

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

RECEIVED  
 MAR 05 2010  
 DEPT. 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 IDWR will produce new water right number(s) for the split(s).

| Water Right No(s) | Adjudication Claim No(s) | Split(s) | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|-------------------|--------------------------|----------|-------------------|--------------------------|----------|
| 37-21179          | 37-22503                 | ✓        |                   |                          |          |
|                   | 37-22504                 |          |                   |                          |          |
| 37-21181          | 37-22505                 | ✓        |                   |                          |          |
|                   | 37-22506                 |          |                   |                          |          |
| 37-21183          | 37-22507                 | ✓        |                   |                          |          |
|                   | 37-22508                 |          |                   |                          |          |
| 37-21185          | 37-22509                 | ✓        |                   |                          |          |
|                   | 37-22510                 |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Florence M. Young  
P.O. Box 736  
Picabo, ID. 83348

4. New Owner/Claimant(s) Rodrick H. Rinker  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address P.O. Box 641  
 City, State and ZIP Code Picabo, ID. 83348  
 New Telephone Number (208) 726-2297 Email: \_\_\_\_\_

MAR 06 2010  
 SCARLETT

5. Date you acquired the property

4-14-2008

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b> <u>37-21179</u>                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           | <u>0.390 cfs</u>                                                           | <u>41.4 Acres</u>                                            |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b> <u>37-21181</u>                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           | <u>0.112 cfs</u>                                                           | <u>41.4 Acres</u>                                            |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b> <u>37-21183</u>                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           | <u>0.223 cfs</u>                                                           | <u>41.4 Acres</u>                                            |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |

*For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.*

7. Signature(s) of New Owner(s) or Claimant(s)

(title if applicable)

(title if applicable)

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

**For IDWR Office Use Only:**

Received by \_\_\_\_\_

Date \_\_\_\_\_

Receipt Amt. \_\_\_\_\_

Received by \_\_\_\_\_

Date \_\_\_\_\_

Receipt No. \_\_\_\_\_

Processed by \_\_\_\_\_ AJ

Date \_\_\_\_\_

WR \_\_\_\_\_

Date \_\_\_\_\_

SCANNED  
MAY 16 2011

5. Date you acquired the property \_\_\_\_\_

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b> <u>37-21185</u>                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           | <u>0.386 cfs</u>                                                           | <u>41.4 Acres</u>                                            |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b> _____                                                            |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b> _____                                                            |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |

*For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.*

7. Signature(s) of New Owner(s) or Claimant(s) \_\_\_\_\_

*R. B. R. L.*

(title if applicable)

(title if applicable)

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

**For IDWR Office Use Only:**

Received by \_\_\_\_\_

Date \_\_\_\_\_

Receipt Amt. \_\_\_\_\_

Received by \_\_\_\_\_

Date \_\_\_\_\_

Receipt No. \_\_\_\_\_

Processed by \_\_\_\_\_ AJ

Date \_\_\_\_\_

WR \_\_\_\_\_ Date \_\_\_\_\_

SCANNED  
MAY 04 2012



Order No. 0823778  
Date: April 8, 2008

Instrument # 557398

HAILEY, BLAINE, IDAHO

4-16-2008 12:08:00 No. of Pages: 3

Recorded for : SUN VALLEY TITLE

JOLYNN DRAGE

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WTY/QCICORP DEED

*mpp*

### WARRANTY DEED

FOR VALUE RECEIVED, and as consideration as part of an IRC § 1031 tax-deferred exchange,

**FLORENCE YOUNG, a widow**

the Grantor does hereby grant, bargain, sell, convey and warrant unto

**RODRICK H. RINKER, a single man**

the Grantee whose current address is:

P O Box 641  
Picabo, ID 83348

*R*

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

**See Exhibit "A" attached hereto and made a part hereof.**

This transaction is a 1031 Exchange for the benefit of Rodrick H. Rinker, as **replacement** property.

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

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

*Florence Young*  
Florence Young

*4-14-08*  
Date

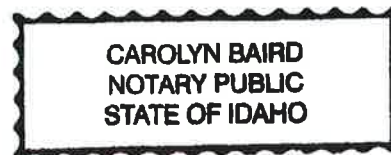
*SCA 1000  
MAY - 6 2008*

State of: Idaho

County of: Blaine

On this 14<sup>th</sup> day of April, 2008, before me, the undersigned, a Notary Public, in and for said State, personally appeared **FLORENCE YOUNG**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Carolyn Baird  
Notary Public  
Residing at: Hailey  
Commission Expires: 1/23/2009



SCANNED  
MAY 04 2011

**EXHIBIT "A"**

**A Parcel of land located within Section 1, Township 2 South, Range 20 East, Boise Meridian, Blaine County, Idaho, with reference to record of survey recorded May 16, 2002 as Instrument No. 465442, more particularly described as follows:**

**COMMENCING at the Northeast corner of said Section 1; thence South 89°32'05" West 1,396.22 feet along the North boundary of said Section and also along the South boundary of the Hofstetter Subdivision to an iron pin on the Easterly high water mark of Silver Creek being the TRUE POINT OF BEGINNING; thence South 01°30'29" West, 143.78 feet; thence South 24°28'39" West, 237.57 feet; thence South 02°49'08" West, 88.91 feet; thence South 09°31'15" East, 22.80 feet; thence North 75°52'23" West, 224.84 feet; thence North 89°04'02" West 81.77 feet; thence South 31°01'10" West, 488.84 feet; thence South 48°42'15" West 361.97 feet; thence South 45°45'49" West 73.55 feet; thence South 79°46'31" West 131.02 feet; thence South 66°02'48" West 281.28 feet; thence North 46°27'52" West 104.06 feet; thence North 79°40'59" West 125.90 feet; thence South 27°19'35" West 46.27 feet; thence North 64°57'44" West 67.78 feet; thence North 40°52'50" West 348.22 feet; thence North 30°41'21" West 770.76 feet; thence North 12°43'41" West 114.77 feet; thence North 47°37'59" West 55.03 feet; thence North 85°12'38" West 41.39 feet; thence North 18°26'12" West 56.98 feet; thence North 18°08'22" West 29.11 feet; thence North 89°32'05" East 2,402.78 feet to the TRUE POINT OF BEGINNING.**

**Also known as Tax Lot 6781**

**Together with right of ingress and egress along and across roadway and utility easement as shown on the plat of HOFSTETTER SUBDIVISION AMENDED, recorded December 14, 1982 as Instrument No. 233463, records of Blaine County, Idaho.**

SCANNED  
MAY 16 2002

2  
Order No. 0823778

QUITCLAIM DEED

For Value Received

FLORENCE YOUNG, a widow

Do hereby convey, release, remise and forever quitclaim unto

RODRICK H. RINKER, a single man

Whose current address is P O Box 641, Picabo, ID 83348

The following described premises, to-wit:

The following water rights:

0.390 cfs of Water Right # 37-21179

0.112 cfs of Water Right # 37-21181

0.223 cfs of Water Right # 37-21183

0.386 cfs of Water Right # 37-21185

all for the irrigation of 41.4 acres within the land described on Exhibit "A" attached hereto and made a part hereof.

Together with their appurtenances.

Dated this 4-16 day of April, 2008.

Florence Young  
Florence Young

State of: Idaho

County of: Blaine

On this 16<sup>th</sup> day of April, 2008, before me, the undersigned, a Notary Public, in and for said State, personally appeared FLORENCE YOUNG, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Carolyn Baird  
Notary Public  
Residing at: Hailey  
Commission Expires: 1/23/2009

CAROLYN BAIRD  
NOTARY PUBLIC  
STATE OF IDAHO

**EXHIBIT "A"**

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**Also known as Tax Lot 6781**

**Together with right of ingress and egress along and across roadway and utility easement as shown on the plat of HOFSTETTER SUBDIVISION AMENDED, recorded December 14, 1982 as Instrument No. 233463, records of Blaine County, Idaho.**

SCANNED  
MAY 16 2002



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

March 4, 2010

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

Subject: Name Change / Water Rights 37-21179, 37-21181, 37-21183, 37-21185

Dear Allen:

Enclosed with this letter you will find the signed IDWR form "Notice of Change in Water Right Ownership" by Rodrick H. Rinker, along with the Warranty Deed to the property these water rights are attached.

Upon reading the IDWR instructions, this name change does not fall into either payment bracket, so no moneys are included with this request for name change.

Please don't hesitate to call me if you have any questions.

Sincerely,

Ann Pool  
Hydrologic Technician

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

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

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

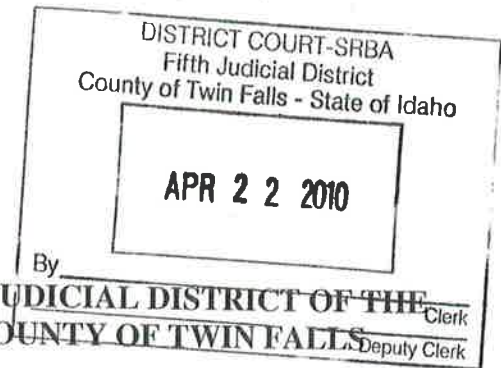
TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED  
MAR 05 2010  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

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 SRBA

Case No. 39576

Subcase No. 37-21179 (split)  
37-22503 and 37-22504

NOTICE OF COMPLETED  
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 4/22/10

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 4-22, 2010, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

United States Dept Of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

Rod Rinker  
PO Box 641  
Picabo ID 83348

Florence Young  
PO Box 736  
Picabo ID 83348

James P Speck  
Speck & Aanestad  
PO Box 987  
Ketchum ID 83340

  
Signature of person or attorney mailing the form

04/21/2010

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

---

| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                           | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                        |
|--------------------|---------------------------------------------------|--------------------------|--------------------------------------|
| 37-21179           | FLORENCE M YOUNG<br>PO BOX 736<br>PICABO ID 83348 | Disallowed               | Recommended as 37-22503 and 37-22504 |

04/21/2010

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22503

NAME AND ADDRESS: FLORENCE M YOUNG  
PO BOX 736  
PICABO ID 83348

SOURCE: SILVER CREEK  
TRIBUTARY: LITTLE WOOD RIVER  
Water from this right resulted from developed water in Silver Creek.

QUANTITY: 0.160 CFS  
This right when combined with all other rights shall provide no more than .02 cfs per acre.

PRIORITY DATE: 12/28/1932

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed water in Silver Creek, as established by and subject to the provisions included within In Re Brett et al. v. S.H. Chapman, Watermaster (Lincoln County, December 28, 1932).

POINT OF  
DIVERSION:

T01S R20E S36 NENESW Within BLAINE County  
T01S R20E S36 NESESW Within BLAINE County  
T01S R20E S36 SWSESW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>              | <u>PERIOD OF USE</u> | <u>QUANTITY</u>          |
|---------------|------------------------------------|----------------------|--------------------------|
|               | IRRIGATION                         | 04/15 10/31          | 0.160 CFS                |
| PLACE OF USE: | <u>IRRIGATION in BLAINE County</u> |                      |                          |
|               | T01S R20E S36                      | SESW 1.00            | T01S R20E S36 SWSE 16.00 |
|               | 17 ACRES TOTAL                     |                      |                          |

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-1224B.

This right is a split from former right 37-21179.

04/21/2010

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22504

NAME AND ADDRESS: ROD RINKER  
BOX 641  
PICABO ID 83348

SOURCE: SILVER CREEK  
TRIBUTARY: LITTLE WOOD RIVER  
Water from this right resulted from developed water in Silver Creek.

QUANTITY: 0.390 CFS  
This right when combined with all other rights shall provide no more than .02 cfs per acre.

