

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 37-2557H
Date Received: 10/24/1988
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SCOTT C PORTER Phone: (208)788-5626
PO BOX 92
KETCHUM ID 83340

2. Date of Priority: 09/25/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	18	NW NE	BLAINE	

5. Description of diverting works:

WELL & PUMP, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.12	

7. Total Quantity Appropriated is:

0.12 C.F.S. and/or 21 A.F.A.

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	NE	IRRIGATION	4.5
			NE	NW	IRRIGATION	1.5
					Section Acres	6
					Total Acres	6

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:

CLAIM WAS SPLIT FROM A 37-02557E PURSUANT TO APPROVED TRANSFER 4545.

* CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4545: 1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.

2. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

3. AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL INSTALL A SUITABLE MEASURING DEVICE OR SHALL ENTER INTO AN AGREEMENT WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE INFORMATION TO THE DEPARTMENT.

4. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

5. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THIS TRANSFER SHOULD NOT BE RESCINDED.

6. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

7. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS, TO THE EXTENT THEY ARE AVAILABLE, IN CONJUNCTION WITH GROUNDWATER DIVERTED PURSUANT TO THIS RIGHT.

8. THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT THE APPROVAL OF THE DEPARTMENT.

9. PLACE OF USE IS LOCATED WITHIN LOT 8, BLOCK 2, BELLEVUE FARM SUBDIVISION.

15. Basis of Claim: License

RECEIVED
JUL 27 2004

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

Department of Water Resources
Southern Region

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	37-20867	~~No~~ Yes		37-20878	Y
	20870	Y			
	20872	Y			
	20874	Y			
	20876	Y			

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)

Bellevue Farms Landowner Assn
PO Box 774, Bellevue, ID 83313

4. New Owner/Claimant(s)

Scott C. Porter

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

New Mailing Address

PO Box 92

City, State and ZIP Code

Ketchum, ID 83340

New Telephone Number

(208) 788-5626

5. Date you acquired the property

8-29-2003

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-20867 (37-2557H)</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>0.12 cfs</u>	<u>9.9 ac Lot 8 Blk 2</u>
Stock		<u>Bellevue Farms Sub.</u>
Domestic		
Other		
Total	<u>0.12 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>37-20870</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>0.16 cfs</u>	<u>Same as above</u>
Stock		
Domestic		
Other		
Total	<u>0.16 cfs</u>	

7. Signature of New Owner(s) or Claimant(s) [Signature]
(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 [Signature] Date 7-27-04 Fee -
 Received by - Date - Receipt No. -
 Processed by - AJ Date - WR - Date -

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-20872</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>0.01 cfs</u>	<u>Same as above</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>0.01 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>37-20874</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>0.09 cfs</u>	<u>Same as above</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>0.09 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 _____

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-20876</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>0.01 cfs</u>	<u>Same as above</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>0.01 cfs</u>	

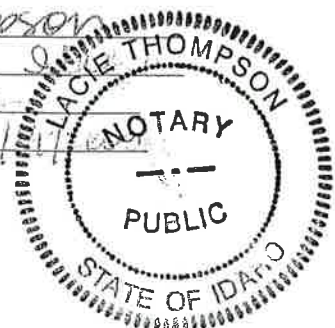
DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-20878</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.24 cfs</u>	<u>Same as above</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>0.24 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 _____



**CLAIMS MADE BY BELLEVUE FARMS HOMEOWNERS
ASSOCIATION**

CLAIMED FOR EASTFIELD AT BELLEVUE FARMS

1. **No. 37-2557Y:** quantity = 0.95 cfs; priority date = 9/25/1954; purpose = irrigation of 46.9 acres
2. **No. 37-11924B:** quantity = 0.767 cfs; priority date = 3/24/1883; purpose = irrigation of 46.9 acres
3. **No. 37-11925B:** quantity = 0.046 cfs; priority date = 7/10/1884; purpose = irrigation of 46.9 acres
4. **No. 37-11926B:** quantity = 0.455 cfs; priority date = 9/18/1885; purpose = irrigation of 46.9 acres
5. **No. 37-11927B:** quantity = 0.046 cfs; priority date = 6/12/1886; purpose = irrigation of 46.9 acres
6. **No. 37-11928B:** quantity = 1.153 cfs; priority date = 6/15/1891; purpose = irrigation of 46.9 acres

