

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 37-21728
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)

WENDY I MAJOR Phone: (815)244-7356
PO BOX 23
MT CARROLL IL 61053

JOHN B MAJOR Phone: (815)244-7356
PO BOX 23
MT CARROLL IL 61053

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	0.46	

7. Total Quantity Appropriated is:
0.46 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	16
			SW	SE	IRRIGATION	7
Section Acres						23
Total Acres						23

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 13, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN MAJOR
WENDY MAJOR
PO BOX 23
MT CARROLL IL 61053

Re: SRBA Claim(s) 37-21728

Dear Mr. and Mrs. Major:

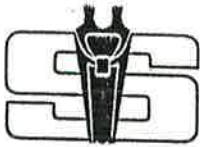
Thank you for your quick response in submitting the deed for your property in the SWSE of section 11. With that deed I was able to give you an additional .14 cfs for the irrigation of 7 acres in that tract. Enclosed you will find your copy of the claim showing a total of 23 acres of irrigation with a diversion rate of .46 cfs. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enc.



RECORDED BY ELECTRONIC RECORDING, INC.
AS AN ACCOMMODATION ONLY 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 COUNTERPART, THIS AGREEMENT,
BINDING ON ALL PARTIES, EVEN THOUGH ALL THE
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME

April 10, 2006

RECEIVED
APR 12 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

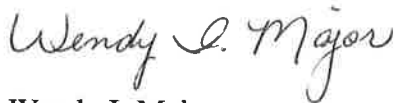
Ms. Trish Fawcett
Dept. of Water Resources
1341 Fillmore St. Suite 200
Twin Falls, ID 83301-3380

RE: SRBA Claim(s) 37-364E

Dear Ms. Fawcett,

Please find attached a copy of the Warranty Deed required for us to obtain additional water rights for the SWSE of section 11. I hope this will complete all necessary documentation. If you need anything else, please contact me at P.O. Box 23, Mt. Carroll, IL 61053, or 815-244-7356.

Sincerely,



Wendy I. Major

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
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CIVIL CASE NUMBER: 39576

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

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PO BOX 23
MT CARROLL IL 61053

JOHN B MAJOR Phone: (815)244-7356
PO BOX 23
MT CARROLL IL 61053

2. Date of Priority: 05/01/1887

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

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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	0.32	

7. Total Quantity Appropriated is:
0.32 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	16
					Section Acres	16
					Total Acres	16

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 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. | | | 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 5, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN MAJOR
WENDY MAJOR
PO BOX 23
MT CARROLL IL 61053

RE: SRBA Claim(s) 37-364E

Dear Mr. and Mrs. Major:

Pursuant to the notification that you own 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 37-21728.

Enclosed please find your copy of the computer-generated claim. Please note that with the deed you provided, I am only able to give you 16 acres of irrigation with a diversion rate of .32 cfs. If, however, you can provide me with the deed from your purchase of the SWSE of section 11, I will be able to add an additional 7 acres with its corresponding diversion rate of .14 cfs to your claim. If you wish to claim the additional acreage, please submit the necessary documentation by **April 21, 2006**.

Thank you for your prompt attention to this matter, and should you have any questions, please feel free to give me a call.

Sincerely,

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication 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 (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 (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		<u>20 acres</u>
Stock	<u>1/2 x (.94 CFS)</u>	
Domestic		
Other		
Total	<u>.47 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) _____
(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 _____
 Received 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 SA
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
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, CONDITYIONS 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: Carla M. K. K.