PRIORITY DATE: 12/28/1932  
Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed water in Silver Creek, as established by and subject to the provisions included within In Re Brett et al. v. S.H. Chapman, Watermaster (Lincoln County, December 28, 1932).

POINT OF  
DIVERSION:

T01S R20E S36 NENESW Within BLAINE County  
T01S R20E S36 NESESW Within BLAINE County  
T01S R20E S36 SWSSEW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>              | <u>PERIOD OF USE</u>           | <u>QUANTITY</u> |
|---------------|------------------------------------|--------------------------------|-----------------|
|               | IRRIGATION                         | 04/15 10/31                    | 0.390 CFS       |
| PLACE OF USE: | <u>IRRIGATION in BLAINE County</u> |                                |                 |
|               | T02S R20E S01 Lot 2 NWNE 20.00     | T02S R20E S01 Lot 3 NENW 22.00 |                 |
|               | 42 ACRES TOTAL                     |                                |                 |

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-1224B.

This right is a split from former right 37-21179.

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21179 V1

WATER RIGHT NUMBER: 37-21179 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                             |
|-------------------|---------------------------------------------------------------------|
| Current Owner     | FLORENCE M YOUNG<br>PO BOX 736<br>PICABO, ID 83348<br>(208)788-5885 |
| Original Owner    | JACK S YOUNG<br>PO BOX 736<br>PICABO, ID 83348<br>(208)788-5885     |

Priority Date: 12/28/1932

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u>  |
|---------------|-------------------|
| SILVER CREEK  | LITTLE WOOD RIVER |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-----------------------|-----------------------|----------------------|
| IRRIGATION              | 04/15 to 10/31        | 0.556 CFS             |                      |
| <u>Total Diversion:</u> |                       | 0.556 CFS             |                      |

Location of Point(s) of Diversion

|               |                 |                                 |
|---------------|-----------------|---------------------------------|
| SILVER CREEK  | NE1/4NE1/4SW1/4 | Sec. 36, Twp 01S, Rge 20E, B.M. |
| BLAINE County |                 |                                 |
| SILVER CREEK  | SW1/4SE1/4SW1/4 | Sec. 36, Twp 01S, Rge 20E, B.M. |
| BLAINE County |                 |                                 |
| SILVER CREEK  | NE1/4SE1/4SW1/4 | Sec. 36, Twp 01S, Rge 20E, B.M. |
| BLAINE County |                 |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |      |    | NW |    |      |    | SW |    |    |    | SE |    |    |    | Totals |  |      |  |      |
|-----|-----|-----|----|----|------|----|----|----|------|----|----|----|----|----|----|----|----|----|--------|--|------|--|------|
|     |     |     | NE | NW | SW   | SE | NE | NW | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |  |      |  |      |
| 01S | 20E | 36  |    |    |      |    |    |    |      |    |    |    |    |    |    |    |    |    | 1.0    |  | 16.0 |  | 17.0 |
| 02S | 20E | 1   |    |    | 20.0 |    |    |    | 22.0 |    |    |    |    |    |    |    |    |    |        |  |      |  | 42.0 |
|     |     |     |    |    | L 2  |    |    |    | L 3  |    |    |    |    |    |    |    |    |    |        |  |      |  |      |

Total Acres: 59

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21179 V1

1. C18 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.
2. P21 This right is a split from former right 37-1224B.
3. E62 This right when combined with all other rights shall provide no more than .02 cfs per acre.
4. 156 Water from this right resulted from developed water in Silver Creek.
5. 157 Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed water in Silver Creek, as established by and subject to the provisions included within In Re Brett et al. v. S.H. Chapman, Watermaster (Lincoln County, December 28, 1932).

Remarks:

Comments:

1. nerickson 1/10/2007 Claim Comments

Comment: THE PRIORITY DATE LISTED IS NOT REAL. THIS RT. IS ABSOLUTE, PERPETUAL, & INDEPENDENT OF OTHER SILVER CR. RTS. REGARDLESS OF PRIORITY DATE.

3/8/96 TF; CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 3549.

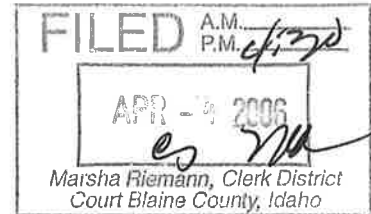
THIS TRANSFER DOES NOT AUTHORIZE DIVERSION OF MORE THAN .02 CFS/ ACRE.

\*\*\*\* 10/3/97 TF; REMOVED GROUNDWATER AS A SOURCE.

\*\*\*\* CLAIM WAS AMENDED BASED ON OWNERSHIP CHANGE WHEN YOUNGS PURCHASED 3.19 ACRES IN NWNE SECTION 1 FROM HOFSTETTERS, WHO OWN PART A.

3/19/98 jr

Water Supply Bank:



Rand L. Peebles, ISB No. 2571  
Robert F. Thomas, ISB No. 6160  
HAWLEY TROXELL ENNIS & HAWLEY LLP  
877 Main Street, Suite 1000  
P.O. Box 1617  
Boise, ID 83701-1617  
Telephone: (208) 344-6000  
Facsimile: (208) 342-3829

Attorneys for Personal Representative

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

IN THE MATTER OF THE ESTATE OF )

JACK STANLEY YOUNG, )

Deceased. )

Case No. CV-06-260

LETTERS OF ADMINISTRATION

Florence Young was duly appointed and qualified as Personal Representative of the estate of the above-named decedent by the Court with all authority pertaining thereto.

Administration of the estate is unsupervised.

These letters are issued to evidence the appointment, qualification, and authority of the said personal representative or special administrator.

STATE OF IDAHO  
County of Blaine

WITNESS, my signature and the Seal of this Court, this 4th day of April, 2006.

I do hereby certify that the foregoing is a full, true and correct copy of the original thereof, on file in my office.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my official seal

this 17th day of April, 2006

MARSHA RIEMANN  
Clerk District Court Deputy

LETTERS OF ADMINISTRATION

MAGISTRATE

*R. Ted Daniel*

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 37-21179  
Date Received: 12/1/2003  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FLORENCE M YOUNG Phone: (208)788-5885  
PO BOX 736  
PICABO ID 83348

JACK S YOUNG Phone: (208)788-5885  
PO BOX 736  
PICABO ID 83348

2. Date of Priority: 01/01/1800

3. Source: SILVER CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    |    | County | Type |
|----------|-------|---------|-----------------------|----|----|--------|------|
| 01S      | 20E   | 36      | NE                    | NE | SW | BLAINE |      |
| 01S      | 20E   | 36      | SW                    | SE | SW | BLAINE |      |
| 01S      | 20E   | 36      | NE                    | SE | SW | BLAINE |      |
| 01S      | 20E   | 36      | NE                    | SW | SE | BLAINE |      |

5. Description of diverting works:

CLARK #29 HEADGATE, PUMPS FOR PIVOT AND SPRINKLERS, STORAGE POND

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/15 | 10/15 | 0.556  |            |

7. Total Quantity Appropriated is:  
0.556 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 |
|-------------|-------|---------|---------------|-----|------------|-------|
| 01S         | 20E   | 36      | SE            | SW  | IRRIGATION | 3     |
|             |       |         | SW            | SE  | IRRIGATION | 18    |
|             |       |         | Section Acres |     | 21         |       |
| 02S         | 20E   | 1       | NW            | NE  | IRRIGATION | 20.2  |
|             |       |         | NE            | NW  | IRRIGATION | 23.3  |
|             |       |         | Section Acres |     | 43.5       |       |
| Total Acres |       |         |               |     |            | 64.5  |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-1224B.

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

THE PRIORITY DATE LISTED IS NOT REAL. THIS RT. IS ABSOLUTE, PERPETUAL, & INDEPENDENT OF OTHER SILVER CR. RTS. REGARDLESS OF PRIORITY DATE.

3/8/96 TF; CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 3549.

THIS TRANSFER DOES NOT AUTHORIZE DIVERSION OF MORE THAN .02 CFS/ ACRE.

\*\*\*\* 10/3/97 TF; REMOVED GROUNDWATER AS A SOURCE.

\*\*\*\* CLAIM WAS AMENDED BASED ON OWNERSHIP CHANGE WHEN YOUNGS PURCHASED 3.19 ACRES IN NWNE SECTION 1 FROM HOFSTETTERS, WHO OWN PART A.

3/19/98 jr

\*\*\* 6-15-98: ADDRESS CHANGE PER NOTICE RECD 3-5-98 - VH

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

January 21, 2004

JACK S YOUNG  
FLORENCE M YOUNG  
PO BOX 736  
PICABO ID 83348

RE: SRBA Claim(s) 37-88B, 37-89B, 37-90E, 37-1224B

Dear Claimant:

Pursuant to the notification that you sold a portion of the property to which the above referenced adjudication claims are appurtenant, the department has split the original claims. Your portions have been numbered 37-21179, 37-21181, 37-21183 and 37-21185.

Enclosed please find your copies of the computer-generated claims. Review these documents and should you have any questions or corrections, please contact this office.

Sincerely,

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

Trish Fawcett  
Technical Records Specialist

enc.

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

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

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

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split                               | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split                    |
|-----------------------|------------------------------|-------------------------------------|-----------------------|------------------------------|--------------------------|
|                       | 37-1224B                     | <input checked="" type="checkbox"/> |                       |                              | <input type="checkbox"/> |
|                       | 37-88B                       | <input checked="" type="checkbox"/> |                       |                              | <input type="checkbox"/> |
|                       | 37-89B                       | <input checked="" type="checkbox"/> |                       |                              | <input type="checkbox"/> |
|                       | 37-90E                       | <input checked="" type="checkbox"/> |                       |                              | <input type="checkbox"/> |
|                       |                              | <input type="checkbox"/>            |                       |                              | <input type="checkbox"/> |

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) Jack S. Young and Florence M. Young  
P.O. Box 736, Picabo, ID, 83348
4. New Owner/Claimant(s) Edward A. Cutter, Trustee of Edward A. Cutter 1973 Trust  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 7330  
 City, State and ZIP Code Ketchum, ID, 83340  
 New Telephone Number 208-622-9213
5. Date you acquired the property October 10, 2003

**RECEIVED**

**NOV 20 2003**

Department of Water Resources  
 Southern Region

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>37-1224B</u>                                                            |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | <u>0.173 cfs</u>                                                           | <u>20 acres</u>                                              |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | <u>0.173 cfs</u>                                                           |                                                              |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>37-88B</u>                                                              |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | <u>0.049 cfs</u>                                                           | <u>20 acres</u>                                              |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | <u>0.049 cfs</u>                                                           |                                                              |

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

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

RECEIVED

NOV 20 2003

Department of Water Resources  
Southern Region

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>37-89B</u>                                                              |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | <u>0.098 cfs</u>                                                           | <u>20 acres</u>                                              |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | <u>0.098 cfs</u>                                                           |                                                              |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>37-90E</u>                                                              |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | <u>0.170 cfs</u>                                                           | <u>20 acres</u>                                              |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | <u>0.170 cfs</u>                                                           |                                                              |

7. Signature of New Owner(s) or Claimant(s) Edward A. Butler, Trustee  
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

RECEIVED  
 NOV 20 2003  
 Department of Water Resources  
 Southern Region

K25848

WARRANTY DEED

For Value Received **Jack S. Young and Florence M. Young, husband and wife**

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

**Edward A. Cutter, trustee of the Edward A. Cutter 1973 Trust Agreement DTD 11/15/73**

whose address is: **P.O. Box 7330, Ketchum, ID 83340**

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

**Lot 1BB of Hofstetter Subdivision Lots 1AA and 1BB, a replat of "a replat of Lot 1, Hoffstetter Subdivision, amended 1981", recorded as Instrument No. 491182, records of Blaine County, Idaho.**

**Together with an undivided 23.67% interest in and to the following water rights:  
A37-01224B, A37-00088B, A37-00089B, A37-00090E**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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

Dated: September 25, 2003

Instrument # 493051

HAILEY, BLAINE, IDAHO

2003-10-10 12:36:00 No. of Pages: 1

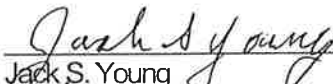
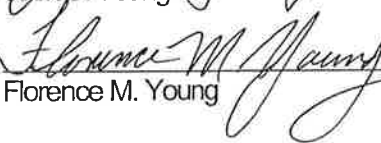
Recorded for : FIRST AMERICAN TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Oficio Recorder Deputy

Index to: WTY/QC/CORP DEED

  
\_\_\_\_\_  
Jack S. Young  
  
\_\_\_\_\_  
Florence M. Young

RECEIVED

NOV 20 2003

Department of Water Resources  
Southern Region

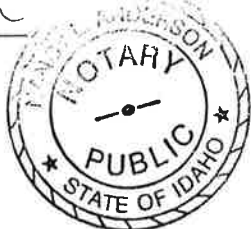
STATE OF Idaho

ss.