CLAIMED FOR BELLEVUE FARMS

- ✓ 1. **No. 37-20867:** quantity = 2.63 cfs; priority = 9/25/1954; purpose = irrigation of 128.2 acres
- ✓ 2. **No. 37-20870:** quantity = 3.593 cfs; priority = 3/24/1883; purpose = irrigation of 227.1 acres
- ✓ 3. **No. 37-20872:** quantity = 0.231 cfs; priority = 7/10/1884; purpose = irrigation of 227.1 acres
- ✓ 4. **No. 37-20874:** quantity = 2.137 cfs; priority = 9/18/1885; purpose = irrigation of 227.1 acres
- ✓ 5. **No. 37-20876:** quantity = 0.213 cfs; priority = 6/12/1886; purpose = irrigation of 227.1 acres
- ✓ 6. **No. 37-20878:** quantity = 5.412 cfs; priority = 6/15/1891; purpose = irrigation of 227.1 acres

Note: The Bellevue Farms Homeowner's Association ("BFHOA") does not warrant that the list is all inclusive of water rights that may be appurtenant to individual lots in the Bellevue Farms Subdivision or that the list is all inclusive of rights claimed by the Association. Each lot owners is encouraged to perform their own investigation. Information regarding claims made by the Association or predecessors in interest, if any, may be accessed by going to the website for the Idaho Department of Water Resources ("IDWR") (www.idwr.state.id.us/):

- Click "Adjudication and Water Rights Search (text based);
- Mark box "All SRBA and Water Rights";
- Click "who";
- Enter name of: (1) prior owners or (2) association to discover what water rights may have been claimed for your lot; and
- Click "search"

AF. AMWAZ

K27324

WARRANTY DEED

For Value Received **Donald Montgomery and Mary Catherine Moore Montgomery, husband and wife**

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

Scott C. Porter, ^{SP} unmarried man

whose address is: ~~P.O. Box 1566, Burlingame, CA 94011~~ P.O. BOX 92, KETCHUM, ID 83340 SP

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

Lot 8 in Block 2 of BELLEVUE FARMS SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 206106, records of Blaine County, Idaho.

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 its 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: August 29, 2003

Instrument # 491529

HAILEY, BLAINE, IDAHO
2003-09-17 09:15:07 No. of Pages: 1
Recorded for : FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTY/QCICORP DEED

Donald West Montgomery
Donald Montgomery

Mary Catherine Moore Montgomery
Mary Catherine Moore Montgomery

STATE OF IDAHO)
)SS
COUNTY OF BLAINE)

On this 29th day of August, 2003 before me, the undersigned, a Notary Public in and for said State, personally appeared Donald Montgomery and Mary Catherine Moore Montgomery, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

Nancy L. Anderson

Notary Public for Idaho

Residing at: *Hailey*

Commission Expires: *2/27/08*



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

PLAT SHOWING BELLEVUE FARMS SUBDIVISION

LOCATED WITHIN SECTIONS 7 AND 18 T.1N. R.19E, 8.M.

