



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 20, 2007

DONALD MILLER
BARBARA MILLER
201 POLO CLUB LN
BELLEVUE ID 83313

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM 37-22123

Dear Claimant(s):

Thank you for returning the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without a copy of your warranty deed, title policy or contract of sale (with attached legal description).

Enclosed is your original ownership change form. Please attach the required information and return the entire packet to me. As soon as this information is received, our records will be updated and you will be notified by mail that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,



Trish Fawcett
Technical Records Specialist

enc.

RECEIVED
FEB 18 2007
DEPT. 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 (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
	37-22123				

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)

TIM LATVA

- * 4. New Owner/Claimant(s)

Donald D. Miller and Barbara R. Miller

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

201 Polo Club Lane

City, State and ZIP Code

Belleuve, Idaho 83313

New Telephone Number

(208) 578-2326

- * 5. Date you acquired the property

JANUARY 14, 2003

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 _____

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	_____	

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)

Barbara R. [Signature]
Don [Signature]

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 _____

2 RECEIVED
FEB 17 2007
DEPARTMENT OF
WATER RESOURCES

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DEPARTMENT OF WATER RESOURCES
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Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	38-22123				

RECEIVED
FEB 12 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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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 on file with the county Planning and Zoning or Recorder's Office).

OR

D. 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 or equivalent **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)

4. New Owner/Claimant(s)

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

SUSAN S. RAFFERTY

3717 EAGLE AVE

KEY WEST, FL. 33040

(305) 296-2650

5. Date you acquired the property _____

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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.

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Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. * Signature(s) of New Owner(s) or Claimant(s) Susan J. Property (title if applicable)
 _____ (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

Larry J. Hollinshead, who acquired title as a single man and Pamela L. Hollinshead, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

SUSAN RAFFERTY, an unmarried woman

the grantee, whose current address is 3717 Eagle Ave.
Key West, FL 33040

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

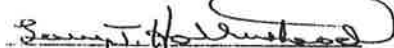
Lot 4, Block 3 of BROADFORD POLO SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, recorded September 13, 1985, as Instrument No. 266544, records of Blaine County, Idaho.

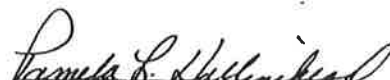
SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and her heirs and assigns forever. And the said Grantors do 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 they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 22, 2000


Larry J. Hollinshead

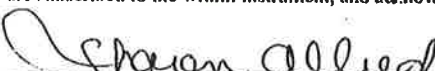

Pamela L. Hollinshead

COPY

State of Nevada

County of Humboldt

On this 2nd day of October, 2000, Before me a Notary Public in and for said State, personally appeared Larry J. Hollinshead and Pamela L. Hollinshead known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public

Residing at Humboldt Co Nevada

Comm. Expires 9/1/04



COANNED

FEB 8 2007

ESCROW CLOSING INSTRUCTIONS

Date: September 18, 2000

To: Sun Valley Title Co.

Seller herein deposits with you under these instructions the following documents which have been read and approved:

Executed Escrow Closing/Settlement Statement

Warranty Deed

IRS Report Form or Certification Exemption Form

which you are hereby authorized and instructed to deliver, release and/or record when you have for the account of Seller **\$200,000.00**

(Two Hundred Thousand Dollars and No/100), subject to any charges and/or credits authorized herein; AND

Buyer herewith deposits with you "COLLECTED FUNDS" as required pursuant to escrow closing statements and the following documents which have been read and approved:

Executed Escrow Closing/Settlement Statement

Buyer has deposited \$5,000.00 with Cornerstone Realty pursuant to the escrow closing statement. You are hereby authorized and directed to disburse the funds and documents described above, when you are able to close in accordance with the instructions below:

1. When you are in a position to issue or have issued a policy (or policies) of title insurance insuring Buyer (or as otherwise hereinafter provided) in the form of an ALTA Standard Policy and in the amount (or amounts) as follows:
Owner's Policy in the amount of **\$200,000.00**

on the real property described in Title Commitment No. 00-16081, which the undersigned have read and approved, which will show record title vested in:

SUSAN RAFFERTY, an unmarried woman

free and clear of all encumbrances except for the insuring clauses, exceptions, exclusions, provisions and stipulations customarily contained in the printed provision of such form and exceptions numbered 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16 as set forth in above referenced Title Commitment dated August 21, 2000@ 8:00 a.m.

Then you are instructed to disburse deposited funds pursuant to the Escrow Closing Statements examined and approved by the parties hereto and by this reference made a part hereof. Proceeds of this escrow may be disbursed by your check payable to the respective parties and your checks and documents will be mailed via regular mail unless otherwise instructed.

All documents have been prepared and completed according to the directions and instructions of the parties hereto, or their authorized attorneys or agents.

