVELOPMENT CO. 208-376-6160  
Address: 6477 FAIRVIEW AVE.  
BOISE, ID 83704

2. Date of Priority: MAY 01, 1887

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 |
|----------|-------|---------|-------------------|-----|--------|
| 01N      | 18E   | 12      | SW NE             |     | BLAINE |

5. Description of diverting works:  
HEADGATE IN RIVER. SYSTEM OF DITCHES TO PLACES OF USE.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 05/01 | 10/21 | 0.940  |      |        |

7. Total Quantity Appropriated is:  
0.940 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
OCCASIONAL STOCK WATER USE ASSOCIATED WITH DITCHES

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 01N           | 18E   | 11      | SW SE      |     | IRR | 7.0   |
|               |       |         | SE SE      |     | IRR | 40.0  |
| Section Acres |       |         |            |     |     | 47.0  |

A37-00364E

Page 1

Date: 09/21/88

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10. Place of Use: Continued

Total Acres 47.0

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:  
N/A

14. Remarks:

THIS IS A PORTION OF APPROVED TRANSFER NO. 2617 FOR DECREEED RIGHT  
37-0364. PORTION WAS SPLIT FROM 37-0364B AND WAS FOR 47 INCHES  
PER THE ATTACHED LETTER DATED MAY 3, 1982 FROM LE MOYNE REALTY.

15. Basis of Claim: BENEFICIAL USE

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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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Organizations:

I do solemnly swear or affirm that I am President of HAROLD Construction & Development Co. Title \_\_\_\_\_, that I have signed the foregoing Organization

document in the space below as President of HAROLD Construction & Development Co. Title \_\_\_\_\_ and that the statements contained in the Organization foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent

President  
Title and Organization

9-21-88

Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 21<sup>st</sup> day  
of Sept. 19 88