COUNTY OF BLAINE

On this 7<sup>th</sup> day of October, 2003, before me the undersigned, personally appeared Jack S. Young and Florence M. Young, husband and wife, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

  
\_\_\_\_\_  
Notary Public of  
Residing at: Hailey  
Commission Expires: 2/27/03



**Instrument # 491182**

HAILEY, BLAINE, IDAHO

2003-09-11 09:29:35 No. of Pages: 2

Recorded for : BENCHMARK ASSOCIATES

MARSHA RIEMANN Fee: 11.00

Ex-Officio Recorder Deputy

Index to: PLATS

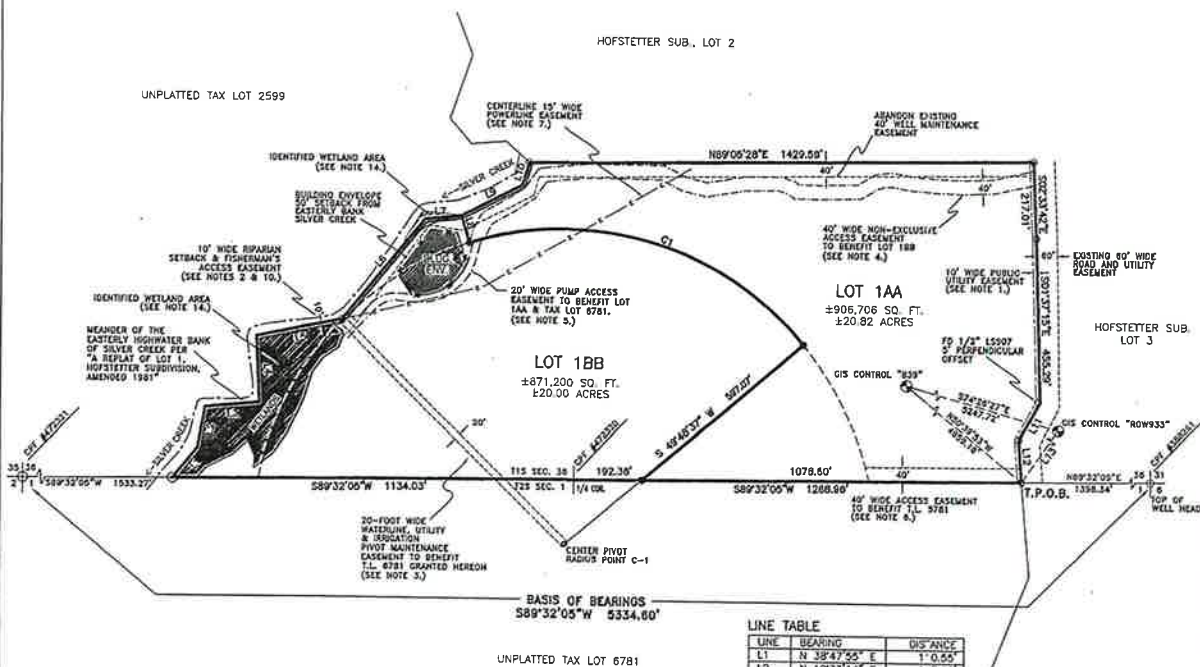
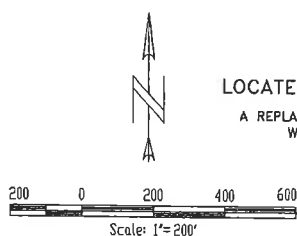
HOFSTETTER SUBDIVISON LOTS 1AA & 1BB  
FR SECTION 36 T1S R20E

**HOFSTETTER SUBDIVISION  
LOTS 1AA AND 1BB**

LOCATED WITHIN: T1S, R20E, SECTION 36, B.M., BLAINE COUNTY, IDAHO.

A REPLAY OF "A REPLAY OF LOT 1, HOFSTETTER SUBDIVISION, AMENDED 1981" (INSTRUMENT NO. 33 403),  
WHEREIN THE BOUNDARY COMMON TO LOTS 1A & 1B IS MODIFIED CREATING LOTS 1AA & 1BB

AUGUST 2003



*LEGEND*

- |  |                                   |
|--|-----------------------------------|
|  | PROPERTY LINE                     |
|  | EASEMENT LINE                     |
|  | LOT LINE ELIMINATED               |
|  | 10' FISHERMAN'S EASEMENT          |
|  | ADDRESS EASEMENT                  |
|  | CENTERLINE 15' POWERLINE EASEMENT |
|  | PUBLIC UTILITY EASEMENT           |
|  | FOUND 1/2" REBAR                  |
|  | SET 1/2" REBAR                    |
|  | FOUND 3/4" REBAR                  |
|  | SET 3/4" REBAR                    |
|  | SURVEY MONUMENT                   |
|  | CORNER PERPETUATION               |
|  | DISTANCE NUMBER                   |
- C/P §

**NOTES:**

1. A 10 FOOT WIDE PUBLIC UTILITY EASEMENT IS GRANTED AS SHOWN HEREON.
2. A 10 FOOT WIDE FISHERMAN'S ACCESS EASEMENT IS GRANTED TO THE PUBLIC ALONG THE EASTERLY BANK OF SILVER CREEK.
3. A 20 FOOT WIDE WATERLINE AND IRRIGATION PIVOT MAINTENANCE EASEMENT TO BENEFIT TAX LOT 8781 IS GRANTED AS SHOWN HEREON.
4. A 40 FOOT WIDE NON-EXCLUSIVE, ACCESS EASEMENT TO BENEFIT LOT 18B IS GRANTED AS SHOWN HEREON.
5. A 20 FOOT WIDE PUMP ACCESS EASEMENT TO BENEFIT LOT 1AA & TAX LOT 8781 IS GRANTED AS SHOWN HEREON.
6. A 40 FOOT WIDE ACCESS EASEMENT TO BENEFIT TAX LOT 8781 IS GRANTED AS SHOWN HEREON.
7. A 15 FOOT WIDE UNDERGROUND POWER LINE EASEMENT IS GRANTED TO BENEFIT LOT 1AA, LOT 18B AND TAX LOT 8781, AS SHOWN HEREON.
8. ALL NEW DOMESTIC WELLS SHALL BE METERED.
9. ALL SEWAGE DISPOSAL DRAINFIELDS SHALL BE LOCATED NO CLOSER THAN 300 FEET FROM SILVER CREEK.
10. THE OWNERS OF THESE LOTS, AND ANY SUCCESSORS IN INTEREST, SHALL COMPLY WITH THE RURALBAN SETBACK AND STREAM ALTERATION REGULATIONS WITHIN TITLE 9, CHAPTER 17 OF THE BLAINE COUNTY ZONING REGULATIONS.
11. OWNERS ARE RESPONSIBLE FOR NOXIOUS WEED CONTROL PER STATE REGULATIONS.
12. ALL STRUCTURAL DEVELOPMENT ON LOT 18B SHALL BE LOCATED WITHIN THE DESIGNATED BUILDING ENVELOPE.
13. TIES TO & BETWEEN BLAINE COUNTY GIS MONUMENTS ARE XAD 93 IDAHO CENTRAL ZONE AT GRID.
14. A WELLAND DELINEATION WAS PREPARED BY SANVOOTH ENVIRONMENTAL CONSULTING LLC, AND CONFIRMED BY ARMY CORPS OF ENGINEERS (JURISDICTIONAL DETERMINATION) DATED OCTOBER



PREPARED BY: BENCHMARK ASSOCIATES P.A.  
P.O. BOX 733 - 100 BELL DRIVE  
KETCHUM, IDAHO, 83340  
PHONE (208)726-9512 FAX (208)726-9514  
Copyright © 2003 by Benchmark Associates.



**HOFSTETTER SUBD.**

**LOTS 1AA & 1BB**

T1S, R20E, SEC. 36, B.  
BLAINE COUNTY, IDAHO

PREPARED FOR: ED & SUSAN CUTTER

|                                 |               |                        |
|---------------------------------|---------------|------------------------|
| PREPARED FOR: ED & SUSAN CUTLER |               |                        |
| FINAL PLAT                      | PLOT BY: CPL  | DWG FILE: 02245PG1.DWG |
| PROJECT NO. 02245               | DATE: 8/20/03 | SHEET 1 OF 2           |

## HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.

Date: 8-26-2002

South Central District Health Dept. EHT

## LINE TABLE

| LINE | BEARING       | DIST AND |
|------|---------------|----------|
| L1   | N 38°47'55" E | 1'0.55   |
| L2   | N 10°33'14" E | 1'8.46   |
| L3   | N 65°01'16" E | 152.08   |
| L4   | N 02°39'17" W | 183.92   |
| L5   | N 78°36'28" E | 2'4.17   |
| L6   | N 39°38'16" E | 316.02   |
| L7   | N 84°01'20" E | 101.93   |
| L8   | S 17°30'13" E | 79.38    |
| L9   | N 63°02'52" E | 113.02   |
| L10  | N 16°59'46" E | 68.53    |
| L11  | S 29°14'46" W | 122.31   |
| L12  | S 04°01'18" E | 119.93   |
| L13  | S 35°05'46" W | 2121.28  |

CURVE TABLE

| CURVE | RADIUS  | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|---------|------------|--------------|---------------|-------------|
| C1    | 884.10' | 1048.29'   | 560.29'      | S 74°07'35" E | 87°48'25"   |

# HOFSTETTER SUBDIVISION LOTS 1AA AND 1BB

SHEET 2 OF 2

## OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that JACK S. YOUNG and FLORENCE M. YOUNG, husband and wife, do hereby certify that they are the owners of a certain parcel of land described as follows:

A parcel of land within Section 36, Township 1 South, Range 20 East, Blaine Meridian, Blaine County, Idaho, more particularly described as follows:

Lots 1A & 1B of A REPLAT OF LOT 1, HOFSTETTER SUBDIVISION, AMENDED 1981, recorded under Instrument No. 339403, records of Blaine County, Idaho.

TOGETHER WITH AND ALL WATER RIGHTS APPURTENANT THERETO.

The undersigned acknowledge and agree that the property described above is either located in, or near, an agricultural zone, and that lawful activities within an agricultural zone may occur during the day or night, and may result in the production of noise, odors and dust, and may involve lights, aerial spraying, machinery and other inconveniences. Each of the undersigned acknowledges that the deed conveying title will contain a restriction that will prohibit challenging all agricultural uses or operations authorized by the Blaine County Zoning Ordinance and conducted within one (1) mile of the property described above that were lawfully occurring, or authorized by any governmental agency, as of the date of each deed conveying any right, title or interest in the property described above. Each of the undersigned, for the benefit of any owner of real property within one (1) mile of the property described above, hereby waives any right or cause of action the undersigned may have under law to challenge any such lawfully occurring or authorized agricultural uses or operations.

