

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 37-21793
Date Received: 6/6/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

ROBBINS TRUST & O CONNOR TRUST Phone: (208)788-4000
PO BOX 48
BELLEVUE ID USA 83313

2. Date of Priority: 06/01/1884

3. Source: WOOD RIVER EAST FORK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	19E	28	SE SE NW	BLAINE	

5. Description of diverting works:

OPEN DITCH WITH PLASTIC DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	4.16	

7. Total Quantity Appropriated is:

4.16 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
04N	19E	29	SW SW	IRRIGATION	13
			SE SW	IRRIGATION	29
			NW SE	IRRIGATION	8.7
			SW SE	IRRIGATION	22

Section Acres 72.7

04N	19E	32	NE	NW	IRRIGATION	7
					Section Acres	7
					Total Acres	79.7

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:

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
P/D FOR THIS CLAIM DETERMINED FROM AERIAL PHOTO ASCS MAP.
| P/U AMENDED AS PER ATTACHED LETTER. --RVW.
ADDRESS CHANGE RECD 04/18/1994 SS.

This right is a split from former right 37-120 .

11-26-04, DJ: CLAIM AMENDED TO REDISTRIBUTE ACRES AND LIST POINTS OF DIVERSION
AND REDIVERSION.

This right is a split from former right 37-21472 .

NT 06/12/06 Claim split to reflect owner retaining portion of water right 37-
21472 on property that was sold to Pioneer Moon LLC.

15. Basis of Claim: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-21472

WATER RIGHT NUMBER: 37-21472

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ELEANOR SCHODDE 3 RIVER RUN ESTATES BURLEY, ID 83318 (208)678-5605
Current Owner	ROBBINS TRUST & O CONNOR TRUST PO BOX 48 BELLEVUE, ID 83313 (208)788-4000
Previous Owner	GERARD O CONNOR PO BOX 48 BELLEVUE, ID 83313 (208)788-4000
Previous Owner	ROBBINS TRUST C/O GERARD O CONNOR PO BOX 48 BELLEVUE, ID 83313 (208)788-4000
Original Owner	WALTER F SCHODDE 3 RIVER RUN ESTATES BURLEY, ID 83318 (208)678-5605

Priority Date: 06/01/1884

Basis: Decreed

Status: Active

Source

EAST FORK WOOD RIVER

Tributary

BIG WOOD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/15

Diversion Rate

4.680 CFS

Annual VolumeTotal Diversion:

4.680 CFS

Location of Point(s) of Diversion

EAST FORK WOOD RIVER

SE1/4SE1/4NW1/4

Sec. 28, Twp 04N, Rge 19E, B.M.

BLAINE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	19E	29	13.0	29.0	9.7	31.3	83.0
04N	19E	32	7.0				7.0

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-21472

Total Acres: 90

Conditions of Approval:

1. P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
P/D FOR THIS CLAIM DETERMINED FROM AERIAL PHOTO ASCS MAP.
| P/U AMENDED AS PER ATTACHED LETTER. --RWV.
ADDRESS CHANGE RECD 04/18/1994 SS.
2. 11-26-04, DJ: CLAIM AMENDED TO REDISTRIBUTE ACRES AND LIST POINTS OF DIVERSION
AND REDIVERSION.
3. This right is a split from former right 37-120 .

Remarks:

Comments:

Water Supply Bank:

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

RECEIVED
JUN 02 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 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
_____	37-120	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) Gerard & Linda O'Conner, Trustees, Richard K. Robbins, Trustee
P.O. Box 48, Ketchum, ID 83340
4. New Owner/Claimant(s) Pioneer Moon, L.L.C.
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address P.O. Box 2881
- City, State and Zip Code Ketchum, ID 83340
- New Telephone Number (208)726-9588
5. Date you acquired the property May 6, 2005

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 _____		
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	052.cfs	10 acres
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	0.52 cfs	

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)

Pioneer Moon, L.L.C.

By: Felicitas Funke-Riehle
Felicitas Funke-Riehle, 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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71655*Amended* APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

Name of applicant Robbins Trust, C/O Gerard O'ConnorPhone DEC 30 2004 (208) 488-4000Post Office address P.O. Box 48 Bellevue, IDDepartment of Water Resources
Southern Region

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point ☐ Change place of use
☒ Change nature of use ☒ Change period of use ☒ Other Split Rights

2. Describe the reason for the proposed changes Mitigate consumptive elements of new ponds by removal of irrigation from certain lands associated with the following rights.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- | | | | | |
|----------------------------------|-----------------|------------------|------------------|-----------------------------|
| <u>37-120B</u> | <u>6/1/1884</u> | <u>0.08/5.25</u> | <u>Aesthetic</u> | <u>4/15</u> to <u>10/15</u> |
| <u>37-210B</u> <u>37-Spring1</u> | <u>6/1/1884</u> | <u>0.02/5.25</u> | <u>Aesthetic</u> | <u>4/15</u> to <u>10/15</u> |
2. Total amount of water being transferred .08 cubic feet per second and/or 5.25 acre-feet per annum.
3. Source of water East Fork, Big Wood River tributary to Malad River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NW	28	4N	19E	Blaine	Primary POD
		SE	SE	29	4N	19E	Blaine	Re-diversion
		SW	SE	29	4N	19E	Blaine	Re-diversion
		SW	SW	29	4N	19E	Blaine	Re-diversion @ Pond
	SW	NW	SE	32	4N	19E	Blaine	Spring Collection

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	19E	29											J						J

RECEIVED

DEC 30 2004

Department of Water Resources
Southern Region

WITHDRAWN

PART 1

6. General Information:

- a. Description of diversion system Existing Ditches, spring collection piping, 6" transmission pipe from upper pond flows through lower pond system. Diversion from existing ditch provides additional water to maintain healthy pond system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
This transfer replaces 1.5 acres of previously irrigated land with open water. Previous studies have shown that water consumption through annual free water surface evaporation is nearly equivalent to consumption of irrigated pasture.
- d. Remarks:
This transfer seeks to authorize the current water use as required by the consent order and agreement resulting from the cease and desist order dated 9/17/04.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-120 Decreed to James W. Butch
in case of S.C. Frost, et. al. vs. Alturas Water Co., et. al.
dated 1907 in Blaine county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice☐ Warranty Deed☐ Other _____3. Source of water East Fork, Big Wood R. tributary to Malad River4. Date of priority 6/1/1884

5. Water is used for the following purpose:

Amount 5.2 cfs for Irrigation purposes from 4/15 to 10/15
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.2 cubic feet per second and/or -- acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NW	28	4N	19E	Blaine	Primary POD
		SW	NW	28	4N	19E	Blaine	Re-diversion
		SE	SE	29	4N	19E	Blaine	Re-diversion
		SW	SE	29	4N	19E	Blaine	Re-diversion
		NE	NW	32	4N	19E	Blaine	Re-diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	19E	29											13	29		11	40		93
		32					7												7

Total acres 1009. Describe any other water rights used for the same purpose as described above Recent SRBA spring claims

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C)

1. Amount 0.08/-- for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NW	28	4N	19E	Blaine	Primary POD
		SW	NW	28	4N	19E	Blaine	Re-diversion
		SE	SE	29	4N	19E	Blaine	Re-diversion
		SW	SE	29	4N	19E	Blaine	Re-diversion
		NE	NW	32	4N	19E	Blaine	Re-diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	19E	32											1.5						1.5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)Total acres 1.5

1. Amount 5.12/-- for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NW	28	4N	19E	Blaine	Primary POD
		SW	NW	28	4N	19E	Blaine	Re-diversion
		SE	SE	29	4N	19E	Blaine	Re-diversion
		SW	SE	29	4N	19E	Blaine	Re-diversion
		NE	NW	32	4N	19E	Blaine	Re-diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	19E	29											11.5	29		11	40		91.5

Total acres 91.5

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 37 - (Spring1) on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice☐ Warranty Deed☐ Other _____3. Source of water Spring tributary to Malad River4. Date of priority 6/1/1884

5. Water is used for the following purpose:

Amount 1.0 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 1.0 cubic feet per second and/or -- acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	NW	SE	29	4N	19E	Blaine	North Spring

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	19E	29											13	27		3	18		61
		32					4												4

Total acres 659. Describe any other water rights used for the same purpose as described above 37-120

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(if the entire right is to be changed by the applicant, omit part B and C)*

1. Amount .02 cfs for Aesthetic purposes from 1/1 to 12/31
 Amount _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	NW	SE	32	4N	19E	Blaine	North Spring

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	19E	32											1.5						1.5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*Total acres 1.5

1. Amount .98 cfs for Irrigation purposes from 4/15 to 10/15
 Amount _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	NW	SE	32	4N	19E	Blaine	North Spring

3. Lands irrigated or place of use:

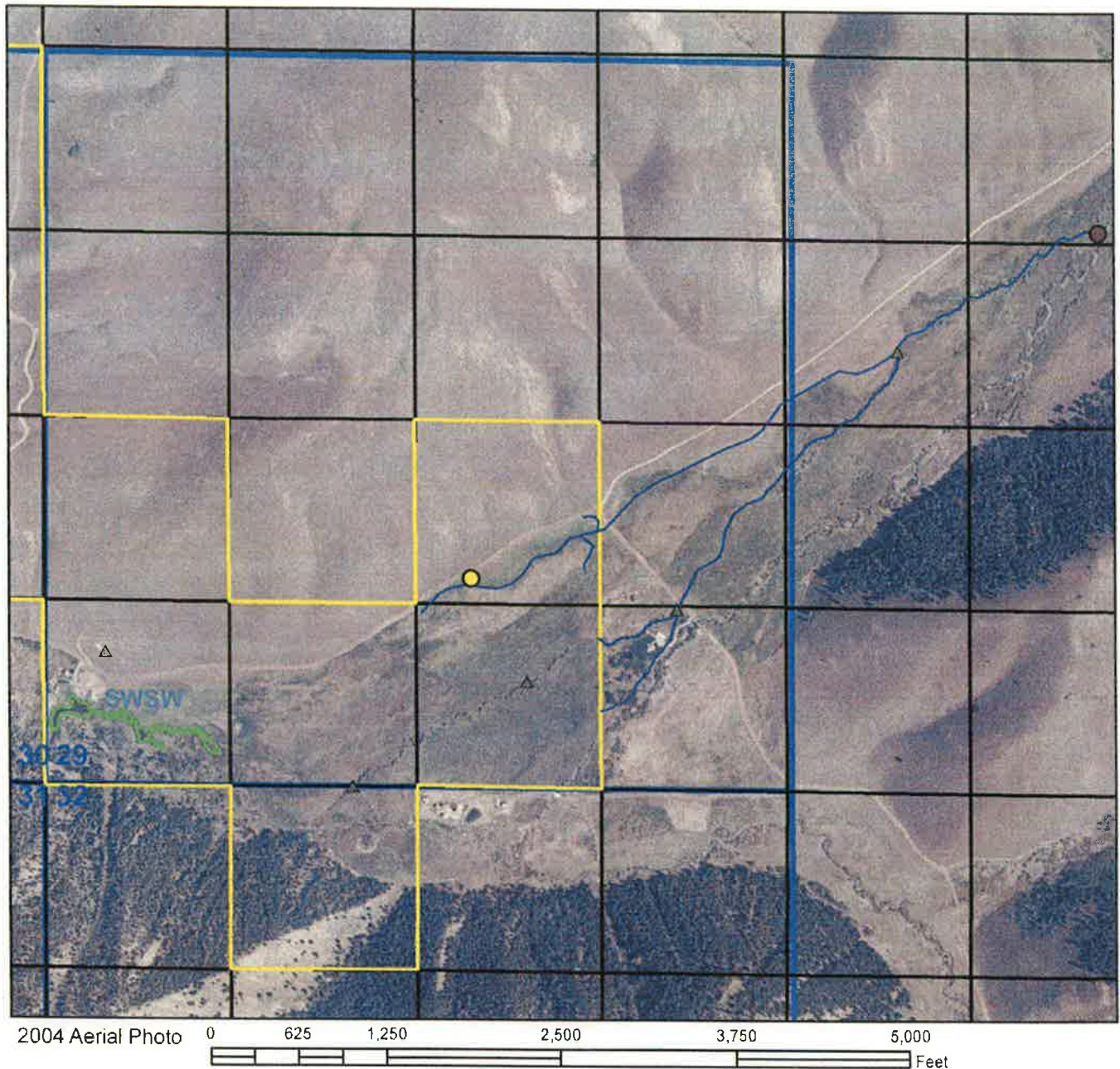
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	19E	29											13	27		3	18		61
		32					4												4

Total acres 65

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Part 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



Twp. 4N, Rng. 19E

- North Spring POD
- 37-120 Primary POD
- ▲ Re-Diversions
- Sections
- Property Boundary
- 40's
- Open Water
(Previously Irrigated Area)

PART 3**B. CHANGES IN NATURE OF USE**

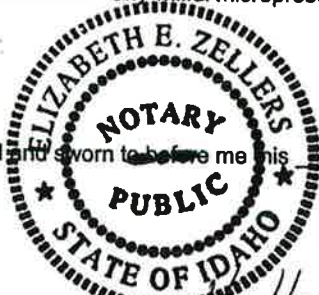
1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>Aesthetic Storage</u>	<u>0.08/5.25</u>	_____	<u>1/1</u> to <u>12/31</u>
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:
1.0 cfs max flow through new ponds, discharged back to East Fork in SWSW Section 29.
3. Describe the effects on other water uses resulting from the proposed change:
Overall no change in water consumption since ponds were previously irrigated lands.

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

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

Subscribed and sworn to before me this _____ day of _____, 19____.



21st

day of

(Signature of Applicant)

(Notary Public)

My commission expires

11-11-2008

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/15 to 10/15 amount 5.2 or _____

For Aesth./Rec. purposes from 1/1 to 12/31 amount 5.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.2 (cfs) and / or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Pond in SWSW-29 has existed historically

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for together purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	19E	29										<u>with outage</u>	<u>42 20</u>	<u>29 29</u>		<u>11 11</u>	<u>38 40</u>		100
		32					<u>7 7</u>												7
4N	19E	29											<u>A/R</u>						<u>A/R</u>

Total number of acres irrigated 107, A/R

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Spring issuing from NWSE-Section 29, 4N 19E Or None ☐

14. Remarks:

Last Name _____ Ident. No. _____

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

June 1, 2005

Ms. Trish Fawcett
IDWR - Southern Region
1341 Fillmore
Suite 200
Twin Falls ID 83301-3380

RECEIVED
JUN 02 2005
Department of Water Resources
Southern Region

**Re: O'Connor - Robbins - Pioneer Moon, L.L.C.
Water Right No. 37-120**

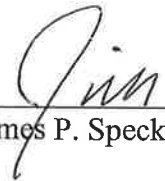
Dear Trish

I am enclosing the original and one copy of the Notice of Change in Water Right Ownership for our client Pioneer Moon, L.L.C. You have previously received a Notice for this water right, but the irrigation portion of the water use on page two was incorrect. Please receipt date stamp the copy and return it to me in the postage prepaid envelope I have enclosed for that purpose.

Call our office if you have any questions concerning this change in water right ownership.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
Enclosures
cc: Client

Order No. 54939

WARRANTY DEED

FOR VALUE RECEIVED

GERARD F. O'CONNOR and LINDA O'CONNOR, TRUSTEES OF THE O'CONNOR 2004 TRUST AGREEMENT DATED SEPTEMBER 8, 2004, as to an undivided 50% interest and THE AMENDED AND RESTATED ROBBINS TRUST 1985 AMENDED AND RESTATED NOVEMBER 16, 1999, RICHARD K. ROBBINS, TRUSTEE, as to an undivided 50% interest

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

PIONEER MOON, L.L.C., an Idaho limited liability company

GRANTEE(s) whose address is: P.O. Box 2881, Ketchum, ID 83340-2881

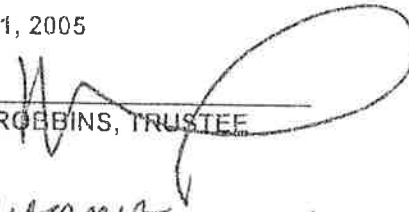
the following described real property in Blaine County, Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

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: May 11, 2005


RICHARD K. ROBBINS, TRUSTEE

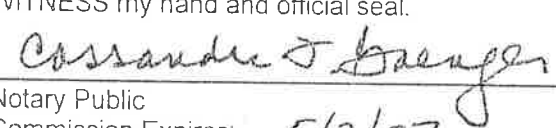
State of California

County of Marin

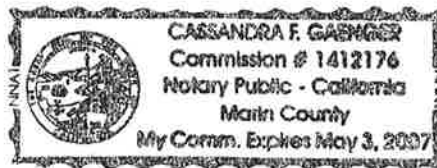
}
} ss.
}

On this 11th day of May, in the year 2005, before me, the undersigned, personally appeared RICHARD K. ROBBINS, known or identified to me to be the person whose name is subscribed to the within instrument as trustee of the AMENDED AND RESTATED ROBBINS TRUST 1985 AMENDED AND RESTATED NOVEMBER 16, 1999, and acknowledged to me that they executed the same as such trustee(s).

