

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 37-21736
Date Received: 10/27/1988
Receipt No:
Received By:

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

1. Name of Claimant(s)

IDAHO RANCH LLC Phone: (714)479-1311
2296 CHANNEL RD
NEWPORT BEACH CA 92661

2. Date of Priority: 08/15/1902

3. Source: BROADFORD SLOUGH Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	35	NE NW	BLAINE	

5. Description of diverting works:

WRENCHER #39 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.06	

7. Total Quantity Appropriated is:
0.06 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
02N	18E	35	SW	NE	IRRIGATION	4
					Section Acres	4
					Total Acres	4

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CONFORMED ATTORNEY MAILING ADDRESS DMS

This right is a split from former right 37-688C.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 14, 2006

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Re: SRBA Claim(s) 37-578C and 37-688C / Idaho Ranch LLC

Dear Jim:

Pursuant to the change in ownership request you submitted to the Department on behalf of your client, we have split the above claims. Idaho Ranch's portions of the claims are now numbered 37-21734 and 37-21736 while the remaining portions of the Evans' rights are numbered 37-21733 and 37-21735. Please find the enclosed copies of the computer record of the water rights noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

Form 42-248/42-1-100(6) July, 2000

RECEIVED
NOV 17 2005
Department of Water Resources
Southern Region

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of 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
37-8058					
37-8143		X			
	37-578C	X			
	37-688C	X			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See Instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit 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) Bill Evans
42 Fox Hollow Gulch, Bellevue ID 83313
4. New Owner/Claimant(s) Idaho Ranch, LLC
Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address 2206 Channel Rd
- City, State and Zip Code Newport Beach, CA 92661-1513
- New Telephone Number (714) 479-1311
5. Date you acquired the property March 24, 2005

Form 12-248/42-1409(6) July, 2000

6.

IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change of 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 37-6143

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>0.03 cfs</u>	<u>1.5 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other	<u> </u>	<u> </u>
Total	<u>0.03 cfs</u>	<u> </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 37-578C

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>0.02 cfs</u>	<u>4 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other	<u> </u>	<u> </u>
Total	<u>0.02 cfs</u>	<u> </u>

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

~~IDAHO RANCH, I.C.~~

Bv:

Ed Lobel,

Manager

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 _____

11118105

Fee \$50

Received by

Date _____

Receipt No.

Processed by

AJ

Date _____

WR

Date _____

Form 42 248/42-1400(a) July, 2000

8.

IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.

If the change of 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>37-688C</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>0.06 cfs</u>	<u>4 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other	<u> </u>	<u> </u>
Total	<u>0.06 cfs</u>	<u> </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 <u> </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> </u>	<u> </u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other	<u> </u>	<u> </u>
Total	<u> </u>	<u> </u>

9. Signature of New owner(s) or Claimant(s)
(include title if applicable)

IDAHO RANCH, LLC

By:

Ed Lobel,

Manager

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

BCT
BLAINE COUNTY TITLEInstrument # 617847
HAILEY, BLAINE, IDAHO
2006-03-24 04:22:08 No. of Pages: 3
Recorded for: BLAINE COUNTY TITLE
MARIONA RUSMAN
Ex-Officio Recorder Deputy Fee: 8.00
Index: WYINGCOW DEPT**WARRANTY DEED**

FOR VALUE RECEIVED

WILLIAM H. EVANS and HELEN EVANS, or their successors, trustees of The Evans
1992 Revocable Trust dated May 14, 1992,GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto
IDAHO RANCH LLC, an Idaho Limited Liability CompanyGRANTEE(S), whose current address is: 2296 Channel Road Newport Beach, CA 92661
the following described premises, to wit:

See "Exhibit A" attached hereto

Specifically excepting and reserving any and all water rights appurtenant thereto. Certain
appurtenant water rights shall be conveyed through a separate Quitclaim Deed.

Parcel Number: 02N18035395DA

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

Dated this 15th day of March, 2005.

By William H. Evans by J. D. R. A. F.
William H. Evans, TrusteeBy Helen Evans by J. D. R. A. F.
Helen Evans, Trustee

STATE OF Idaho)

) ss.