2. You are instructed to prorate as of October 11, 2000 the following:
 - A. Taxes based on the last tax statement of the Tax Collector issued prior to the close of escrow in the amount of \$614.62. (If the amount of the new tax bill issued by the Tax Collector after close of escrow is more or less than the amount used for proration purposes, the difference, if any, will be adjusted by the parties herein outside of escrow.) Sellers are to forward to buyers any present or future tax bills on property herein.
 - B. Levies and assessments of the city and/or associations to be current at close of escrow.
 - C. Insurance (including FHA mortgage insurance, if any)
 - D. Interest on all existing trust deeds, improvements assessments and/or bonds taken over by buyers.
 - E. Rental per rent statement handed you.
 - F. Charge the buyer and credit the seller the amount of any funds held in an impound account, if any, in connection with an existing loan.

THIS PROPERTY MAY BE SUBJECT TO FURTHER ASSESSMENTS WITH RESPECT TO NEW IMPROVEMENTS AND THE FIRST OCCUPANCY THEREOF DURING THE YEAR, WHICH MAY NOT BE INCLUDED ON THE REGULAR ASSESSMENT ROLL AND WHICH ARE A LIEN ON SAID PROPERTY.

NEW OCCUPANCY OWNERS MUST REPORT PROMPTLY TO THE ASSESSOR'S OFFICE TO AVOID ANY PENALTIES.

NEW BUYERS SHOULD CHECK WITH THE ASSESSOR'S OFFICE IMMEDIATELY TO APPLY FOR A HOMEOWNERS EXEMPTION IF THIS IS THEIR PRIMARY RESIDENCE.

SCANNED

FEB 8 2007

3. You are bound solely by the provisions set forth in these escrow instructions and the parties hereto understand that you are not a party to Earnest Money Receipt and Agreement dated August 18, 2000 (and Amendments thereto, if any) previously executed by the parties herein, and that said Earnest Money Receipt and Agreement (and Amendments thereto, if any) is not/are not a part of these escrow closing instructions. You are to be concerned only in the performance of your duties in compliance with these escrow closing instructions.
4. All utility charges (except for city water and/or sewer, if any) will be handled by the principals outside of this escrow.
5. I hereby agree to hold you harmless from the failure of the transfer of water rights to myself regardless of the reason or cause. The transfer of water rights is being done as an accommodation for me. I understand that you have not made a search of the water rights to this land. I further understand that you are not making any representation and warranty concerning said water rights.
6. Unless specifically provided elsewhere in these instructions, the cancellation, transfer or purchase of fire or other casualty insurance shall be handled by the parties outside of this escrow.
7. All deposits made by the parties to this escrow shall be deposited by escrow holder in an account designated as "Escrow Trust Account" with any local bank, without any liability for interest unless otherwise instructed. All disbursements shall be made by check of escrow holder drawn on said account. Escrow holder shall not be obligated to identify or to guarantee the signature of any payee on said checks.

Escrow shall not be responsible for any penalties, or loss of principal or interest or any delays in the withdrawal of the (earnest money or closing) funds which may be imposed by the Depository as a result of the making or redeeming of the investment pursuant to our instructions, nor shall Sun Valley Title Company be liable for any loss or impairment of funds while those funds are in the course of collection or while those funds are on deposit in a financial institution if such loss or impairment results from the failure, insolvency or suspension of financial institution.
8. Escrow is authorized to accept funds deposited to our account by our broker or agent without further authorization.
9. You are authorized to deduct from seller's proceeds any additional interest due on loan payoffs to lender after closing if a loan payoff is being made as a part of the transaction. The parties understand that there may be adjustments on unusual recording fees after the signing of these instructions. You are further authorized to deduct same from seller's proceeds and/or deduct from buyer's funds any payments made by you for said recording fees.
10. These escrow closing instructions may be executed in counterparts with like effect as if all signatures appeared on a single copy.
11. Should any disputes arise between parties interested in property or funds covered by these instructions, you shall have the option to hold all matters pending in their then existing status or to join in or commence a court action, or to bring an action in interpleader, at your option. Upon your determination to hold this escrow open for determination of the rights of the parties, you will be relieved of all responsibility to proceed until the rights of the parties are settled in your satisfaction. Further, you as escrow holder, shall be entitled to continue to so refrain to act until (a) the parties hereto have reached an agreement in their differences and shall have notified the escrow holder in writing of such agreement or (b) the rights of the parties have been duly adjudicated by a Court of competent jurisdiction. It is further agreed that in the event of any suit or claim made against you by either or both parties to this escrow or in the event any suit is instituted by you to resolve your responsibility regarding conflicting claims of both parties to this escrow, that said parties, jointly and severally, shall be required to pay you all expenses, costs and reasonable attorney's fees incurred by you in connection therewith, whether suit is instituted by you or any of the parties hereto, or not.
12. If the conditions of this escrow have not been complied with at the time provided for in these instructions, you are nevertheless to complete this escrow as soon as the conditions (except as to time) have been complied with, unless a written demand for the return of money and/or instruments by a party to this escrow is received by you prior to the (recording/delivery) of any instrument provided for in these instructions.
13. Escrow holder shall not be held liable for sufficiency or correctness as to form, manner or execution or validity of any document deposited into escrow, nor as to the identity, authority, or rights of any person executing them, nor for failure of any party to this escrow to comply with any of the provisions of any agreement, contract or other instrument filed or referred to in these instructions.