WITNESS my hand and official seal.


Notary Public

Commission Expires: 5/3/07.



WARRANTY DEED

FOR VALUE RECEIVED

GERARD F. O'CONNOR and LINDA O'CONNOR, TRUSTEES OF THE O'CONNOR 2004 TRUST AGREEMENT DATED SEPTEMBER 8, 2004, as to an undivided 50% interest and THE AMENDED AND RESTATED ROBBINS TRUST 1985 AMENDED AND RESTATED NOVEMBER 16, 1999, RICHARD K. ROBBINS, TRUSTEE, as to an undivided 50% interest

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

PIONEER MOON, L.L.C., an Idaho limited liability company

GRANTEE(s) whose address is: P.O. Box 2881, Ketchum, ID 83340-2881

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

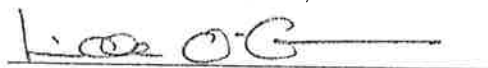
SEE ATTACHED EXHIBIT "A"

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: May 5, 2005

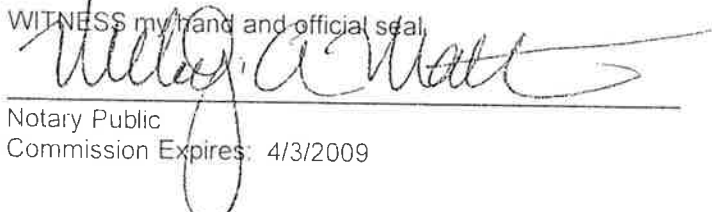

GERARD F. O'CONNOR, TRUSTEE

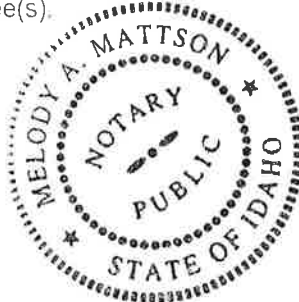

LINDA O'CONNOR, TRUSTEE

State of Idaho }
County of Blaine } ss.
6th }

On this 6th day of May, in the year 2005, before me, the undersigned, personally appeared GERARD F. O'CONNOR and LINDA O'CONNOR, known or identified to me to be the persons whose names are subscribed to the within instrument as trustees of the O'CONNOR 2004 TRUST AGREEMENT DATED SEPTEMBER 8, 2004, and acknowledged to me that they executed the same as such trustee(s).

WITNESS my hand and official seal


Notary Public
Commission Expires: 4/3/2009



Order No. 54939
Legal Description

SCHEDULE 'A', CONTINUED

A Parcel of land located within the West Half of the Southeast Quarter of Section 29,
TOWNSHIP 4 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY IDAHO, said
parcel being more particularly described as follows:

Commencing at a 1936 GLO Brass Cap which marks the Southeast Corner of said Section
29;

Thence S 89°38'57" W 1323.61' to an Aluminum Cap which marks the East 1/16 Corner of
Sections 29 & 32 as shown on Record of Survey Instrument #347784, said point being the
REAL POINT OF BEGINNING;

Thence N 31°16'16" W 1776.82';

Thence N 60°14'06" E 219.47';

Thence along a curve to the Left with a delta angle of 13°07'48", with a radius of 500.00',
with an arc length of 114.58', with a chord bearing N 53°40'12" E 114.33',

Thence N 47°06'16" E 36.51';

Thence along a curve to the right with a delta angle of 21°45'07", with a radius of 300.00',
with an arc length of 113.89', with a chord bearing N 57°58'50" E 113.21',

Thence N 68°51'24" E 550.37' to the East Boundary of said West Half

Thence S 00°06'21" E along said East Boundary 1978.77' to the REAL POINT OF
BEGINNING, said Parcel contains 21.46 acres more or less.

TOGETHER WITH – Right of Access to the Northerly Portion of Parcel A from the adjacent
portion of East Fork Road.

Order No. 54939

QUITCLAIM DEED

FOR VALUE RECEIVED

GERARD F. O'CONNOR and LINDA O'CONNOR, TRUSTEES OF THE O'CONNOR 2004 TRUST AGREEMENT DATED SEPTEMBER 8, 2004, as to an undivided 50% interest and THE AMENDED AND RESTATED ROBBINS TRUST 1985 AMENDED AND RESTATED NOVEMBER 16, 1999, RICHARD K. ROBBINS, TRUSTEE, as to an undivided 50% interest

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

PIONEER MOON, L.L.C., an Idaho Limited Liability Company

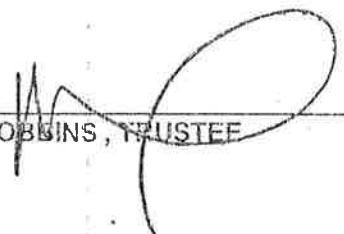
whose address is: P.O. Box 2881, Ketchum, ID 83340

the following described premises situated in Blaine County, Idaho, to wit:

One-Tenth (1/10) of Water Right No. 37-120

together with their appurtenances.

Dated: May 5, 2005

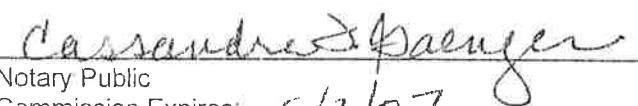


RICHARD K. ROBBINS, TRUSTEE

State of California }
County of Marin } ss.

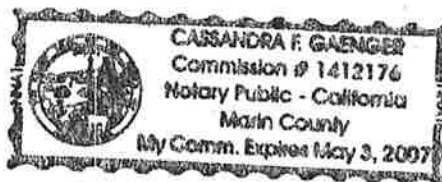
On this 10th day of May, in the year 2005, before me, the undersigned, personally appeared RICHARD K. ROBBINS, known or identified to me to be the person whose names is subscribed to the within instrument as trustee of the AMENDED AND RESTATED ROBBINS TRUST 1985 AMENDED AND RESTATED NOVEMBER 16, 1999, and acknowledged to me that he executed the same as such trustee.

WITNESS my hand and official seal.



Notary Public

Commission Expires: 5/3/07



Order No. 54939

QUITCLAIM DEED

FOR VALUE RECEIVED

GERARD F. O'CONNOR and LINDA O'CONNOR, TRUSTEES OF THE O'CONNOR 2004 TRUST AGREEMENT DATED SEPTEMBER 8, 2004, as to an undivided 50% interest and THE AMENDED AND RESTATED ROBBINS TRUST 1985 AMENDED AND RESTATED NOVEMBER 16, 1999, RICHARD K. ROBBINS, TRUSTEE, as to an undivided 50% interest

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

PIONEER MOON, L.L.C., an Idaho Limited Liability Company

whose address is: P.O. Box 2881, Ketchum, ID 83340

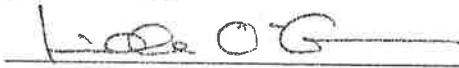
the following described premises situated in Blaine County, Idaho, to wit:

One-Tenth (1/10) of Water Right No. 37-120

together with their appurtenances.

Dated: May 5, 2005


GERARD F. O'CONNOR


LINDA O'CONNOR

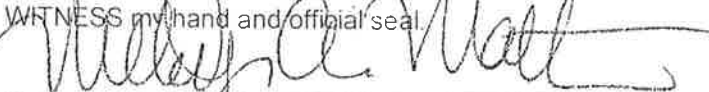
State of Idaho

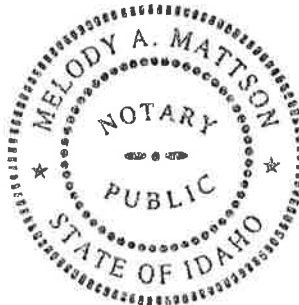
}
}ss.
}

County of Blaine

On this 6th day of May, in the year 2005, before me, the undersigned, personally appeared GERARD F. O'CONNOR and LINDA O'CONNOR, known or identified to me to be the persons whose names are subscribed to the within instrument as trustees of the O'CONNOR 2004 TRUST AGREEMENT DATED SEPTEMBER 8, 2004, and acknowledged to me that they executed the same as such trustees.

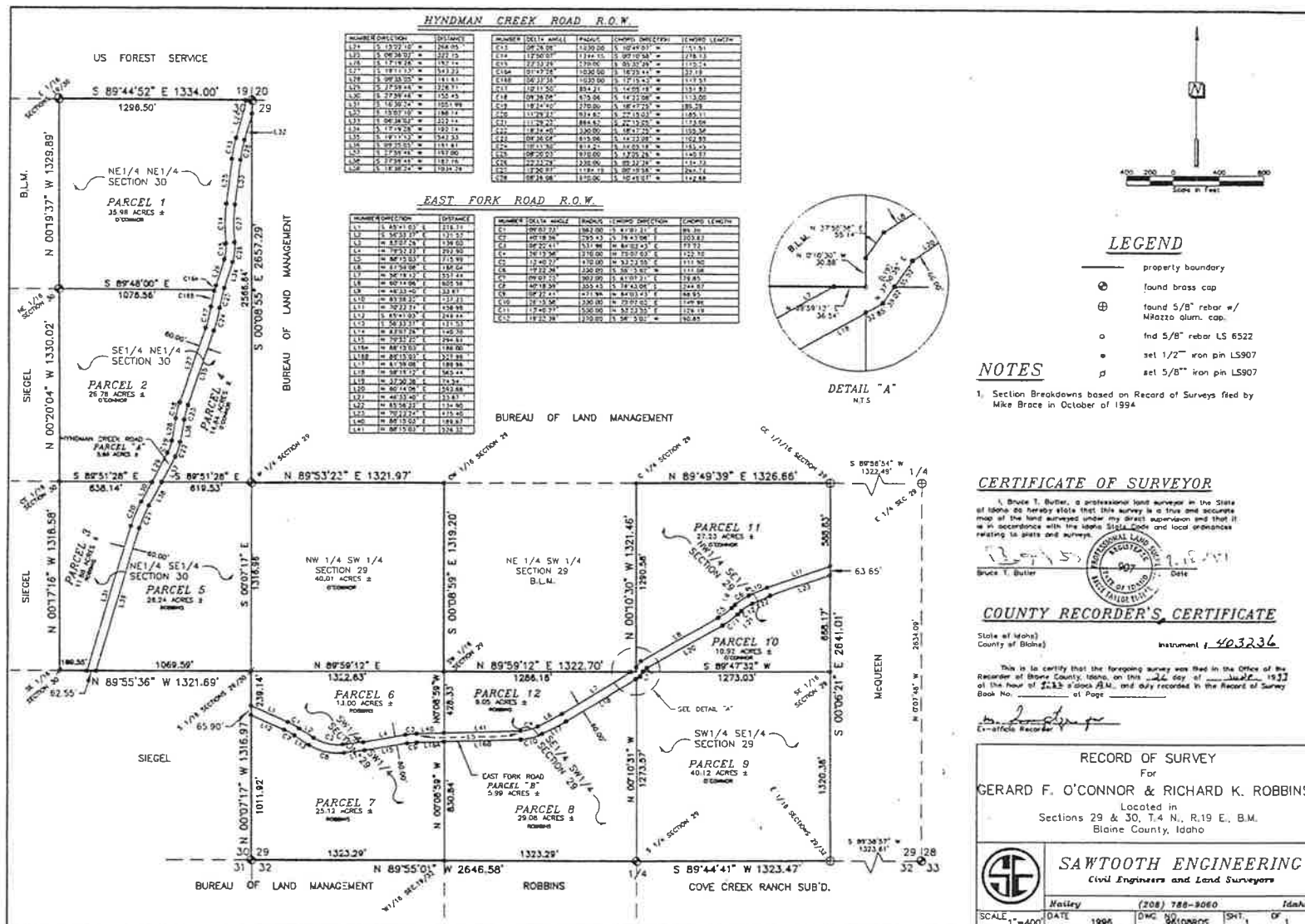
WITNESS my hand and official seal.


Notary Public
Commission Expires: 4/3/2009



DRAWING NUMBER
O'CONNOR + ROSSINS

1868



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 37-120
Date Received: 8/5/1988
Receipt No: S001307
Received By:

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

1. Name of Claimant(s)

ROBBINS TRUST & O CONNOR TRUST Phone: (208)788-4000
PO BOX 48
BELLEVUE ID 83313

2. Date of Priority: 06/01/1884

3. Source: WOOD RIVER EAST FORK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	19E	28	SE SE NW	BLAINE	

5. Description of diverting works:

OPEN DITCH WITH PLASTIC DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	5.2	

7. Total Quantity Appropriated is:
5.2 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
----------	-------	---------	----------------	-----	-------

04N	19E	29	SW	SW	IRRIGATION	13
			SE	SW	IRRIGATION	29
			NW	SE	IRRIGATION	11
			SW	SE	IRRIGATION	40
Section Acres						93
04N	19E	32	NE	NW	IRRIGATION	7
Section Acres						7
Total Acres						100

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:

11-26-04, DJ: CLAIM AMENDED TO REDISTRIBUTE ACRES AND LIST POINTS OF DIVERSION AND REDIVERSION.

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
P/D FOR THIS CLAIM DETERMINED FROM AERIAL PHOTO ASCS MAP.
| P/U AMENDED AS PER ATTACHED LETTER. --RVW.
ADDRESS CHANGE RECD 04/18/1994 SS.

15. Basis of Claim: Decreed

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

RECEIVED**MAY 12 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 (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
<u>37-120</u>	<u>37-120</u>	☐	<u> </u>	<u> </u>	☐
<u>Claim:</u>	<u>37-21385</u>	☐	<u> </u>	<u> </u>	☐
<u>Claim:</u>	<u>37-21386</u>	☐	<u> </u>	<u> </u>	☐
<u>Ap for Permit</u>	<u>37-21397</u>	☐	<u> </u>	<u> </u>	☐
<u>37-10808</u>	<u>37-10808</u>	☐	<u> </u>	<u> </u>	☐

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) 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 PROPERTY or SURVEY MAP.

- | | |
|--|---|
| 3. Name and Address of Former Owner/Claimant(s): | <u>Robbins Trust & O'Connor Trust</u> |
| | <u>PO BOX 48 Bellevue, ID 83313</u> |
| 4. New Owner/Claimant(s): | <u>Robbins Trust & O'Connor Trust</u> |
| New Mailing Address: | <u>PO Box 48</u> |
| City, State, Zip Code: | <u>Bellevue, ID 83313</u> |
| New Telephone Number: | <u>(208) 788-4000</u> |
| 5. Date you acquired the property: | <u>Deed Recorded 1/19/05</u> |

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 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>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	264 Ac.
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: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (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: H
Received by: H
Processed by: H AJ

Date: 5/12/05
Date: 5/12/05
Date: _____

Fee: 25.00
Receipt No: 5027664
WR: _____ Date: _____

Order No. Accommodation

WARRANTY DEED

Instrument # 516049

HAILEY, BLAINE, IDAHO

2005-02-04

02:48:00

No. of Pages: 8

Recorded for : AMERITITLE

MARSHA RIEMANN

Fee: 24.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

FOR VALUE RECEIVED

GERARD F. O'CONNOR, a married man, as his sole and separate property, who acquired title as a single man, as to an undivided 25% interest, GERARD F. O'CONNOR, a married man, subject to the community interest of his spouse, as to an undivided 25% interest and RICHARD K. ROBBINS and NANCY P. ROBBINS, TRUSTEES OF THE ROBBINS TRUST U/A/D APRIL 8, 1986, as Amended as to an undivided 50% interest.

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

GERARD F. O'CONNOR AND LINDA O'CONNOR, Trustees of the O'CONNOR 2004 TRUST AGREEMENT dated September 8, 2004, as to an undivided 50% interest and THE AMENDED AND RESTATED ROBBINS TRUST 1986 AMENDED AND RESTATED NOVEMBER 16, 1999, RICHARD K. ROBBINS, TRUSTEE as to an undivided 50% interest.

GRANTEE(s) whose address is: P.O. Box 48, Bellevue, Idaho 83313

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

SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF

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.