COUNTY OF Blaine)

On this 24th day of MARCH, 2005, before me, the undersigned, a Notary
Public, in and for said State, personally appeared
known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s)
whose name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public
Residing at: Ketchum
My commission expires: July 9, 2005

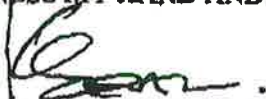
STATE OF Idaho)

) ss.

COUNTY OF Blaine)

On this 24 day of March, 2004, before me, the undersigned, a Notary Public, in and for said State, personally appeared James R. Laski, known to me to be the person whose name is subscribed to the within instrument, as the Attorney-in-Fact of William H. Evans and Helen Evans, as Trustees of THE EVANS 1992 REVOCABLE TRUST dated May 14, 1992, and acknowledged to me that he/she subscribed the name of William H. Evans and Helen Evans, Trustees, thereto as principal, and his own name as attorney-in-fact.

WITNESS MY HAND AND OFFICIAL SEAL.



Notary Public:

Residing at: Ketchum

My commission expires 7/9/2005



EXHIBIT "A"

A Parcel of land located within the NW1/4NE1/4 and within the N1/2SW1/4NE1/4 of Section 35, Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho being a portion of Parcel 2 as depicted within that Record of Survey recorded as Instrument No. 500507, records of Blaine County, Idaho, said parcel of land being more particularly described as follows:

Commencing at a 5/8" rebar which marks the N1/4 Corner of said Section 35; thence South 00°15'21" West along the West boundary of said NW1/4NE1/4, 1315.85 feet to a 5/8" rebar which marks the Southwest corner of said NW1/4NE1/4; thence North 89°34'07" East along the South boundary of said NW1/4NE1/4 709.00 feet, said point being the REAL POINT OF BEGINNING;

Thence North 00°25'53" West 62.57 feet to the centerline of a slough commonly known as Broadford slough;

Thence along said centerline the following courses and distances:

North 74°15'00" East 22.51 feet;

Thence North 17°15'02" East 89.17 feet;

Thence North 50°15'16" East 107.53 feet;

Thence North 82°14'47" East 107.65 feet;

Thence North 72°10'40" East 53.00 feet;

Thence North 43°54'11" East 138.02 feet;

Thence North 29°08'07" East 119.76 feet;

Thence North 61°03'12" East 204.81 feet to the East boundary of said NW1/4NE1/4;

Thence leaving said centerline South 00°11'06" West along said East boundary 551.86 feet to a 5/8" rebar with an aluminum cap which marks the Southeast corner of said NW1/4NE1/4;

Thence South 00°21'35" West, 410.36 feet along the East boundary of the N1/2SW1/4NE1/4 of said Section 35;

Thence leaving said East boundary South 86°49'26" West, 242.38 feet;

Thence North 41°46'03" West, 561.94 to the REAL POINT OF BEGINNING.

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the EVANS 1992 REVOCABLE TRUST, dated May 14, 1992, William H. Evans and Helen Evans, Trustees, does hereby bargain, sell, remise, release, convey and forever quitclaim to IDAHO RANCH, LLC, an Idaho limited liability company, whose address is 2296 Channel Road, Newport Beach, CA 92661 ("Grantee"), all right, title and interest in and to those water rights identified in the records of the Idaho Department of Water Resources as follows: Water Right No. 37-8058; an amount equal to 0.03 cfs of Water Right No. 37-8143; an amount equal to 0.02 cfs of Water Right No. 37-578C; and an amount equal to 0.06 cfs of Water Right No. 37-688C, and no others, for beneficial use upon the property conveyed to Grantee this same date by Warranty Deed recorded as Instrument No. _____, records of Blaine County, Idaho.

Dated this 24th day of March, 2005.

EVANS 1992 REVOCABLE TRUST, dated May 14, 1992

William H. Evans by J.R. Laski AIF
By: William H. Evans, Trustee

Helen Evans by J.R. Laski AIF
By: Helen Evans, Trustee

STATE OF Idaho)
COUNTY OF Blaine) ss.