Dena Billups  
Notary Public

Seal

Dena Billups, Notary Public

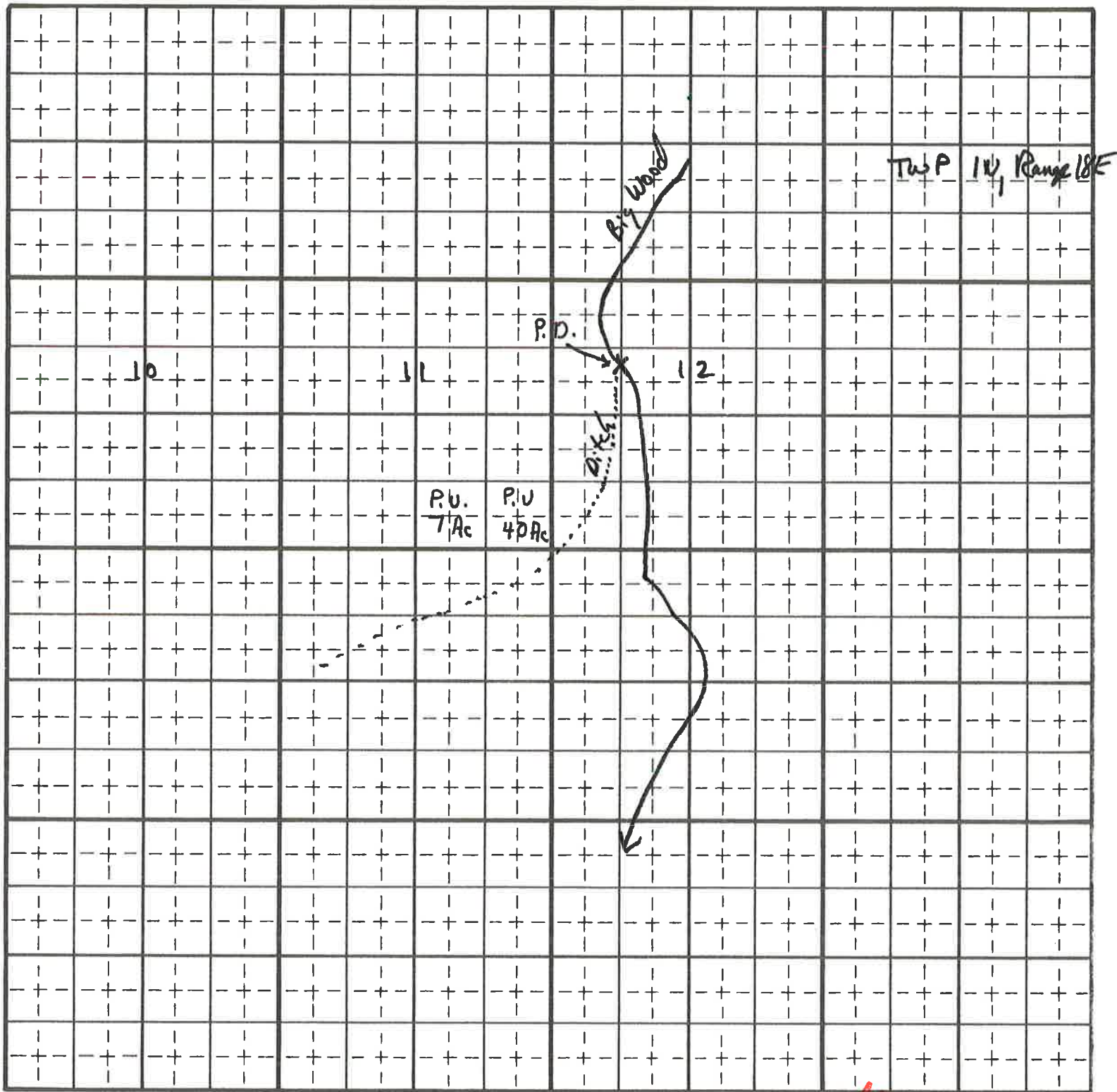
Residing at Caldwell, Idaho

Residing at \_\_\_\_\_  
My Commission Expires March 21, 1994

My Commission Expires \_\_\_\_\_

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name

HARDEE

Ident No.

A37-00364

Copies: White-State, Yellow-Claimant

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FEB 22 1983

12/11/2006 RECEIVED

DEC 20 2006

DEPARTMENT OF  
WATER RESOURCES

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: 01/05/2007

Water right number: 37-21727

HARDEE CONSTRUCTION & DEVELOPMENT CO  
6477 FAIRVIEW AVE  
BOISE ID 83704

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: 12-14-06

SIGNATURE:

Please print your name:

Dan Hardee

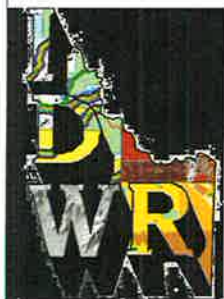
IDWR Regional Office, 322 E Front St  
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

DEC 21 2006

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

Place of use is located within Lot 7, Silverwood Subdivision.



# Idaho Department of Water Resources

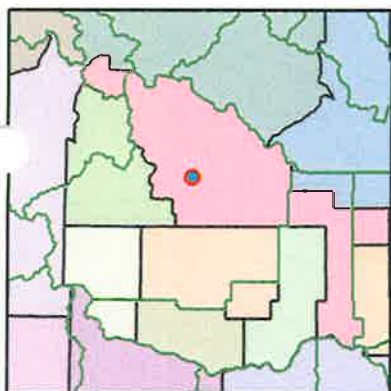
SRBA Recommendation:

