

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 37-21709
Date Received: 8/25/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

FERGUSON BERMAN TRUST OF 1994 Phone: (208)578-1131
PO BOX 4103
HAILEY ID 83333

2. Date of Priority: 06/15/1891

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	NE SW NW	BLAINE	

5. Description of diverting works:

VIA DISTRICT CANAL TO DITCHES TO LANDS IRRIGATED.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.13	

7. Total Quantity Appropriated is:
0.13 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	19E	18	NW	NW	1	IRRIGATION
						5
						Section Acres
						5
						Total Acres
						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 37-20787.

This right is a split from former right 37-20878.

This right is a split from former right 37-21567.

Property is also known as Lot 1, Blk 2, Bellevue Farms Subdivision.

15. Basis of Claim: Decreed

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

RECEIVED

NOV 16 2005

Department of Water Resources
 Southern Region

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	37-21567	X		37-2557D	
	37-21523	X			
	37-21534	X			
	37-21545	X			
	37-21556	X			

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

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

OR

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

3. Name and Address of Former Brett Sullivan
 Owner/Claimant(s) P.O. Box 2525, Hailey, Idaho 83333
4. New Owner/Claimant(s) David Berman and Christine Frances Ferguson, Trustees of the Ferguson Berman Trust of 1994
 Name Connector (Check one): [☒] and, [] or [] and/or
- New Mailing Address P.O. Box 4103
 City, State and Zip Code Hailey, ID 83333
 New Telephone Number (208) 578-1131
5. Date you acquired the property October 28, 2005

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

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number	37-21567	
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	0.13 cfs	5 acres
Stock		
Domestic		
Other		
Total	0.13 cfs	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-21523</u>		
Water Use	Diversion Rate or Volume	Description
	(Cubic feet per second or acre-feet per annum)	(acres, number and type of stock, homes, etc.)
Irrigation	<u>0.08 cfs</u>	<u>5 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.08 cfs</u>	

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

DAVID BERMAN, TRUSTEE
CHRISTINE FRANCES FERGUSON, TRUSTEE

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

For Office Use only

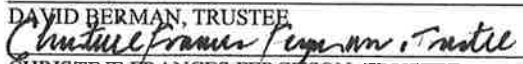
Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by AJ Date _____ WR _____ Date _____

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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Water Right and/or Adjudication Claim Number <u>37-21567</u>		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u>0.13 cfs</u>	<u>5 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.13 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-21523</u>		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
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Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.08 cfs</u>	

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

DAVID BERMAN, TRUSTEE

 CHRISTINE FRANCES FERGUSON, TRUSTEE

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Receipted by <u> </u>	Date <u> </u>	Receipt No. <u> </u>
Processed by <u> </u>	AJ Date <u> </u>	WR <u> </u> Date <u> </u>

- DESCRIPTION OF YOUR PORTION OF WATER RIGHT**
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	0.005 cfs	5 acres
Stock		
Domestic		
Other		
Total	0.005 cfs	

Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	0.05 cfs	5 acres
Stock		
Domestic		
Other		
Total	0.05 cfs	

- LEE
DAVID BERMAN, TRUSTEE

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.

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

- | | | |
|--|---|--|
| DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7) | | |
| Water Right and/or Adjudication Claim Number _____ | <u>37-21534</u> | |
| Water Use | Diversion Rate or Volume
<small>(Cubic feet per second or acre-feet per annum)</small> | Description
<small>(acres, number and type of stock, homes, etc.)</small> |
| Irrigation | <u>0.005 cfs</u> | <u>5 acres</u> |
| Stock | <u> </u> | <u> </u> |
| Domestic | <u> </u> | <u> </u> |
| Other _____ | <u> </u> | <u> </u> |
| Total | <u>0.005 cfs</u> | |

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-21545</u>		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u>0.05 cfs</u>	<u>5 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.05 cfs</u>	

- Christine Frances Ferguson, Trustee*
CHRISTINE FRANCES FERGUSON, TRUSTEE

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

- | DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7) | | |
|--|--|---|
| Water Right and/or Adjudication Claim Number <u>37-21556</u> | | |
| Water Use | Diversion Rate or Volume
(Cubic feet per second or acre-feet per annum) | Description
(acres, number and type of stock, homes, etc.) |
| Irrigation | <u>0.005 cfs</u> | <u>5 acres</u> |
| Stock | <u></u> | <u></u> |
| Domestic | <u></u> | <u></u> |
| Other <u></u> | <u></u> | <u></u> |
| Total | <u>0.005 cfs</u> | |

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
 (If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