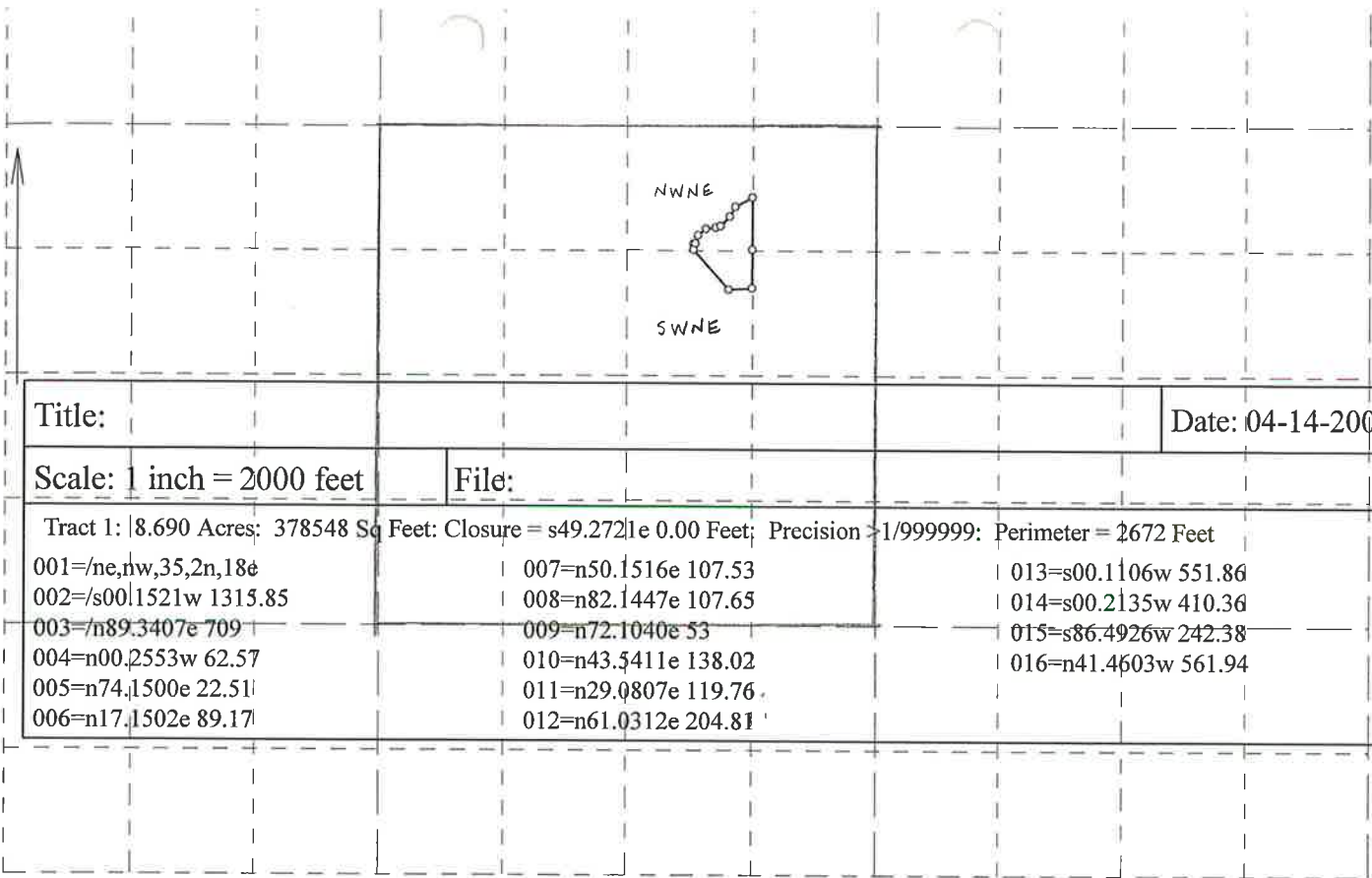
On this 24th day of March, 2005, before me, the undersigned, a Notary Public, in and for said State, personally appeared JAMES R. LASKI, known to me to be the person whose name is subscribed to the within instrument, as the Attorney-in-Fact of WILLIAM H. EVANS, Trustee and HELEN EVANS, Trustee, and acknowledged to me that he subscribed the name of WILLIAM H. EVANS, Trustee and HELEN EVANS, Trustee, thereto as principal, and his own name as attorney-in-fact.