It is the intention of the undersigned to, and they do hereby include said land in this plat.

Pursuant to Idaho Code 50-1334, the undersigned, as owner, does hereby state that the lots on this plat will not be served by any water system common to one or more of the lots, but will be served by individual wells.

IN WITNESS WHEREOF, we have hereunto set our hands.

Signed this 4<sup>th</sup> day of AUGUST, 2003

Jack S. Young  
 JACK S. YOUNG  
Florence M. Young  
 FLORENCE M. YOUNG

## ACKNOWLEDGEMENT

COUNTY OF BLAINE  
 STATE OF IDAHOW

On this 4<sup>th</sup> day of AUGUST, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared JACK S. YOUNG and FLORENCE M. YOUNG, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

My commission expires: 9/20/2008  
 Residing at: KETCHUM, ID  
John P. Lewis  
 Notary Public



## SURVEYOR'S CERTIFICATE

I, JAMES E. ROBINSON, a duly registered Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is a true and accurate map of the land surveyed under my direct supervision, that the location of lots and blocks have definitely been established and perpetuated in strict accordance with the State of Idaho Code relating to plats and surveys.

James E. Robinson 7/29/03  
 JAMES E. ROBINSON, PLS



## COUNTY SURVEYOR'S CERTIFICATE

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

Jim W. Koonce 7/30/03  
 JIM W. KOONCE DATE

## BLAINE COUNTY PLANNING & ZONING APPROVAL

The foregoing plat was approved and accepted this 15<sup>th</sup> day of August, 2003 by the Blaine County Planning & Zoning Administrator.

By: Shirley Statham

## BLAINE COUNTY COMMISSIONER'S APPROVAL

The foregoing plat was approved and accepted this 15<sup>th</sup> day of August, 2003 by the Blaine County Commissioners.

By: Debra Wright

## BLAINE COUNTY TREASURER'S CERTIFICATE

The foregoing plat was approved and accepted this 10 day of September, 2003 by the Blaine County Treasurer.

By: Vicki A. Dick by Kellie Sigford

## BLAINE COUNTY RECORDER'S CERTIFICATE

I hereby certify that this instrument was filed for the record at the request of \_\_\_\_\_, N. on this \_\_\_\_\_ day of \_\_\_\_\_, A.D., in my office and duly recorded in Book \_\_\_\_\_ of plats at page \_\_\_\_\_.

Instrument No. \_\_\_\_\_ Fee: \$ \_\_\_\_\_  
 By: \_\_\_\_\_

Instrument # 451182  
 HOFSTETTER SUBDIVISION  
 LOTS 1AA AND 1BB  
 S. 31 T. 15 N. E. 36  
 PLAT 100  
 RECORD IN PLAT 100  
 Fee \$150  
 MPP

|                                                                 |                                |                                                 |
|-----------------------------------------------------------------|--------------------------------|-------------------------------------------------|
|                                                                 |                                |                                                 |
| <b>HOFSTETTER SUBD.</b><br><b>LOTS 1AA &amp; 1BB</b>            |                                |                                                 |
| LOCATED WITHIN T1S, R20E, SEC. 36, S.M.<br>BLAINE COUNTY, IDAHO |                                |                                                 |
| PREPARED FOR: ED & SUSAN CUTLER                                 |                                |                                                 |
| FINAL PLAT<br>PROJECT NO. 02245                                 | PLOT BY: CPL<br>DATE: 07/11/03 | PLOT FILE 02245CPL.DWG<br>CO-ORD FILE 02245.CRD |

SPECK & AANESTAD

A PROFESSIONAL CORPORATION  
ATTORNEYS

120 EAST AVENUE  
POST OFFICE BOX 987  
KETCHUM, IDAHO 83340

JAMES P. SPECK  
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD  
aanestad@cox-internet.com

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

November 18, 2003

RECEIVED

NOV 20 2003

Department of Water Resources  
Southern Region

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

**Re: Notice of Change in Water Right Ownership;  
SRBA Claims: 37-1224B, 37-88B, 37-89B AND 37-90E**

Dear Allen:

Enclosed you will find the original and one copy of a Notice of Change in Water Right Ownership to be filed for my client, Edward A. Cutter, Trustee of the Edward A. Cutter 1973 Trust. Please have your secretary receipt date-stamp the copy and return it to me in the postage prepaid self-addressed enclosed included for that purpose.

I understand these water rights are currently being investigated by the Department. Would you please be certain the investigating agents in Boise are notified of this change in ownership so the water rights are reported correctly.

Thank you.

Sincerely yours,

SPECK & AANESTAD  
A Professional Corporation

By: \_\_\_\_\_

James P. Speck

JPS/jef

Enclosure

cc: Client w/enc.

Jack & Florence Young w/encl.

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: **A37-01224B**  
Date Received: 9/20/1988  
Receipt No: S002349  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

1. Name: JACK S YOUNG  
Address: PO BOX 736  
PICABO ID 83348  
208-788-5885  
AND/OR  
Name: FLORENCE M YOUNG  
Address: PO BOX 736  
PICABO ID 83348  
208-788-5885

2. Date of Priority: JAN 1, 1800

3. Source: SILVER CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01S      | 20E   | 36      | NE     | NE     | SW     |     | BLAINE |
|          |       |         | NE     | SE     | SW     |     | BLAINE |
|          |       |         | SW     | SE     | SW     |     | BLAINE |
|          |       |         | NE     | SW     | SE     |     | BLAINE |

5. Description of diverting works:

CLARK #29 HEADGATE, PUMPS FOR PIVOT AND SPRINKLERS, STORAGE POND

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 0.729 |      |        |

7. Total Quantity Appropriated is:

0.729 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 01S      | 20E   | 36      | SE     | SW  |     | IRR           | 16.0  |
|          |       |         | SW     | SE  |     | IRR           | 25.0  |
|          |       |         |        |     |     | Section Acres | 41.0  |
| 02S      | 20E   | 1       | NW     | NE  | 2   | IRR           | 20.2  |
|          |       |         | NE     | NW  | 3   | IRR           | 23.3  |
|          |       |         |        |     |     | Section Acres | 43.5  |
|          |       |         |        |     |     | Total Acres   | 84.5  |

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:

A37-00088B, A37-00089B, A37-00090E

14. Remarks:

THE PRIORITY DATE LISTED IS NOT REAL. THIS RT. IS ABSOLUTE, PERPETUAL, & INDEPENDENT OF OTHER SILVER CR. RTS. REGARDLESS OF PRIORITY DATE.

3/8/96 TF; CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 3549. THIS TRANSFER DOES NOT AUTHORIZE DIVERSION OF MORE THAN .02 CFS/ ACRE.

\*\*\*\*\*  
10/3/97 TF; REMOVED GROUNDWATER AS A SOURCE.

\*\*\*\*\*  
CLAIM WAS AMENDED BASED ON OWNERSHIP CHANGE WHEN YOUNGS PURCHASED 3.19 ACRES IN NWNE SECTION 1 FROM HOFSTETTERS, WHO OWN PART A.  
3/19/98 jr

\*\*\*\*\*

6-15-98: ADDRESS CHANGE PER NOTICE REC'D 3-5-98 - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/28/1932

BRETT & CLARK

Decree Plaintiff

CHAPMAN ET. AL.

vs

Decree Defendant



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

June 15, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Jack S. and Florence M. Young  
Po Box 736  
Picabo, Idaho 83348

RE: Snake River Basin Adjudication (SRBA)  
Claim No(s). **A37-00088B, A37-00089B, A37-00090E,**  
**A37-01224B**  
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change of address on the water right claims referenced above. The enclosed documents are for your records, please review them for accuracy in all respects, and note the relevant suffix letters for your claims.

If you have any questions, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie Hancock'.

Vikie Hancock  
Records Clerk



IDAHO DEPARTMENT OF WATER RESOURCES  
SOUTHERN REGION  
222 SHOSHONE ST E  
TWIN FALLS ID 83301  
(208) 736-3033

RECEIVED

MAR 05 1998

PHILIP E BATT  
GOVERNOR  
KARL J DREHER  
DIRECTOR

Department of Water Resources  
Southern Region

**CHANGE IN ADDRESS OF THE NOTICE OF CLAIM  
IN THE SNAKE RIVER BASIN ADJUDICATION**

☒ Water Right Number(s): 37-0088<sup>B</sup>/0089<sup>B</sup>/0090<sup>E</sup>/1224<sup>B</sup>

☒ Old Mailing Address:

PO BOX 549

BELLEVUE, IDAHO 83313

TEL: (208) 788-4419

☒ New Mailing Address:

JACK & FLORENCE YOUNG

PO BOX 736 (PHYSICAL ADDR: 19183 HWY 20)

PICABO, IDAHO 83348

☒ New Telephone Number: ( 208 ) -788-5885

☒ Signature of Claimant(s):

*Jack & Florence M. Young*

Date: 3-3-98

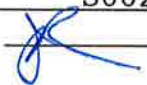
FOR IDWR USE ONLY  
Initial Review and Data Entry  
Date: By:  
Further Action Needed:  
Further Action Taken  
Date: By:  
Final Review and Data Entry  
Date: By:

*LD*

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: **A37-01224B**  
Date Received: 9/20/1988  
Receipt No: S002349  
Received By: 

**AMENDED**

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

**AMENDED**

1. Name: FLORENCE M YOUNG 208-788-5885  
Address: 19183 HWY 20  
PICABO ID 83348  
AND/OR  
Name: JACK S YOUNG 208-788-5885  
Address: 19183 HWY 20  
PICABO ID 83348

2. Date of Priority: JAN 1, 1800

3. Source: SILVER CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01S      | 20E   | 36      | NE     | NE     | SW     |     | BLAINE |
|          |       |         | NE     | SE     | SW     |     | BLAINE |
|          |       |         | SW     | SE     | SW     |     | BLAINE |
|          |       |         | NE     | SW     | SE     |     | BLAINE |

5. Description of diverting works:

CLARK #29 HEADGATE, PUMPS FOR PIVOT AND SPRINKLERS, STORAGE POND

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 0.729 |      |        |

7. Total Quantity Appropriated is:

0.729 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 01S      | 20E   | 36      | SE     | SW  |     | IRR           | 16.0  |
|          |       |         | SW     | SE  |     | IRR           | 25.0  |
|          |       |         |        |     |     | Section Acres | 41.0  |
| 02S      | 20E   | 1       | NW     | NE  | 2   | IRR           | 20.2  |
|          |       |         | NE     | NW  | 3   | IRR           | 23.3  |
|          |       |         |        |     |     | Section Acres | 43.5  |
|          |       |         |        |     |     | Total Acres   | 84.5  |

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:  
A37-00088B, A37-00089B, A37-00090E

14. Remarks:

THE PRIORITY DATE LISTED IS NOT REAL. THIS RT. IS ABSOLUTE, PERPETUAL, & INDEPENDENT OF OTHER SILVER CR. RTS. REGARDLESS OF PRIORITY DATE.

3/8/96 TF; CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 3549. THIS TRANSFER DOES NOT AUTHORIZE DIVERSION OF MORE THAN .02 CFS/ ACRE.

\*\*\*\*\*  
10/3/97 TF; REMOVED GROUNDWATER AS A SOURCE.