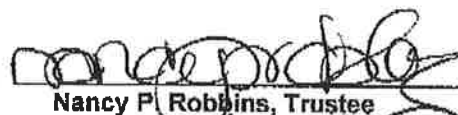
Dated: January 19, 2005
~~December 19~~, 2004

GERARD F. O'CONNOR

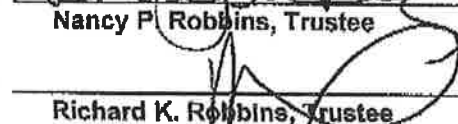
THE ROBBINS TRUST U/A/D APRIL 8, 1986, as AMENDED



By:


Nancy P. Robbins, Trustee

By:


Richard K. Robbins, Trustee

RECEIVED

FEB 16 2005

Department of Water Resources
Southern Region

State of Idaho

County of Blaine

}
}ss.
}

On this 4th day of February, in the year 2004, before me, the undersigned, personally appeared **GERARD F. O'CONNOR** known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Elizabeth E. Zellers

Notary Public

Commission Expires: 11-11-2008



State of California

County of Marin

}
}ss.
}

On this 19th day of January, in the year 2005, before me, the undersigned, personally appeared **RICHARD K. ROBBINS AND NANCY P. ROBBINS**, known or identified to me to be the persons whose name are subscribed to the within instrument as trustees of the **ROBBINS TRUST U/A/D APRIL 8, 1986, AS AMENDED**, and acknowledged to me that they executed the same as such trustees.

WITNESS my hand and official seal.

Cassandra E. Baenge

Notary Public

Commission Expires: 5/3/07

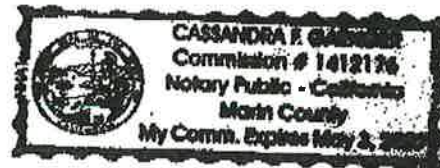


EXHIBIT 'A'

PARCEL I: TOWNSHIP 4NORTH, RANGE 19EAST BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 29: NW1/4 SW1/4.

PARCEL II: A PARCEL OF LAND LOCATED IN THE E1/2 OF THE NE1/4 OF SEC 30, T4N, R.19E, B.M., BLAINE COUNTY, ID, more particularly described as follows;

Beginning at a Brass Cap which marks the E1/4 corner of said Sec 30 and E1/4 corner being the REAL POINT OF BEGINNING;

Thence N.00°08'55" W. along the East boundary of said Sec 30 2,566.64 feet;

Thence S.15°02'10" W. 188.14 feet to a Point of Curvature;

Thence Southwesterly 142.81 feet along a curve to the left having a radius of 970.00 feet a delta of 8°26'08" and a chord which bears S.10°49'07" W. 142.68 feet;

Thence S.06°36'02" W. 322.14 feet to a Point of Curvature;

Thence Southerly 265.27 feet along a curve to the left having a radius of 1,184.15 feet a delta of 12°50'07" and a chord which bears S.00°10'58" W. 264.72 feet to a point of Reverse Curvature;

Thence Southwesterly 135.69 feet along a curve to the right having a radius of 330.00 feet a delta of 23°33'29" and a chord which bears S.05°32'39" W. 134.73 feet;

Thence S. 17°19'28" W. 192.14 feet to a Point of Curvature;

Thence Southwesterly 141.10 feet along a curve to the left having a radius of 970.00 feet a delta of 08°20'03" and a chord which bears S.13°09'26" W. 140.97 feet to a point of Reverse Curvature;

Thence Southwesterly 162.71 feet along a curve to the right having a radius of 914.21 feet a delta of 10°11'50" and a chord which bears S.14°05'18" W 162.49 feet;

Thence S. 19°11'13" W. 543.33 feet to a Point of Curvature;

Thence Southwesterly 103.08 feet along a curve to the left having a radius of 615.06 feet a delta of 09°36'08" and a chord which bears S.14°23'08" W. 102.95 feet;

Thence S.09°35'05" W. 161.61 feet to a Point of Curvature;

Thence Southwesterly 106.04 feet along a curve to the right having a radius of 330.00 feet a delta of 18°24'40" and a chord which bears S.18°47'25" W. 105.58 feet;

Thence S. 27°59'46" W. 197.00 feet to a point on the South boundary of the SE1/4 of the NE1/4 of Sec 30;

Thence S.89°51'28" E, along the South boundary of the SE1/4 of the NE1/4 of said Sec 30 619.53 feet to the REAL POINT OF BEGINNING.
(Parcel 4 on Survey #403236)

PARCEL III: A PARCEL OF LAND LOCATED IN THE NE1/4 OF THE SE1/4 OF SEC 30 T4N, R19E, B.M., BLAINE COUNTY, ID, more particularly described as follows;
Beginning at a Brass Cap which marks the E1/4 Corner of Sec 30 said E1/4 corner being the REAL P.O.B;
Thence N. 89°51'28" W. along the North boundary of the NE1/4 of the SE1/4 of said Sec 30 619.53 feet;
Thence S.27°59'46" W. 187.16 to a Point of Curvature;
Thence Southwesterly 173.38 feet along a curve to the left having a radius of 864.62 feet a delta 11°29'23" and a chord which bears S.22°15'04" W. 173.09 feet;
Thence S. 16°30'24" W. 1,034.29 feet to a point on the South boundary of the NE1/4 of the SE1/4 of Sec 30;
Thence S. 89°55'36" E. along the South boundary of the NE1/4 of the SE1/4 of said Sec 30 1,069.59 feet to the SE corner of the NE1/4 of the SE1/4 of said Sec 30;
Thence N.00°07'16" W. along the East boundary of said Sec 30 1,316.96 feet to the REAL POINT OF BEGINNING. (Parcel 5 of Survey #403236)

PARCEL IV: A PARCEL OF LAND LOCATED IN THE S1/2 OF SW1/4 OF SEC 29 T4N, R19E, B.M., BLAINE COUNTY ID, more particularly describes as follows;
Commencing at a Brass Cap which marks the W1/4 corner of said Sec29;
Thence S.00°07'17" E. along the West boundary of the SW1/4 said Sec29 1,316.96 feet to the REAL P.O.B.;
Thence continuing along said West boundary S.00°07'17" E. 239.14 feet;
Thence S.65°41'03" E. 276.71' to a Point of Curvature;
Thence Southeasterly 89.49 feet along a curve to the right having a radius of 562.00 feet a delta 09°07'23" and a chord which bears S.61°07'21" E. 89.39 feet;
Thence S.56°33'37" E. 121.53' to a Point of Curvature;
Thence Southeasterly 207.88 feet along a curve to the left having a radius of 295.43 feet a delta 40°18'59" a chord which bears S.76°43'08" E. 203.62 feet;
Thence N.83°07'26" E. 139.00 feet;
Thence N. 79°52'22" E. 292.90' to a Point of Curvature;
Thence Northeasterly 77.79 feet along a curve to the right having a radius of 531.96 feet a delta 08°22'41" a chord which bears N.84°03'43" E. 77.72 feet;
Thence N.88°15'03" E. 189.67 feet to a point on the East boundary of the SW1/4SW1/4 of said Sec 29;
Thence N.00°08'59" W. along East Boundary 428.33' feet to the NE Corner of the SW1/4SW1/4 of said Sec.29;
Thence S.89°59'12" W. along the North boundary of SW1/4 SW1/4 of Sec. 29 1,322.63 feet to the REAL POINT OF BEGINNING.
(Parcel 6 of Survey #403236)

PARCEL V: A PARCEL OF LAND LOCATED IN THE SW1/4SW1/4 OF SEC 29, T4N, R19E, B.M., BLAINE COUNTY, ID, more particularly described as follows;

Beginning at a Brass Cap which marks the SW corner of Sec 29 said SW corner being the REAL P.O.B.;

Thence N. 00°07'17" W. along the West boundary of the SW1/4 said Sec. 29 1,011.92 feet;

Thence S. 65°41'03" E. 249.44' to a Point of Curvature;

Thence Southeasterly 79.03 feet along a curve to the right having a radius of 502.00 feet a delta 09°07'23" a chord which bears S. 61°07'21" E. 79.85 feet;

Thence S. 56°33'37" E. 121.53' to a Point of Curvature;

Thence Southeasterly 250.10 feet along a curve to the left having a radius of 355.43 feet a delta 40°18'59" a chord which bears S. 76°43'08" E. 244.97 feet;

Thence N. 83°07'26" E. 140.70 feet;

Thence N. 79°52'22" E. 294.61' to a Point of Curvature;

Thence Northeasterly 69.01 feet along a curve to the right having a radius of 471.96 feet a delta 08°22'41" a chord which bears N. 84°03'43" E. 68.95 feet;

Thence N. 88°15'03" E. 188.00 feet to a point on the East boundary of the SW1/4SW1/4 of said Sec 29;

Thence S. 00°08'59" E. along the East boundary of the SW 1/4SW1/4 of said Sec. 29 830.84 feet to the SE corner of the SW1/4SW1/4 of Sec. 29;

Thence N. 89°55'01" W. 1,323.29 feet to the REAL P.O.B.

(Parcel 7 of Survey #403236)

PARCEL VI: A PARCEL OF LAND LOCATED IN THE SE1/4SW1/4 OF SEC 29, T4N, R19E, B.M., BLAINE COUNTY ID, more particularly described as follows;

Beginning at a Brass Cap which marks the S1/4 corner of said Sec 29 said S1/4 corner being the REAL P.O.B.;

Thence N. 89°55'01" W. along the South boundary of the SW1/4 said Sec 29 1,323.29 feet to the SW corner of the SE1/4SW1/4 of said Sec 29;

Thence N. 00°08'59" W. along the West boundary of SE1/2 SW1/4 of Sec. 29 830.84 feet;

Thence N. 88°15'03" E. 527.99' to a Point of Curvature;

Thence Northeasterly 151.28 feet along a curve to the left having a radius of 330.00 feet a delta 26°15'58" a chord which bears N. 75°07'03" E. 149.96 feet;

Thence N. 61°59'08" E. 189.96 feet;

Thence N. 58°19'12" E. 565.44 feet to a point on the East boundary of the SE1/4SW1/4 of said Sec. 29;

Thence S. 00°10'31" E. along the East boundary of the SE1/4SW1/4 of Sec. 29 1,273.57 feet to the REAL P.O.B. (Parcel 8 of Survey #403236)

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MAY 18 2005
Department of Water Resources
Southern Region

PARCEL VII: A PARCEL OF LAND LOCATED IN THE SW1/4SE1/4 OF SEC 29,
T4N, R19E, B.M., BLAINE COUNTY, ID, more particularly described as
follows;

Beginning at a Brass Cap which marks the S1/4 corner of said Sec 29 said
S1/4 corner being the REAL P.O.B.;

Thence N. 00°10'31" W. along the West boundary of the SW1/4SE1/4 of
said Sec. 29 1,273.57 feet;

Thence N. 58°19'12" E. 32.85 feet;

Thence N.37°50'38" E. 39.02 feet to a point on the North boundary of the
SW1/4SE1/4 of said Sec. 29;

Thence N.89°47'32" E. along the North boundary of the SW1/4SE1/4 of
said Sec. 29 1,273.03 feet to the NE corner of the SW1/4SE1/4 of said
Sec. 29;

Thence S.00°06'21" E. along the East boundary of the SW1/4SE1/4 of
said Sec. 29 1,320.36 feet to the SE corner of the SW1/4SE1/4 of said Sec.
29;

Thence S. 89°44'41" W. along the South boundary of said Sec 29
1,323.47 feet to the REAL POINT OF BEGINNING.

(Parcel 9 of Survey #403236)

PARCEL VIII: A PARCEL OF LAND LOCATED IN THE NW1/4SE1/4 OF SEC 29,
T4N, R19E, B.M., BLAINE COUNTY, ID, more particularly described as
follows;

Commencing at the S1/4 corner of Said Sec. 29;

Thence N.44°53'12" E. 1,871.90 feet to the SE corner of the NW1/4SE1/4
of said Sec 29 and SE corner being the REAL POINT OF BEGINNING;

Thence S.89°47'32" W. along the South boundary of the NW1/4SE1/4 of
said Sec 29 1,273.03 feet;

Thence N.37°50'38" E. 35.52 feet;

Thence N.60°14'06" E. 593.68; to a Point of Curvature;

Thence Northeasterly 126.49 feet along a curve to the left having a radius
of 530.00 feet a delta 13°40'27" a chord which bears N.53°23'55" E.
126.19 feet;

Thence N.46°33'40" E. 33.67' to a Point of Curvature;

Thence Northeasterly 91.31 feet along a curve to the right having a radius
of 270.00 feet a delta 19°22'39" a chord which bears N.56°15'02" E.
90.88 feet;

Thence N.65°56'22" E. 134.90 feet;

Thence N.70°23'24" E. 435.40 feet to a point on the East boundary of the
NW1/4SE1/4 of said Sec 29;

Thence S.00°06'21" E. along the East boundary of the NW1/4SE1/4 of
said Sec. 29 668.17 feet to the REAL POINT OF BEGINNING.

(Parcel 10 of Survey #403236)

PARCEL IX: A PARCEL OF LAND LOCATED IN THE NW1/4SE1/4 SEC 29, T4N, R19E, B.M., BLAINE COUNTY, ID, more particularly described as follows;

Beginning at a 5/8" rebar with an Aluminum cap which marks the C1/4 corner of said Sec 29 said C1/4 being the REAL POINT OF BEGINNING;

Thence S.00°10'30" E. along the West boundary of the NW1/4SE1/4 of said Sec. 29 1,290.58 feet;

Thence N.37°50'38" E. 55.14 feet;

Thence N.60°14'06" E. 605.56' to a Point of Curvature;

Thence Northeasterly 112.17 feet along a curve to the left having a radius of 470.00 feet a delta 13°40'27" a chord which bears N.53°23'55" E. 111.90 feet;

Thence N.46°33'40" E. 33.67' to a Point of Curvature;

Thence Northeasterly 111.61 feet along a curve to the right having a radius of 330.00 feet a delta 19°22'39" a chord which bears N.56°15'02" E. 111.08 feet;

Thence N.65°56'22" E. 137.23 feet;

Thence N. 70°23'24" E. 458.98 feet to a point on the East boundary of the NW1/4SE1/4 of said Sec 29;

Thence N.00°06'21" W. along the East boundary of the NW1/4SE1/4 of said Sec 29;

Thence S. 89°49'39" W. along the North boundary of the NW1/4SE1/4 of said Sec 29 1,326.66 feet to the REAL POINT OF BEGINNING.

(Parcel 11 of Survey #403236)

PARCEL X: A PARCEL OF LAND LOCATED IN THE SE1/4SW1/4 OF SEC 29, T4N, R19E, B.M., BLAINE COUNTY, ID, more particularly described as follows;

Beginning at the NW Corner of the SE1/4SW1/4 of said Sec. 29 said point being the REAL POINT OF BEGINNING;

Thence S.00°08'59" E. along the West boundary of said SE1/4SW1/4 428.33 feet;

Thence N.88°15'03" E. 526.32' to a Point of Curvature;

Thence Northeasterly 123.78 feet along a curve to the left having a radius of 270.00 feet a delta 26°15'58" a chord which bears N.75°07'03" E. 122.70 feet;

Thence N. 61°59'08" E. 188.04 feet;

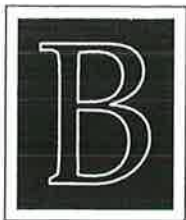
Thence N.58°19'12" E. 557.44 feet to a point in the North boundary of S1/2SW1/4 of said Sec. 29;

Thence S.89°59'12" W. along the North boundary of the S1/2SW1/4 of said Sec. 29 1,286.16 feet to the REAL POINT OF BEGINNING.

(Parcel 12 of Survey #403236)

PARCEL XI: TOWNSHIP 4NORTH, RANGE 19EAST, BOISE MERIDIAN, BLAINE
COUNTY, IDAHO.

SECT 32: NE1/4 NW1/4



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

February 15, 2005

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Filmore, Suite 2000
Twin Falls, ID. 83301

Subject: O'Connor / Robbins East Fork Property Ownership

Dear Allen:

Please revise all pending claims, transfers, decrees, licenses permits, etc., with the Idaho Department of Water Resources to reflect current ownership in concordance with the attached signed & notarized Warranty Deed.

Please let me know if you have any questions or need anything else.