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

CLARENCE
OFFICIAL
OCT 30 PM 4 19
MISS
MARIE MIE CLERK
CLARENCE
CLARENCE

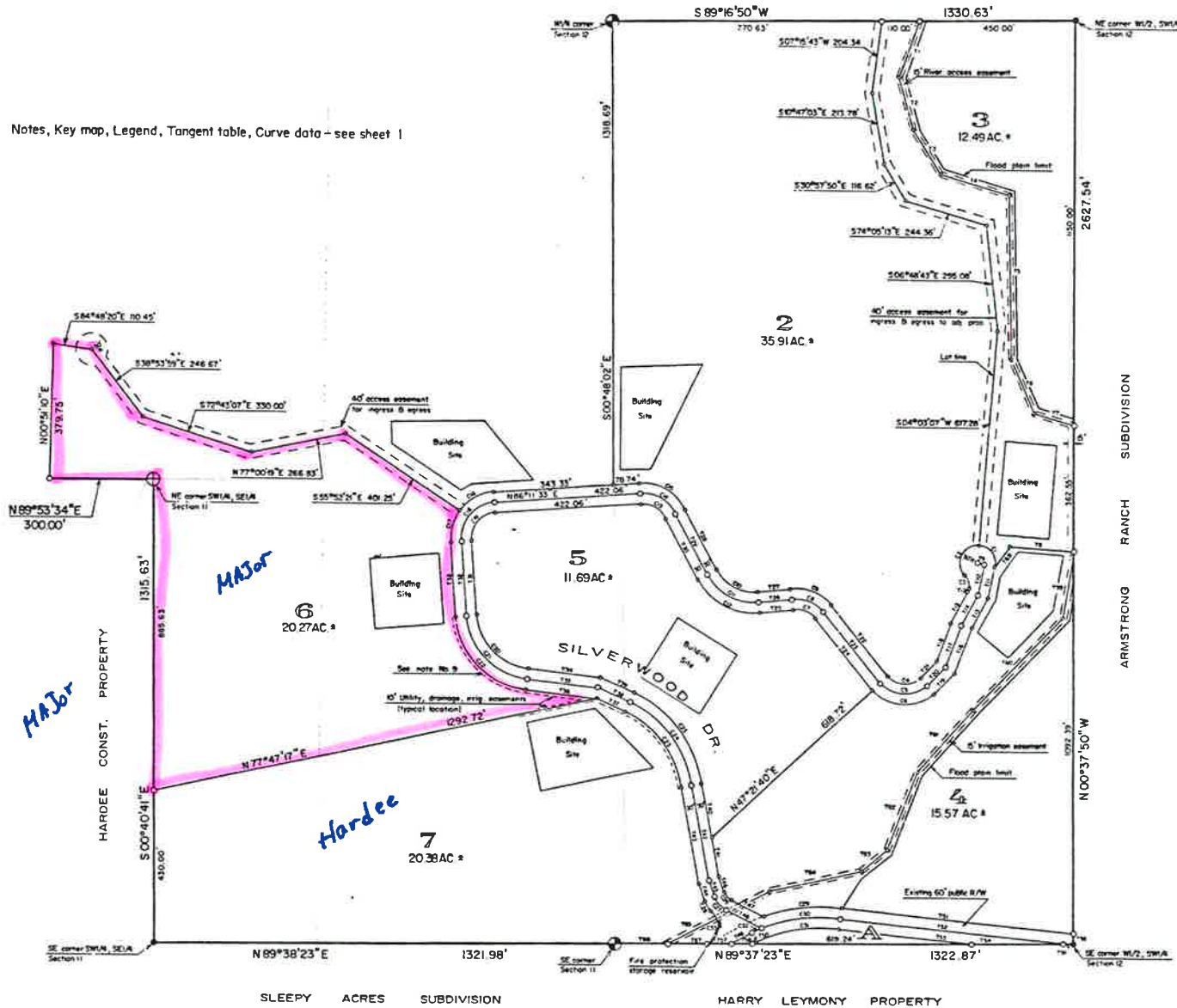
267928

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 1189.29 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 568.06 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 1317.82 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'-41"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 1318.74 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 May 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 Life Term

[Signature]
Matthew Cloughton

ACKNOWLEDGEMENT

STATE OF Idaho)
COUNTY OF Teton) 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]
Gregory G. Walsh

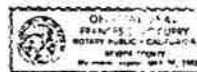
ACKNOWLEDGEMENT

STATE OF California)
COUNTY OF Nevada) ss

On this 12th day of July A.D. 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared Gregory G. 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

Residing at Reno, California.
My Commission expires March 16, 1986



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 30th day of October, 1985.