14. The knowledge of escrow holder of matters affecting the property, provided such facts do not prevent compliance with these instructions, does not create any liability or duty in addition to the responsibility of escrow holder under these instructions. Escrow holder shall not be obligated to make any physical examination of any real or personal property described in any document deposited into escrow. The parties agree escrow holder is not making any representations whatsoever regarding this property.
15. The undersigned jointly and severally agree to indemnify and hold escrow holder harmless by reason of any misrepresentation or omission by either party or their respective agents or the failure of the parties to this escrow to comply with the rules and/or regulations of any government agency, state, federal, county, municipal or otherwise.

The parties acknowledge that Sun Valley Title Company has not given any advice in connection with the operation of Chapter 25, title 55, Idaho Code, The Property Condition Disclosure Act. The Buyer acknowledges receipt of the disclosures required from the Seller and/or agent outside of closing. And by this statement Sun Valley Title Company has recommended that the parties obtain legal advice as to the operation of this law. We further understand and acknowledge that any compliance with the Act was done outside of escrow.

AT THE CLOSE OF THIS TRANSACTION, SELLER AUTHORIZES SUN VALLEY TITLE COMPANY TO DISBURSE THE COMMISSIONS AS STATED ON THE CLOSING STATEMENT.

DECLARATION OF ESCROW SERVICES:

Both Buyer and Seller acknowledge the following by their signatures below:

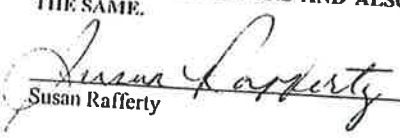
We have been specifically informed that SUN VALLEY TITLE CO, INC. (hereinafter referred to as SVT) is not licensed to practice law and no legal advice has been offered by SVT or any of its employees. We have been further informed that SVT is acting only as escrow holder and that it is forbidden by law from offering any advice to any party respecting the merits of this escrow transaction or the nature and content of the documents executed herein, and that it has not done so.

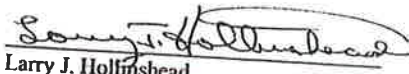
We have been requested by escrow holder to seek legal counsel of our own choosing at our own expense, if we have any doubt concerning any aspect of this transaction.

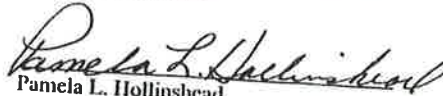
We have been afforded adequate time and opportunity to read and understand these escrow instructions and all other documents referred to therein.

These escrow closing instructions constitute the entire agreement between the escrow holder and the undersigned parties. Any amendment and/or supplement to these instructions must be in writing.

THE UNDERSIGNED HAVE READ AND FULLY UNDERSTAND THE FOREGOING ESCROW CLOSING INSTRUCTIONS AND ALSO THE DECLARATION SET FORTH ABOVE AND AGREE TO THE SAME.


Susan Rafferty


Larry J. Hollinshead


Pamela L. Hollinshead

RECEIVED

Form 42-248/42-1409(6) Sept. 2006

FEB 1 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JAN 30 2007

DEPARTMENT OF
WATER RESOURCES

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3. Name and Address of Former Owner/Claimant(s)

Bruce & Leslie Tidwell

4. New Owner/Claimant(s)

LUCIA O. Drake

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

220 Polo Club Lane

City, State and ZIP Code

Bellevue Id 83313

New Telephone Number

208-788-0866

5. Date you acquired the property

7/14/99

SCANNED

JAN 30 2007

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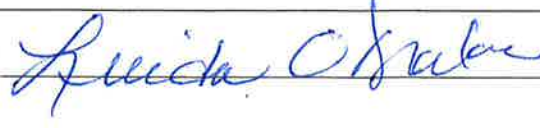
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(include title if applicable)

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 _____

Order No. 22438

WARRANTY DEED

BL

TEQUEST

FIRST AMERICAN TITLE

For Value Received

Dee Swartz, Trustee of the Dee Swartz Trust dated June 9, 1995

99 JUL 15 PM 3 52

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

NOTARY PUBLIC CLERK

Linda O. Drake, a single woman

FEES \$ 2 -

whose address is: PO Box 4885, Ketchum, ID 83340

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

Lot 2 in Block 1 of THE REPLAT OF BLOCKS 1 & 2, BROADFORD POLO CLUB
SUBDIVISION, according to the official plat thereof, recorded as Instrument
No. 389843, records of Blaine County, Idaho.

TOGETHER WITH all water rights appurtenant thereto including, but not
limited to 0.115412 cfs of Water Right No. 37-026392.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs
and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee
simple of said premises, that said premises are free from all encumbrances except current taxes, levies, and assessments, and
except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will
warrant and defend the same from all claims whatsoever.