BLAINE COUNTY, IDAHO

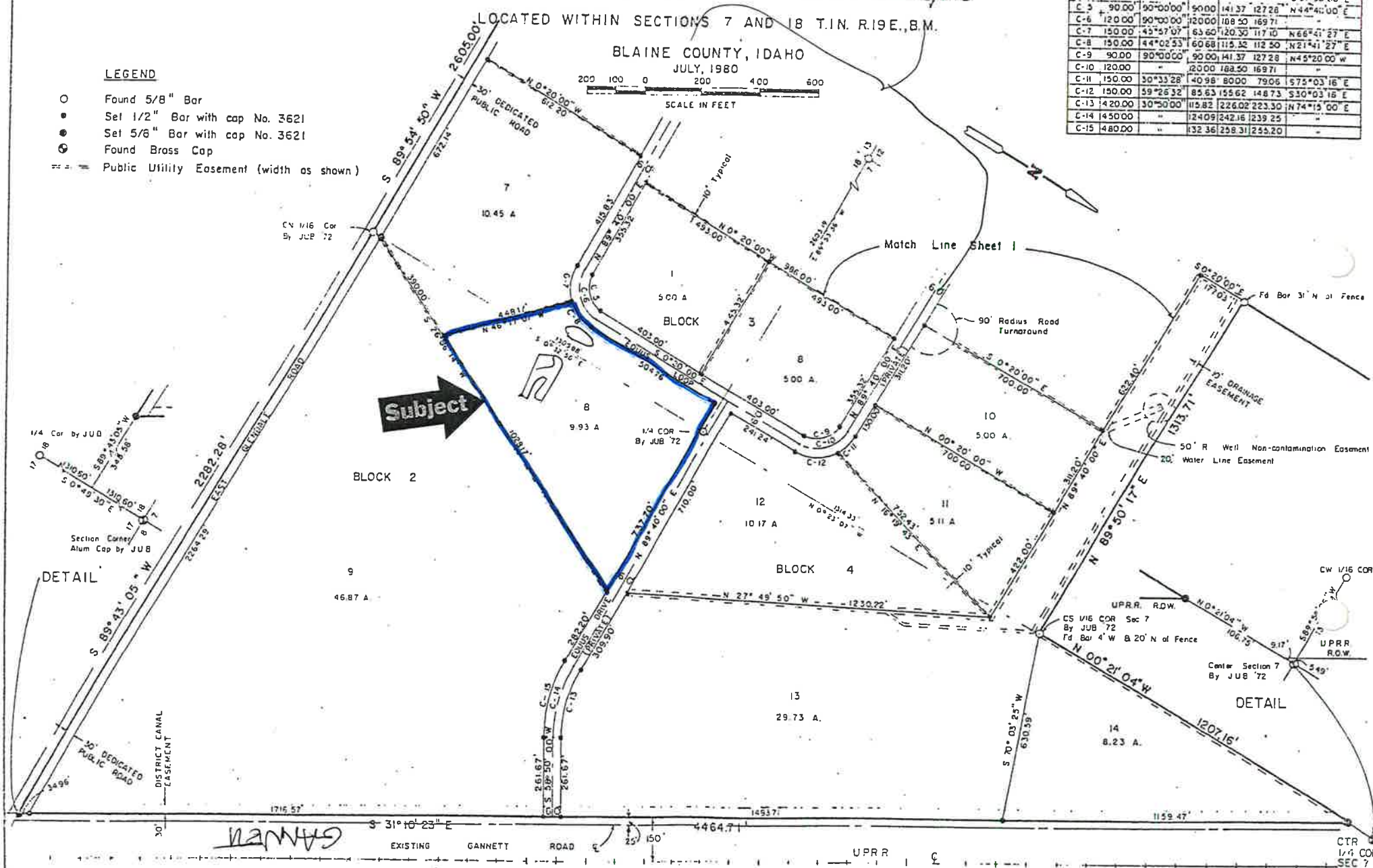
JULY, 1980

SCALE IN FEET
200 100 0 200 400 600

LEGEND

- Found 5/8" Bar
- Set 1/2" Bar with cap No. 3621
- Set 5/8" Bar with cap No. 3621
- ⊙ Found Brass Cap
- == Public Utility Easement (width as shown)

CURVE	R	Δ	I	L	TA	CH	By
C-1	20.00	90°00'00"	90.00	141.37	127.28	S 45°20'00" E	
C-2	120.00	"	20.00	188.50	169.71	"	
C-3	150.00	45°00'00"	62.13	117.81	114.01	S 72°50'00" E	
C-4	"	"	"	"	"	S 67°50'00" E	
C-5	90.00	90°00'00"	90.00	141.37	127.28	N 44°40'00" E	
C-6	120.00	90°00'00"	20.00	188.50	169.71	"	
C-7	150.00	45°00'00"	62.13	117.81	114.01	N 66°41'27" E	
C-8	150.00	44°02'53"	60.68	115.32	112.50	N 21°41'27" E	
C-9	90.00	90°00'00"	90.00	141.37	127.28	N 45°20'00" W	
C-10	120.00	"	20.00	188.50	169.71	"	
C-11	150.00	30°33'28"	40.98	80.00	79.08	S 75°03'16" E	
C-12	150.00	59°26'32"	85.83	155.62	148.73	S 30°03'16" E	
C-13	1420.00	30°50'00"	115.82	226.02	223.30	N 74°15'00" E	
C-14	1450.00	"	124.09	242.16	239.25	"	
C-15	1480.00	"	132.36	258.31	255.20	"	





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

SCOTT PORTER
PO BOX 92
KETCHUM ID 83340

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 dark ink, appearing to read 'Trish Fawcett', is written over a horizontal line.

Trish Fawcett
Technical Records Specialist

enc.

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 37-2557H
Date Received: 10/24/1988
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SCOTT C PORTER Phone: (208)788-5626
PO BOX 92
KETCHUM ID 83340

2. Date of Priority: 09/25/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	18	NW NE	BLAINE	

5. Description of diverting works:

WELL & PUMP, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.12	

7. Total Quantity Appropriated is:
0.12 C.F.S. and/or 21 A.F.A.

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	NE	IRRIGATION	4.5
			NE	NW	IRRIGATION	1.5
					Section Acres	6
					Total Acres	6

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM WAS SPLIT FROM A 37-02557E PURSUANT TO APPROVED TRANSFER 4545.

***** CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4545: 1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.

2. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

3. AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL INSTALL A SUITABLE MEASURING DEVICE OR SHALL ENTER INTO AN AGREEMENT WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE INFORMATION TO THE DEPARTMENT.

4. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

5. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THIS TRANSFER SHOULD NOT BE RESCINDED.

6. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

7. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS, TO THE EXTENT THEY ARE AVAILABLE, IN CONJUNCTION WITH GROUNDWATER DIVERTED PURSUANT TO THIS RIGHT.

8. THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT THE APPROVAL OF THE DEPARTMENT.

9. PLACE OF USE IS LOCATED WITHIN LOT 8, BLOCK 2, BELLEVUE FARM SUBDIVISION.

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 25, 2003

SCOTT C PORTER
PO BOX 92
KETCHUM ID 83340

Re: SRBA Claim #37-2557H

Dear Mr. Porter:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copy of the computer record of the claim noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office. (208) 736-3033

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carrie Hahn'.

Carrie Hahn
Office Specialist

Enc. (3)

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

RECEIVED**NOV 18 2003****WATER RESOURCES
WESTERN REGION**

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-255TH					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. 0
- 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) DON W. AND MARY CATHERINE MONTGOMERY
PO Box 829, Bellevue, ID 83313
4. New Owner/Claimant(s) SCOTT C. PORTER
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 92
- City, State and ZIP Code Ketchum, ID 83340
- New Telephone Number 208 788-5626
5. Date you acquired the property Sept 17, 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 (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		
Stock		
Domestic		
Other		
Total		

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

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

[Signature] 11-17-03

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 DH Date 11-18-03 Fee \$ 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by CUS AJ Date 11-25-03 WR _____ Date _____

RECEIVED

NOV 20 2003

Department of Water Resources
Southern Region

K27324

WARRANTY DEED

RECEIVED

NOV 18 2003

WATER RESOURCES
WESTERN REGION

For Value Received **Donald Montgomery and Mary Catherine Moore Montgomery, husband and wife**

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

Scott C. Porter, ^{GP} _{an} unmarried man

whose address is **P.O. Box 1566, Burlingame, CA 94011** P.O. Box 92, Ketchum, ID 83340 SP

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

Lot 8 in Block 2 of BELLEVUE FARMS SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 206106, records of Blaine County, Idaho.

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 its 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: August 29, 2003

Instrument # 491529

HAILEY, BLAINE, IDAHO
2003-09-17 09:15:07 No. of Pages: 1
Recorded for : FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTYDCICORP DEED

Donald West Montgomery
Donald Montgomery

Mary Catherine Moore Montgomery
Mary Catherine Moore Montgomery

STATE OF IDAHO)
)SS
COUNTY OF BLAINE)

On this 29th day of August, 2003 before me, the undersigned, a Notary Public in and for said State, personally appeared Donald Montgomery and Mary Catherine Moore Montgomery, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

Nancy L. Anderson

Notary Public for Idaho

Residing at: Hailey

Commission Expires: 2/27/08



RECEIVED

NOV 20 2003

Department of Water Resources
Southern Region



RECEIVED

NOV 18 2003

WATER RESOURCES
WESTERN REGION

First American Title Company

120 North 2nd Avenue • Suite 101 - P.O. Box 7999 - Ketchum, Idaho 83340

August 15, 2003

Scott Porter
P.O. Box 92
Ketchum, Idaho 83340

Escrow Officer: Nancy A. Woldberg

Re: Order No.: K27324
Buyer/Borrower Name: Scott C. Porter
Seller Name: Donald Montgomery and Mary Catherine Moore Montgomery, husband and wife

Dear Mr. Porter,

Relative to the above captioned order, we are attaching/enclosing the following:

☐ Recorded Deed of Trust, Instrument No.

☐ Recorded Warranty Deed, Instrument No.

☒ Commitment for Title Insurance

☐ Owner's Policy No.

☐ Extended Mortgagee's Policy No.

☐ Standard Mortgagee's Policy No.