Colman 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.

Rupert 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. 50-1302, 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.

David Lee Lewis
County Treasurer

September 23, 1985
Date

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 _____ 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

12/11/2006

RECEIVED

DEC 26 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: 37-21728

WENDY I MAJOR
PO BOX 23
MT CARROLL IL 61053
Telephone Number: (815)244-7356

JOHN B MAJOR
PO BOX 23
MT CARROLL IL 61053
Telephone Number: (815)244-7356

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:

12/19/06

SIGNATURE:

John B Major

Please print your name:

John B Major

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

RECEIVED

JAN 03 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

SCANNED
DEC 27 2006

11/30/2006

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

RIGHT NUMBER: 37-21728

NAME AND ADDRESS: WENDY I MAJOR
PO BOX 23
MT CARROLL IL 61053

JOHN B MAJOR
PO BOX 23
MT CARROLL IL 61053

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.310 CFS
Total rate of diversion includes 0.02 cfs charged for river channel loss. The right is limited to the diversion of 0.29 cfs at the point of diversion.

PRIORITY DATE: 05/01/1887

POINT OF DIVERSION:
T01N R18E S12 NENWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.290 CFS
MITIGATION	04/15 10/31	0.020 CFS

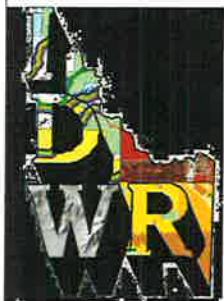
Mitigation use is water charged for river channel loss.

PLACE OF USE: IRRIGATION in BLAINE County
T01N R18E S11 SWSE 7.00 T01N R18E S11 SESE 16.00
MITIGATION same as IRRIGATION
23 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



Idaho Department of Water Resources

SRBA Recommendation:

37-21728

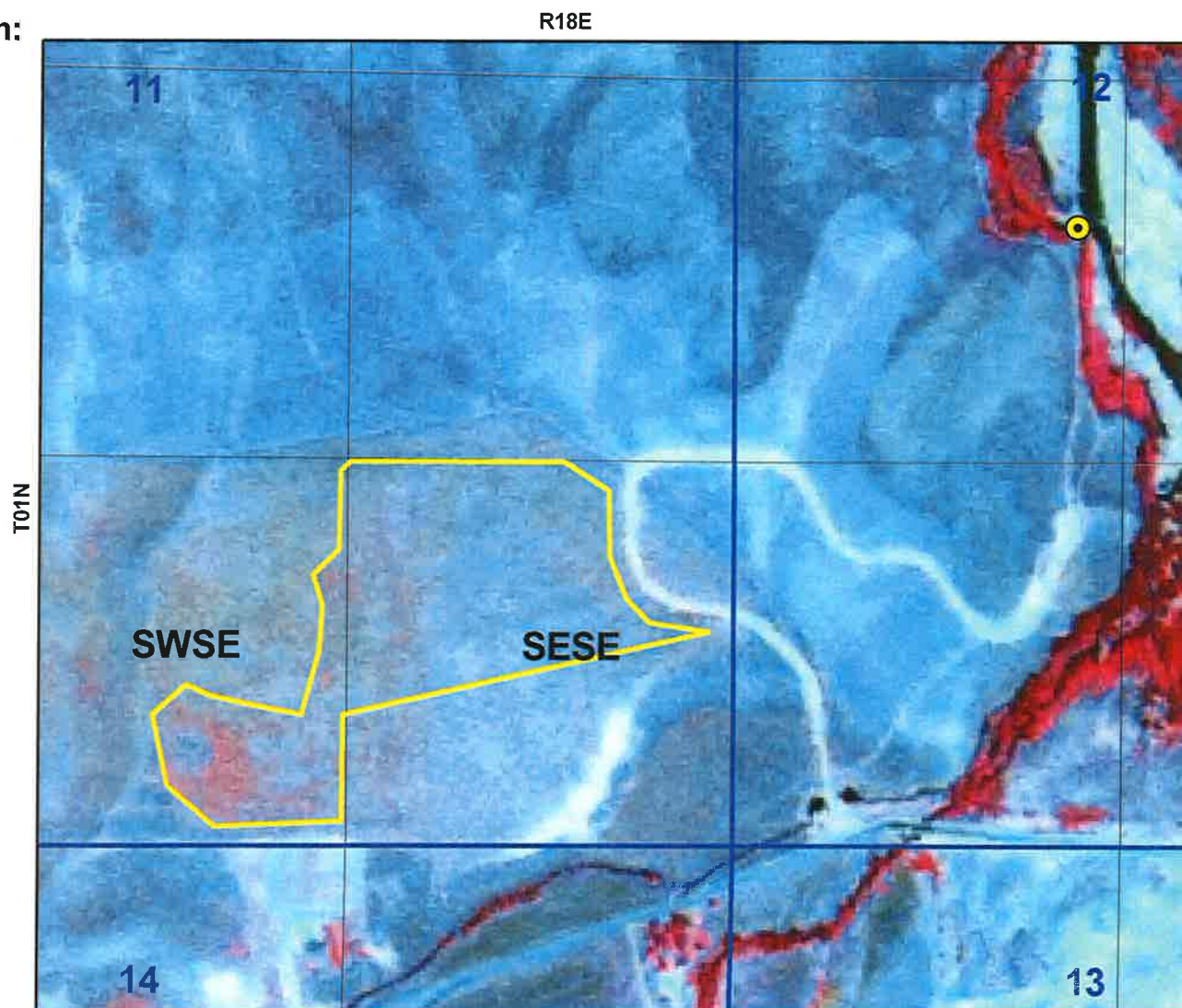
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37