Dated

Dee Swartz, Trustee
Dee Swartz, Trustee

STATE OF Idaho

COUNTY OF Blaine

On this July 14 1999, before me, the undersigned Notary Public in and for said state personally appeared
Dee Swartz, identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the Dee
Swartz Trust dated June, 1995 and acknowledged to me she executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first
above written.

Nina M. Orvie
Notary Public for
Residing at Boise
My Commission Expires 2-21-2003



2/8/07

To: Doug JONES
IDWR

Enclosed find "Notice of Change in
Water Right Ownership"
for LINDA DRAKE
#37-22123

Per my phone conversation, Today
with SALLY Sherman in BOISE
I Am Forwarding this Form To You -

- Michael Decelle had the copy of the
Title -

If you have Any Questions,
you may call me at 208 788-0866

Sincerely,

David Stanfield

DAVID Stanfield
(Linda Drake's)
husband



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 6, 2007

LINDA O DRAKE
220 POLO CLUB LN
BELLEVUE ID 83313

RE: Snake River Basin Adjudication (SRBA)
Incomplete Notice of Change in Water Right Ownership
Notice of Claim to a Water Right #37-22123

RECEIVED

FEB 13 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Dear Claimant:

We are returning the Notice of Change in Water Right Ownership you submitted recently.

Before we can process your ownership change, we need proof of conveyance as requested in Item 2B.

If you have any questions, please call me at 800/451-4129.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

RECEIVED

FEB 09 2007

Department of Water Resources
Eastern Region

SS:region
Enclosure:

Incomplete Notice of Change in Water Right Ownership

SCANNED

FEB - 6 2007

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 37-21737
Date Received: 11/30/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

FRANK BASHISTA Phone: (208)788-3160
PO BOX 1660
HAILEY ID 83333

PETER B ALLEN Phone: (208)726-4242
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340

ROBERT F BOUTTIER Phone: (208)726-4242
C/O ROGER E CRIST ATTORNEY
PO BOX 2326
KETCHUM ID 83340

CAROL BASHISTA Phone: (208)788-3160
PO BOX 1660
HAILEY ID 83333

RODNEY KEGLEY Phone: (208)726-4242
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340

JAMES MC ELVEEN Phone: (208)726-4242
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340

MICHAEL BADELL Phone: (208)726-4242
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340

2. Date of Priority: 07/01/1887

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	NE	BLAINE	

5. Description of diverting works:

POLO #40A HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	01/01	12/31	1.13	
STOCKWATER	01/01	12/31	1.13	

7. Total Quantity Appropriated is:
1.13 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	NE	NE	IRRIGATION	6.2
			SE	NE	IRRIGATION	23.7
			NE	NE	STOCKWATER	
			SE	NE	STOCKWATER	
Section Acres						29.9
Total Acres						29.9

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:

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

This right is a split from former right 37-21436.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This right is a split from former right 37-21615.

15. Basis of Claim: Decreed

RECEIVED
DEC 30 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 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
	37-21615	✓			

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

A. ~~The appropriate FILING FEE.~~ See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Dr. Rex Thomson
4. New Owner/Claimant(s) 706 Sunrise Blvd. Nr
Twin Falls 83301
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address Lloyd R. Barnes
- City, State and ZIP Code 206 Polo Club Ln
Bellevue 83313
- New Telephone Number (208) 788-4559
5. Date you acquired the property June '01

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>37-21615</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>8.77 Acres</u>
Stock		
Domestic		
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

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

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 _____

QUITCLAIM DEED

FOR VALUE RECEIVED, **BROADFORD POLO SUBDIVISION BLOCK 3 HOMEOWNERS ASSOCIATION, INC.**, hereinafter referred to as "Grantor", does hereby convey, release, remise and forever quitclaim unto **LLOYD BARNES**, hereinafter referred to as "Grantee", whose address is 206 Polo Club Lane, Bellevue, Idaho, 83313, all of its right, title and interest in and to **21.8 miners inches** of the following State of Idaho water right as claimed in the Snake River Basin Adjudication, to-wit:

Idaho Department of Water Resource No. 37-0687

To have and to hold the said premises and their appurtenances unto the said Grantee, his successors and assigns, forever.

DATED this 15 day of APRIL, 2003.

"GP"

21.8 = .436

Instrument # 482675

HAILEY, BLAINE, IDAHO

2003-04-25 11:42:00 No. of Pages: 1

Recorded for : ROBERTSON, HEPWORTH & SLETTE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

By

STATE OF IDAHO)

ss.