WITNESS MY HAND AND OFFICIAL SEAL.

Kathy Seal
Notary Public
Notary Resides: Ketchum
My commission expires: July 9, 2005

Blaine County Title Associates File Number: 5013820
Quit Claim Deed (Entity)
Page 1 of 3





SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

November 16, 2005

RECEIVED
NOV 17 2005
Department of Water Resources
Southern Region

Ms. Trish Fawcett
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

**Re: Notice of Change of Water Right Ownership -
Water Right Nos. 37-8058, 37-8143
Adjudication Claim Nos. 37-578C, 37-688C
Our File No.: 1067/040141**

Dear Trish:

Enclosed you will find the original and one copy of a Notice of Change in Water Right Ownership for the water rights appurtenant to the above-referenced water rights together with our firm's check for \$50 for the fee due.

Please receipt date stamp the copy of the Notice and return it to me in the postage prepaid self-addressed envelope included for that purpose. Kindly call me if you have any questions.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____


James P. Speck

JPS:jal
Enclosures
cc: Client

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

December 6, 2005

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301

RECEIVED
DEC 08 2005
Department of Water Resources
Southern Region

Re: *Idaho Ranch, LLC;*
Notice of Appearance - SRBA 37-578C and 37-688C

Dear Allen:

Enclosed you will find the original and one copy of the Notice of Appearance for my client, Idaho Ranch, LLC for SRBA Claim Nos. 37-578C, 37-688C and 37-4267. Please receipt date-stamp the copy and return it to me in the postage prepaid, self-addressed envelope included for that purpose.

Please call me right away if you have any questions or concerns. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS/jal

Enclosures

cc: Client (w/encl.)

F:\WPDATA\JIM\Idaho Ranch, LLC\Correspondence\Merritt 12-06.wpd

Claimants Names:
Idaho Ranch, LLC

Attorney Name & Address:
James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752

RECEIVED
DEC 08 2005
Department of Water Resources
Southern Region

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

In Re SRBA

Case No. 39576

)
)
)
)
)
)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Idaho Ranch, LLC, for the following water rights which are not the subject of any subcases: 37-578C and 37-688C.

DATED this 6th day of December, 2005.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 6 day of December, 2005, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

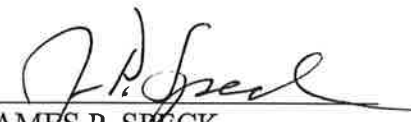
- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

Keen, Shelley

From: Jim Speck [jim@speckandaanestad.com]
Sent: Friday, December 22, 2006 1:47 PM
To: Keen, Shelley
Cc: coastal_eddy@yahoo.com; wevans1123@earthlink.net
Subject: Re: Evans and Idaho Ranch LLC

Shelley,

I have attached a file with your maps for the 4 different areas of the adjacent properties owned by Bill & Helen Evans and Idaho Ranch LLC on which we have marked additional lands we believe should be included in the places of use. We base these assertions on:

1. 37-21734 and 37-21736 - land to the east of the proposed place of use has been irrigated since the early 1980's and is currently irrigated.
2. 37-21733 and 37-21735 - the proposed place of use omits land in the southeast corner of the parcel that has always been irrigated. In addition, the riding arena and other hardscape improvements other than the original home were not added until 1985 and those areas were irrigated in 1984. Since the claims were filed in 1988 the irrigation use in 1984 should protect those areas from the forfeiture statute.
3. 37-4267 - the additional area in the northwest corner as well as the lands east and north of the house and barn are now and have always been irrigated and should be included in the place of use.
4. 37-2752B - (a) the southeast side of the property between the access road and the property line is now and always has been irrigated to our knowledge; (b) the same applies to the portion of the property extending north from the access road - this water right irrigates all of it while License 37-8143 irrigates the parcel to the east with ground water; (c) the northwest corner of the property on the other side of the grove of trees was historically irrigated by this water right and a new system has been put in since this photograph was taken to resume the irrigation of those lands; and (d) the well which is the source for this right is located immediately north of the access road on the property boundary - it is not the well over by the house.

Please call me with questions you may have and we can discuss what, if any, additional information you may need to make these changes. Thank you again.