Sincerely,

Jason C. Helms, EIT

Enclosure: O'Connor Trust & Robbins Trust Warranty Deed

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

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FEB 16 2005
Department of Water Resources
Southern Region

SRDA { 37-120
37-21385
37-21386

Applic → 37-21397

(house
well
deed)

~ 37-10808



30

29



Title:

Date: 05-19-2005

Scale: 1 inch = 2000 feet

File: robbins.des

31

32

Data and Deed Call Listing of F:\robbins.des

+Tract 1: 40.123 Acres: 1747761 Sq Feet: Closure = n13.3216w 0.01 Feet: Precision =1/616026: Perimeter = 5262 Feet
 Tract 2: 10.923 Acres: 475818 Sq Feet: Closure = n71.4006w 0.00 Feet: Precision >1/999999: Perimeter = 3392 Feet
 Tract 3: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
 Tract 4: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
 Tract 5: 14.636 Acres: 637540 Sq Feet: Closure = s02.2426e 0.01 Feet: Precision =1/648328: Perimeter = 5847 Feet
 Tract 6: 26.240 Acres: 1143003 Sq Feet: Closure = n81.4324w 0.01 Feet: Precision =1/595362: Perimeter = 4401 Feet
 Tract 7: 12.992 Acres: 565920 Sq Feet: Closure = n16.3021e 0.00 Feet: Precision =1/958491: Perimeter = 3385 Feet
 Tract 8: 25.121 Acres: 1094250 Sq Feet: Closure = n07.2138w 0.12 Feet: Precision =1/37220: Perimeter = 4559 Feet
 Tract 9: 29.079 Acres: 1266668 Sq Feet: Closure = s39.3712e 0.00 Feet: Precision >1/999999: Perimeter = 4862 Feet
 Tract 10: 26.715 Acres: 1163695 Sq Feet: Closure = n00.0647w 28.83 Feet: Precision =1/163: Perimeter = 4692 Feet
 Tract 11: 9.052 Acres: 394314 Sq Feet: Closure = s02.3124e 0.02 Feet: Precision =1/124818: Perimeter = 3110 Feet
 Net Area= 40.123 Acres: 1747761 Sq Feet

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 002=n00.1031w 1273.57
 003=n58.1912e 32.85
 004=n37.5038e 39.02
 005=n89.4732e 1273.03
 006=s00.0621e 1320.36
 007=s89.4441w 1323.47
 008=@0+
 009=/sw,se,29,04n,19e
 010=/n44.5312e 1871.90
 011=s89.4732w 1273.03
 012=n37.5038e 35.52
 013=n60.1406e 593.68
 014: Lt, R=530, Arc=126.49, Delta=13.4027
 Bng=n53.2355e, Chd=126.19
 015=n46.3340e 33.67
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 017=n65.5622e 134.90
 018=n70.2324e 435.40
 019=s00.0621e 668.17
 020=@0 Merge 1
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 022=/N00E 5280.00
 023=/N90W 2640.00
 024=S00W 1320.00
 025=N90W 1320.00
 026=N00E 1320.00
 027=N90E 1320.00
 028=@0 Merge 1
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 031=/N90W 3960.00
 032=S00W 1320.00
 033=N90W 1320.00
 034=N00E 1320.00
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 039=s15.0210w 188.14
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 Bng=s10.4907w, Chd=142.68
 041=s06.3602w 322.14
 042: Lt, R=1184.15, Arc=265.27, Delta=12.5007
 Bng=s00.1058w, Chd=264.72
 043: Rt, R=330, Arc=135.69, Delta=23.3329
 Bng=s05.3239w, Chd=134.73
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 045: Lt, R=970, Arc=141.10, Delta=8.2003
 Bng=s13.0926w, Chd=140.97
 046: Rt, R=914.12, Arc=162.71, Delta=10.1150
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047=s19.1113w 543.33
 048: Lt, R=615.06, Arc=103.08, Delta=09.3608
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 050: Rt, R=330, Arc=106.04, Delta=18.2440
 Bng=s18.4725w, Chd=105.58
 051=s27.5946w 197
 052=s89.5128e 619.53
 053=@0+
 054=/se,ne,30,04n,19e
 055=n89.5128w 619.53
 056=s27.5946w 187.16
 057: Lt, R=864.62, Arc=173.38, Delta=11.2923
 Bng=s22.1504w, Chd=173.09
 058=s16.3024w 1034.29
 059=s89.5536e 1069.59
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 063=/s00.0717e 1316.96
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 065=s65.4103e 276.71
 066: Rt, R=562, Arc=89.49, Delta=09.0723
 Bng=s61.0721e, Chd=89.39
 067=s56.3337e 121.53
 068: Lt, R=295.43, Arc=207.88, Delta=40.1859
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 099=s00.1030e 1290.58
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 101=n60.1406e 605.56
 102: Lt, R=470, Arc=112.17, Delta=13.4027
 Bng=n53.2355e, Chd=111.90
 103=n46.3340e 33.67
 104: Rt, R=330, Arc=111.61, Delta=19.2239
 Bng=n56.1502e, Chd=111.08
 105=n65.5622e 137.23
 106=n70.2324e 458.98
 107=n00.0621w 560
 108=s89.4939w 1326.66
 109=@0+
 110=/nw,se,sw,29,04n,19e
 111=s00.0859e 428.33
 112=n88.1503e 526.32
 113: Lt, R=270, Arc=123.78, Delta=26.1558
 Bng=n75.0703e, Chd=122.70
 114=n61.5908e 188.04
 115=n58.1912e 557.44
 116=s89.5912w 1286.16



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

19 May 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ROBBINS TRUST & O CONNOR TRUST
PO BOX 48
BELLEVUE ID 83313

Re: SRBA Claim #37-120, #37-21385, #37-21386

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carrie Hahn'.

Carrie Hahn
Office Specialist

Enc.

AMENDED

**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 FORM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number 37-120

Date Received

Receipt Number 652790 No Fee

RECEIVED

NOV 26 2004

Department of Water Resources
Southern Region**NOTICE OF CLAIM****TO A****WATER RIGHT****ACQUIRED UNDER STATE LAW**

RECEIVED

NOV 09 2004

Department of Water Resources
Southern Region**Please type or print clearly**1. Name of Claimant (s) Robbins Trust, C/O Gerard O'Connor Phone (208) 788-4000Mailing Address P.O. Box 48 Bellevue, ID Zip 833132. Date of Priority (Only one (1) per claim) 6/01/18843. Source of water supply (a) East Fork, Big Wood Riverwhich is tributary to (b) Malad River4. a. Location of existing point of diversion is: Township 4N Range 19E Section 28,
1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of BlaineAdditional points of diversion if any: Re-diversions SWNW-28, SESE-29, SWSE-29, NENW-32

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Existing ditches

COPY

6. Water is claimed for the follow. purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/15 to 10/15 amount 5.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.2 (cfs) and / or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Pond in SWSW-29 has existed historically - Claim attached.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for together purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	19E	29											13	29		11	40		93
		32					7												7

Total number of acres irrigated 100

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes x No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Spring in NENW-32 & Spring NWSE-29 Or None ☐

14. Remarks:

COPY

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 37-120
Court _____ Case Number _____ Decree Date 1907
Plaintiff vs Defendant S.C. Frost, et. al. VS Alturas

16. Signature (s)

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

Number of attachments 1) 1987 Aerial

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

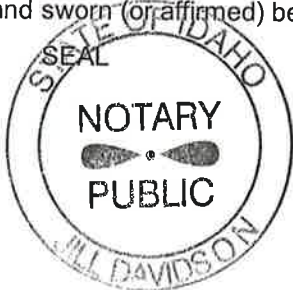
Signature of Claimant (s) [Signature] Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
Of _____, that I have signed the foregoing
Organization
Document in the space below as _____ of _____
Title Organization
And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho / or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 20th day of August, 2004



Notary Public [Signature]
Residing at Twin Falls
My Commission Expires 11-18-2004

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing
above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

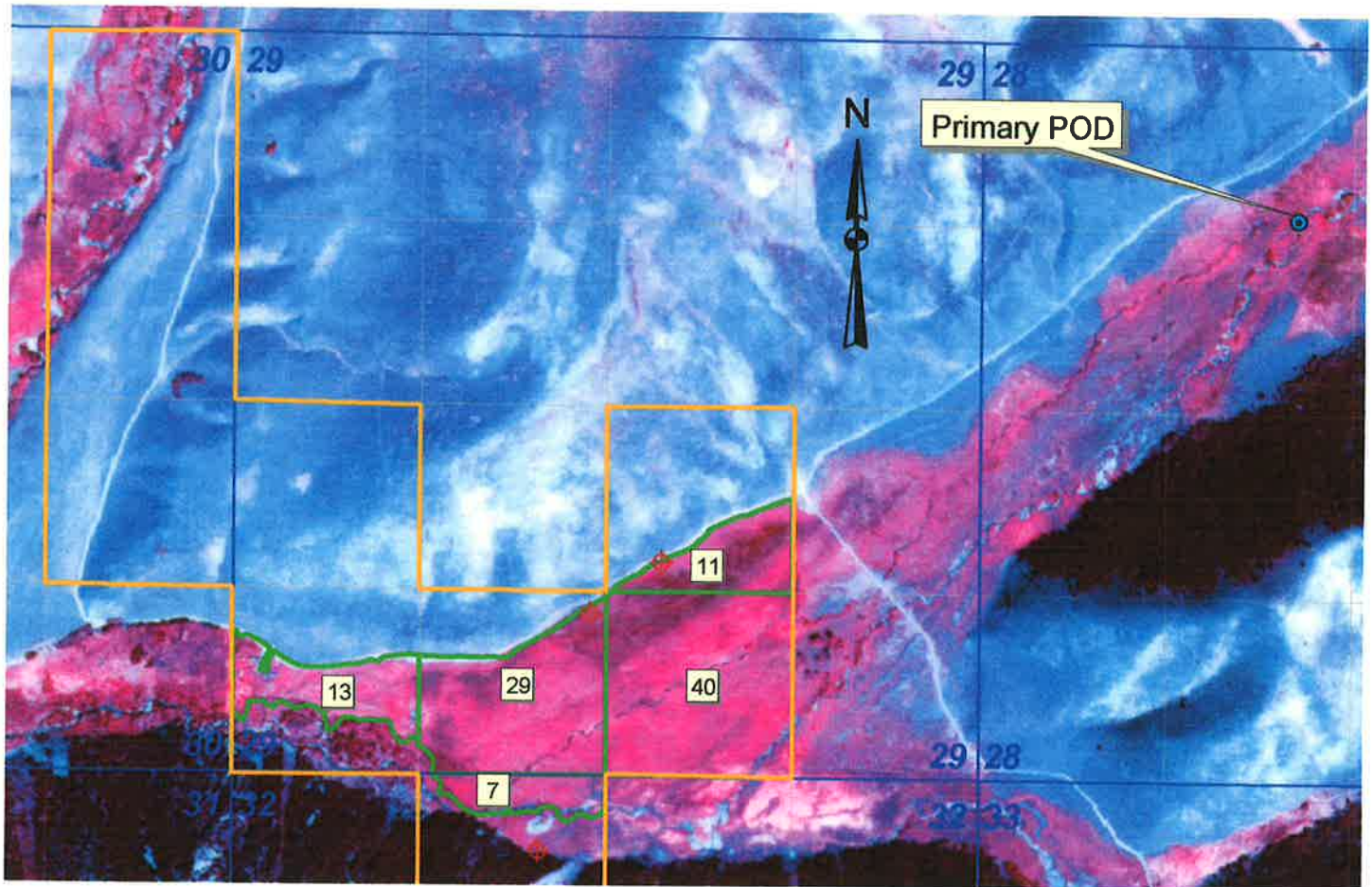
Last Name _____ Ident. Number _____

CCPY

O'Connor-Robbins Trus

East Fork Property - Amended Claim 37-120

TWP. 4N, RNG. 19E
Sections 29, 30 & 32



0.2 0 0.2 0.4 0.6 0.8 Miles

- Property Boundary
- Spring
- Sections
- 40 Irrigated Area
- Primary POD

$\Sigma \text{ degree} = 90$

$\Sigma \text{ own} = 96.8 \text{ No. of E.F.}$

11

12

29

38

6.8

7

Witander

4.2

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 37-120
Date Received: 8/5/1988
Receipt No: S001307
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GERARD O CONNOR Phone: (208) 788-4000
PO BOX 48
BELLEVUE ID 83313

ROBBINS TRUST Phone: (208) 788-4000
C/O GERARD O CONNOR
PO BOX 48
BELLEVUE ID 83313

2. Date of Priority: 06/01/1884

3. Source: WOOD RIVER EAST FORK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	19E	28	SE SE NW	BLAINE	

5. Description of diverting works:

OPEN DITCH WITH PLASTIC DAM

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	4/15 10/15	5.2	

7. Total Quantity Appropriated is:
5.2 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
04N	19E	29	SW	SE	IRRIGATION	35
			SW	SW	IRRIGATION	15
			SE	SW	IRRIGATION	20
			NW	SE	IRRIGATION	10
					Section Acres	80
04N	19E	32	NE	NW	IRRIGATION	20
					Section Acres	20
					Total Acres	100

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:

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
P/D FOR THIS CLAIM DETERMINED FROM AERIAL PHOTO ASCS MAP.
| P/U AMENDED AS PER ATTACHED LETTER. --RVW.
ADDRESS CHANGE REC'D 04/18/1994 SS.

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

July 23, 2002

GERARD O'CONNOR
ROBBINS TRUST
PO BOX 48
BELLEVUE ID 83313

Re: SRBA Claim(s) 37-120

Dear Mr. O'Connor:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. 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.

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

RECEIVED**JUL 16 2002**

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
87-120	37-120	-			

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) Walter F. &/or E/egnon Schodde
3 River Run Estates, Burley, ID 83318
4. New Owner/Claimant(s) Gerard F. O'Connor &/or Robbins Trust U/A/D
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address C/O Gerard F. O'Connor, PO Box 48
 City, State and ZIP Code Bellevue, ID 83313
 New Telephone Number (208) 788-4000
5. Date you acquired the property 3-13-1990

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)

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 J. Stanton Date 7-16-02 Fee —
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Fees \$ 3.00
Mail to:

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00120
Date Received: 8/05/1988
Receipt No: S001307
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WALTER F. SCHODDE
Address: BOX 909
BURLEY, ID 83318
OR
Name: ELEANOR SCHODDE
Address: BOX 909
BURLEY, ID 83318
208-678-5605
208-678-5605
2. Date of Priority: JUN 01, 1884
3. Source: BIG WOOD RIVER, EAST FORK Trib. to: BIG WOOD RIVER
4. Point of Diversion:
Township 04N Range 19E Section 28 1/4 of SE 1/4 of SE 1/4 of NW Lot County BLAINE
5. Description of diverting works:
OPEN DITCH WITH PLASTIC DAM
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/15 10/15 5.200
7. Total Quantity Appropriated is:
5.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 250.0 Acre Feet Per Annum.
9. Non-irrigation uses:

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	19E	29	SW		SW		IRR	15.0
			SE		SW		IRR	20.0
			NW		SE		IRR	10.0
			SW		SE		IRR	35.0
							Section Acres	80.0
		32	NE		NW		IRR	20.0
							Section Acres	20.0
							Total Acres	100.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.

P/D FOR THIS CLAIM DETERMINED FROM AERIAL PHOTO ASCS MAP.

P/U AMENDED AS PER ATTACHED LETTER. --RVW.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
FEB 22 1993

STATE OF Idaho)
County of Cassia) ss.

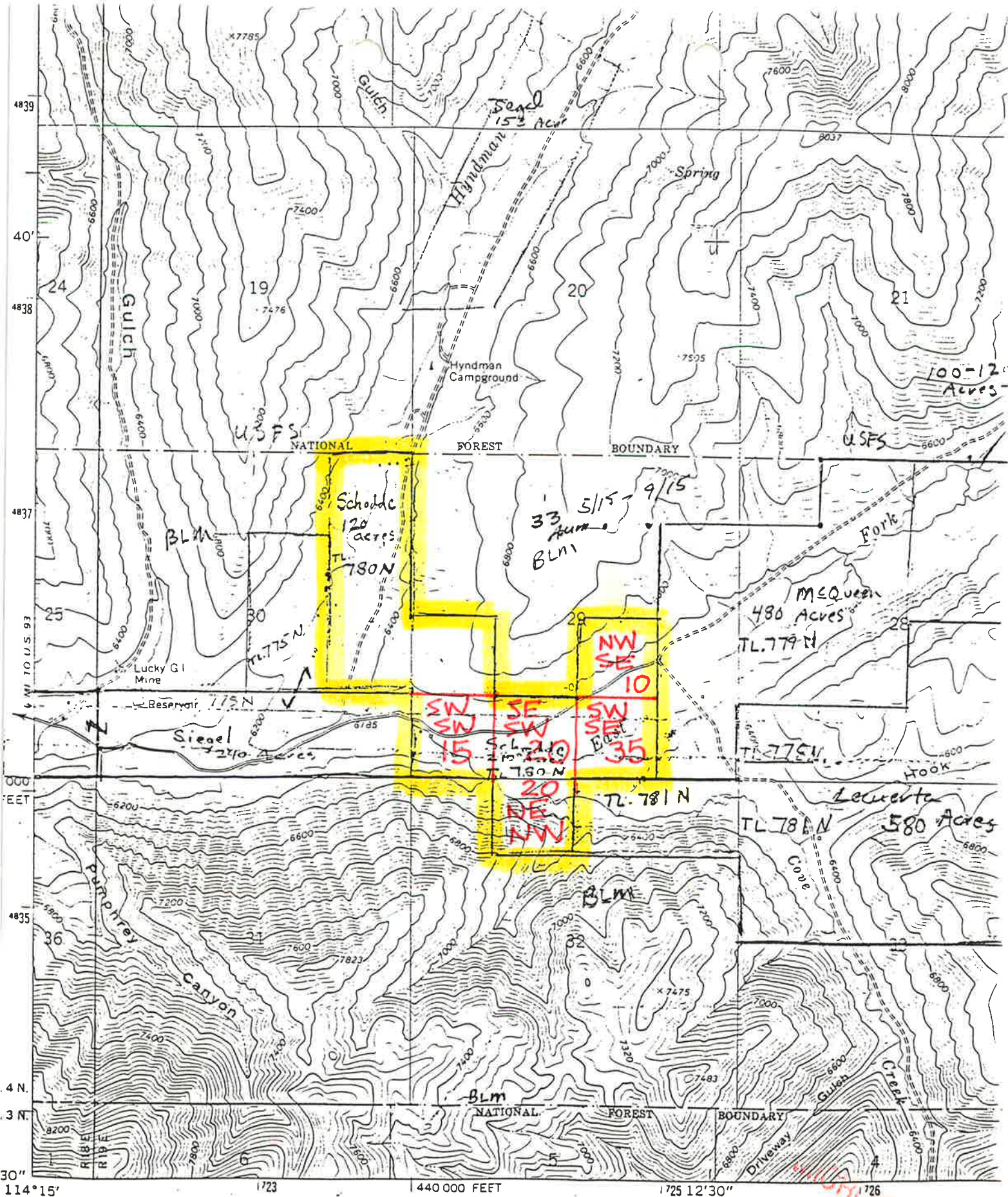
On this 6th day of December, 1989, before me, the undersigned, a Notary Public in and for said county and state, personally appeared WALTER F. SCHODDE and ELEANOR SCHODDE, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

Thomas H. Church
Notary Public for Idaho
Residing at Burley Idaho

blb\ls\oconnor.dep

MICROFILMED
FEB 22 1993

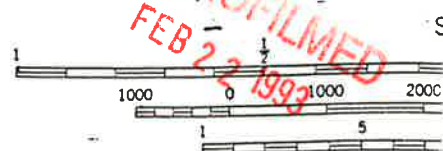
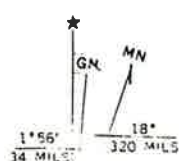


Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1966. Field checked 1967

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system.