- DAVID BERMAN, TRUSTEE

Christine Frances Ferguson, Trustee
CHRISTINE FRANCES FERGUSON, TRUSTEE

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

For Office Use only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Order No. 0521762

QUITCLAIM DEED

For Value Received

BRETT J. SULLIVAN and JENNIFER SULLIVAN, husband and wife

Do hereby convey, release, remise and forever quitclaim unto

**DAVID LEE BERMAN AND CHRISTINE FRANCES FERGUSON, TRUSTEES OF
THE FERGUSON BERMAN TRUST OF 1994, and any amendments thereto**

Whose current address is

P O Box 4103, Hailey, ID 83333

The following described premises, to-wit:

Any and all water rights appurtenant to the following property:

**Lot 1, Block 2 of BELLEVUE FARMS SUBDIVISION, BLAINE COUNTY, IDAHO,
according to the official plat thereof, recorded August 25, 1980, as Instrument No. 206106,
records of Blaine County, Idaho.**

Together with their appurtenances.


Brett J. Sullivan
Jennifer Sullivan

COPY

State of: Idaho
County of: Blaine

On this 28th day of **October, 2005**, before me, the undersigned, a Notary Public, in and for said State, personally appeared **BRETT J. SULLIVAN and JENNIFER SULLIVAN**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



WARRANTY DEED

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

BRETT J. SULLIVAN, an unmarried man who acquired title as an unmarried man

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

**DAVID LEE BERMAN AND CHRISTINE FRANCES FERGUSON, TRUSTEES OF
THE FERGUSON BERMAN TRUST OF 1994, and any amendments thereto**

the Grantee whose current address is: **P O Box 4103
Hailey, ID 83333**

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

**Lot 1, Block 2 of BELLEVUE FARMS SUBDIVISION, BLAINE COUNTY, IDAHO,
according to the official plat thereof, recorded August 25, 1980, as Instrument No. 206106,
records of Blaine County, Idaho.**

This transaction is a 1031 Exchange for the benefit of David Lee Berman and Christine Francis Ferguson, Trustees of the Ferguson Berman Trust of 1994, **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 he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

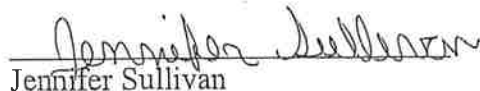


Brett J. Sullivan



Date

The execution and acknowledgement of this Warranty Deed is entered into by Jennifer Sullivan to satisfy the provisions of the Idaho Homestead Law (Chapter 10, Title 55, I.C.) and to establish that Brett J. Sullivan is dealing with said property as his separate property.

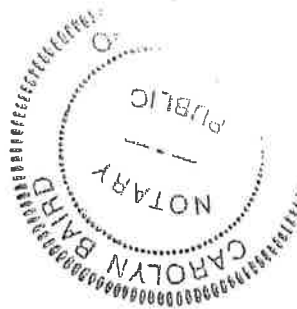
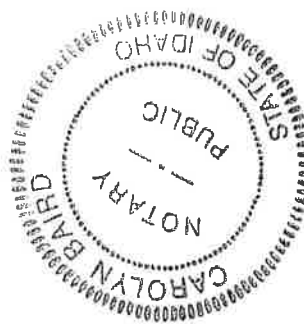


Jennifer Sullivan

State of: Idaho
County of: Blaine

On this 28th day of October, 2005, before me, the undersigned, a Notary Public, in and for said State, personally appeared **BRETT J. SULLIVAN and JENNIFER SULLIVAN**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



RECEIVED

NOV 16 2005

Department of Water Resources
Southern Region

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

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

November 15, 2005

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

**Re: David Lee Berman and Christine Frances Ferguson,
Trustees of the Ferguson Berman Trust of 1994 -
Water Rights for Lot 1, Block 2 of Bellevue Farms
Subdivision, Blaine County, Idaho
Our File No.: 241/050181**

Dear Trish:

Enclosed you will find the original and one copy of a Notice of Change in Water Right Ownership for the water rights appurtenant to the above-referenced lot. The previous owner of that lot, Brett Sullivan, recently filed a Notice of Change in Water Right Ownership for the Big Wood River water rights appurtenant to the lot. I understand you will now skip over that ownership change and put the record ownership of these water rights in the name of Mr. Berman and Ms. Ferguson as trustees of their trust.