\*\*\*\*\*  
CLAIM WAS AMENDED BASED ON OWNERSHIP CHANGE WHEN YOUNGS PURCHASED 3.19 ACRES IN NWNE SECTION 1 FROM HOFSTETTERS, WHO OWN PART A.  
3/19/98 jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/28/1932

BRETT & CLARK

Decree Plaintiff

CHAPMAN ET. AL.

vs Decree Defendant

**STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES**

**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right No(s).: (Part) A37-00088A, 89A, 90D, 1224A  
Adjudication Claim No(s).: \_\_\_\_\_

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

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND  
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)  
OR  
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant WALTER J. & MARIANNE HOFSTETTER  
19185 HWY 20 PICABO ID 83348

4. New Owner/Claimant(s) JACK & <sup>OR</sup> FLORENCE YOUNG  
Name Connector (Check one): ☒ and, ☒ or, ☐ and/or  
New Mailing Address 19183 HWY 20  
City, State and ZIP Code PICABO, IDAHO 83348  
New Telephone Number ( 208 ) 788-5885

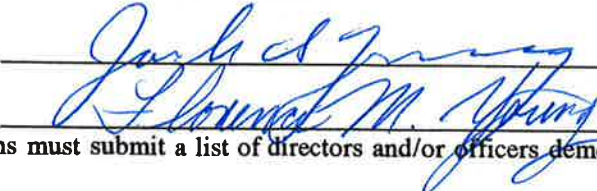
5. Date you acquired the property JAN. 24, 1990

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 3.194 Number and type of stock \_\_\_\_\_

Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) 

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

**SAWTOOTH TITLE CO., INC.**

171 West Sixth Street  
P.O. Box 188  
Ketchum, Idaho 83340  
(208) 726-4595

Date: 3-7-90, 19\_\_  
Our Order No. \_\_\_\_\_  
Loan No. ESCROW NO. 941  
Re: YOUNG/HOFSTETTER

To: MR. AND MRS. JACK YOUNG  
P.O. BOX ~~549~~ 736  
BELLEVUE, IDAHO ~~83313~~  
*Picabo, Idaho 83348*

Please find enclosed the following, relative to the above transaction:

YOUR  
RETURN FILE

|       |              |                                               |                       |
|-------|--------------|-----------------------------------------------|-----------------------|
| _____ | _____        | Lawyers Title Ins. Corp. commitment No.       | _____                 |
| _____ | _____        | Billing Statement No.                         | _____                 |
| _____ | _____        | Escrow Instructions                           | _____                 |
| _____ | _____        | Closing Statement                             | _____                 |
| _____ | _____        | Promissory Note, original _____, Copy _____   |                       |
| _____ | _____        | Deed of Trust, original _____, copy _____     |                       |
| _____ | _____        | Mortgage, original _____, copy _____          |                       |
| _____ | _____        | Authorization to Reconvey                     | _____                 |
| _____ | _____        | Satisfaction of Mortgage                      | _____                 |
| _____ | <u>XXXXX</u> | Warranty Deed                                 | INSTRUMENT NO. 317073 |
| _____ | _____        | Insurance Certificates                        | _____                 |
| _____ | _____        | Our check # _____ \$ _____ to _____           |                       |
| _____ | _____        | Our check # _____ \$ _____ to _____           |                       |
| _____ | _____        | Our check # _____ \$ _____ to _____           |                       |
| _____ | _____        | Our check # _____ \$ _____ to _____           |                       |
| _____ | _____        | _____                                         | _____                 |
| _____ | _____        | _____                                         | _____                 |
| _____ | _____        | _____                                         | _____                 |
| _____ | _____        | Lawyers Title Ins. Corp. Owners policy No.    | _____                 |
| _____ | _____        | Lawyers Title Ins. Corp. Mortgagee policy No. | _____                 |

If you have any questions, please let us know.

*Finally !!*

SAWTOOTH TITLE CO., INC.

*Dena*

13004

# WARRANTY DEED

For Value Received

WALTER J. HOFSTETTER AND MARIANNE HOFSTETTER, TRUSTEES

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

JACK S. YOUNG AND FLORENCE M. YOUNG, HUSBAND AND WIFE

whose address is: P.O. BOX 549 BELLEVUE, IDAHO 83313

Hereinafter called the grantee, the following described premises, in BLAINE County, Idaho, to-wit:

A PARCEL OF LAND LOCATED WITHING THE NE $\frac{1}{4}$ , SECTION 1 TOWNSHIP 2 SOUTH, RANGE 20, EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NE  $\frac{1}{4}$ :  
THENCE S. 53°02'05" E., 662.50 FEET TO A 5/8" BAR THE  
TRUE POINT OF BEGINNING:

THENCE S. 88°57'31" E., 336.77 FEET TO A 5/8" BAR;  
THENCE S. 31°02'48" W., 488.81 FEET TO A 5/8" BAR;  
THENCE S. 48°41'22" W., 361.82 FEET TO A 5/8" BAR;  
THENCE N. 15°44'49" E., 689.64 FEET TO THE TRUE POINT OF  
BEGINNING, CONTAINING 3.194 ACRES MORE OR LESS.

317073

BLAINE CO. REQUEST  
OF: Sawtooth Title Co., Inc.

Deed  
90 MAR 2 PM 4 34  
MAY GREEN, CLERK  
FEES \$ 3.00

This instrument filed for record by  
Sawtooth Title Co., Inc., as an ac-  
commodation only. It has not been  
examined as to its execution or as  
to its effect upon the title.

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

Dated: JANUARY 24, 1990

Walter J. Hofstetter  
WALTER J. HOFSTETTER

Marianne Hofstetter  
MARIANNE HOFSTETTER

Walter J. Hofstetter  
WALTER J. HOFSTETTER, TRUSTEE

Marianne Hofstetter  
MARIANNE HOFSTETTER, TRUSTEE

STATE OF IDAHO, COUNTY OF BLAINE

On this 30th day of January, 1990,  
before me, a notary public in and for said State, per-  
sonally appeared

WALTER J. HOFSTETTER  
AND MARIANNE HOFSTETTER

known to me to be the person whose nameS ARE  
subscribed to the within instrument and acknowledged to  
me that THEY HAVE executed the same.

Residing at \_\_\_\_\_ Notary Public  
Comm. Expires 5-1-91 Pocatello, Idaho

STATE OF IDAHO, COUNTY OF BLAINE

On this 30th day of January, 1990,  
before me, a notary public in and for said State, per-  
sonally appeared

WALTER J. HOFSTETTER  
AND MARIANNE HOFSTETTER  
TRUSTEES

known to me to be the person whose nameS ARE  
subscribed to the within instrument and acknowledged to  
me that THEY HAVE executed the same.

Residing at \_\_\_\_\_ Notary Public  
Comm. Expires 5-1-91 Pocatello, Idaho

# PLAT SHOWING HOFSTETTER SUBDIVISION

Located Within Section 36, T1S,

R.20E., B.M.

Blaine County, Idaho

October 1980



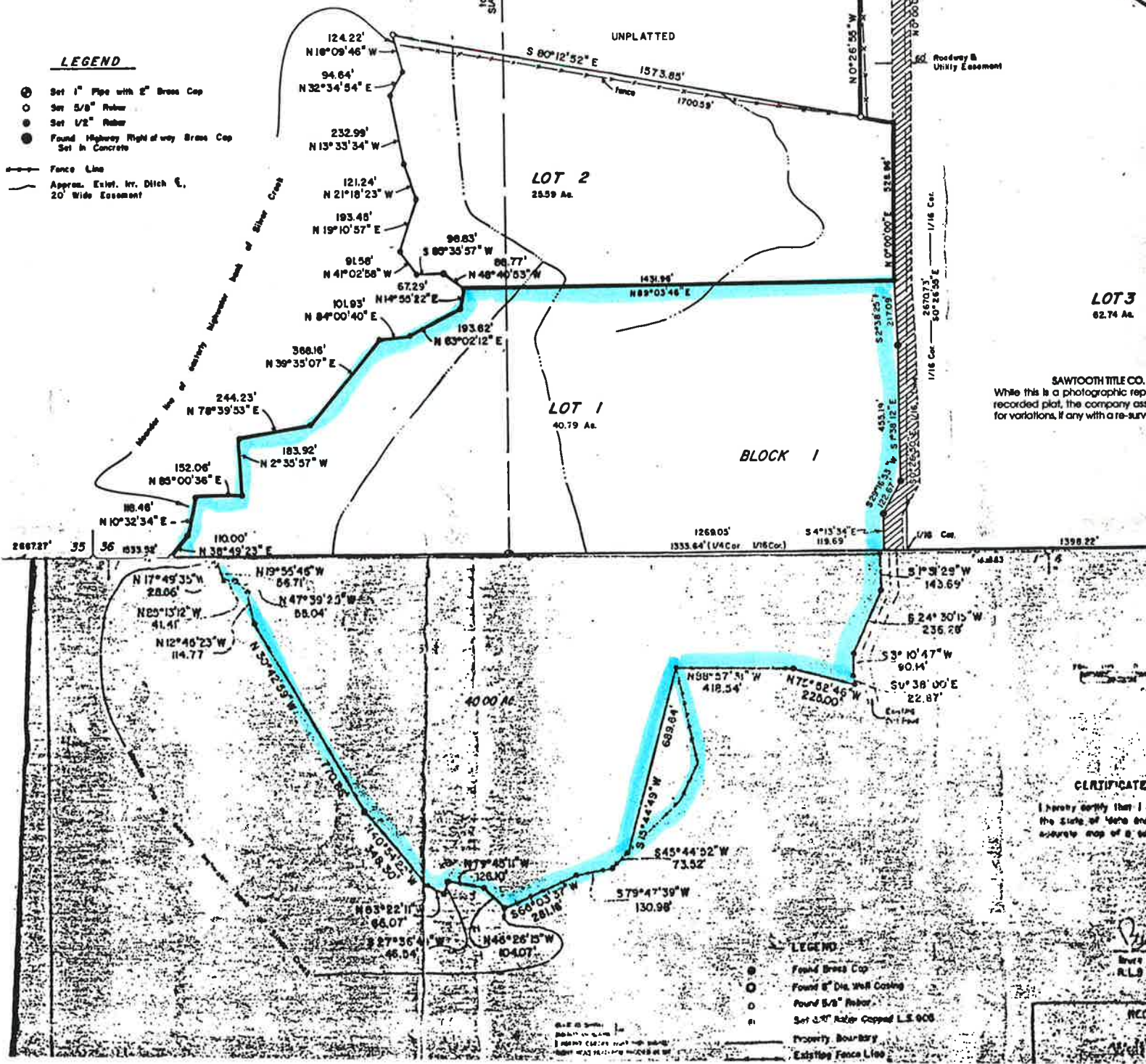
LOT 1 AMENDED, 1981

N 1/4 Cor. Sec. 36  
Found Marked Stone  
Set Brass Cap

## LEGEND

- Set 1" Pipe with 2" Brass Cap
- Set 5/8" Rebar
- Set 1/2" Rebar
- Found Highway Right of way Brass Cap Set in Concrete

— Fence Line  
— Approx. Exter. Irr. Ditch E.  
20' Wide Easement



- NOTES:**
1. An easement to rear lot made by...
  2. All Grange D... no other...
  3. No Building... from the shore...
  4. The first lot furnish a 1-1/2" supply water from protection.

LOT 3  
62.74 Ac.