CONTOL
DATUM

COPY

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00120
Date Received: 8/05/1988
Receipt No: S001307
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALTER F. SCHODDE
Address: BOX 909
BURLEY, ID 83318 208-678-5605
OR
Name: ELEANOR SCHODDE
Address: BOX 909
BURLEY, ID 83318 208-678-5605

2. Date of Priority: JUN 01, 1884

3. Source: BIG WOOD RIVER, EAST FORK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	19E	28	SE	SE	NW		BLAINE

5. Description of diverting works:
OPEN DITCH WITH PLASTIC DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	5.200		

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

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00120

Page 1

Date: 08/05/88

COPY

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	19E	29	SW	SW		IRR	15.0
			SE	SW		IRR	~~15.0~~ 20.0
			SW	SE		IRR	35.0
			NW	SE		IRR	10.0
			Section Acres				~~65.0~~ 80.0
		32	NW	NE		IRR	15.0
			NE	NW		IRR	20.0
			Section Acres				~~35.0~~ 20.0
			Total Acres				100.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
P/D FOR THIS CLAIM DETERMINED FROM AERIAL PHOTO ASCS MAP.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

COPY

MICROFILMED
FEB 22 1993

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Walter Z. Schaefer Date: 8-5-88

Date: _____

State of Idaho

County of Twin Falls)
SS.

Subscribed and sworn (or affirmed) before me this 5th day

of August 19 88

Seal

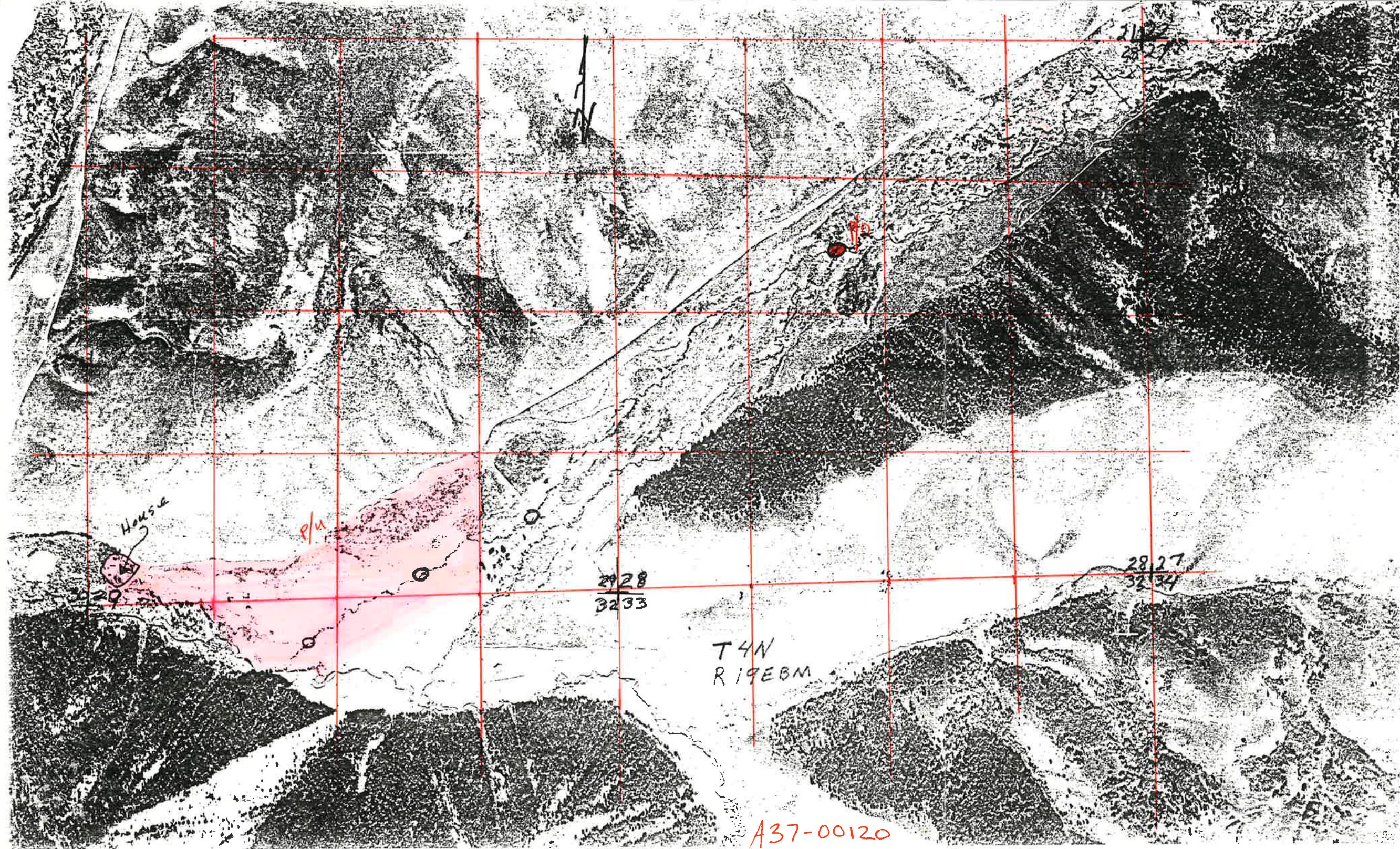
Roxanne Storey
Notary Public

Residing at Buhl, Id

My Commission Expires 6-30-94

COPY

MICROFILMED
FEB 22 1993



House

p/u

2928
3233

2827
3234

T4N
R19EBM

A37-00120

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED



02 1A
0004389393 MAR 08 20
MAILED FROM ZIP CODE 837

\$ 00.87

RETURNED
TO
SENDER
NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

RECEIVED
MAR 12 2007
DEPARTMENT OF
WATER RESOURCES

37-21384
37-21385

37-21743
37-21744

ROBBINS TRUST & CONNOR TRUST
PO BOX 48
BELLEVUE ID 83713

11/21/2006

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: 12/13/2006

Water right number: 37-21793

ROBBINS TRUST & O'CONNOR TRUST
PO BOX 48

BELLEVUE ID 83313

Telephone Number: (208)788-4000

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

* Combined Limits of 21793, 21386 *
* PLACE OF USE
* Acre Limit

2. Describe the changes you wish to make in the proposed recommendation:

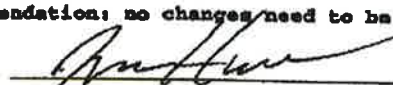
NO Combined diversion Limit ASSOCIATED WITH 37-21386
Add approximately 3 acres to SESWSE OF SECTION 29

3. Give a brief explanation as to why you disagree with these portions:

RECOMMENDATION IS NOT ACCURATE, IGNORES A PORTION
OF IRRIGATED AREA

☐ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/11/06

SIGNATURE: 

Please print your name: JASON C. HELMS (BACKWAY ENGINEERING)
On Behalf of Robbins & O'Connor Trust

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

SCANNED

DEC 14 2006

11/21/2006

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

RIGHT NUMBER: 37-21793

NAME AND ADDRESS: ROBBINS TRUST & O CONNOR TRUST
PO BOX 48

BELLEVUE ID 83313

SOURCE: EAST FORK WOOD RIVER

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.160 CFS

Right Nos. 37-21793 and 37-21386 are limited to a total combined diversion rate of 4.16 cfs. **WRONG**

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION:

T04N R19E S28 SENENW Within BLAINE County
T04N R19E S28 NWNWSW Rediversion Within BLAINE County
T04N R19E S29 SENENW Injection Within BLAINE County
T04N R19E S29 SESESW Rediversion Within BLAINE County
T04N R19E S29 NWSWSE Rediversion Within BLAINE County
T04N R19E S29 SWSWSE Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05/01 10/31	4.160 CFS
PLACE OF USE: IRRIGATION in BLAINE County		
T04N R19E S29 SWSW 11.00	T04N R19E S29 SESW 28.00	
T04N R19E S29 NWSE 1.10	T04N R19E S29 SWSE 26.00	
T04N R19E S32 NENW 8.30		
74.4 ACRES TOTAL		

WRONG **WRONG** **WRONG**

This right along with right No. 37-21386 are limited to the irrigation of a combined total of 74.4 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

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
P/D FOR THIS CLAIM DETERMINED FROM AERIAL PHOTO ASCS MAP.
| P/U AMENDED AS PER ATTACHED LETTER. --RVW.
ADDRESS CHANGE RECD 04/18/1994 SS.

Water is delivered through East Fork Wood River.

This right is a split from former right 37-21472 .

79.7
-7
72.7

SCANNED

DEC 14 2006

06/14/2006

**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: see cover letter

Water right number: 37-21793

ROBBINS TRUST & O CONNOR TRUST
PO BOX 48

BELLEVUE ID 83313
Telephone Number: (208)788-4000

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: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

06/14/2006

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

RIGHT NUMBER: 37-21793

NAME AND ADDRESS: ROBBINS TRUST & O CONNOR TRUST
PO BOX 48
BELLEVUE ID 83313

SOURCE: EAST FORK WOOD RIVER

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.160 CFS

Right Nos. 37-21793 and 37-21386 are limited to a total combined diversion rate of 4.16 cfs.

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION:

T04N R19E S28 SENENW Within BLAINE County
T04N R19E S28 NWNWSW Rediversion Within BLAINE County
T04N R19E S29 SENENW Injection Within BLAINE County
T04N R19E S29 SESESW Rediversion Within BLAINE County
T04N R19E S29 NWSWE Rediversion Within BLAINE County
T04N R19E S29 SWSWE Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	05/01 10/31	4.160 CFS
PLACE OF USE:	<u>IRRIGATION Within BLAINE County</u>		
	T04N R19E S29 SWSW	11.00	T04N R19E S29 SESW 28.00
	T04N R19E S29 NWSE	1.10	T04N R19E S29 SWSE 26.00
	T04N R19E S32 NENW	8.30	
	74.4 ACRES TOTAL		

This right along with right No. 37-21386 are limited to the irrigation of a combined total of 74.4 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.

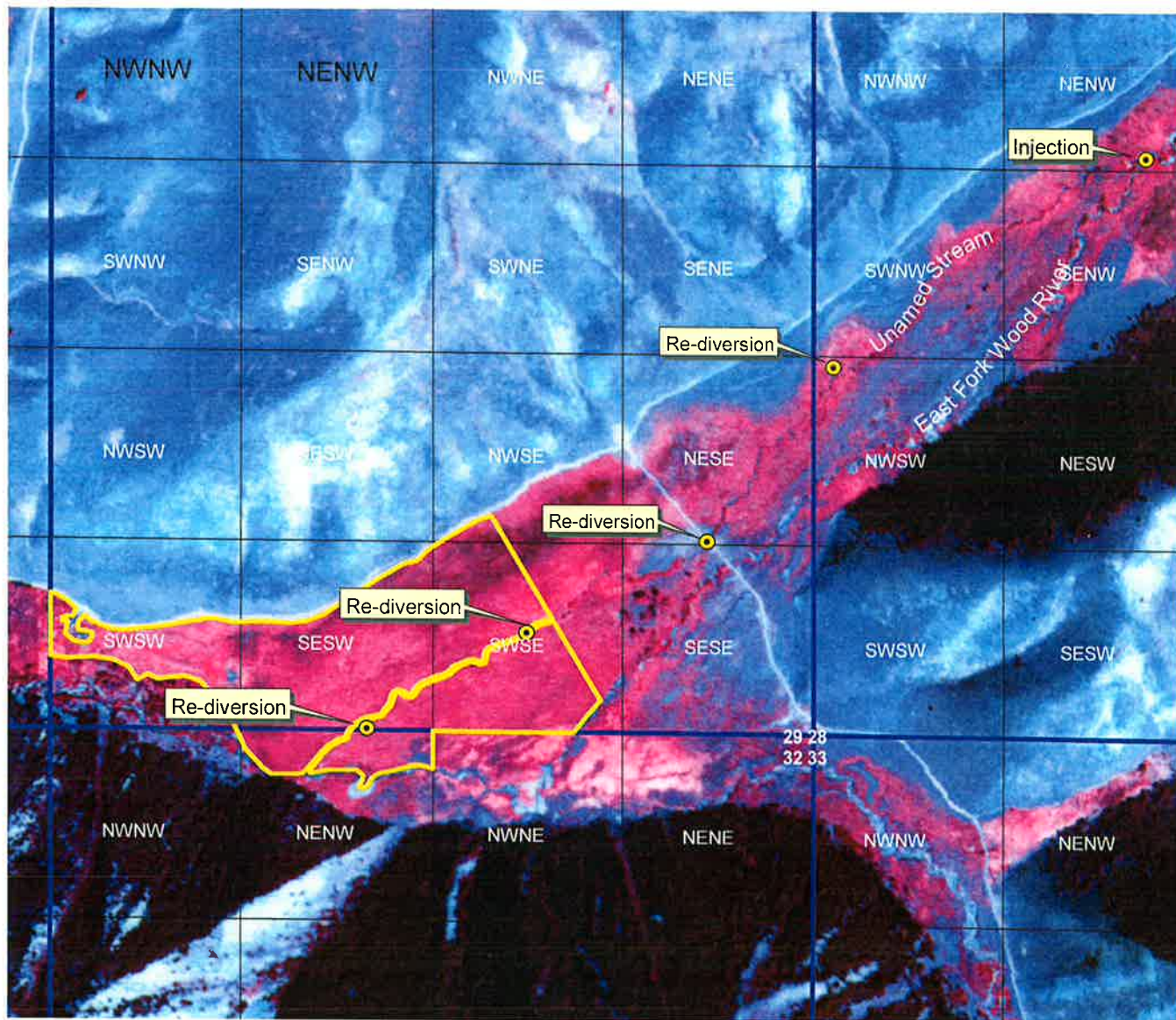
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
P/D FOR THIS CLAIM DETERMINED FROM AERIAL PHOTO ASCS MAP.
| P/U AMENDED AS PER ATTACHED LETTER. --RVW.
ADDRESS CHANGE RECD 04/18/1994 SS.

Water is delivered through East Fork Wood River.