**37-21727**

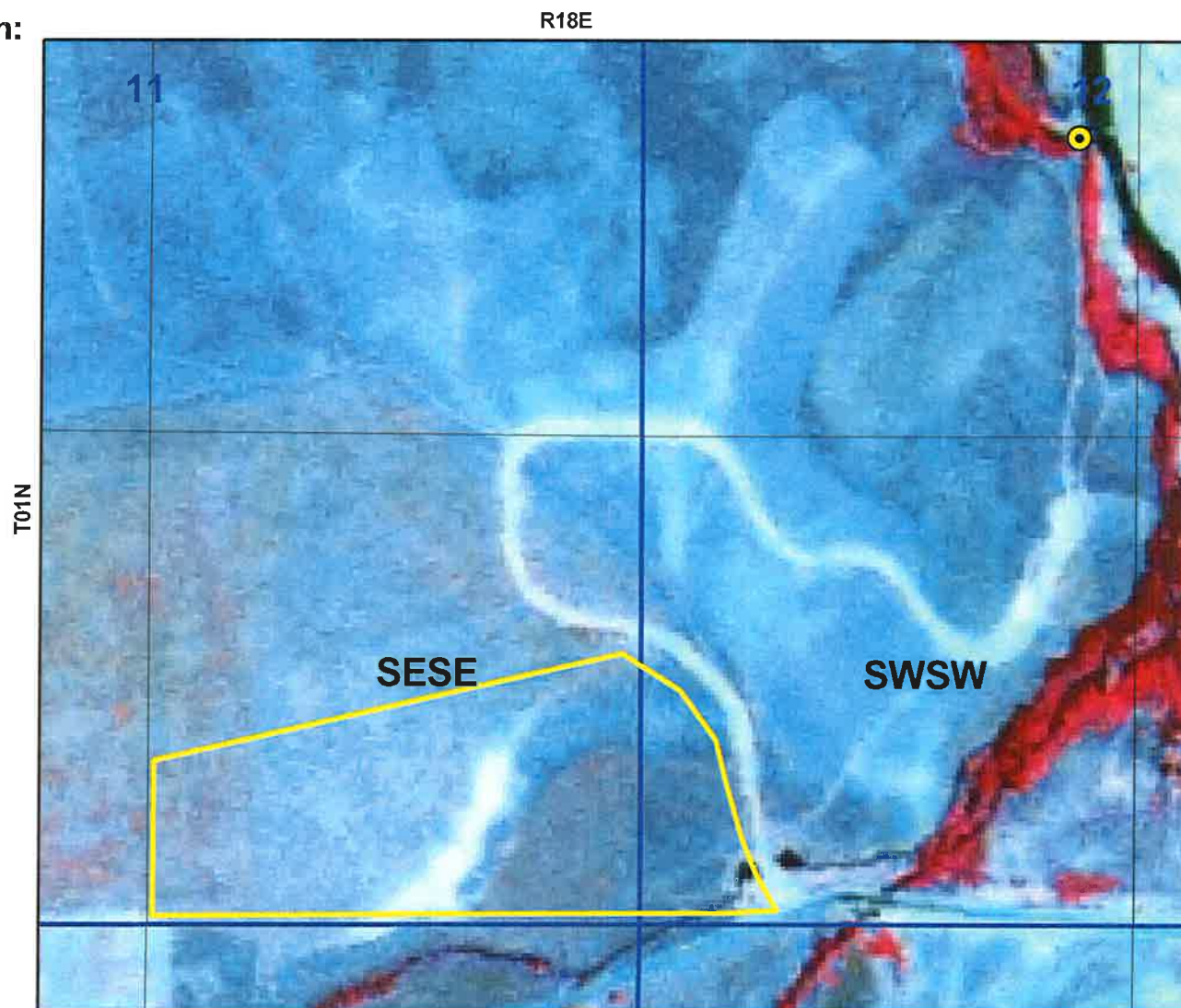
(Irrigation)