County of Blaine)

On this 15th day of April, 2003, before me, a Notary Public in and for the State of Idaho, personally appeared Sue Rother, known or identified to me, to be the President of Broadford Polo Subdivision Block 3 Homeowners Association, Inc., and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Hailey, Idaho
My commission expires 6-23-04

lrlw\realest\qcd water HOA3

Order No. 28257

Instrument # 453697

HAILEY, BLAINE, IDAHO

2001-07-30 03:54:00 No. of Pages: 1

Recorded for : AMERITITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTYICICORP DEED

WARRANTY DEED

FOR VALUE RECEIVED

HAROLD M. THOMPSON, also shown of record as **MAX THOMPSON**, a single man and **DIANA C. HADLEY**, a single woman

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

LLOYD R. BARNES, an unmarried man

GRANTEE(s) whose address is: **P.O. Box 1476, Wilson, WY 93014-1476**

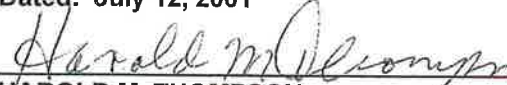
the following described real property in **Blaine** County, Idaho, to wit:

Lot 8 in Block 3 of BROADFORD POLO SUBDIVISION, according to the official plat thereof, recorded as **Instrument No. 266544**, records of **Blaine County, Idaho**.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

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

Dated: July 12, 2001


HAROLD M. THOMPSON


DIANA C. HADLEY

State of Idaho

County of Blaine

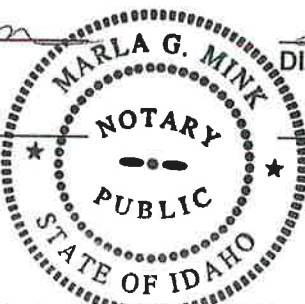
On this 26th day of July in the year 2001, before me, the undersigned, personally appeared **HAROLD M. THOMPSON** and **DIANA C. HADLEY** known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they executed the same.

WITNESS my hand and official seal



Notary Public

Commission Expires: 12/01/2006



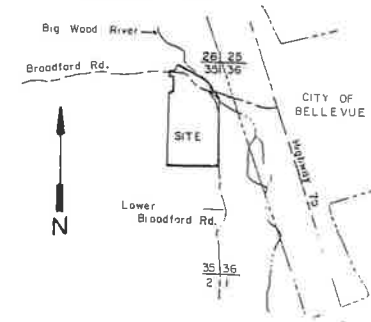


PLAT SHOWING BROADFORD POLO SUBDIVISION

LOCATED WITHIN SECTION 35 T. 2N., R. 18E., B.M.

BLAINE COUNTY, IDAHO
February, 1985

VICINITY MAP



LEGEND

- Found 5/8" bar
- Brass Cap
- Set 1/2" bar capped LS 3621
- Set 5/8" bar capped LS 3621
- Edge of water
- P--- Power Line Easement, 10' wide
- Easement Line as noted
- FP--- 100-Year Floodplain Line (I.R.F.)
- FW--- Floodway
- ⊙ Building Centroid 100' Diameter
- 30' SC Proposed Sewage Mound Location

NOTES

- 1 The purchaser and/or owner of this 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, and that each owner shall notify in writing any successor in interest of these facts (See note no. 9)
- 2 This parcel is subject to the regulations of the Blaine County Floodplain Management District (See note no. 7)
- 3 A public utility easement with a minimum of ten (10) feet in width and centered on all side and rear lot lines shall be required.
- 4 There is a 30' setback for all structures from the edge of the slough vegetation upon which no permanent structure shall be built except two approved crossings, or irrigation diversions
- 5 Actions on wildlife depredation complaints will be directed by the Idaho Fish & Game and geared toward prevention rather than extermination. The costs of these actions shall be paid by the property owner (See note no. 13)

Notes Cont on Sheet 2

This map is a photographic reproduction of that on file in either the Recorder's or the Surveyor's Office. The company assumes no liability for variation, if any, with another or re-survey.

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 37-21615
Date Received: 11/30/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CAROL BASHISTA Phone: (208)788-3160
PO BOX 1660
HAILEY ID 83333

FRANK BASHISTA Phone: (208)788-3160
PO BOX 1660
HAILEY ID 83333

RODNEY KEGLEY Phone: (208)726-4242
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340

PETER B ALLEN Phone: (208)726-4242
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340

JAMES MC ELVEEN Phone: (208)726-4242
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340

ROBERT F BOUTTIER Phone: (208)726-4242
C/O ROGER E CRIST ATTORNEY
PO BOX 2326
KETCHUM ID 83340

MICHAEL BADELL Phone: (208)726-4242
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340

2. Date of Priority: 07/01/1887

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 NE	BLAINE	

5. Description of diverting works:

POLO #40A HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	01/01	12/31	1.57	
STOCKWATER	01/01	12/31	1.57	

7. Total Quantity Appropriated is:
1.57 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	SE	NE	IRRIGATION	27
			NE	NE	IRRIGATION	11.7
			NE	NE	STOCKWATER	
			SE	NE	STOCKWATER	
					Section Acres	38.7
				Total Acres	38.7	

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

This right is a split from former right 37-21436 .