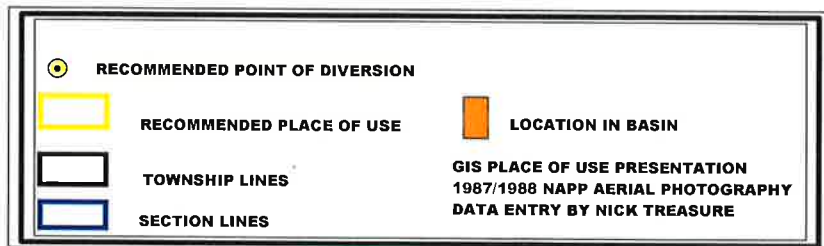
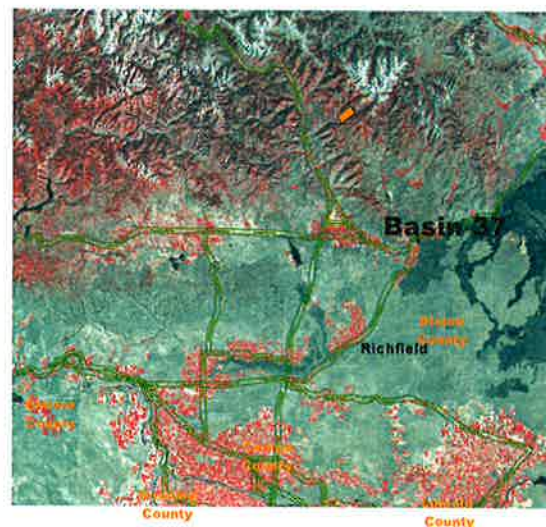
This right is a split from former right 37-21472 .

Idaho Department of Water Resources
RECOMMENDED PLACE OF USE FOR
37-21793



800 0 800 1600 Feet

PLACE OF USE
TWP 04N, RNG 19E, SEC 29,32
Data entry on June 14, 2006



06/14/2006

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

RIGHT NUMBER: 37-21793

NAME AND ADDRESS: ROBBINS TRUST & O CONNOR TRUST
PO BOX 48
BELLEVUE ID 83313

SOURCE: EAST FORK WOOD RIVER

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.160 CFS

Right Nos. 37-21793 and 37-21386 are limited to a total combined diversion rate of 4.16 cfs.

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION:

T04N R19E S28 SENENW Within BLAINE County
T04N R19E S28 NWNWSW Rediversion Within BLAINE County
T04N R19E S29 SENENW Injection Within BLAINE County
T04N R19E S29 SESESW Rediversion Within BLAINE County
T04N R19E S29 NWSWSE Rediversion Within BLAINE County
T04N R19E S29 SWSWSE Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	4.160 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T04N R19E S29	SWSW	11.00	T04N R19E S29	SESW	28.00
T04N R19E S29	NWSE	1.10	T04N R19E S29	SWSE	26.00
T04N R19E S32	NENW	8.30			

74.4 ACRES TOTAL

This right along with right No. 37-21386 are limited to the irrigation of a combined total of 74.4 acres in a single irrigation season.

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

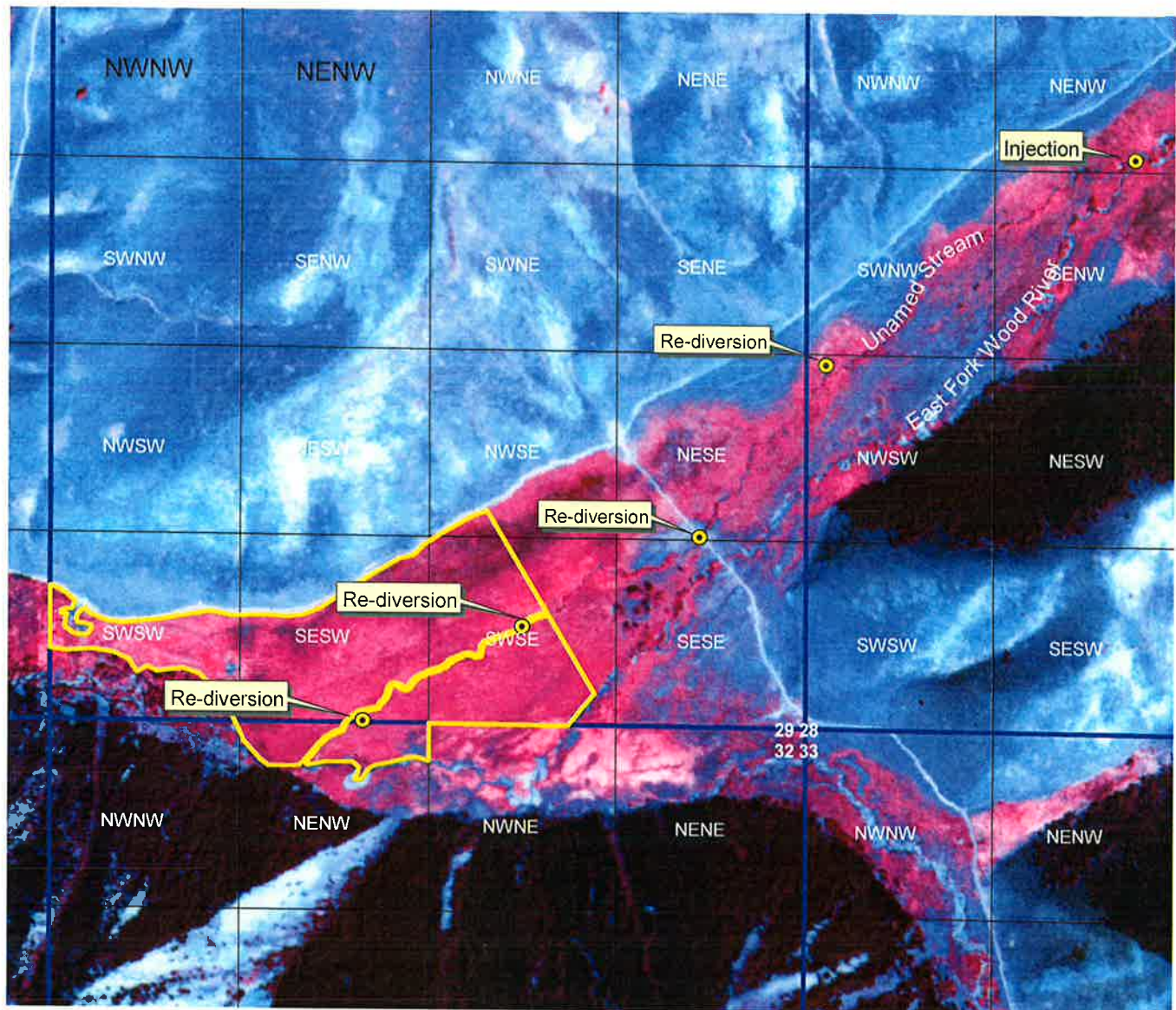
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

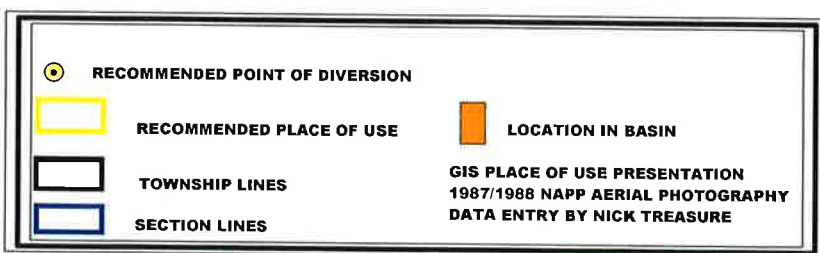
Water is delivered through East Fork Wood River.

This right is a split from former right 37-21472 .

Idaho Department of Water Resources
RECOMMENDED PLACE OF USE FOR
37-21793



PLACE OF USE
TWP 04N, RNG 19E, SEC 29,32
Data entry on June 14, 2006



Memo

From: Nick Treasure

Date: June 17, 2005

Subject: Snake River Basin Adjudication (SRBA) review of claim(s):
37-21386, 37-21385, 37-21472, 37-21473

Due to questions that have arose to an application for permit as well as some question in regards to SRBA claims made by O'Connors and Robbins Trust, a field exam took place on June 17, 2005 by Allen Merritt, Aaron Retelle and myself. Mr. O'Connors (owner) and Jason Helm of Brockway Engineering were also present at the field exam.

The intent of the application for permit of the claimant is to dry up the POU from claim 37-21385 and southern portions of 37-21472 to mitigate water to ponds on the northern bench of the SWSW of section 29. In the course of researching the intent of this permit, the following issues arose that will affect the SRBA claim review and recommendations:

37-21385 – Found and examined the spring claimed as a source of irrigation of 4 acres. The claimed POU is not irrigated from the spring claimed. The actual output of water of the spring was very little. The contour of the POU to the spring would not allow for irrigation. The claim will be recommended for disallow. (See attached photos)

37-21386 – This claim is a Beneficial use right for 1.0 cfs of water from a spring located in the SWSE of section 29. The priority date claimed is 06/01/1884. According to Mr. O'Connors this right was claimed as supplement water for 37-21472 (1884 East Fork Decreed right). To recommend this right, evidence of priority would have to be submitted. The 06/01/1884 priority would more than likely be difficult to prove. Another issue presented with this water right is the use of the water. The claimant has applied for a permit to transfer water. However before this permit has been approved they have already gravity piped water from this spring approximately 2500 feet west to man-made ponds on a hillside. Mr. O'Connors indicated that this water will be pumped further up the hill to a house which is to be built. Allen is currently reviewing the application for permit. I will continue with the review looking at historical use. Evidence of priority will be needed.

37-21472 – This is a decreed right for 4.68 cfs from the East Fork Wood River for 90 acres. Though the ground is obviously difficult to flood irrigate, it appeared that the place of use claimed could be irrigated with the present series of laterals and ditches available. There appears to be no obvious issues in reviewing this claim at this time.

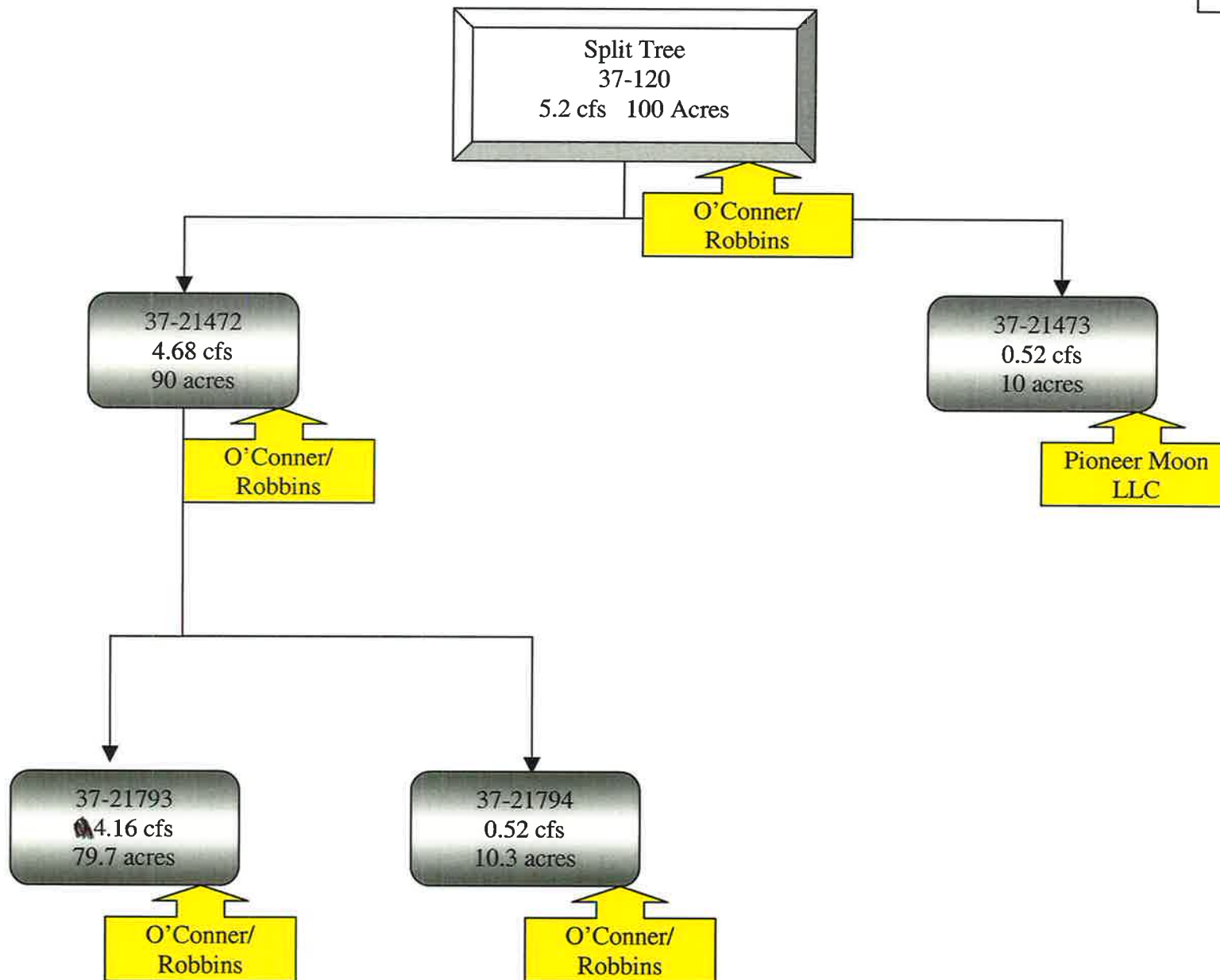
37-21473 – This land and water right was recently sold from O'Connors/Robbins Trust to Pioneer Moon LLC (10 acres w/ 0.52 cfs). The warranty deed indicates a sale of 1/10th of the parent right 37-120 (100 acres w/ 5.2 cfs). The actual acreage of the land sold according to the claimant and taxlots is 20 acres. O'Connors/Robbins is keeping a portion of the water right on the 20 acres sold to Pioneer Moon. (which is why the sale was not for 2/10th or 20 acres w/ 1.04 cfs)- O'Connors/Robbins is keeping have the water right on the sold property. I will recommend this claim as per warranty deed.

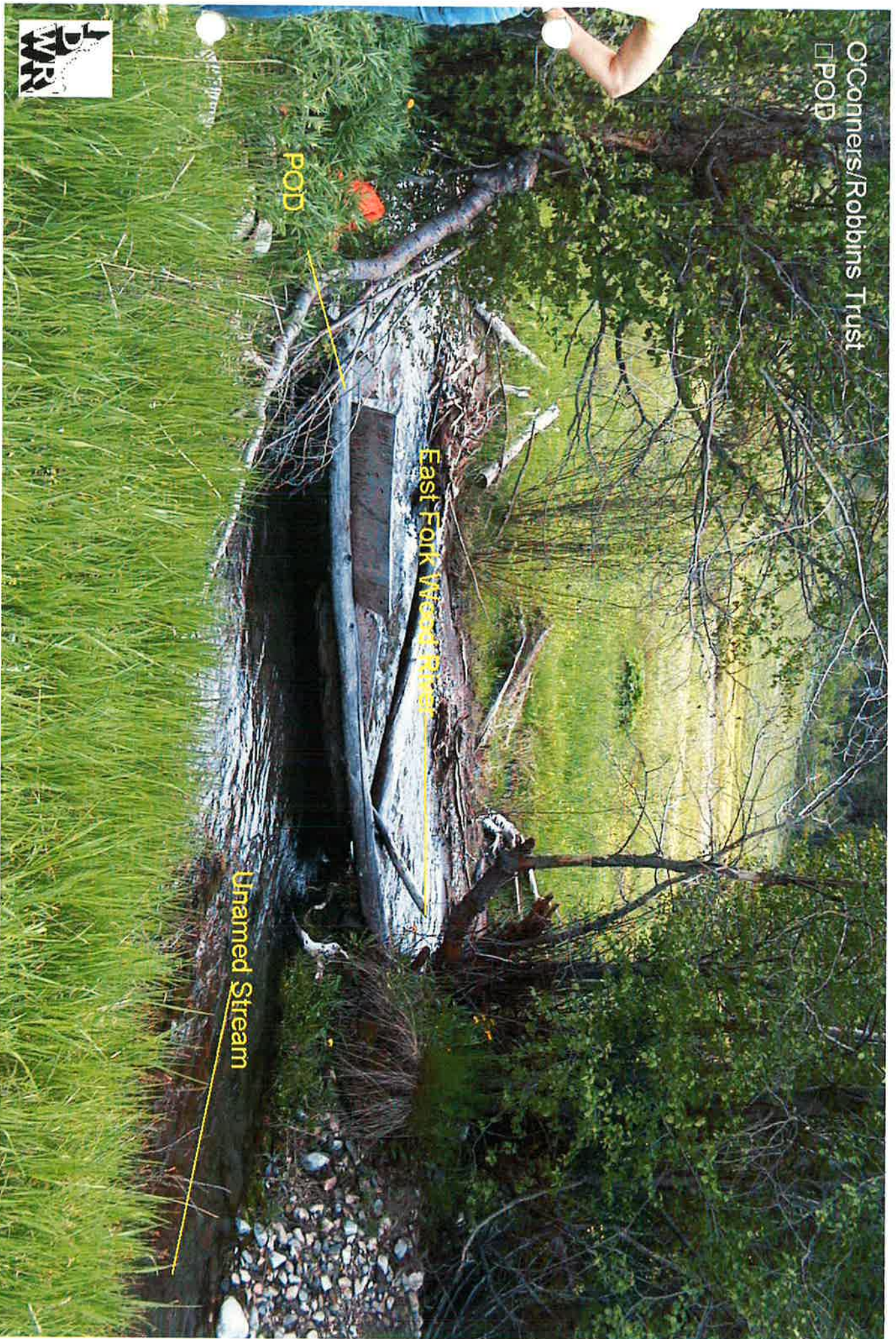
From: Nick Treasure

Date: June 14, 2006

37-21793 / 37-21794 – Water right 37-21472 is now split to 37-2179⁴~~3~~ (Pioneer Moon LLC) / 37-2179³~~4~~ (O'Conner's) to reflect the quit claim deed from O'Conner to Pioneer Moon LLC in which $1/10^{\text{th}}$ of water right 37-120 is conveyed to Pioneer Moon LLC while O'Conner retains the remaining portion of water right 37-120. Pioneer Moon LLC bought approx 20.3 acres of the 100-acre POU of 37-120. So instead of receiving $2/10^{\text{th}}$ (20.3 acres of 100 acres), Pioneer Moon LLC received $1/10^{\text{th}}$ of the water right. O'Conner wishes to keep 10 acres worth of the water right of the 20.3 acres. See split tree.