## Legend

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



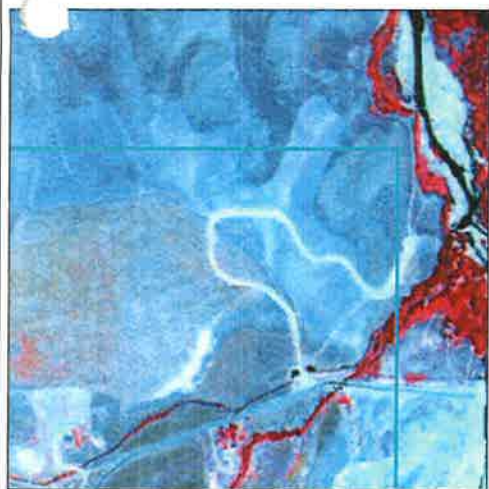
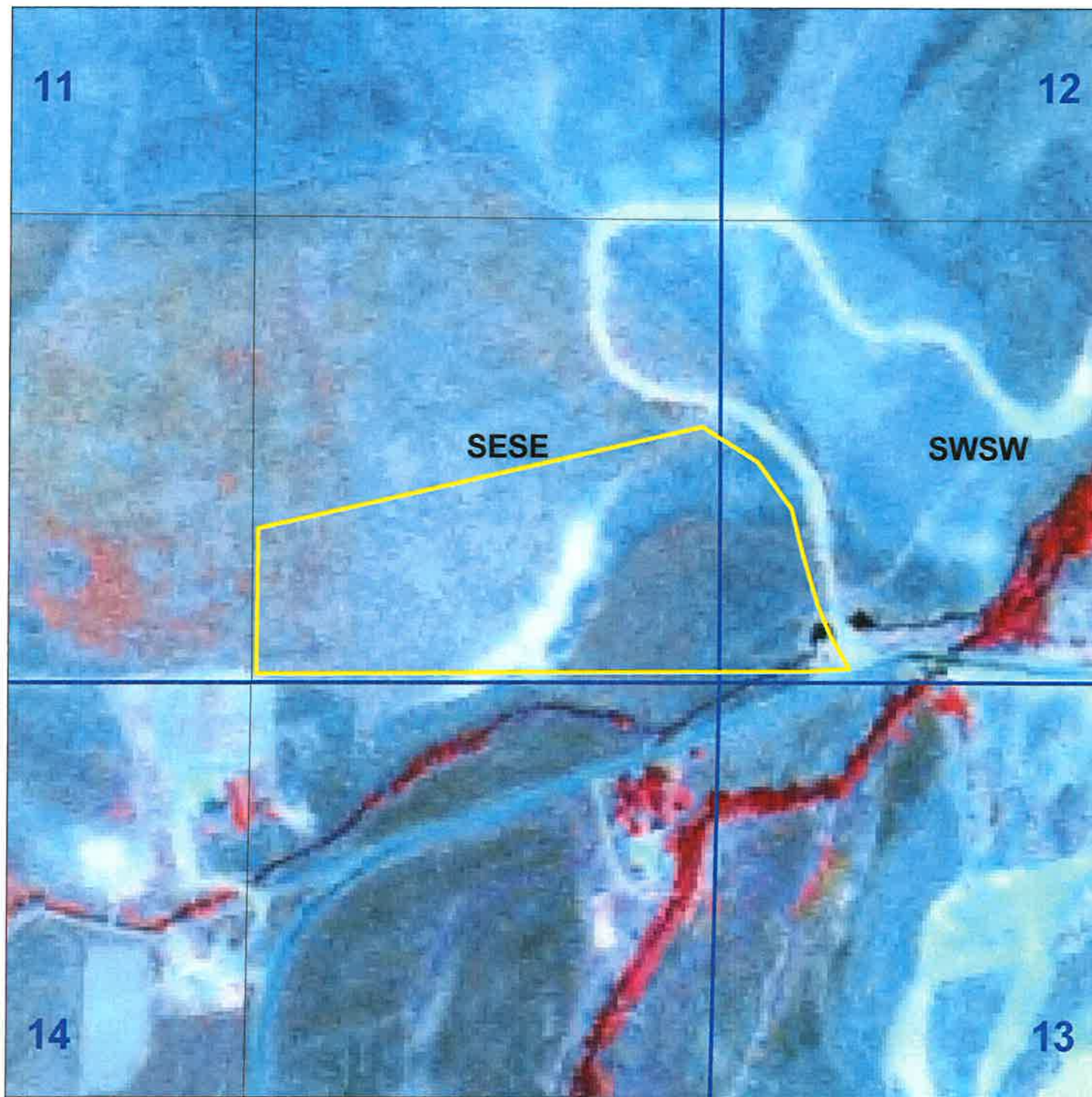
Blaine County  
IDWR Basin 37



0 0.2 0.4 Miles

Prepared by C. Skinner  
On Thursday, November 30, 2006  
1987/88 Aerial Photography