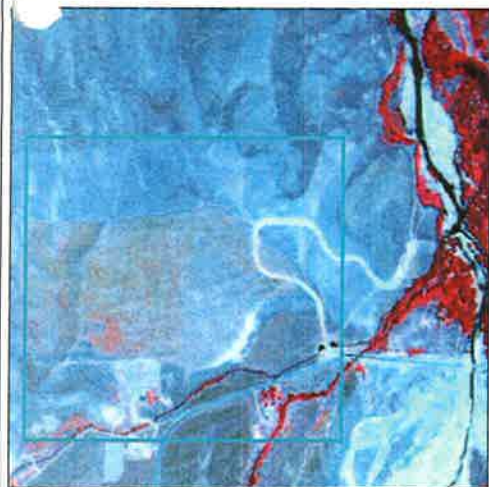
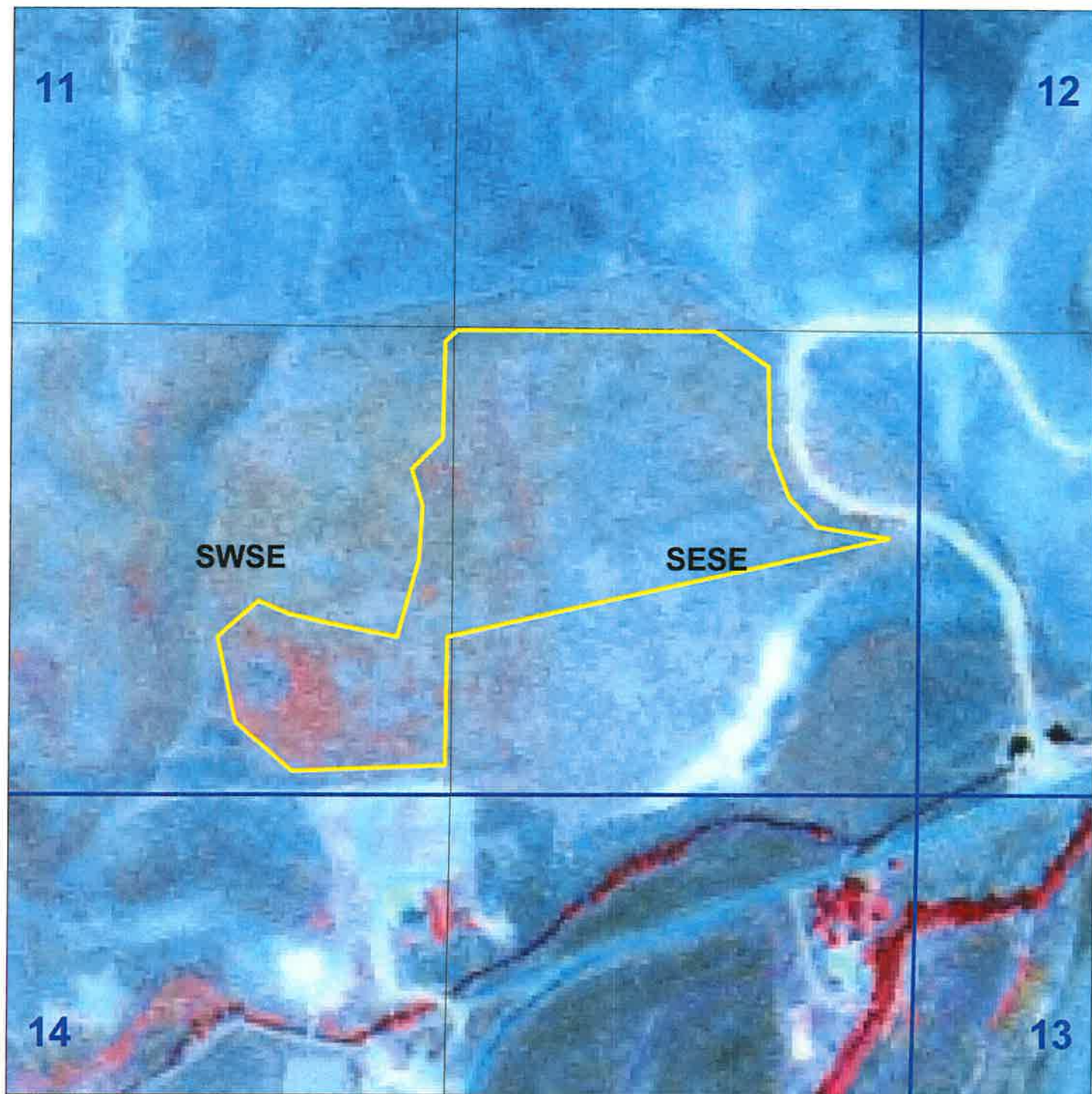