15. Basis of Claim: Decreed

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

RECEIVED
 NOV 17 2005
 Department of Water Resources
 Southern Region

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
37-21436					

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

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

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) VERNA R. HARRAH
9951 BEVERLY GROVE BEVERLY HILLS, CA. 90210
4. New Owner/Claimant(s) FRANCIS LIVINGSTON & SUE ROTHER
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 110 ELDERBERRY LN.
- City, State and ZIP Code BELLEVUE, ID. 83313
- New Telephone Number (208) 788-1532
5. Date you acquired the property ~~12-02-94~~ 12-02-94

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 _____

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	_____	_____

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)

Joe Rother

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 <u>NT</u>	Date <u>11/21/05</u>	Fee <u>26.00 no fee due</u>
Received by <u>NT</u>	Date <u>11/21/05</u>	Receipt No. <u>3028176</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date <u>11/22/05</u>

Order No. 20500

WARRANTY DEED

FOR VALUE RECEIVED

Verna R. Harrah, As Trustee Of The Verna R. Harrah Trust Dated September 5, 1986

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Francis Livingston, an unmarried man as to an undivided 1/2 Interest and Sue Rother, an unmarried woman as to an undivided 1/2 Interest

GRANTEE(s) whose address is: 6230 East Surrey Drive, Cave Creek, AZ 85331

the following described real property in Blaine County, Idaho, to wit:

Lots 1 & 2 In Block 3 of BROADFORD POLO SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 266544, records of Blaine County, Idaho.

Subject To: Taxes, easements, restrictions and encumbrances of record.

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

Dated: November 30, 1994

Verna R. Harrah, Trustee
Verna R. Harrah, Trustee

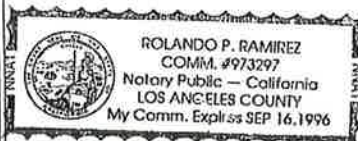
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA

County of LOS ANGELES

On 11/30/94 before me, ROLANDO P. RAMIREZ
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"
personally appeared VERNA R. HARRAH
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Rolando P. Ramirez
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL
☐ CORPORATE OFFICER(S)

TITLE(S)
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL

☐ ATTORNEY-IN-FACT
☒ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
THE VERN R. HARRAH TRUST

DATED SEPTEMBER 5, 1986

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT WARRANTY DEED

NUMBER OF PAGES 9 DATE OF DOCUMENT NOVEMBER 29, 1994

SIGNER(S) OTHER THAN NAMED ABOVE NONE

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

WARRANTY DEED

FOR VALUE RECEIVED

Verna R. Harrah, As Trustee Of The Verna R. Harrah Trust Dated September 5, 1986

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Francis Livingston, an unmarried man as to an undivided 1/2 interest and Sue Rother, an unmarried woman as to an undivided 1/2 interest

GRANTEE(s) whose address is: **6230 East Surrey Drive, Cave Creek, AZ 85331**

the following described real property in **Blaine County, Idaho**, to wit:

Lots 1 & 2 in Block 3 of BROADFORD POLO SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 266544, records of Blaine County, Idaho.

Subject To: Taxes, easements, restrictions and encumbrances of record.

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

Dated: **November 30, 1994**

Verna R. Harrah, Trustee

J:\escrow\formstwd

READ AND APPROVED _____

READ AND APPROVED _____

Sue Rother

QUITCLAIM DEED

FOR VALUE RECEIVED, **BROADFORD POLO SUBDIVISION BLOCK 3 HOMEOWNERS ASSOCIATION, INC.**, hereinafter referred to as "Grantor", does hereby convey, release, remise and forever quitclaim unto **FRANCIS LIVINGSTON and SUE ROTHER**, hereinafter referred to as "Grantees", whose address is 110 Elderberry Lane, Bellevue, Idaho, 83313, all of its right, title and interest in and to **8.20 miners inches** of the following State of Idaho water right as claimed in the Snake River Basin Adjudication, to-wit:

Idaho Department of Water Resource No. 37-0687

To have and to hold the said premises and their appurtenances unto the said Grantees, their successors and assigns, forever.

DATED this 15 day of APRIL, 2003.

"GRANTOR"

**BROADFORD POLO SUBDIVISION BLOCK 3
HOMEOWNERS ASSOCIATION, INC.**

By: Sue Rother
SUE ROTHER, President

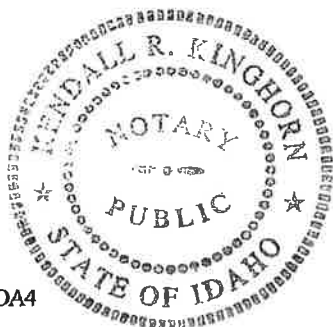
STATE OF IDAHO)

ss.

County of Blaine)

On this 15th day of April, 2003, before me, a Notary Public for the State of Idaho, personally appeared Sue Rother, known or identified to me, to be the President of Broadford Polo Subdivision Block 3 Homeowners Association, Inc., and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



lr1w\realest\qcd water HOA4

Kendall R. Kinghorn
NOTARY PUBLIC FOR IDAHO
Residing at Helena, MT
My commission expires 6-23-04



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

November 30, 2005

FRANCIS LIVINGSTON AND SUE ROTHER
110 ELDERBERRY LN
BELLEVUE ID 83313

RE: SRBA Claim #37-21436

Dear Claimants:

Thank you for contacting me about your water right claim. The department has split water right #37-21436 into two parts, giving you a separate claim based on the quitclaim deed with the Broadford Polo Homeowners Association. Your portion has been numbered #37-21616. Enclosed please find your copy of the claim. Review this document and should you have any questions or corrections, please contact this office.