**37-21727**

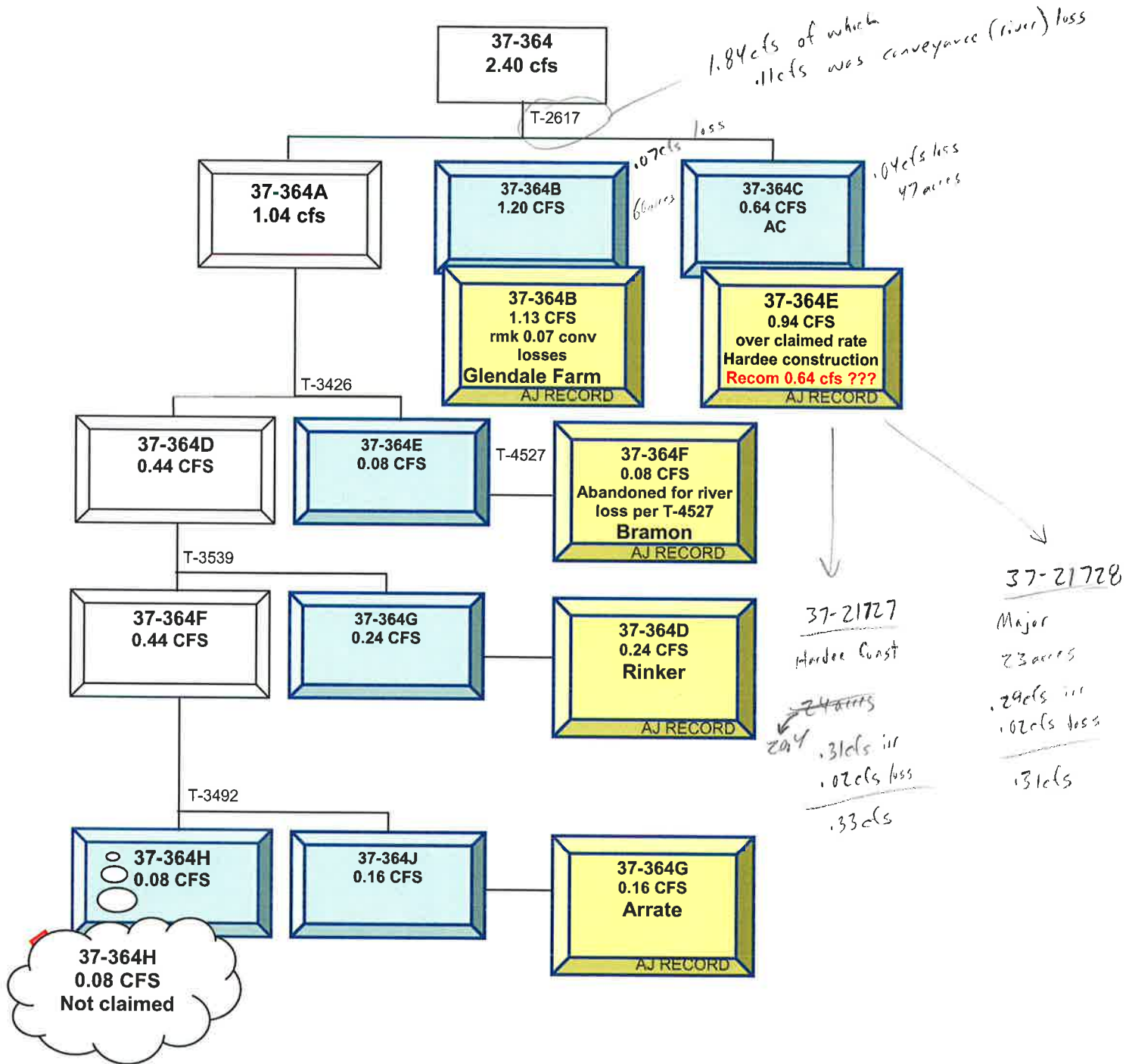


Idaho Dept of Water Resources  
Claims review notes and narrative

Date: 8-29-2005

File: 37-364 split tree analysis

Prepared by Kelly K Christensen



Analysis:

| Allocations rights |             |           | Adjudication claims |             |             |                                                      |
|--------------------|-------------|-----------|---------------------|-------------|-------------|------------------------------------------------------|
| Water right        | Rate        | Conv loss | Claim Number        | Claim rate  | Total recom |                                                      |
| 37-364B            | 1.20        | 0.07      | 37-364B             | 1.13        | 1.20        | 0.13 cfs from transferred rt 37-364B not recommended |
| 37-364C            | 0.64        |           | 37-364E             | 0.94        | 0.64        |                                                      |
| 37-364E            | 0.08        |           | 37-364F             | 0.08        | 0.08        | abandoned                                            |
| 37-364G            | 0.24        |           | 37-364D             | 0.24        | 0.24        |                                                      |
| 37-364H            | 0.08        |           | <b>unclaimed</b>    | <b>0.08</b> | <b>0.08</b> |                                                      |
| 37-364J            | 0.16        |           | 37-364G             | 0.16        | 0.16        |                                                      |
|                    |             |           |                     |             |             |                                                      |
| <b>total</b>       | <b>2.40</b> |           |                     | <b>2.55</b> | <b>2.40</b> |                                                      |

37-364B Claim: This claim excludes the 0.13 cfs identified as river losses otherwise the claim tracks the transferred right.

37-364D Claim: This claim represents allocations right 37-364G and otherwise tracks the transferred right.

37-364E Claim: This claim was filed for 0.94 cfs based upon a letter. However based upon T-2617 the appurtenant rate is actually 0.64 cfs. The corresponding allocations right is 37-364B.

37-364F Claim: The base right for this claim is 37-364E that was created through T-3426. Transfer T-4527 was subsequently filed to allow pumping from a well and this right is to be left in the river as mitigation for river losses.