0 0.2 0.4 Miles



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

37-21728

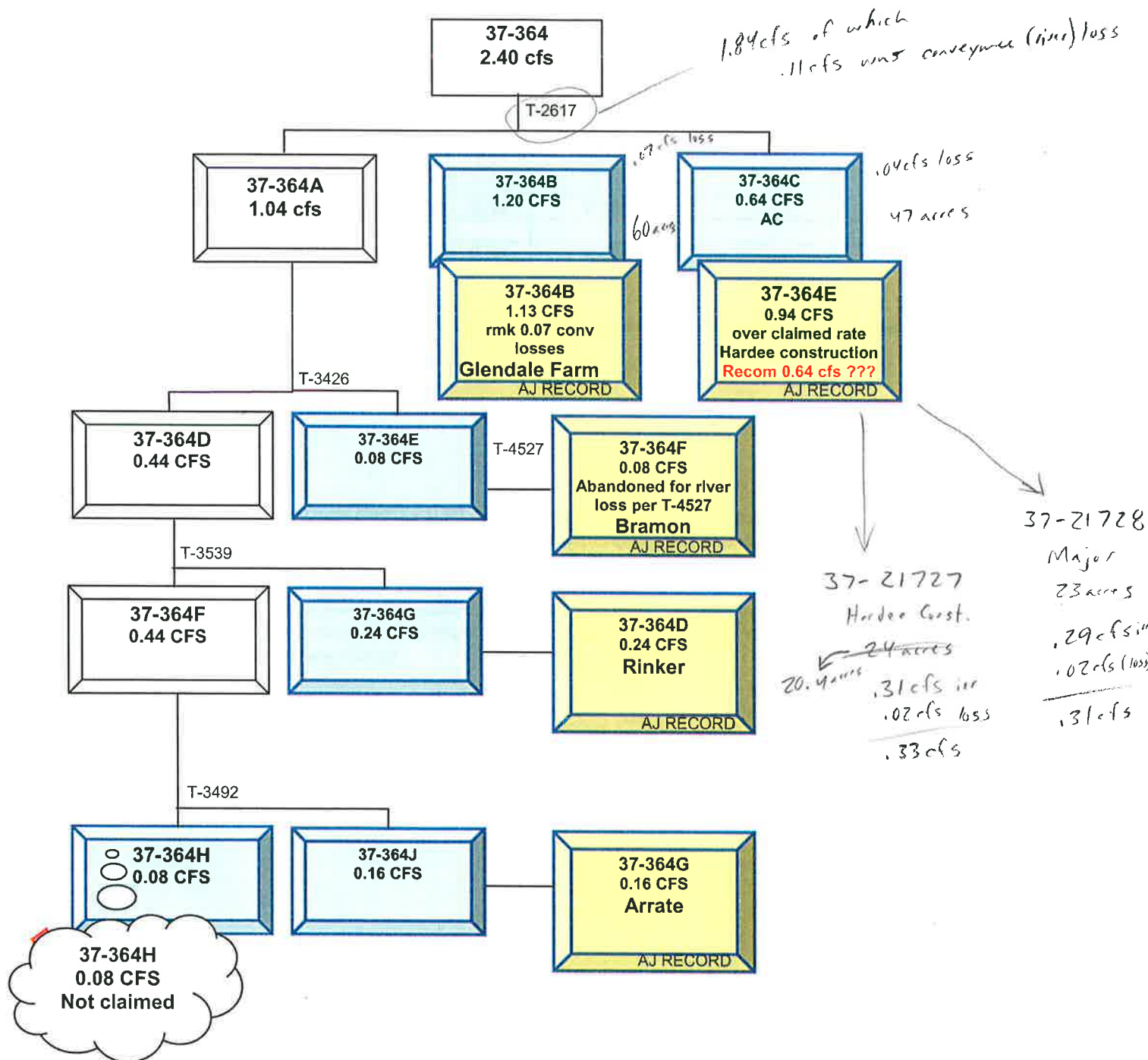


Idaho Dept of Water Resources
Claims review notes and narrative

Date: 8-29-2005

File: 37-364 split tree analysis

Prepared by Kelly K Christensen



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 Company
dated in December 17, 1909 in 4th Jud. Dist. county of Lincoln
(Name of court)
- 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 River

4. 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 annum

7. Location of original point of diversion is SW $\frac{1}{4}$ $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9
Township 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 $\frac{1}{4}$				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 $\frac{1}{4}$	
<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 140

9. Describe any other water rights used for the same purpose as described above None

10. 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.

MICROFILMED
FEB 22 1993

B. DESCRIPTION OF RIGHT OR PORTION THEREOF OWNED BY APPLICANT (If the entire right 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

- Parcel A - 1.2
a. Amount of water to be diverted 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