Prepared by:
Nick Treasure
June 2005



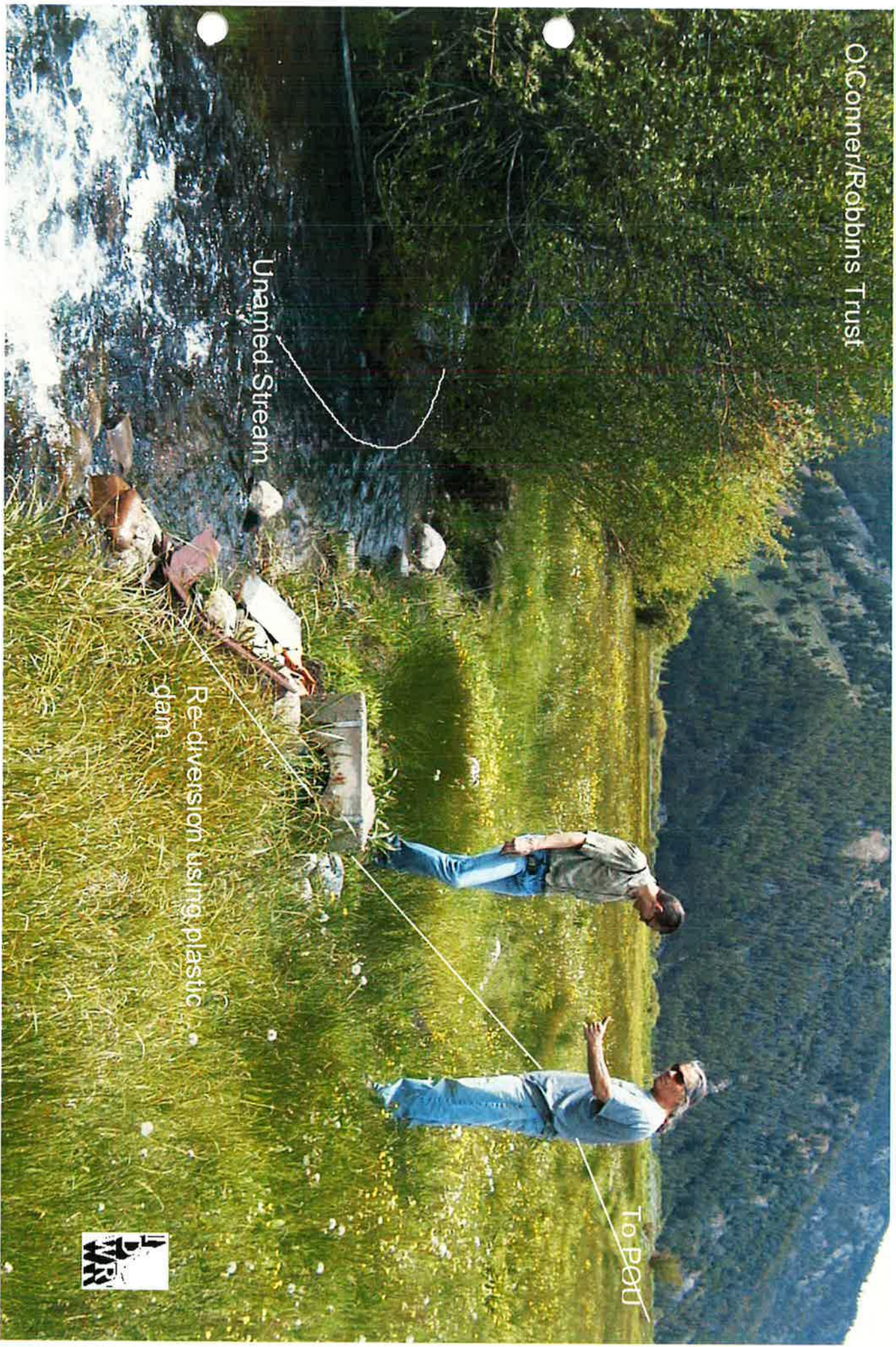


POD

East Fork Wood River

Unnamed Stream



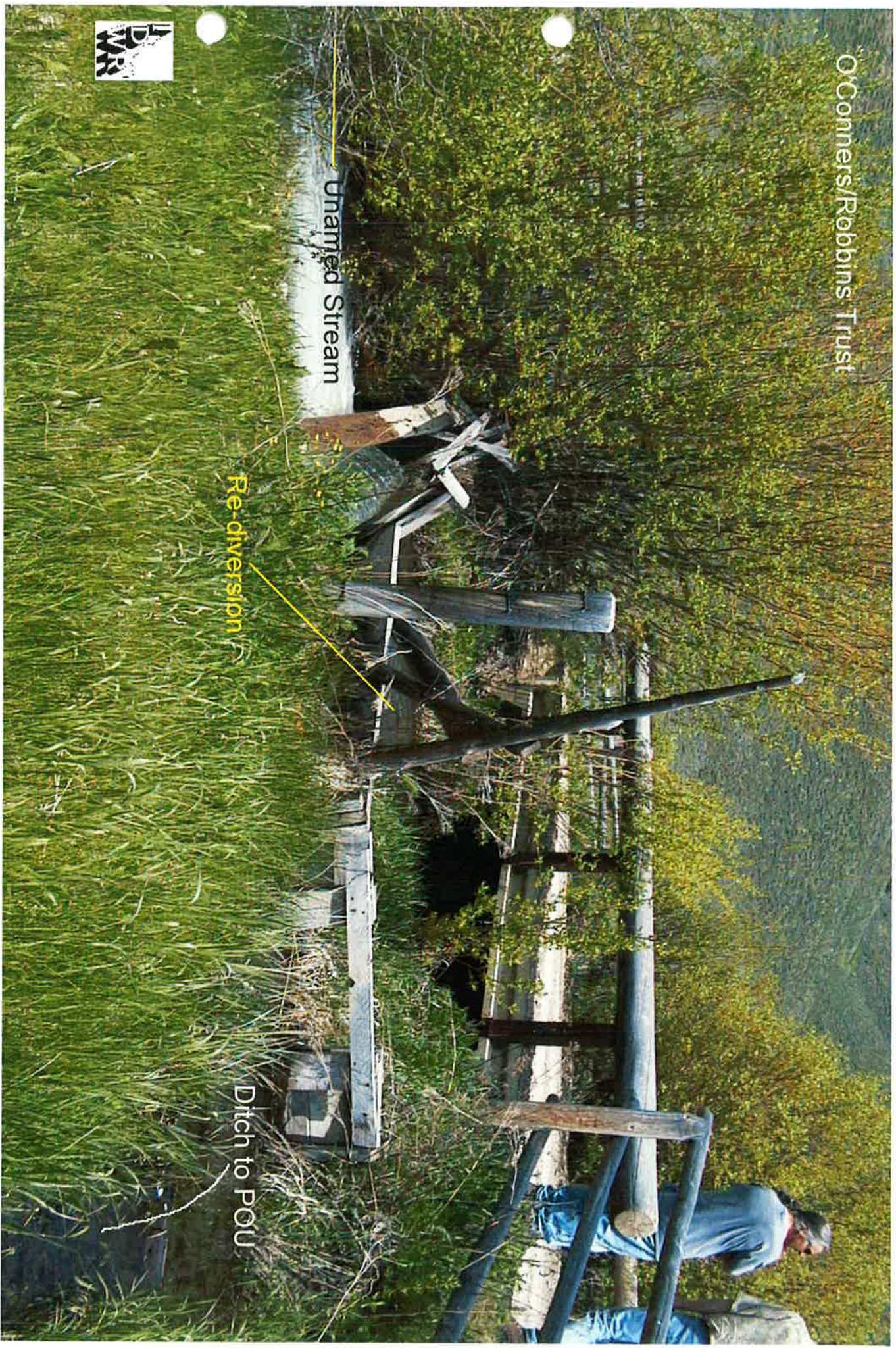


Unnamed Stream

Re-division using plastic
dam

To Pen



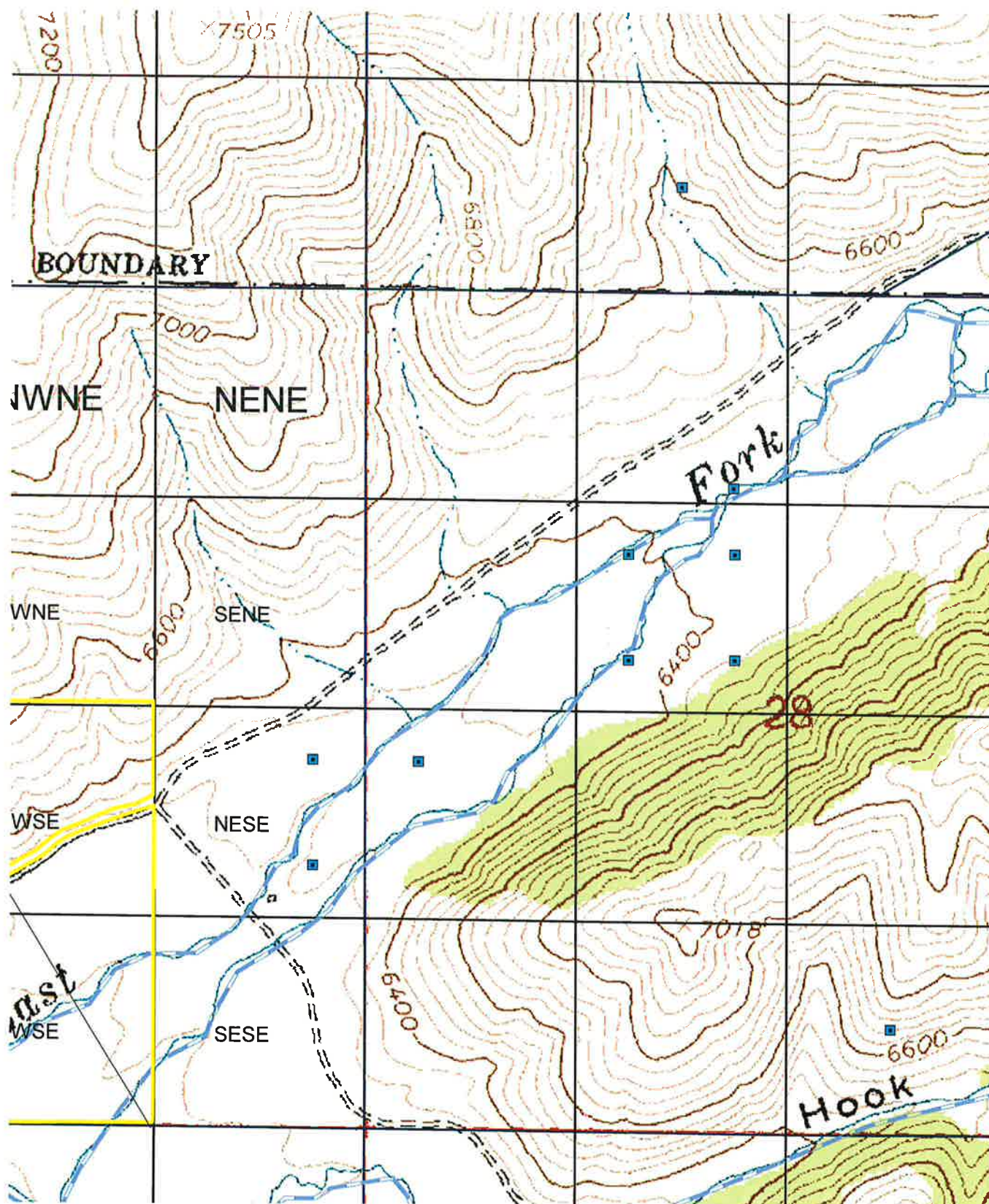


Unnamed Stream

Re-diversion

Ditch to POU

O'Conner Trust/ Robbins Trust



2000

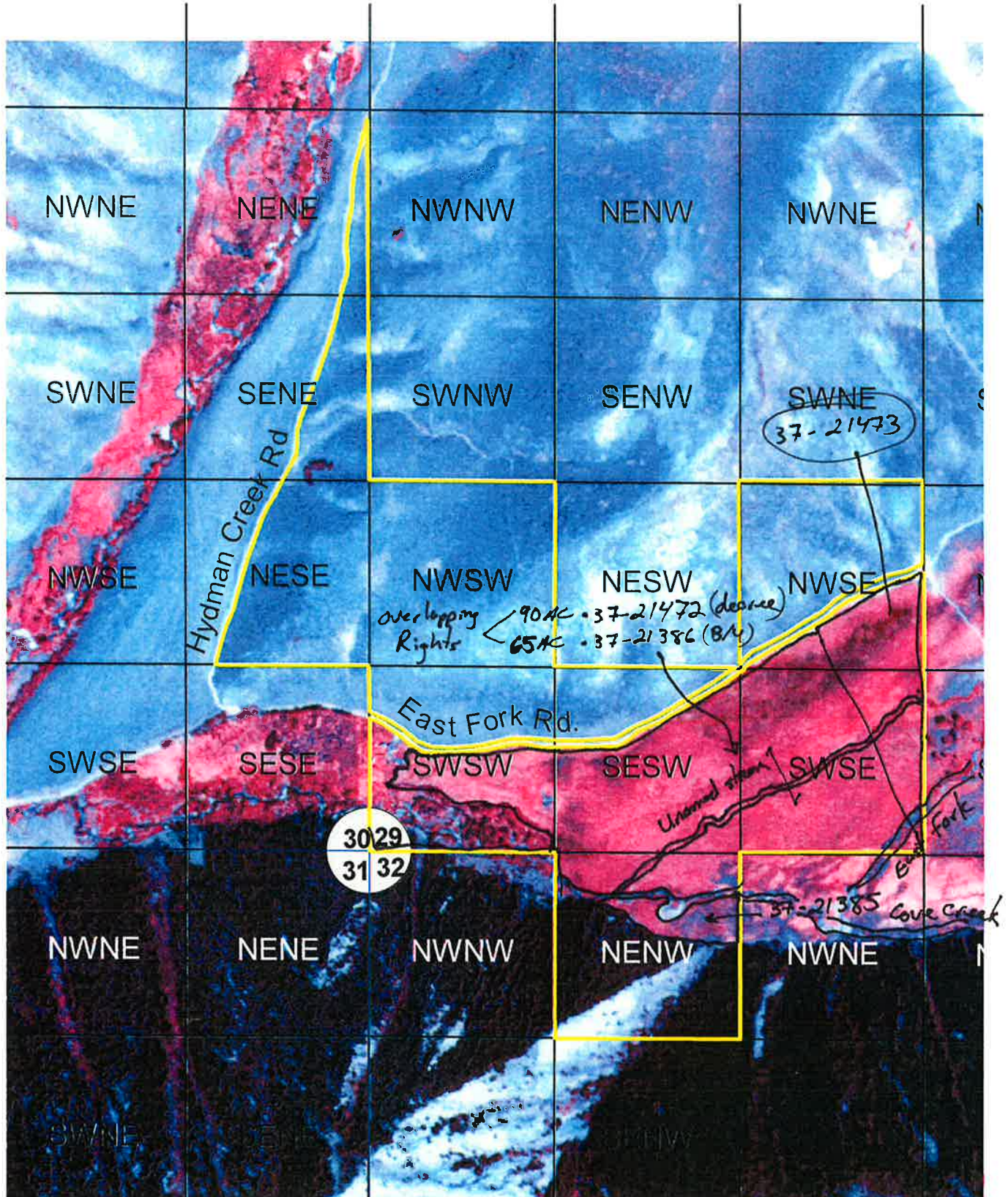
0

2000 Feet

Twp 04N Rng 19E Secs 30, 29, 32



O'Conner Trust/ Robbins Trust



2000 0 2000 4000 Feet

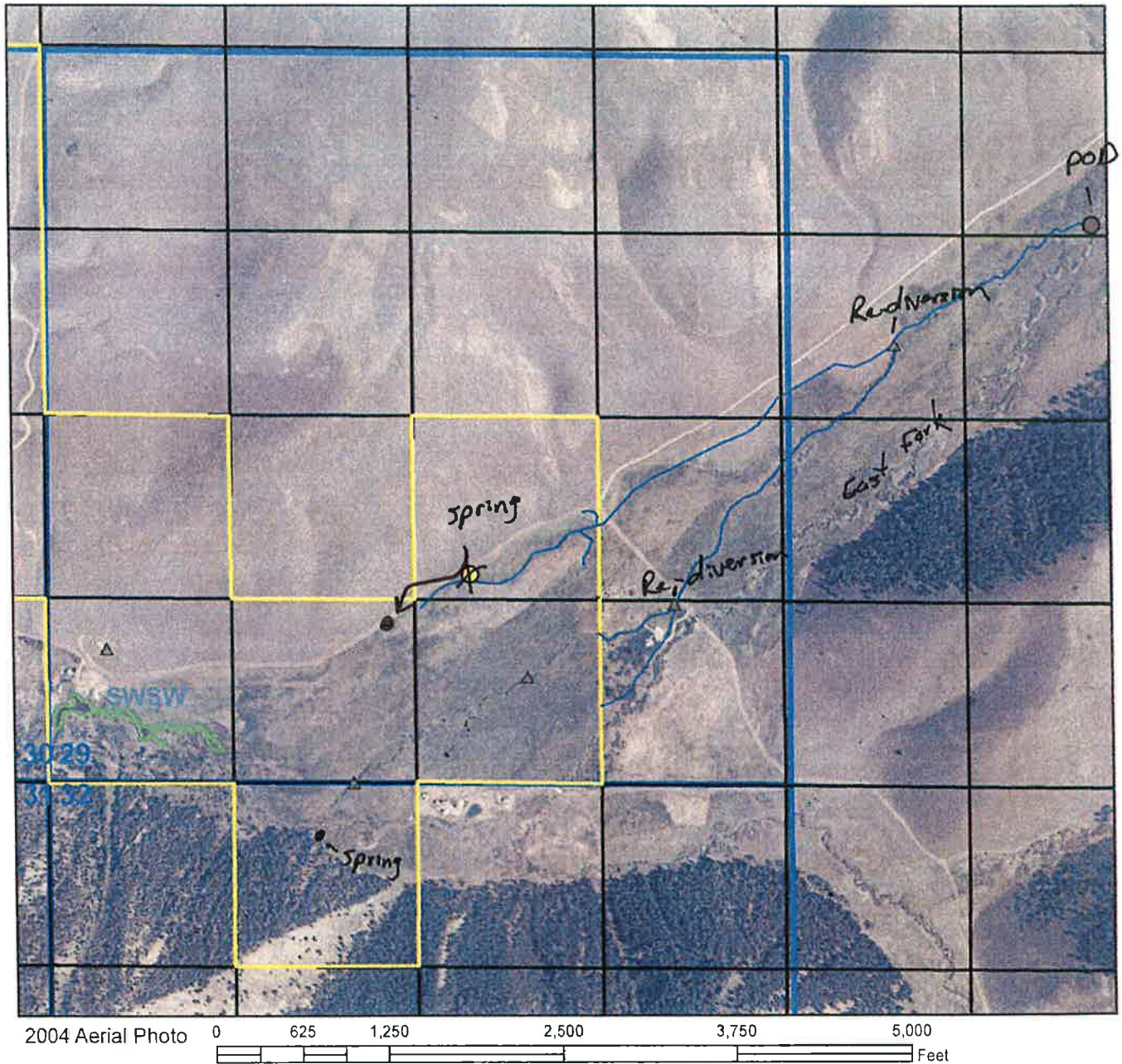
Twp 04N Rng 19E Secs 30, 29, 32



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Part 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

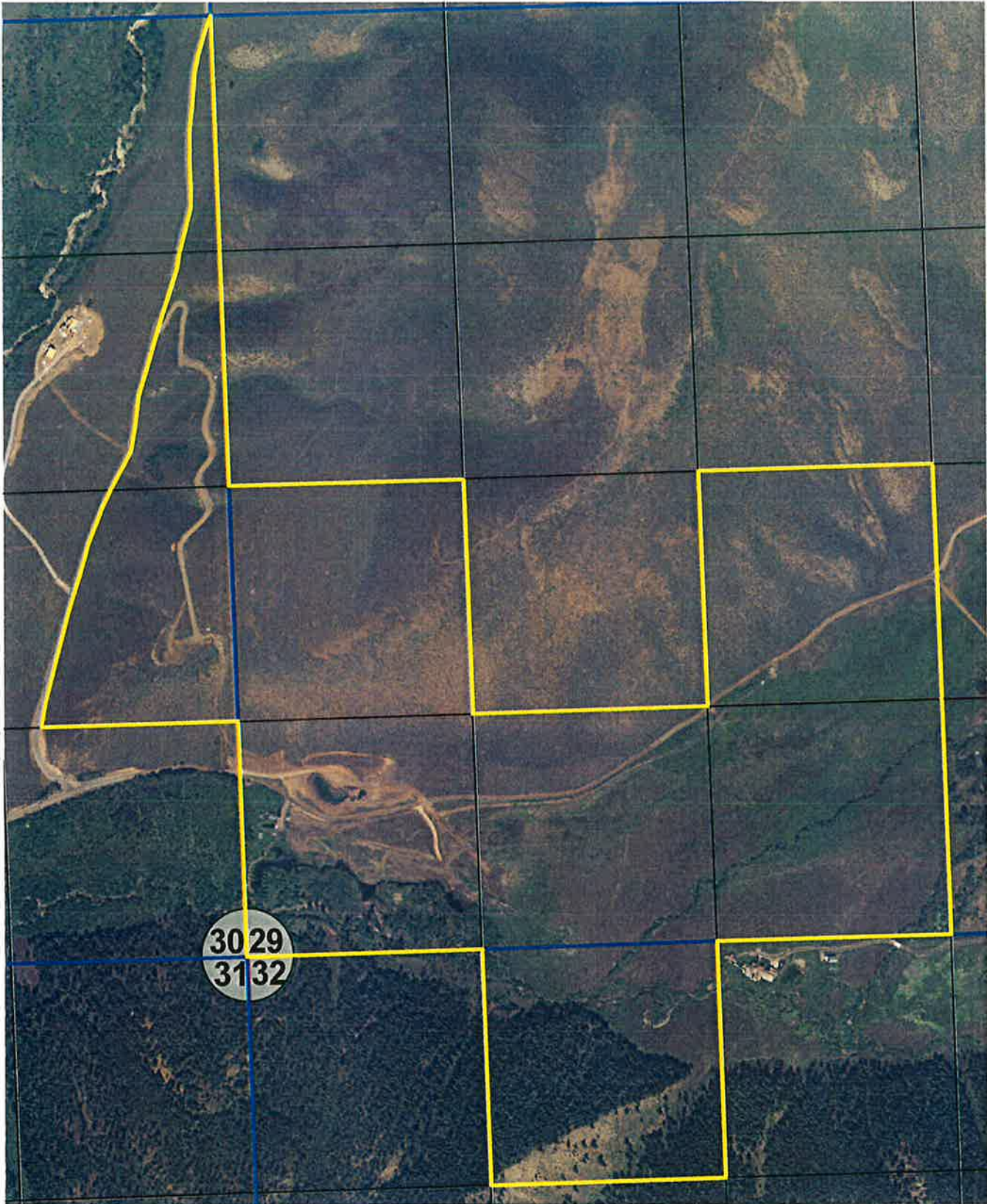


Twp. 4N, Rng. 19E

- North Spring POD
- 37-120 Primary POD
- ▲ Re-Diversions
- Sections
- Property Boundary
- Open Water (Previously Irrigated Area)
- 40's

Brockway Engineering, PLLC
JCH - November 30, 2004

O'Conner Trust/ Robbins Trust

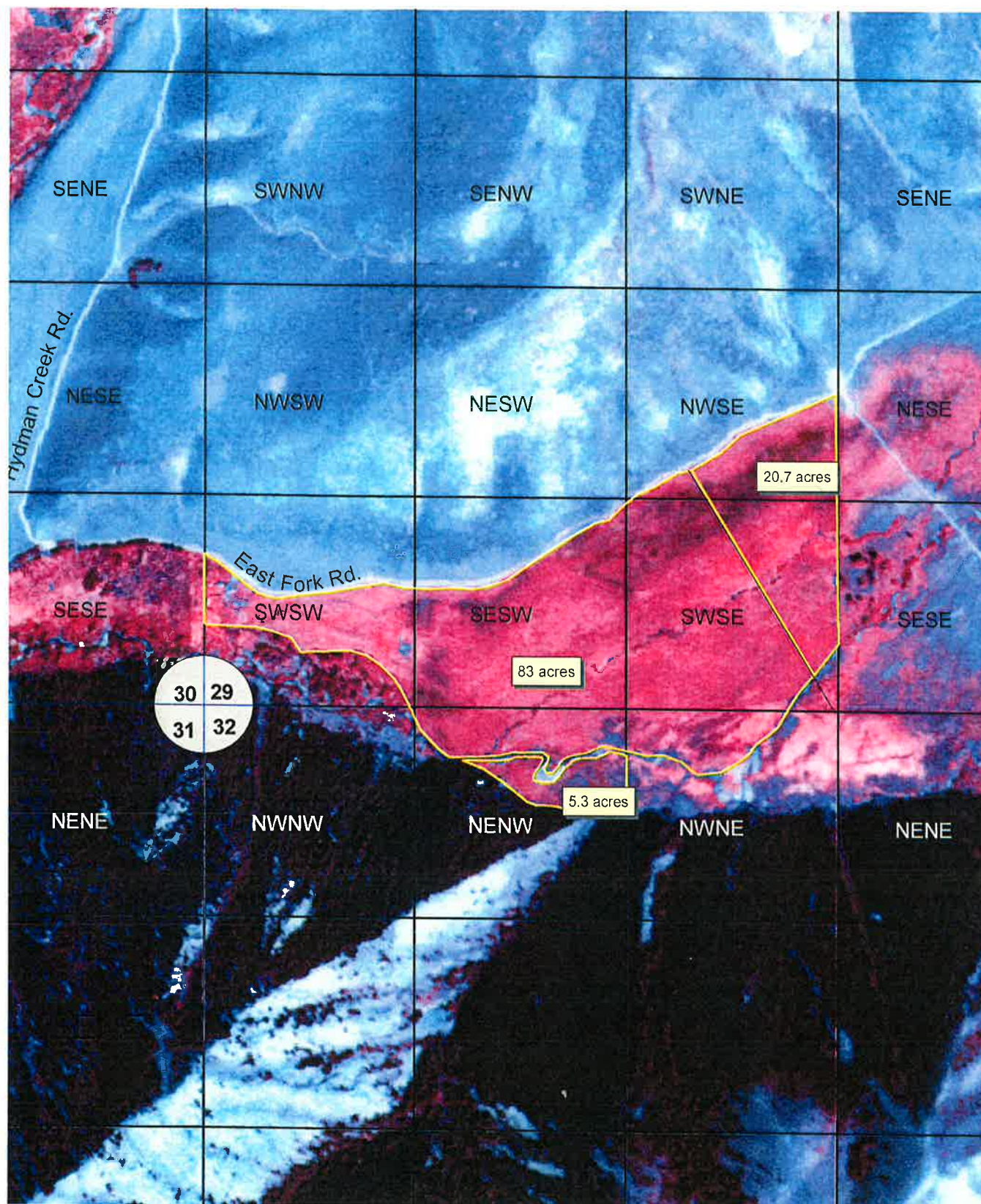


2000 0 2000 Feet

Twp 04N Rng 19E Secs 30, 29, 32



O'Conner Trust/ Robbins Trust



Twp 04N Rng 19E Secs 30, 29, 32

<u>Basin</u>	<u>Sequence</u>	<u>Suff</u>	<u>Basis</u>	<u>Status</u>	<u>Right ID</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Volum</u>	<u>Source</u>	<u>Water Use</u>	<u>Owner(s)</u>	<u>Version</u>	<u>Source Ta</u>
37	21398		Decreed	Withdrawn	582678	1884-06-01	4.84		WOOD RIVER IRRIGATION	O CONNOR, GERARD			wrAdjudica
37	21399		Decreed	Withdrawn	582679	1884-06-01	0.36	24.5	WOOD RIVER MITIGATION	O CONNOR, GERARD			wrAdjudica
37	120		Decreed	Parent	234430	1884-06-01	5.2		WOOD RIVER IRRIGATION	ROBBINS TRUST & C			wrAdjudica
37	21385		Beneficial	Active	582251	1884-06-01	0.3		SPRING IRRIGATION	ROBBINS TRUST & C			wrAdjudica
37	21386		Beneficial	Active	582252	1884-06-01	1		SPRING IRRIGATION	ROBBINS TRUST & C			wrAdjudica
37	21472		Decreed	Active	590276	1884-06-01	4.68		WOOD RIVER IRRIGATION	ROBBINS TRUST & C			wrAdjudica
37	21473		Decreed	Active	590277	1884-06-01	0.52		WOOD RIVER IRRIGATION	PIONEER MOON LLC			wrAdjudica
							5.2						
37	260		Decreed	Active	247027	1884-06-01	3.2		WOOD RIVER IRRIGATION	PIONEER MOON LLC			wrAdjudica
37	120			Withdrawn	234430	1884-06-01	5.2		WOOD RIVER IRRIGATION				xrFromAdj
37	21385			Withdrawn	582251	1884-06-01	0.3		SPRING IRRIGATION				xrFromAdj
37	21385			Withdrawn	582682	1884-06-01	0.3	14	SPRING MITIGATION				xrToAdjCl
37	21398			Withdrawn	582678	1884-06-01	4.84		WOOD RIVER IRRIGATION				xrToAdjCl