37-364G Claim: This claim is based upon allocations record 37-364J which was created through T-3492.

37-364H Allocations record for 0.08 cfs represents the un-transferred portion of the original right and there is no associated adjudication claim against this right.

Sep. 22, 1988

Memo to File: A37-00364E

From: Forrest

This Claim was generated by splitting off a portion of Split B of Decreed Right 37-0364. The portion owned by the Claimant, Hardee Construction and Development Co. is Parcel B, described as having 47 irrigated acres in the SWSE and SESE, Sec. 11, T1N, R18E, on Approved Transfer No. 2617.

Claimant had letter from Le Moyne Realty representing the Water Right purchased through Le Moyne as being 47 Inches. Claim was filed for that amount. Transfer No. 2617 indicates that only 32 inches was allowed for Parcel B, which was inadvertently overlooked when assisting claimant.

Claimant has been advised that without evidence to the contrary regarding the deeds to the property that the recommendations to the Court for A37-00364E will more than likely be for .64 Cfs., rather than the .94 Cfs. claimed. Remainder of Claim should be satisfactory as claimed.

FEL

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# WATER RIGHT SPLIT SUMMARY

| RIGHT<br>NO. | NAME                      | AMT  | TRANSFER<br>NO. |
|--------------|---------------------------|------|-----------------|
| 37-0364      | Right split into A and B  |      |                 |
| 37-0363A     | Right split into C and D  |      |                 |
| 37-0364B     | L.D.S Church, Hailey Ward | 1.84 | 2617            |
| 37-0364C     | Justus, U.S.              |      |                 |
| 37-0364D     | Bramon, Frank             | 0.08 | 3426            |

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# Le Moyne Realty

OWNED AND CONTROLLED BY  
LEMOYNE DEVELOPMENT, INC.  
1418 BLUE LAKES BLVD. N.  
PHONE (208) 733-0874  
TWIN FALLS, IDAHO  
83301



May 3, 1982

Mr. Dan Hardee  
Hardee Construction  
6477 Fairview  
Boise, Idaho 83704

Dear Dan:

I am herewith enclosing a copy of the approved Application for Transfer of Water Right. This transfer is effective immediately and shows 47 inches of 1887 water being transferred to Parcel B, which is described as the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 11, Township 1 North, Range 18 East, which is your land above the ditch.

The balance due on your contract with Mrs. Cloughton is \$1,400. Please send a check in that amount to LeMoyne Realty so I can close this transaction. It has been a long, slow process getting the transfer approved but we finally did it.

Very truly yours,

*Harry*  
Harry F. LeMoyne

HFL:mlc  
enclosure

*Dept of Water Resources*  
*334-2190*

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*32" = (.64 ft)  
actually*

Transfer No. 2617Water Right No. 37-0364

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES **APPROVED**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**To Change the Point of Diversion and/or the Place of Use**

Name of applicant L.D.S. Church, Hailey Ward Phone 788-4192

Post Office address \_\_\_\_\_

**A. DESCRIPTION OF RIGHT AS RECORDED**

## 1. Right evidenced by:

a. Decree No. 37-0364 Decreed to U.S. Justus (Name)in case of S.C. Frost, et al vs Alturas Water Companydated in December 17, 1909 in 4th Jud. Dist. county of Lincoln

b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources

c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant \_\_\_\_\_

3. Source of water Big Wood River tributary to Malad River4. Date of priority May 1, 1887

## 5. Water is used for the following purposes:

amount 2.40 for Irrigation purposes from May 1 to October 31

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day — both dates inclusive)6. Total amount of water under right: a. 2.40 cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum7. Location of original point of diversion is SW 1/4 of NW of Section 9Township 2 N Range 18 E, B.M., in Blaine County

Additional points of diversion, if any \_\_\_\_\_

## 8. Lands irrigated or place of use:

| TWP.       | RANGE       | SEC.      | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------------|-------------|-----------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|            |             |           | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| <u>2 N</u> | <u>18 E</u> | <u>15</u> |        |        |        |        |        |        | X      |        |        |        |        |        |        |        |        |        |        |
| "          | "           | <u>16</u> | X      | X      | X      | X      |        |        |        |        |        |        |        |        |        |        |        |        |        |
|            |             |           |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|            |             |           |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|            |             |           |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|            |             |           |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|            |             |           |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated 1409. Describe any other water rights used for the same purpose as described above None10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? NO If yes, describe in item D, REMARKS.