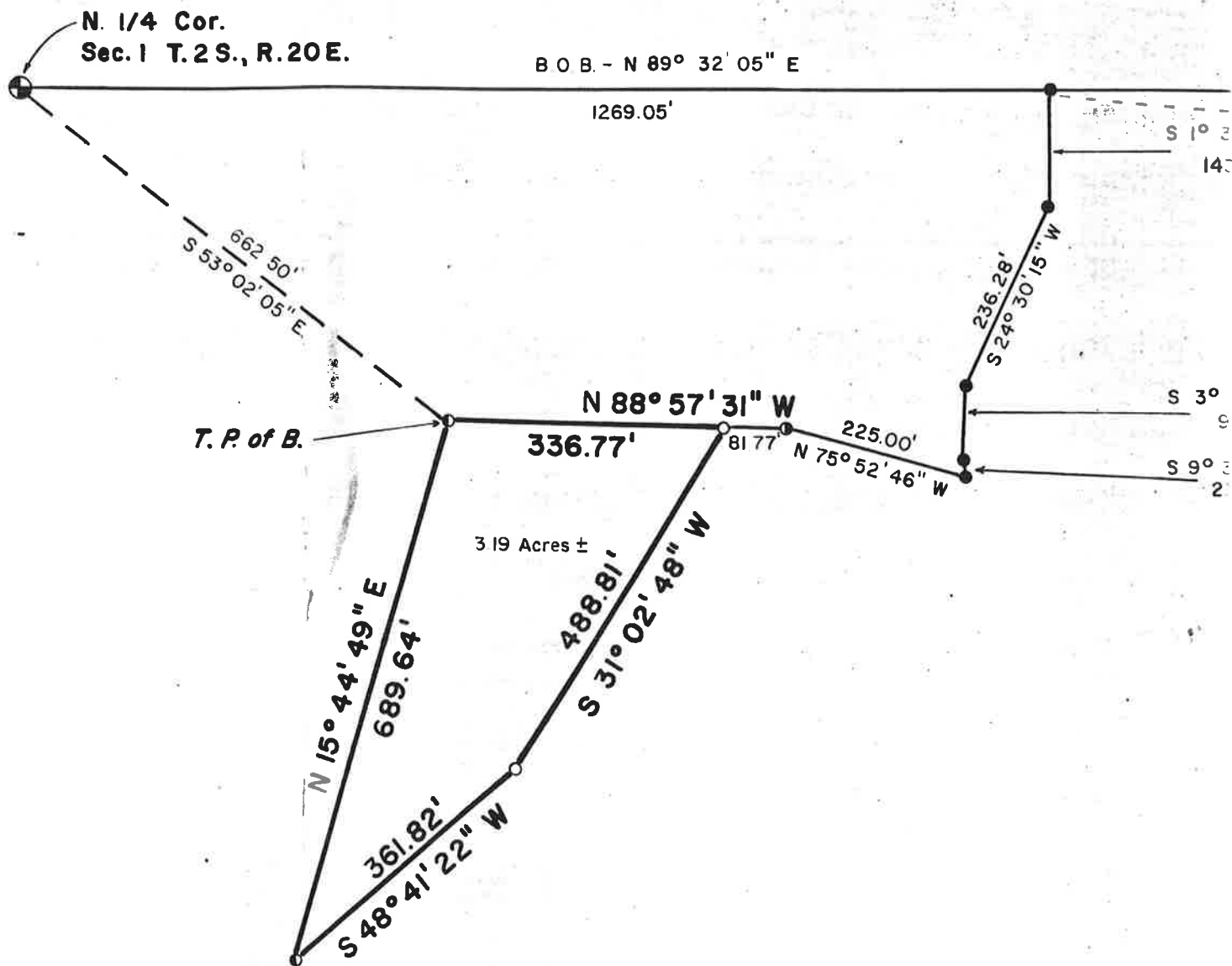
SAWTOOTH TITLE CO.  
While this is a photographic reproduction of a recorded plat, the company assumes no responsibility for variations, if any with a re-survey.

## CERTIFICATE

I hereby certify that I am a duly Licensed Surveyor in the State of Idaho and that the above is a true and accurate map of a survey.

## LEGEND

- Found Brass Cap
- Found 5/8" Dia. Well Casing
- Found 5/8" Rebar
- Set 3/4" Rebar Capped L.S. 900
- Property Boundary
- Existing Fence Line



Copy

Letter of Agreement between Walter and Marianne Hofstetter and Jack and Florence Young:

Walter and Marianne Hofstetter, in return for One Dollar (\$1.00) and other good and valuable considerations agreed to and received by themselves from Jack and Florence Young, agree to allow the Youngs to fill in the irrigation ditches which cross the Young's property, situated in T1S, S36, R20E and T2S, S1, R20E, Blaine County, and which serve the Hofstetter's property situated in T1S, S36, R20E and T2S, S1, R20E, Blaine County.

The Hofstetters and the Youngs signify by this Agreement that, with reference to their "Water and Ditch Agreement," Document #210448 recorded with Blaine County, these ditches shall heretofore be considered closed, the appurtenant rights of way and ditch maintenance obligations abandoned, and that such ditches can not be reopened in the future unless by mutual consent between the parties to this Agreement, their heirs, representatives, successors and assigns.

Date: 10-22-91

Signed Walter Hofstetter  
Walter Hofstetter

Marianne Hofstetter  
Marianne Hofstetter



Notary Public:  
Elizabeth Ann Ecker

Jack Young  
Jack Young  
Florence Young  
Florence Young

BLAINE CO. REQUEST

OF Larry Schoen agreement

1991 OCT 22 P 4: 46

3348051

MARY GREEN, CLERK ps  
FEES \$ 3.00

6/9/94

## COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

**IDWR Employee/Agent** JEANIE M ROBERTSON

**DATE**

March 19, 1998 9:14am

**CUSTOMER**

FLORENCE AND JACK YOUNG

A37-00088A & B

A37-00089A & B

A37-00090D & E

A37-01224A & B

**SUBJECT: AMENDED CLAIMS/OWNERSHIP CHANGE OF 3.19 AC**  
*phone call (.) walk-in (X)*

Walter and Marianne Hofstetter (Part A) sold a 3.19 acre parcel in the NWNE, Lot 2, of Section 1 to Jack and Forence Young (Part B). I amended the claims to show those acres going from Hofstetters to Youngs. Also included in the paperwork is a copy of an agreement between both parties allowing the Youngs to fill in the irrigation ditches which cross the Young's property and serve the Hofstetter's property.



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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

March 19, 1998

JACK S YOUNG  
FLORENCE M YOUNG  
19183 HWY 20  
PICABO ID 83348

RE: AMENDED CLAIM/OWNERSHIP CHANGE #A37-00088B, A37-00089B,  
A37-00090E, A37-01224B

Dear Mr. and Mrs. Young:

Enclosed are copies of the amended claims which reflect the purchase of the 3.19 acres from the Hofstetters. I have changed the Places of Use and the Diversion Rates to reflect the additional property. I was able to make these changes without changing your claim numbers.

Please review the records and if you have any corrections or questions, feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie".

Jeanie Robertson  
Sr. Water Resource Agent

/jr  
Enclosures

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: **A37-01224B**  
Date Received: 9/20/1988  
Receipt No: S002349  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JACK S YOUNG 208-788-4419  
Address: PO BOX 549  
BELLEVUE ID 83313

OR

Name: FLORENCE M YOUNG 208-788-4419  
Address: PO BOX 549  
BELLEVUE ID 83313

2. Date of Priority: JAN 1, 1800

3. Source: SILVER CREEK Trib. to: LITTLE WOOD RIVER  
GROUNDWATER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01S      | 20E   | 36      | NE     | NE     | SW     |     | BLAINE |
|          |       |         | NE     | SE     | SW     |     | BLAINE |
|          |       |         | SW     | SE     | SW     |     | BLAINE |
|          |       |         | NE     | SW     | SE     |     | BLAINE |

5. Description of diverting works:

CLARK #29 HEADGATE, PUMPS FOR PIVOT AND SPRINKLERS, STORAGE POND

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | F.A. |
|------------|-------|-------|-------|------|------|
| IRRIGATION | 04/15 | 10/15 | 0.700 |      |      |

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**NOV 22 1996**

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

A.F.A.

8. Total consumptive use is 203.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 01S      | 20E   | 36      | SE     | SW  |     | IRR           | 16.0  |
|          |       |         | SW     | SE  |     | IRR           | 25.0  |
|          |       |         |        |     |     | Section Acres | 41.0  |
| 02S      | 20E   | 1       | NW     | NE  | 2   | IRR           | 17.0  |
|          |       |         | NE     | NW  | 3   | IRR           | 23.3  |
|          |       |         |        |     |     | Section Acres | 40.3  |
|          |       |         |        |     |     | Total Acres   | 81.3  |

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:

A37-00088B, A37-00089B, A37-00090E

14. Remarks:

THE PRIORITY DATE LISTED IS NOT REAL. THIS RT. IS ABSOLUTE, PERPETUAL, & INDEPENDENT OF OTHER SILVER CR. RTS. REGARDLESS OF PRIORITY DATE.

3/8/96 TF; CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 3549.

THIS TRANSFER DOES NOT AUTHORIZE DIVERSION OF MORE THAN .02 CFS/ ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/28/1932

BRETT & CLARK

Decree Plaintiff

CHAPMAN ET. AL.

vs

Decree Defendant

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NOV 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

April 24, 1996

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

JACK AND FLORENCE YOUNG  
PO BOX 549  
BELLEVUE ID 83313

RE: Amendment of SRBA Claims A37-00088B, A37-00089B, A37-00090E,  
and A37-01224B

Dear Claimant:

Pursuant to the approval of Transfer No. 3549, the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been amended to conform with the transfer. Please find enclosed a printout of the way your claim records have been modified. Please check these modified records over carefully to verify they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

Trish Fawcett  
Technical Records Specialist

Enc.

MICROFILMED  
NOV 22 1996

Page

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 3549

FEB 27 1985-APPLI

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

Department of Water Resources  
Southern Region, Office,

Name of applicant

On Office  
Jack and Florence Young

Phone 208-788-4419

**Post Office address**

PO Box 549 Bellevue, ID 83313

**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use SEP 12 1989  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes Addition of (or change to) sprinkler system  
and use of flood irrigation. Pumping directly out of Silver Creek  
to avoid water loss through sinks and evaporation.

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

\*\* Edited per-telegram  
5-1-89 by Mrs Young

- | 1. Right Number         | Priority                               | Amount<br>(cfs/ac-ft) | Nature<br>of Use | Period of Use |
|-------------------------|----------------------------------------|-----------------------|------------------|---------------|
| * Part of<br>A37-01224B | ** Perpetual<br><del>Jan 1, 1880</del> | 0.70 cfs              | irrigation       | 4/15 to 10/15 |
| of A37-00088B           | Nov 1, 1885                            | 0.20 cfs              | irrigation       | 4/15 to 10/15 |
| of A37-00089B           | Apr 1, 1888                            | 0.40 cfs              | irrigation       | 4/15 to 10/15 |
| of A37-00090B           | Jun 30, 1895                           | 0.70 cfs              | irrigation       | 4/15 to 10/15 |

2. Total amount of water being transferred 2.00 cfs cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

3. Source of water Silver Creek tributary to Little Wood River

- 4. Point(s) of Diversion:**

\* = New points of diversion

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion                                              |
|-----|----|----|----|------|------|------|--------|-----------------------------------------------------------------------|
|     | NE | NE | SW | 36   | 01S  | 20E  | Blaine | Clark #29 Headgate on Silver Cr                                       |
|     | SW | SE | SW | 36   | 01S  | 20E  | Blaine | * Pump for pivot (and possible overstock pond for fish) on Silver Cr. |
|     | NE | SE | SW | 36   | 01S  | 20E  | Blaine | * Pump for sprinklers on Silver Cr                                    |
|     | NE | SW | SE | 36   | 01S  | 20E  | Blaine | Possible location of irrigation storage pond<br>* on existing ditch.  |

5. Lands irrigated or place of use:

[illegible]

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NOV 22 1996

Total acres

81.3

**PART 1**

## 6. General Information:

- a. Description of diversion system Clark #29 Headgate; adjustable orifice pump (7.5 Hp) for pivot; 10 Hp pump for sprinklers; storage pond on existing ditch is possible alternative to pump for sprinklers.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X 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. See Attachment II
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
No water loss through sinkholes in ditches. Pivot facilitates even water application. Surface mainline, wheel line, hand lines allow irrigation on land not covered by pivot.
- d. Remarks:  
Original water rights are split by Adjudication Claims listed on this transfer. Mainline for pivot is underground and is used for pivot only. Second pump is needed for surface lines. Original Point of Diversion needed for some gravity flow.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0088/0089/0090D/1224

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

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under these rights is subject to control by the watermaster of State Water District No, 37M, Little Wood River.
3. This transfer does not authorize diversion of more than .02 cfs/acre.