Sincerely,

Carrie Hahn
Clerk
enc.

01/21/2007

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

RIGHT NUMBER: 37-22123

NAME AND ADDRESS: FRANK BASHISTA
PO BOX 1660
HAILEY ID 83333

CAROL BASHISTA
PO BOX 1660
HAILEY ID 83333

LYLE SAYLOR
235 ST THOMAS LN
OWINGS MILLS MD 21117

GLORIANA SAYLOR
235 ST THOMAS LN
OWINGS MILLS MD 21117

SUSAN RAFFERTY
3717 EAGLE AVE
KEY WEST FL 33040

DONALD MILLER
201 POLO CLUB LN
BELLEVUE ID 83313

BARBRA MILLER
201 POLO CLUB LN
BELLEVUE ID 83313

LINDA O DRAKE
PO BOX 4885
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.600 CFS

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

PRIORITY DATE: 07/01/1887

POINT OF DIVERSION:

T02N R18E S35 NENE Within BLAINE County

Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.600 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in BLAINE County

01/21/2007

T02N R18E S35	NENE	6.50	T02N R18E S35	SENE	6.60
---------------	------	------	---------------	------	------

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

STOCKWATER in BLAINE County

T02N R18E S35

NENE

T02N R18E S35

SENE

13.1 ACRES TOTAL

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

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

This right is a split from former right 37-21615.

This right is a split from former right 37-21737.

This right is a split from former right 37-21436.

DUE
RECEIVED
JAN 17 2007
DEPARTMENT OF
WATER RESOURCES

LAW OFFICES OF
ROGER E. CRIST
BITTERROOT SQUARE PROFESSIONAL BUILDING
208 SPRUCE AVENUE NORTH
P. O. BOX 2326
KETCHUM, IDAHO 83340
TELEPHONE 208-726-4242
FACSIMILE 208-726-9328
e-mail: rogercrist@cox.net

January 16, 2007

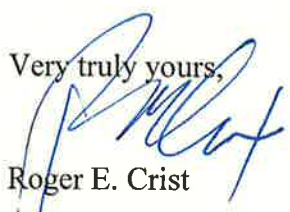
David R. Tuthill, Jr., P.E.
Interim Director
Idaho Department of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

Re: Water Right No. 37-21737

Dear Mr. Tuthill:

I received the enclosed notice regarding water right no. 37-21737. I represented as an attorney several of the property owners who owned property in the area of the Broadford Slough. This was more than 10 years ago. I do not represent these people any more and have not represented any of them for the past 10 years. One of them is deceased. Please direct correspondence to the current owners of the real property to which this water right pertains.

Very truly yours,


Roger E. Crist

REC:cc
Enclosure

tuthill-IDWR.ltr

MAX THOMPSON - 738-8308

SLC ROBERT - 788-1502

COANNED

JAN 18 2007

01/06/2007

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: 01/19/2007

Water right number: 37-21737

FRANK BASHISTA
PO BOX 1660
HAILEY ID 83333
Telephone Number: (208) 788-3160

PETER B ALLEN
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340
Telephone Number: (208) 726-4242

ROBERT F BOUTTIER
C/O ROGER E CRIST ATTORNEY
PO BOX 2326
KETCHUM ID 83340
Telephone Number: (208) 726-4242

CAROL BASHISTA
PO BOX 1660
HAILEY ID 83333
Telephone Number: (208) 788-3160

RODNEY KEGLEY
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340
Telephone Number: (208) 726-4242

JAMES MC ELVEEN
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340
Telephone Number: (208) 726-4242

MICHAEL BADELL
C/O ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340
Telephone Number: (208) 726-4242

JANE CRISTO - 415-987-9677
408-654-6343

Lilifailon - 410-363-3567

RAFFERTY - 305-296-2650
PE 305-292-8023
" 296-0799

37-22123 - .60

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:

SCANNED

JAN 18 2007

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____

SIGNATURE: _____

Please print your name: _____

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

SCANNED

JAN 18 2007

PLAT SHOWING

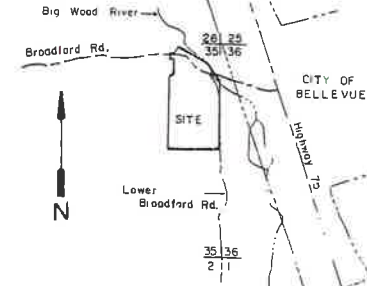
BROADFORD POLO SUBDIVISION

LOCATED WITHIN SECTION 35 T. 2N, R. 18E, B.M.