MERRY CHRISTMAS!!!

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

12/26/2006

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

12/26/2006

12/16/2006

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

RIGHT NUMBER: 37-21736

NAME AND ADDRESS: IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH CA 92661

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 08/15/1902

POINT OF DIVERSION:

T02N R18E S35 NENW 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	0.060 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S35	NWNE	1.90	T02N R18E S35	SWNE	2.10
---------------	------	------	---------------	------	------

4 ACRES TOTAL

Right Nos. 37-21734 and 37-21736 are limited to the irrigation of a combined total of 4 acres in a single irrigation season.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 37-688C.



Idaho Department of Water Resources

SRBA Recommendation:

37-21736

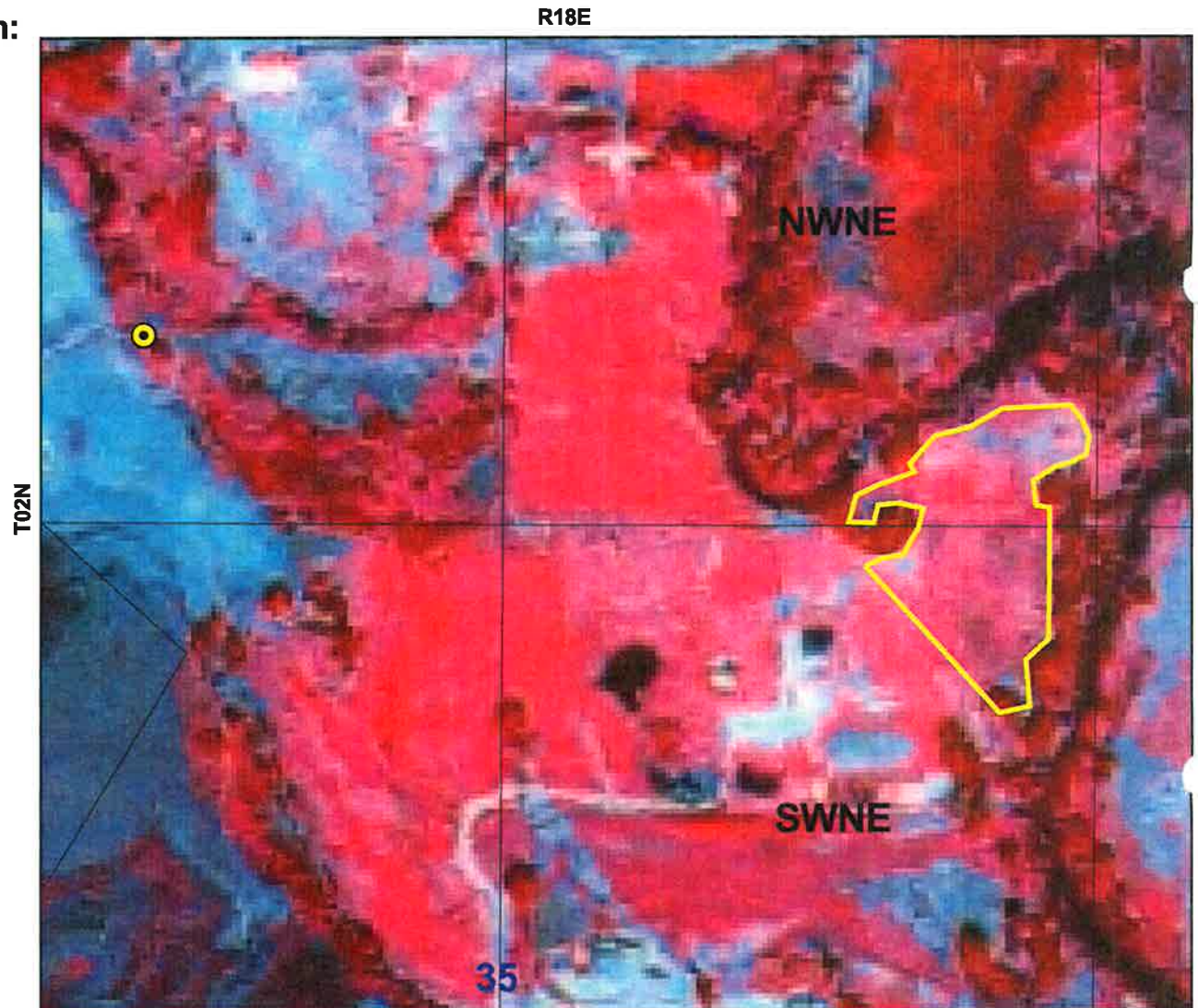
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by S. Keen
On Saturday, December 16, 2006
1987/88 Aerial Photography