**MICROFILMED****NOV 22 1996**

Witness my hand this

5<sup>th</sup>

day of

September, 19 89[Signature]  
Chief, Water Alloc. Bureau

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**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. 37-0088 Decreed to Charles F. Brett  
 in case of S.C. Frost et al vs. Alturas Water Co. et al  
 dated 12-13-1909 in 4th Jud. District county of Lincoln
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2492 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 Attachment III ☒ Warranty Deed Attachment IV ☐ Other \_\_\_\_\_
3. Source of water Silver Creek tributary to Little Wood River
4. Date or priority Nov 1, 1885
5. Water is used for the following purpose:
- amount 0.40 cfs for irrigation purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_
6. Total amount of water under right 0.4 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  | SW  | 36   | 01S  | 20E  | Blaine | Clark #29 Headgate       |
|     |     | SW  | NE  | 01   | 02S  | 20E  | Blaine | Pump                     |
|     |     |     |     |      |      |      |        |                          |

## 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 |        |
| 02S  | 20E  | 01   |        | Lot 2<br>40 | 10     |        | Lot 3<br>29 |        |        | 1      |        |        |        |        |        |        |        |        | 80     |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 80

9. Describe any other water rights used for the same purpose as described above 37-0089, 37-0090 Part

37-1124

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 .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) \_\_\_\_\_
2. Point(s) of Diversion: No change

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for 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 |        |
| 02S  | 20E  | 01   |        | 170 <sup>8</sup><br>Lot 2 |        |        | 23.3 <sup>8</sup><br>Lot 3 |        |        |        |        |        |        |        |        |        |        |        | 40.3   |
|      |      |      |        |                           |        |        |                            |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |                           |        |        |                            |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |                           |        |        |                            |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |                           |        |        |                            |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 40.3

### C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount .2 cfs for irrigation purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_
2. Point(s) of Diversion: No change

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for 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 |        |
| 02S  | 20E  | 01   |        | 23 <sup>8</sup><br>Lot 2 | 10     |        | 5.7 <sup>8</sup><br>Lot 3 |        |        | 1      |        |        |        |        |        |        |        |        | 39.7   |
|      |      |      |        |                          |        |        |                           |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |                          |        |        |                           |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |                          |        |        |                           |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |                          |        |        |                           |        |        |        |        |        |        |        |        |        |        |        |        |

MICROFILMED  
 NOV 22 1986

Total acres 39.7

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### APPLICATION FOR TRANSFER OF WATER RIGHT

#### PART 2

(Attach one copy for each right)

#### DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
  - a. Decree No. 37-0089 Decreed to Charles F. Brett  
 in case of S.C. Frost et al vs. Alturas Water Co. et al  
 dated 12-13-1909 in 4th Jud. District county of Lincoln
  - b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
  - c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
  - d. Transfer No. 2492 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 Att. III
☒ Warranty Deed Att. IV
☐ Other \_\_\_\_\_
3. Source of water Silver Creek tributary to Little Wood River
4. Date or priority April, 1888
5. Water is used for the following purpose:
 

amount 0.8 cfs  
 (cfs/ac-ft)  
 amount \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_  
 (cfs/ac-ft)

for irrigation purposes from \_\_\_\_\_ to \_\_\_\_\_  
 for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_
6. Total amount of water under right 0.8 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  | SW  | 36   | 01S  | 20E  | Blaine | Clark #29 Headgate       |
|     |     | SW  | NE  | 01   | 02S  | 20E  | Blaine | PUMP                     |

#### 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 |        |
| 02S  | 20E  | 01   |        | Lot 2<br>40 | 10     |        | Lot 3<br>29 |        |        | 1      |        |        |        |        |        |        |        |        | 80     |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 80

9. Describe any other water rights used for the same purpose as described above 37-0088, 37-0090 Part

37-1224

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 0.40 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 \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_

2. Point(s) of Diversion: No change

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for 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 |             |
| <u>02S</u> | <u>ZOE</u> | <u>01</u> |        | <u>Lot 2</u><br><u>17</u> |        |        | <u>Lot 3</u><br><u>233</u> |        |        |        |        |        |        |        |        |        |        |        | <u>40.3</u> |
|            |            |           |        |                           |        |        |                            |        |        |        |        |        |        |        |        |        |        |        |             |
|            |            |           |        |                           |        |        |                            |        |        |        |        |        |        |        |        |        |        |        |             |
|            |            |           |        |                           |        |        |                            |        |        |        |        |        |        |        |        |        |        |        |             |
|            |            |           |        |                           |        |        |                            |        |        |        |        |        |        |        |        |        |        |        |             |

Total acres 40.3

### C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.40 cfs for irrigation purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_

2. Point(s) of Diversion: No change

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for 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 |             |
| <u>02S</u> | <u>ZOE</u> | <u>01</u> |        | <u>23</u><br><u>Lot 2</u> | <u>10</u> |        | <u>5.7</u><br><u>Lot 3</u> |        |        | <u>1</u> |        |        |        |        |        |        |        |        | <u>39.7</u> |
|            |            |           |        |                           |           |        |                            |        |        |          |        |        |        |        |        |        |        |        |             |
|            |            |           |        |                           |           |        |                            |        |        |          |        |        |        |        |        |        |        |        |             |
|            |            |           |        |                           |           |        |                            |        |        |          |        |        |        |        |        |        |        |        |             |
|            |            |           |        |                           |           |        |                            |        |        |          |        |        |        |        |        |        |        |        |             |

Total acres 39.7

## PART 2

(Attach one copy for each right)

1. DESCRIPTION OF RIGHT AS RECORDED

- | 7. Point(s) of Diversion: |   |       |    |      |      |        |                    |                          |
|---------------------------|---|-------|----|------|------|--------|--------------------|--------------------------|
| Lot                       | ¼ | ¼     | ¼  | Sec. | Twp. | Rge.   | County             | Local name for diversion |
|                           |   | NE SW | 36 | 01S  | 20E  | Blaine | Clark #29 Headgate |                          |
|                           |   | SW NE | 01 | 02S  | 20E  | Blaine | pump               |                          |
|                           |   |       |    |      |      |        |                    |                          |

8. Lands irrigated or place of use:

[illegible]

Total acres 200

9. Describe any other water rights used for the same purpose as described above 37-0088, 37-0089,

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 0.20 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 \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_
2. Point(s) of Diversion: No change

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for 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 |        |
| 02S  | 20E  | 1    |        | Lot 2<br>17 |        |        | Lot 3<br>20 |        |        |        |        |        |        |        |        |        |        |        | 37     |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 37

### C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.50 cfs for irrigation purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_
2. Point(s) of Diversion: No change

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for 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 |        |
| 02S  | 20E  | 01   |        | Lot 2<br>13 | 10     |        |        |        |        |        |        |        |        |        |        |        |        |        | 23     |
|      |      |      |        |             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**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. 37-1224 Decreed to Frank A. Clark  
in case of C.F. Brett & Frank A. Clark vs. Sewell H. Chapman et al  
dated 12-28-1932 in 4<sup>th</sup> Judicial District county of Lincoln
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2492 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 Att III ☒ Warranty Deed Att IV ☐ Other \_\_\_\_\_

**3. Source of water** Silver Creek tributary to Little Wood River

**4. Date or priority** Perpetual Right

**5. Water is used for the following purpose:**

amount 1.6 cfs for irrigation purposes from \_\_\_\_\_ to \_\_\_\_\_  
(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** 1.6 cfs 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  | SW  | 36   | 01S  | 20E  | Blaine | Clark #29 Headgate       |
|     |     | SW  | NE  | 01   | 02S  | 20E  | Blaine | pump                     |

**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 |        |
| 01S  | 20E  | 36   |             |             |        |        |             |        |        |        | 5      |        |        | 20     |        | 15     | 40     |        | 80     |
| 02S  | 20E  | 01   | Lot 1<br>33 | Lot 2<br>40 | 13     |        | Lot 3<br>23 |        |        |        |        |        |        |        |        |        |        |        | 109    |
|      |      |      |             |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |             |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |             |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |             |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |

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Total acres 189

**9. Describe any other water rights used for the same purpose as described above**

37-0088, 37-0089, 37-0090 Part

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 0.70 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 \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_
2. Point(s) of Diversion: No change

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for 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 |        |
| 01S  | 20E  | 36   |        |             |        |        |             |        |        |        |        |        |        | 16     |        |        | 25     |        | 41     |
| 02S  | 20E  | 01   |        | Lot 2<br>17 |        |        | Lot 3<br>23 |        |        |        |        |        |        |        |        |        |        |        | 40     |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |             |        |        |             |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 81

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

1. amount 0.90 cfs for irrigation purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_
2. Point(s) of Diversion: No change

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for 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 |        |
| 01S  | 20E  | 36   |             |             |        |        |        |        |        |        |        |        |        | 5      |        | 15     | 15     |        | 39     |
| 02S  | 20E  | 01   | Lot 1<br>33 | Lot 2<br>23 | 13     |        |        |        |        |        |        |        |        |        |        |        |        |        | 69     |
|      |      |      |             |             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |             |             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |             |             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |             |             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 108

Attachment I

### PART 3

#### B. CHANGES IN NATURE OF USE

| 1. | <u>New Nature of Use</u> | <u>Amount<br/>(cfs/ac-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|-------------------------------|------------------------|----------------------|
|    | _____                    | _____                         | _____                  | _____ to _____       |
|    | _____                    | _____                         | _____                  | _____ to _____       |

2. Quantity and quality of return flows and location of discharge:

\_\_\_\_\_

\_\_\_\_\_

3. Describe effects on other water uses resulting from the proposed change:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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 27th day of February, 19 89.

John Young  
(Signature of Applicant)

Mary A. Baldwin  
(Notary Public)

My commission expires 10/16/1992

#### FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 3 attachments

Received by JR1 Date 2-27-89 Protest filed by \_\_\_\_\_

Prelim. check by JR1 Fee \$50.00/5006388

Received by JR1 Date 2-27-89

Published in Wood River Journal Copies of protest forwarded by \_\_\_\_\_

Pub. dates 5/3 & 5/10/89 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on 4/20/89 Recommended for ☒ approval ☐ denial

\_\_\_\_\_ rec'd. 5/15/89 by Ed Sam Gary

Copy of transfer sent to lien holder \_\_\_\_\_

**MICROFILMED**  
**NOV 22 1996**

6/9/94

## COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE May 24, 1996 3:07pm CUSTOMER JACK YOUNG A37-01224B

**SUBJECT:** QUESTIONS ON THIS RECENTLY AMENDED CLAIM???  
*phone call (X) walk-in (.)*

Trish had recently amended some of his claims pursuant to an old approved Transfer (#3549 from 1989). He called with some questions and said there were some things that had bothered him for a long time. He FAXed me some papers and asked me to look them over. He felt that the Hofstetter's, from whom he purchased his property, may have kept a disproportional amount of the water, but he admitted he knew very little about water rights. I looked things over and they seemed okay to me. I sent him some copies from the micro-fische along with some brochoures about water rights and a water conversion card. Told him to give me a call if he still had concerns...