37	21399			Withdrawn	582679	1884-06-01	0.36	24.5	WOOD RIVER MITIGATION				xrToAdjCl
37	120		Decreed	Active	36758	1884-06-01	5.2		WOOD RIVER IRRIGATION	BUTCH, JAMES W (C			wrWaterRig
37	260		Decreed	Active	36963	1884-06-01	3.2		WOOD RIVER IRRIGATION	GOODING, FRANK R			wrWaterRig



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 20, 1994

WALTER F AND ELEANOR SCHODDE
3 RIVER RUN ESTATES
BURLEY ID 83318

R E W E D

APR 26 1994

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim No. A36-10345, A36-10348,
A36-10346, A36-10347, A36-10349, A36-10350,
A37-10808, A37-02270A, A37-02270B & A37-00120
Change of Address Notification

Department of Water Resources
Southern Region Office

Dear Claimants:

Thank you for notifying us of your change in address of the water rights referenced above. The change of address note you sent our Department will suffice to change IDWR records for Basin 36, but not those of the SRBA court. SRBA Judge Hurlbutt issued an Order June 17, 1993 requiring claimants like yourself identified in a Director's Report to use Standard Form 3 for change of address.

I have enclosed Standard Form 3 for your use. Please contact us or the Court (208/736-3011) if you have any questions.

Since the Basin 37 water right claims have not yet been reported to the SRBA court, a Standard Form 3 is not necessary for those rights.

If you sold the property, please contact our office toll-free at 1/800-451-4129.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:region
Enclosure:
Standard Form 3

MICROFILMED

NOV 2 1 1994

AJ0749NP
No. A37-00120

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/20/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WALTER F. SCHODDE	06/01/1884	IRRIGATION	04-15 10-15	5.20 CFS	
C	ELEANOR SCHODDE					
	3 RIVER RUN ESTATES			TOTAL DIVERSION:	5.20 CFS	
	BURLEY ID 83318			CONSUMPTIVE USE:		250.00 AFA
	(208) 678-5605					

Water Source: BIG WOOD RIVER, EAST FORK

Tributary to: BIG WOOD RIVER

Stage: DECREED

Point(s) of Diversion:

T04N R19E S28

SESENW

BLAINE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
04N	19E	29											15	20		10	35		80.0
04N	19E	32						20											20.0
TOTAL ACRES																			100.0

POU County: BLAINE

Other Rights: NONE

Remarks: P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
P/D FOR THIS CLAIM DETERMINED FROM AERIAL PHOTO ASCS MAP.
P/U AMENDED AS PER ATTACHED LETTER. --RVW.
ADDRESS CHANGE REC'D 04/18/1994 SS.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 37

Field Inspection Flag:
Presumption Flag:

NOV 21 1996
MICROFILMED