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

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
Enclosures
cc: Client

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

RECEIVED
OCT 24 2005
 Department of Water Resources
 Southern Region

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	<u>37-21567</u>	<u>X</u>	_____	_____	_____
_____	<u>37-21523</u>	<u>X</u>	_____	_____	_____
_____	<u>37-21534</u>	<u>X</u>	_____	_____	_____
_____	<u>37-21545</u>	<u>X</u>	_____	_____	_____
_____	<u>37-21556</u>	<u>X</u>	_____	_____	_____

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Bellevue Farms Landowners Association
P.O. Box 774, Bellevue, Idaho 83313
4. New Owner/Claimant(s) Brett J. Sullivan
 Name Connector (Check one): [☒] and, [] or [] and/or
- New Mailing Address P.O. Box 2525
- City, State and Zip Code Hailey, ID 83333
- New Telephone Number (208) 471-0423
5. Date you acquired the property August 6, 2004

6.

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

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-21567</u>		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u>0.13 cfs</u>	<u>5 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.13 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u> 37-21523 </u>		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u> 0.08 cfs </u>	<u> 5 acres </u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other _____	<u> </u>	<u> </u>
Total	<u> 0.08 cfs </u>	

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

BRETT J. SULLIVAN

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

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- DESCRIPTION OF YOUR PORTION OF WATER RIGHT**
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	0.005 cfs	5 acres
Stock		
Domestic		
Other		
Total	0.005 cfs	

Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	0.05 cfs	5 acres
Stock		
Domestic		
Other		
Total	0.05 cfs	

- BRETT J. SULLIVAN

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Fritz X. Haemmerle
HAEMMERLE & HAEMMERLE, P.L.L.C.
P.O. Box 1800
Hailey, ID 83333

Instrument # 507991

HAILEY, BLAINE, IDAHO

2004-08-06

04:06:00 No. of Pages: 1

Recorded for : HAEMMERLE & HAEMMERLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

(space above line for Recorder's use)

QUITCLAIM DEED

INSTRUMENT No. 507991

FOR VALUE RECEIVED, Bellevue Farms Landowners Association, Inc. (Grantor), does hereby convey, release, remise and forever quit claim unto Brett J. Sullivan, a single man, (Grantee), all right, title and interest in and to any water rights appurtenant to the following real property:

Lot 1, Block 2, Bellevue Farms Subdivision, according to the official plat of record of Blaine County, State of Idaho.

DATED this 30 day of June, 2004.

BELLEVUE FARMS LANDOWNERS ASSOICATION, INC.

Martha

By: Matthew Henning, President

STATE OF IDAHO,)
) ss.
County of Blaine.)

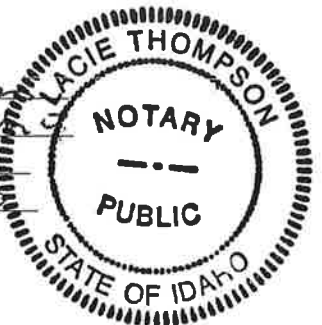
On this 30th day of June, 2004, before me, a Notary Public in and for said State, personally appeared Matthew Henning, President, Bellevue Farms Landowners Association, Inc., Grantor, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Nanci Thompson

NOTARY PUBLIC for

Residing at Belleme, ob.

Commission expires 1/14/2008



SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

October 21, 2005

RECEIVED
OCT 24 2005
Department of Water Resources
Southern Region

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

**Re: Brett J. Sullivan;
Water Rights for Lot 1, Block 2, Bellevue Farms Subdivision**

Dear Trish:

Enclosed you will find the original and one copy of the Notice of Change in Water Right Ownership for Brett J. Sullivan as the owner of Lot 1, Block 2 in Bellevue Farms Subdivision. The Notice covers the Big Wood River water rights. My client is already the record owner of his proportionate share of the ground water right.

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

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS/jef
Enclosures
cc: Client (w/encl.)
Matt Luck (w/encl.)



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

March 31, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FERGUSON BERMAN TRUST OF 1994
PO BOX 4103
HAILEY ID 83333

RE: Bellevue Farms Subdivision water rights

Dear Claimants:

Pursuant to the notification that you own a lot in Bellevue Farms Subdivision, the department has split the Subdivision's claims. Computer-generated copies of your portion of these claims are enclosed. Please 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'.