Instrument # 517635

HAILEY, BLAINE, IDAHO

2005-03-21

01:23:48 No. of Pages: 1

Recorded for: BENCHMARK ASSOCIATES

MARSHA RIEMANN

Fee: 5.00

Ex-Officio Recorder Deputy

Index to: SURVEYS

KS

**Tax Lots 7930 & 7931
Fr Section 35 T2N R18E**

RECORD OF SURVEY

WHEREIN TAX LOTS 7930 & 7931 ARE RECONFIGURED CREATING PARCELS 1A & 2A.
(SEE RECORD OF SURVEY, INSTRUMENT NO. 500507.)

LOCATED WITHIN THE N1/2 SW1/4 NE1/4 AND
NW1/4 NE1/4, SECTION 35, T2N. R18E. BOISE MERIDIAN, BLAINE COUNTY, IDAHO

MARCH 2005

DESCRIPTIONS

PARCEL 1A

A Parcel of land located within the NW1/4NE1/4 and within the N1/2SW1/4NE1/4 of Section 35, Township 2 North, Range 18 East, Boise Meridian, Blaine County Idaho, being more particularly described as follows: Commencing at a 5/8" rebar which marks the N1/4 Corner of said Section 35; thence S 00°15'21" W along the west boundary of said NW1/4NE1/4 504.60' to the centerline of a slough commonly known as Broadford Slough, said point being the REAL POINT OF BEGINNING; thence along the centerline of said slough the following courses and distances; N 69°38'02" E 92.92'; thence N 80°19'49" E 83.61'; thence S 89°17'27" E 70.37'; thence N 73°36'10" E 34.07'; thence S 80°47'52" E 173.60'; thence S 77°33'33" E 72.98'; thence S 56°24'43" E 89.36'; thence S 13°59'04" W 58.86'; thence S 07°35'28" W 163.84'; thence S 04°13'42" E 167.65'; thence S 28°43'44" W 84.77'; thence S 16°05'48" W 123.28'; thence S 09°52'03" E 93.85'; thence S 42°04'15" E 57.05'; thence S 66°08'24" E 53.32'; thence N 74°15'00" E 137.72'; thence N 17°15'02" E 89.17'; thence N 50°15'16" E 107.53'; thence N 82°14'47" E 107.65'; thence N 72°10'40" E 53.00'; thence N 43°54'11" E 138.02'; thence N 29°08'07" E 119.76'; thence N 61°03'12" E 204.81' to the east boundary of said NW1/4NE1/4; thence leaving said centerline, S 00°11'06" W along said east boundary 551.86' to a 5/8" rebar with an aluminum cap which marks the southeast corner of said NW1/4NE1/4; thence S 00°21'35" W, 410.36' along the east boundary of the N1/2SW1/4NE1/4 of said Section 35; thence leaving said east boundary S 86°49'26" W, 242.38'; thence N 41°46'03" E, 561.94'; thence S 89°34'07" W 708.00' to a 5/8" rebar which marks the southwest corner of said NW1/4NE1/4; thence N 00°15'21" E, 811.25' along the west boundary of said NW1/4NE1/4 to the REAL POINT OF BEGINNING.