MICROFILMED  
NOV 22 1996

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: A37-01224B  
Date Received: 9/20/1988  
Receipt No: S002349  
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JACK S. YOUNG 208-788-4419  
Address: P.O. BOX 549  
BELLEVUE, ID 83313

OR

Name: FLORENCE M. YOUNG 208-788-4419  
Address: P.O. BOX 549  
BELLEVUE, ID 83313

2. Date of Priority: JAN 01, 1800

3. Source: SILVER CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01S      | 20E   | 36      | NE     | NE     | SW     |     | BLAINE |

5. Description of diverting works:  
CLARK #29 HEADGATE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 0.700  |      |        |

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

8. Total consumptive use is 203.0 Acre Feet Per Annum.

9. Non-irrigation uses:

COPY

MICROFILMED

FEB 23 1993

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 01S      | 20E   | 36      | SE     | SW  |     | IRR           | 16.0  |
|          |       |         | SW     | SE  |     | IRR           | 25.0  |
|          |       |         |        |     |     | Section Acres | 41.0  |
| 02S      | 20E   | 1       | NW     | NE  | 2   | IRR           | 17.0  |
|          |       |         | NE     | NW  | 3   | IRR           | 23.3  |
|          |       |         |        |     |     | Section Acres | 40.3  |
|          |       |         |        |     |     | Total Acres   | 81.3  |

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:  
A37-00088B, A37-00089B, A37-00090E

14. Remarks:  
THE PRIORITY DATE LISTED IS NOT REAL. THIS RT. IS ABSOLUTE,  
PERPETUAL, & INDEPENDENT OF OTHER SILVER CR. RTS. REGARDLESS  
OF PRIORITY DATE.

15. Basis of Claim: DECREED  
Case Number:  
Court :  
Decree date: 12/28/1932

BRETT & CLARK

Decree Plaintiff

vs

CHAPMAN ET. AL.

Decree Defendant

COPY

MICROFILMED

FEB 23 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: 2

**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): Shanna M. Young Date: 9/20/88  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 20th day

of September 19 88

Roxanne Storey  
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

COPY

MICROFILMED

FEB 23 1993

A37-01224B

202

47 copies



01/12/2007

NOTICE OF ERROR  
REPLY

RECEIVED

JAN 24 2007

DEPT. OF WATER RESOURCES

SOUTHERN REGION

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: January 23, 2007

Water right number: 37-21179

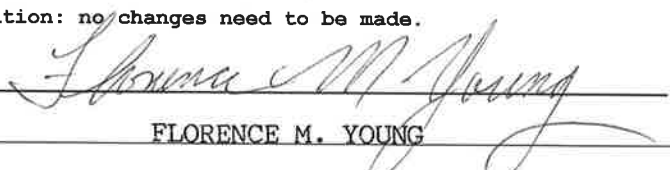
FLORENCE M YOUNG  
PO BOX 736  
PICABO ID 83348  
Telephone Number: (208)788-5885

JACK S YOUNG  
PO BOX 736  
PICABO ID 83348  
Telephone Number: (208)788-5885

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: 1-22-07

SIGNATURE: 

Please print your name: FLORENCE M. YOUNG

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

I have spoken with Sally Sherman and Steve Clelland to clarify the wording of these perpetual water rights re: the referred date from my original papers and understand there is no change, only the wording.

My husband Jack Young passed away Feb. 17, 2006. I am the sole owner of these properties. Attached is documentation.

01/11/2007

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

RIGHT NUMBER: 37-21179

NAME AND ADDRESS: FLORENCE M YOUNG  
PO BOX 736  
PICABO ID 83348

JACK S YOUNG  
PO BOX 736  
PICABO ID 83348

SOURCE: SILVER CREEK TRIBUTARY: LITTLE WOOD RIVER

Water from this right resulted from developed water in Silver Creek.

QUANTITY: 0.556 CFS

This right when combined with all other rights shall provide no more than .02 cfs per acre.

PRIORITY DATE: 12/28/1932

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed water in Silver Creek, as established by and subject to the provisions included within In Re Brett et al. v. S.H. Chapman, Watermaster (Lincoln County, December 28, 1932).

POINT OF DIVERSION:

T01S R20E S36 NENESW Within BLAINE County

T01S R20E S36 NESESW Within BLAINE County

T01S R20E S36 SWSSEW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 10/31          | 0.556 CFS       |

PLACE OF USE: IRRIGATION in BLAINE County

|                     |      |       |                     |      |       |
|---------------------|------|-------|---------------------|------|-------|
| T01S R20E S36       | SESW | 1.00  | T01S R20E S36       | SWSE | 16.00 |
| T02S R20E S01 Lot 2 | NWNE | 20.00 | T02S R20E S01 Lot 3 | NENW | 22.00 |

59 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-1224B.



# Idaho Department of Water Resources

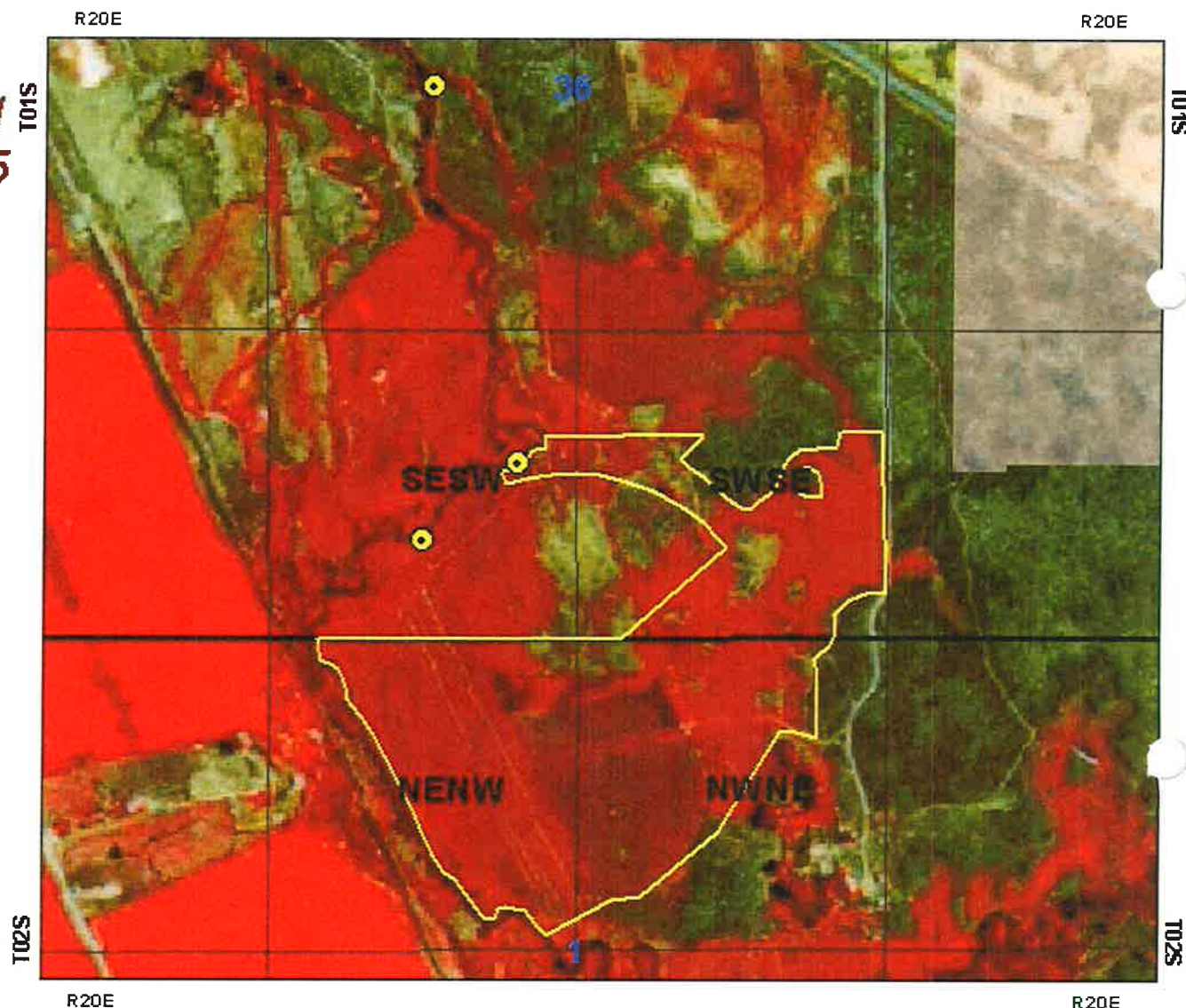
SRBA Recommendation:  
37-21179, 37-21181  
37-21183, 37-21185

## Legend

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



Blaine County  
IDWR Basin 37



0 0.3 0.6 Miles

Prepared by N. Erickson  
On Thursday, January 11, 2007  
1987/88 Aerial Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1224B

WATER RIGHT NUMBER: **37-1224B**

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Original Owner    | FRANK CLARK<br>3085 S PIONEER LN<br>IDAHO FALLS, ID 83401<br>(208)522-7126 |
| Current Owner     | JACK YOUNG<br>PO BOX 549<br>BELLEVUE, ID 83313<br>(208)788-4419            |
| Current Owner     | FLORENCE YOUNG<br>PO BOX 549<br>BELLEVUE, ID 83313<br>(208)788-4419        |

Priority Date: 12/28/1932

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u>  |
|---------------|-------------------|
| SILVER CREEK  | LITTLE WOOD RIVER |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/15 to 10/15           | 0.700 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.700 CFS             |                      |

Location of Point(s) of Diversion

|               |                 |                                 |
|---------------|-----------------|---------------------------------|
| SILVER CREEK  | NE1/4SE1/4SW1/4 | Sec. 36, Twp 01S, Rge 20E, B.M. |
| BLAINE County |                 |                                 |
| SILVER CREEK  | NE1/4SW1/4SE1/4 | Sec. 36, Twp 01S, Rge 20E, B.M. |
| BLAINE County |                 |                                 |
| SILVER CREEK  | NE1/4NE1/4SW1/4 | Sec. 36, Twp 01S, Rge 20E, B.M. |
| BLAINE County |                 |                                 |
| SILVER CREEK  | SW1/4SE1/4SW1/4 | Sec. 36, Twp 01S, Rge 20E, B.M. |
| BLAINE County |                 |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |      |    | NW |    |      |    | SW |    |    |      | SE |    |      |    | Totals |
|-----|-----|-----|----|----|------|----|----|----|------|----|----|----|----|------|----|----|------|----|--------|
|     |     |     | NE | NW | SW   | SE | NE | NW | SW   | SE | NE | NW | SW | SE   | NE | NW | SW   | SE |        |
| 01S | 20E | 36  |    |    |      |    |    |    |      |    |    |    |    | 16.0 |    |    | 25.0 |    | 41.0   |
| 02S | 20E | 1   |    |    | 17.0 |    |    |    | 23.0 |    |    |    |    |      |    |    |      |    | 40.0   |
|     |     |     |    |    | L 2  |    |    |    | L 3  |    |    |    |    |      |    |    |      |    |        |

Total Acres: 81

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 37-1224B

Conditions of Approval:

1. 016 See remarks for additional conditions of approval.
2. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

1. General TRANS. 3549. THIS TRANS. DOES NOT AUTHORIZE DIVERSION OF MORE THAN 0.02 CFS/ACRE.

Comments:

Dates and Other Information:

Licensed Date:  
Decreed Date: 12/28/1932  
Water Supply Bank Enrollment Accepted:  
Water Supply Bank Enrollment Removed:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal:  
Owner Name Connector:  
Water District Number: 37M  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number:  
Judicial District:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False