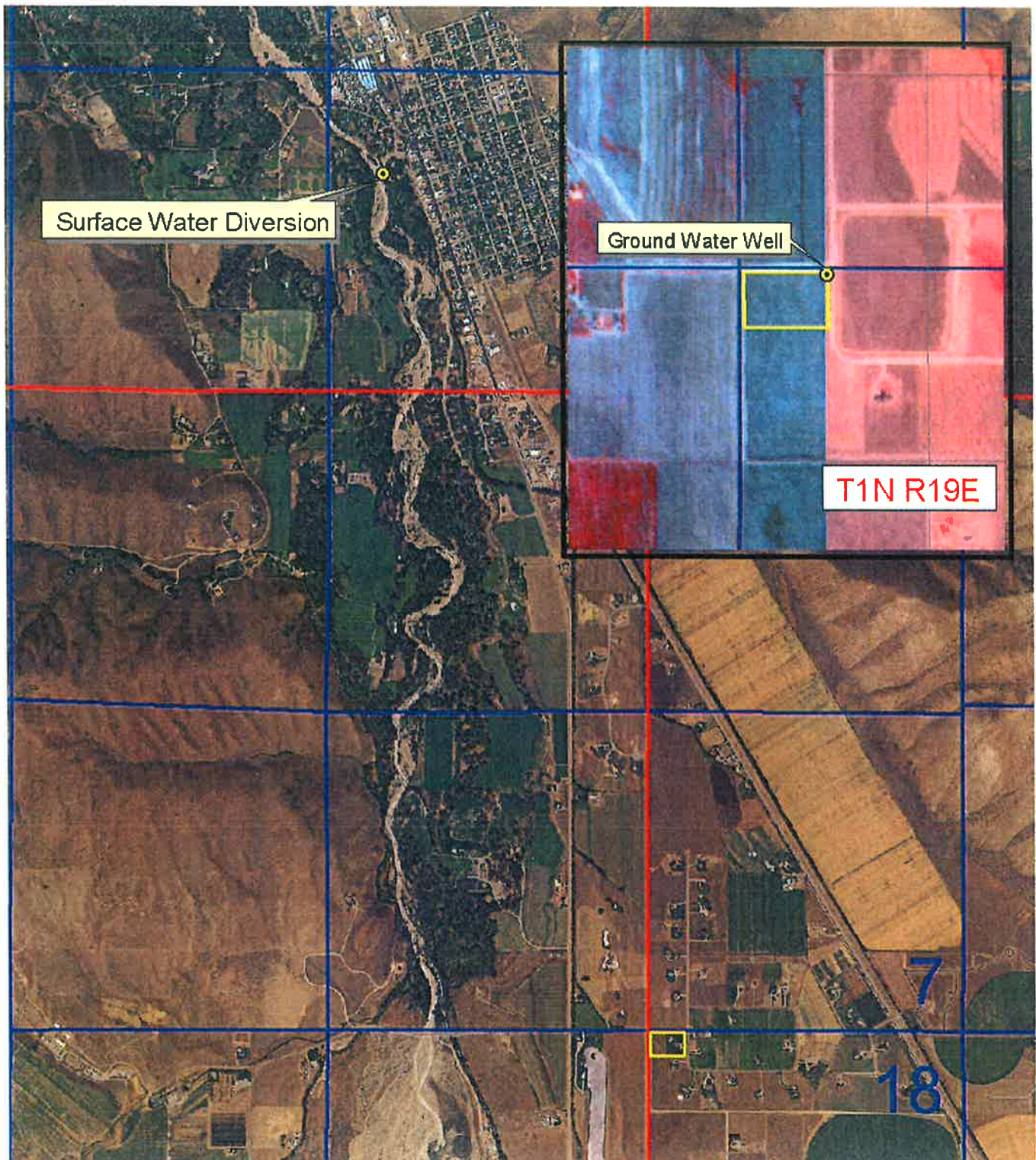
Trish Fawcett
Technical Records Specialist

enc.

IDAHO DEPARTMENT OF WATER RESOURCES

Surface Water Rights: 37-21673, 37-21682, 37-21691,
37-21700, 37-21709

Ground Water Right: 37-2557D



- Section Lines
- Quarter/Quarter Lines
- Place of Use
- Point(s) of Diversion

1320 0 1320 Feet



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 1987 NAPP
DATA ENTRY: 11/28/2006
TARA D BAKER

Claimant Name:

Ferguson Berman Trust of 1994

Attorney Name & Address:

James P. Speck, ISB#2067

Speck & Aanestad

A Professional Corporation

120 East Avenue

P. O. Box 987

Ketchum, Idaho 83340

(208) 726-4421

FAX: (208) 726-0752

RECEIVED
OCT 20 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

In Re SRBA

Case No. 39576

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)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

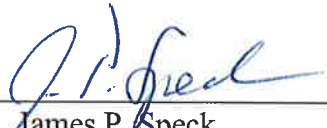
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Ferguson Berman Trust of 1994, for the following water right which is not yet the subject of subcase: 37-21709.

DATED this 18 day of October, 2006.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 19 day of October, 2006, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

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

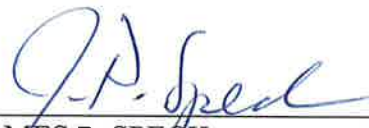
☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

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

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

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

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JAMES P. SPECK