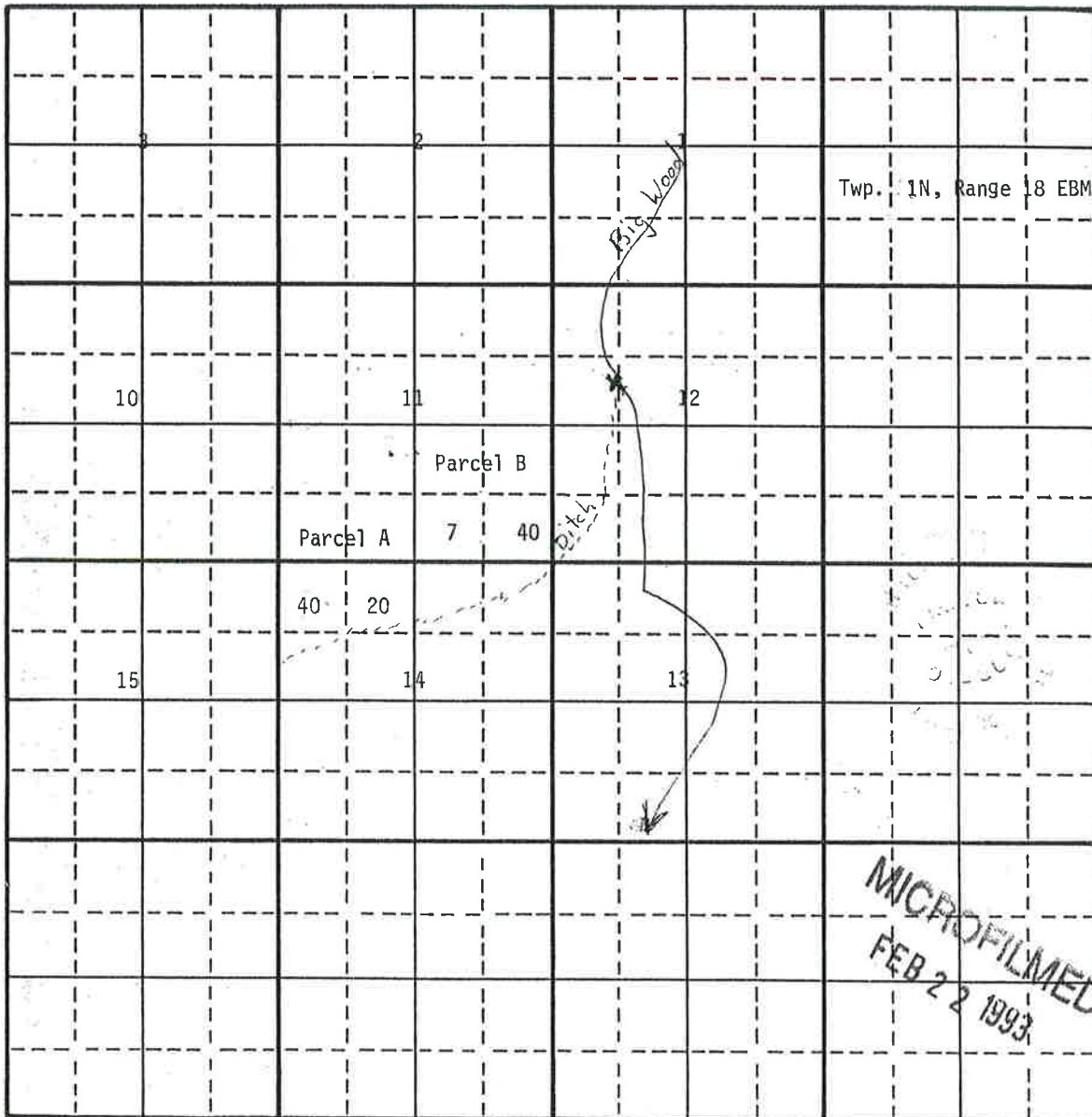
MICROFILMED
FEB 22 1993

c. Describe the 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.



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FEB 22 1993

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

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 willfull misrepresentations made in this application may result in voiding its approval.

Bishop of Hazley 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 28th day of April, 19 82

J. Glen Sayton
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 Wood River Journal

Pub. dates 10/22 + 10/29/81

Watermaster recommendation requested on 10/14/81

rec'd. 10/16/81

Copies of protest forwarded by _____

Hearing held by _____

Recommended for _____

by ADM DET

MICROFILMED
FEB 22 1983