BLAINE COUNTY, IDAHO

February, 1985

VICINITY MAP



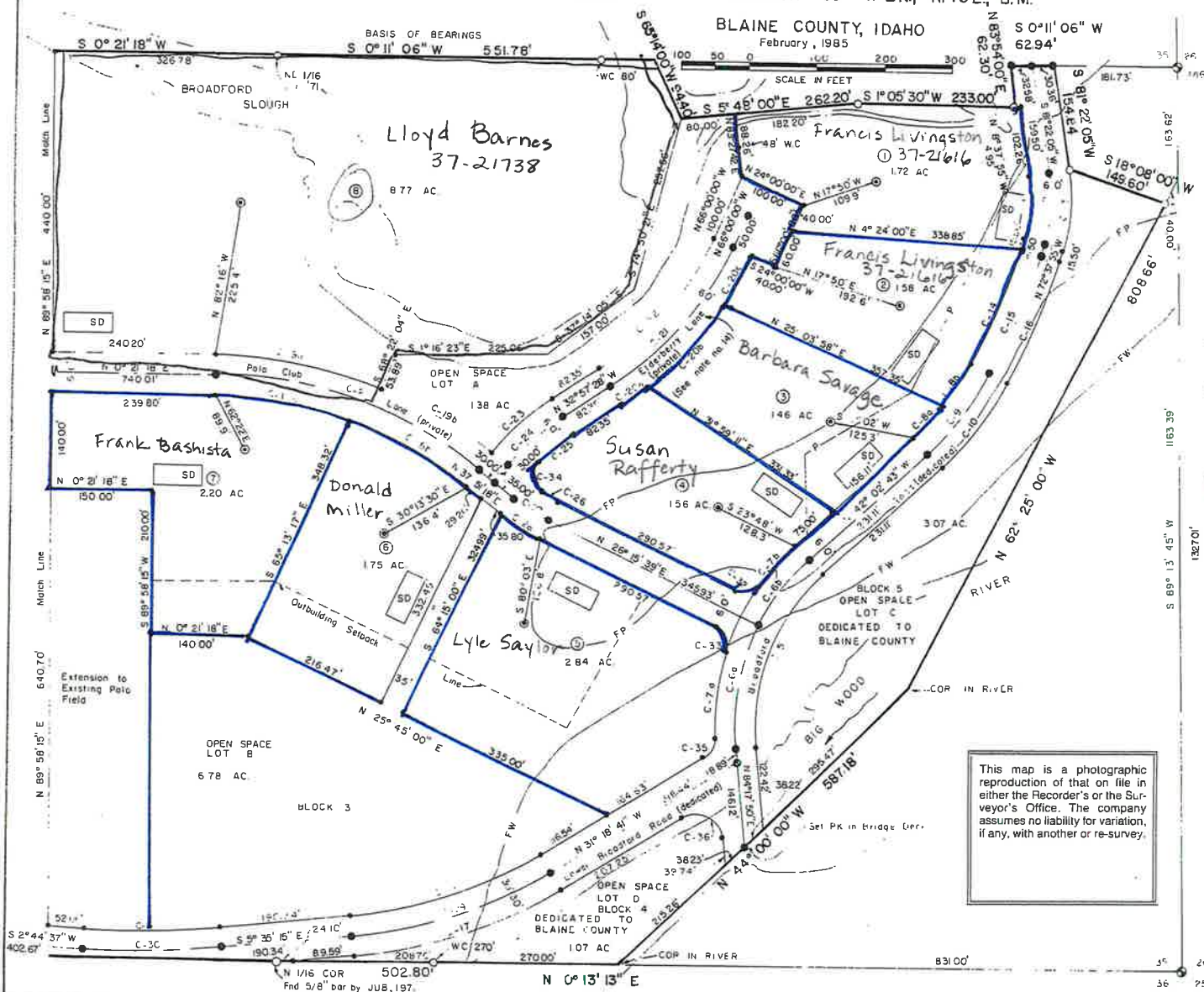
LEGEND

- Found 5/8" bar
- Brass Cap
- Set 1/2" bar capped LS 3621
- Set 5/8" bar capped LS 3621
- Edge of water
- P --- Power Line Easement, 10' wide
- Easement Line as noted
- FP --- 100-Year Floodplain Line (LRF)
- FW --- Floodway
- ⊙ Building Centroid 100' Diameter
- ⊙ Proposed Sewage Mound Location

NOTES

- 1 The purchaser and/or owner of this 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, and that each owner shall notify in writing any successor in interest of these facts (See note no. 9)
- 2 This parcel is subject to the regulations of the Blaine County Floodplain Management District (See note no. 7)
- 3 A public utility easement with a minimum of ten (10) feet in width and centered on all side and rear lot lines shall be required.
- 4 There is a 30' setback for all structures from the edge of the slough vegetation upon which no permanent structure shall be built except two approved crossings, or irrigation diversions
- 5 Actions on wildlife depredation complaints will be directed by the Idaho Fish & Game and geared toward prevention rather than extermination. The costs of these actions shall be paid by the property owner (See note no. 13)

Notes Cont on Sheet 2

SHEET 1 OF 4
BROADFORD POLO SUBD.GALENA ENGINEERS
KETCHUM, IDAHO

This map is a photographic reproduction of that on file in either the Recorder's or the Surveyor's Office. The company assumes no liability for variation, if any, with another or re-survey.