Instrument # 517635
HAILEY, BLAINE, IDAHO
2005-03-21 01:23:48 No. of Pages: 1
Recorded for: BENCHMARK ASSOCIATES
MARSHA REBMAN
Ex Officio Recorder Deputy Fee: \$3.00
Index to SURVEYOR

PARCEL 2A

A Parcel of land located within the N1/2SW1/4NE1/4 of Section 35, Township 2 North, Range 18 East, Boise Meridian, Blaine County Idaho, being more particularly described as follows: Commencing at a 5/8" rebar which marks the N1/4 Corner of said Section 35; thence S 00°15'21" W 1315.85' to a 5/8" rebar which marks the northwest corner of said N1/2SW1/4NE1/4 said point being the REAL POINT OF BEGINNING; thence N 89°34'07" E 708.00'; thence S 41°46'03" E, 561.94'; thence N 86°49'26" E, 242.38' to the east boundary of said N1/2SW1/4NE1/4; thence S 00°21'35" W, 253.04' along said east boundary to a 1/2" rebar which marks the southeast corner of said N1/2SW1/4NE1/4; thence S 89°47'25" W 1328.57' to a 1/2" rebar which marks the southwest corner of said N1/2SW1/4NE1/4; thence N 00°14'52" E 658.25' to the REAL POINT OF BEGINNING.

NOTES:

1. THE CENTERLINE OF BROADFORD SLOUGH AS SHOWN REPRESENTS A GOOD FAITH EFFORT TO LOCATE SAID CENTERLINE BASED ON ORTHOPHOTOGRAPHY OBTAINED IN 2002, SUPPLEMENTED BY FIELDWORK PERFORMED IN 2003 AND 2004.
2. BASIS OF BEARINGS IS THE EAST BOUNDARY OF THE NW1/4NE1/4 SEC. 35 AS SHOWN ON INST. #228533.
3. REFERENCE SURVEYS: INST. #228533, 340011, 360344, 200411, 500504 & 500507.
4. OTHER EASEMENTS MAY AFFECT THE PROPERTY SHOWN HEREON.

SURVEYOR'S CERTIFICATE

I hereby certify that I am a Registered Land Surveyor in the State of Idaho and that this map is a true and accurate map of the land surveyed under my direct supervision and that it is in conformance with the Idaho State Code.