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B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire is owned by the applicant, omit part B).

1. Amount of water: a. 1.84 cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum
- Point of diversion SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 9 Township 2N  
Range 18 E, B.M., Blaine County
- Additional points \_\_\_\_\_

3. Place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 2 N  | 18 E  | 15   |                  |                  |                  |                  |                  |                  | X                |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       | 16   | X                | X                | X                | X                |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres to be irrigated 107

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted Parcel A - 1.2  
Parcel B - .64 c.f.s. &/or \_\_\_\_\_ acre feet
- b. Description of diverting works Existing headgate in river
- c. Describe the reasons for the proposed changes Clarify water rights as recorded on  
warranty deeds for lands which have been sold.

2. Change in point of diversion

Parcel A & Parcel B  
Point of diversion SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 12 Township 1 N  
Range 18 E, B.M., Blaine County

Additional points \_\_\_\_\_

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes \_\_\_\_\_ No \_\_\_\_\_. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

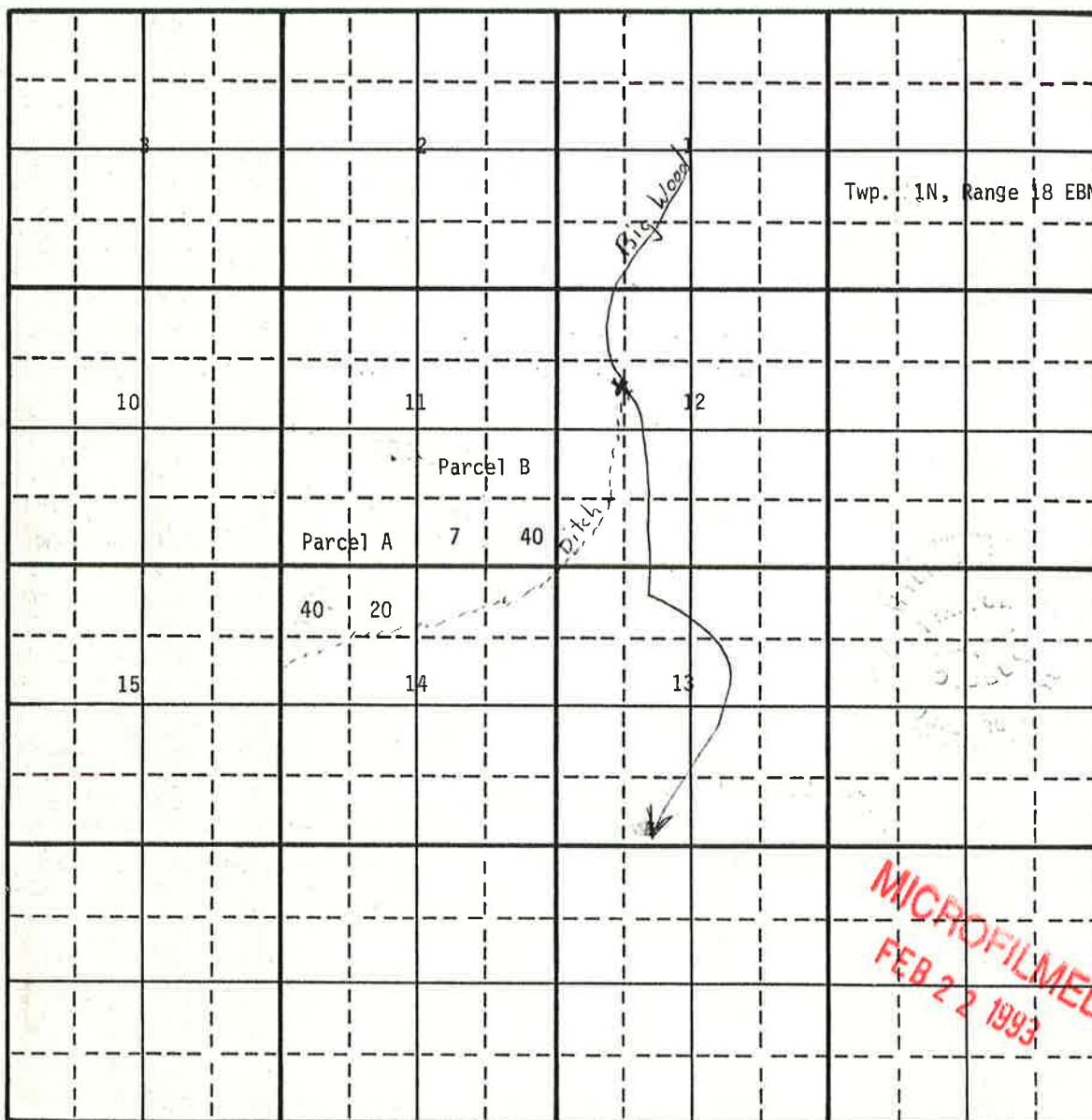
MICROFILMED  
FEB 22 1993

c. Describe the ~~land~~ place of use to which the right will be transferred

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼      |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼      | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|      |       |      |     |     |     |     | PARCEL A |     |     |     |     |     |     |     |     |     |     |     |        |
| 1 N  | 18 E  | 14   |     |     |     |     | 20       | 40  |     |     |     |     |     |     |     |     |     |     | 60     |
|      |       |      |     |     |     |     | PARCEL B |     |     |     |     |     |     |     |     |     |     |     |        |
| 1 N  | 18 E  | 11   |     |     |     |     |          |     |     |     |     |     |     |     |     |     | 7   | 40  | 47     |

Total number of acres to be irrigated 107

- Describe any other water rights used for the same purpose as described above. Part of 37-0643 in Parcel A
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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FEB 22 1993

D. REMARKS

Remainder of this right was previously transferred to unknown lands by unrecorded transfer.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Bishop of Hailey Ward  
L.D.S. Church

*David E. Smith*  
(Signature of Applicant)

Subscribed and sworn to before me this 30 day of September, 19 81

*N.F. LeMoine*  
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0364 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 37, Big Wood River.