STEVEN W. SCHWARZ

LS 8806

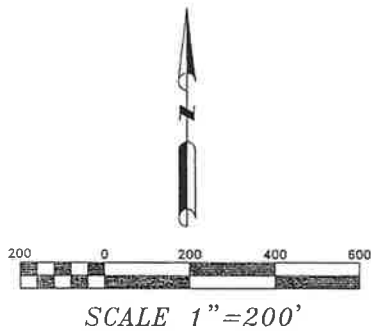


RECORD OF SURVEY FOR: TAX LOTS 7930 & 7931

LOCATED WITHIN:
SECTION 35, TOWNSHIP 2 NORTH, RANGE 18 EAST
BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

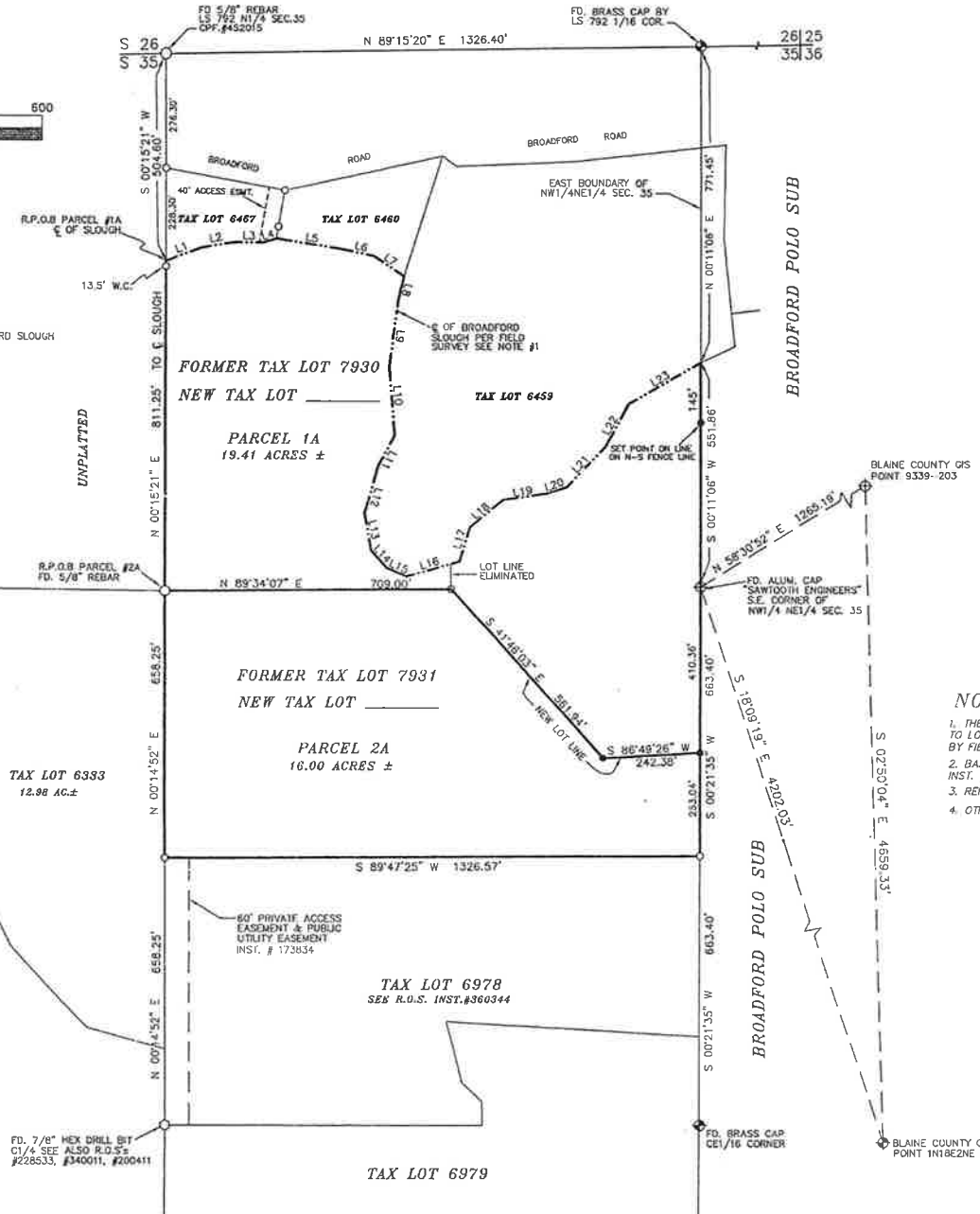
PREPARED FOR: BILL EVANS

RECORD OF SURVEY	DRAWN BY: SWS/CPL	DATE: 03/11/05
PROJECT NO. 04134	PLOT FILE 04134ROS.DWG	SHEET 1 OF 1



LEGEND

- SURVEYED CENTERLINE OF BROADFORD SLOUGH
- ◆ FND. BRASS CAP
- ⊕ FND. ALUMINUM CAP
- FND. 1/2" REBAR
- FND. 5/8" REBAR
- SET 5/8" REBAR



CENTERLINE OF SLOUGH BASED ON SURVEY

LINE	BEARING	DISTANCE
L1	N 69°38'02" E	92.92'
L2	N 80°19'49" E	83.61'
L3	S 89°17'27" E	70.37'
L4	N 73°36'10" E	34.07'
L5	S 80°47'52" E	173.60'
L6	S 77°33'33" E	72.98'
L7	S 56°24'43" E	89.36'
L8	S 13°59'04" W	58.86'
L9	S 07°35'28" W	163.84'
L10	S 04°13'42" E	167.65'
L11	S 28°43'44" W	84.77'
L12	S 16°05'48" W	123.28'
L13	S 09°52'03" E	93.85'
L14	S 42°04'15" E	57.05'
L15	S 66°08'24" E	53.32'
L16	N 74°15'00" E	137.72'
L17	N 17°15'02" E	89.17'
L18	N 50°15'16" E	107.53'
L19	N 82°14'47" E	107.65'
L20	N 72°10'40" E	53.00'
L21	N 43°54'11" E	138.02'
L22	N 29°08'07" E	119.76'
L23	N 61°03'12" E	204.81'

FD. 7/8" HEX DRILL BIT
C1/4 SEE ALSO R.O.S.'s
#228533, #340011, #200411

60' PRIVATE ACCESS
EASEMENT & PUBLIC
UTILITY EASEMENT
INST. # 173834

TAX LOT 6978
SEE R.O.S. INST. #360344

TAX LOT 6979