3. Maximum rate of diversion under this right shall not exceed 1.73 cfs. This allows 0.11 cfs for conveyance loss in the Big Wood River system.

Witness my hand this 28<sup>th</sup> day of April, 19 82

*J. Glen Saxton*  
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by LA Date 10/5/81 Protest filed by \_\_\_\_\_  
Prelim. check by ADM Fee \$50.00 #18787 \_\_\_\_\_  
Receipted by LA Date 10/5/81 \_\_\_\_\_  
Published in Utah River Journal Copies of protest forwarded by \_\_\_\_\_  
Pub. dates 10/22 + 10/29/81 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Watermaster recommendation requested on 10/14/81 Recommended for \_\_\_\_\_  
\_\_\_\_\_ rec'd. 10/16/81 by ADM DET approval approval

MICROFILMED  
FEB 22 1993

lands owned by L.D. Church et  
Hailey Idaho.

EXHIBIT A

A portion of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 15 being particularly described as Tax Lot 45 on the records of the County Assessor of Blaine County, Idaho, and portions of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  and the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 16, being designated on the records of the County Assessor of Blaine County, Idaho, as Tax Lots numbered 60, 58, 59, and 111 and the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 16, all in Township 2 North, Range 18, East of the Boise Meridian, and also Blocks 130 and 131 of the City of Hailey, as the same appear on the official plat thereof on file and of record in the office of the County Recorder of Blaine County, together with all water, water rights, ditches and ditch rights appurtenant thereto or connected therewith and together with all of the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

MICROFILMED  
FEB 22 1993

OUR ORIGINAL

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-0364E

APR 19 1989

Department of Water Resources  
Southern Region Office

RECOMMENDATION OF WATERMASTER

I, Reid J newby, watermaster of Big Wood River,  
of Water District No. 37, County of Blaine, State of Idaho,  
whose address is Box T Shoshone, Idaho 83352  
have read the attached copy of the application for transfer of water right for  
Pauline Dockstader, and to the best of my knowledge believe the  
(name)  
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend  
that the Director of the Department of Water Resources approve the transfer subject to  
the following conditions: If this transfer is allowed this right could become a  
primary right on the new land it has always been a secondary right prior to this  
and transfer # 3404 being made. I believe this transfer should be checked very  
throughtly prior to being approved.  
Measuring device and access to the point ~~of~~ diversion be installed prior to delivery  
of any water at this point of diversion.

B. I do not endorse approval of the above numbered Application for Transfer as re-  
quested for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated at Shoshone, Idaho, this 18th day of April 19 89.

Reid J newby  
(signature)

Please use reverse side if needed.

MICROFILMED  
OCT 24 1994

37-0364E T# 2617