☐ Preliminary Billing for Title Insurance

☐ Final Billing for Title Policy and Recording Fees

Sincerely,
FIRST AMERICAN TITLE COMPANY

Basil Service
Title Manager

cc: Don and Mary Montgomery
Sun Land Investments - Judy
First American Title Company - Renny and Authorization to issue (Via E-mail)
Mortgage Associates LLC - Hand Deliver Ketchum Lila - Via Fax: 726-5147

Phone (208)726-5688 Fax (208)726-3567 Toll Free (888)828-5688
Web Page: www.firstamsv.com E-Mail: fatco@firstamsv.com

RECEIVED

NOV 20 2003

Department of Water Resources
Southern Region

The First American Corporation

First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- * Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- * Information about your transactions with us, our affiliated companies, or others; and
- * Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

RECEIVED
NOV 20 2003
Department of Water Resources
Southern Region



The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

TABLE OF CONTENTS

	Page
AGREEMENT TO ISSUE POLICY	1
SCHEDULE A	
1. Commitment Date	2
2. Policies to be Issued, Amounts and Proposed Insureds	2
3. Interest in the Land and Owner	2
4. Description of the Land	2
SCHEDULE B-1 — Requirements	3
SCHEDULE B-2 — Exceptions	4
CONDITIONS	other side of 1

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, please contact the Issuing office.

RECEIVED

NOV 20 2003

Department of Water Resources
Southern Region

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-1.

The Exceptions in Schedule B-2.

The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



RECEIVED
NOV 20 2003
Department of Water Resources
Southern Region

First American Title Insurance Company

BY  PRESIDENT

ATTEST  SECRETARY

BY  COUNTERSIGNED

CONDITIONS

1. **DEFINITIONS**

(a) "Mortgage" means mortgage, deed of trust or other security instrument. (b) "Public Records" means title records that give constructive notice of matters affecting the title according to the state law where the land is located.

2. **LATER DEFECTS**

The Exceptions in Schedule B - Section 2 may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attached between the Commitment Date and the date on which all of the Requirements (a) and (c) of Schedule B - Section 1 are met. We shall have no liability to you because of this amendment.

3. **EXISTING DEFECTS**

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

4. **LIMITATION OF OUR LIABILITY**

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

comply with the Requirements shown in Schedule B - Section 1

or

eliminate with our written consent any Exceptions shown in
Schedule B - Section 2.

We shall not be liable for more than the Policy Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

5. **CLAIMS MUST BE BASED ON THIS COMMITMENT**

Any claim, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this Commitment and is subject to its terms.

RECEIVED

NOV 20 2003

Department of Water Resources
Southern Region

3. Fee simple interest in the land described in this Commitment is owned, at the Commitment Date, by:

Donald Montgomery and Mary Catherine Moore Montgomery, husband and wife

4. The land referred to in this Commitment is situated in the State of Idaho, County of Blaine and is described as follows:

Lot 8 in Block 2 of BELLEVUE FARMS SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 206106, records of Blaine County, Idaho.

The records of the Blaine County Tax Roll disclose the above property address as:

130 Equus Loop Blaine County, Idaho,

VALID ONLY IF SCHEDULE B AND COVER ARE ATTACHED

ALTA Plain Language Commitment
Form No.: 1344-A (1982)
(K27324.PFD/K27324/9)

RECEIVED

NOV 20 2003

Department of Water Resources
Southern Region

SCHEDULE B - SECTION 1

REQUIREMENTS

The following requirements must be met:

- a. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- b. Pay us the premiums, fees and charges for the policy.
- c. Documents satisfactory to us creating the interest in the land and/or mortgage to be insured must be signed, delivered and recorded.
- d. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- e. Release(s) or Reconveyance(s) of item(s) as meets lender's requirements.
- f. Idaho Code 31-3504 permits the state or counties that provide indigent medical assistance to a lien upon real property of the person provided assistance. We require the attached affidavit to be completed prior to recording to eliminate an exception to such lien.
- g. Pursuant to chapter 10, title 55, Idaho code, we will require that both incoming owner spouses execute any forthcoming mortgage, or we must be furnished satisfactory proof that; (1) the subject property is not their principal residence, (2) the land is not claimed as homestead and the address of their principal residence, or (3) proof that the incoming owner is not married.
- h. The policy liability contemplated by this transaction exceeds our local limit. Underwriter approval must be obtained from the Home Office or Regional Office prior to closing.

RECEIVED

NOV 20 2003

Department of Water Resources
Southern Region

ALTA Plain Language Commitment
Form No.: 1344-B1 (1982)
(K27324.PFD/K27324/9)

SCHEDULE B - SECTION 2

EXCEPTIONS

THE ALTA LOAN POLICY FORM 1056.92 (10/17/92) will have the following exceptions unless they are taken care of to our satisfaction.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

The foregoing numbered exceptions (1-6) may be eliminated in an ALTA EXTENDED COVERAGE LOAN POLICY.

THE EAGLE PROTECTION OWNER'S POLICY FORM 1490 (10/17/98) will have the following exceptions unless they are taken care of to our satisfaction.

7. Any rights, interests or claims of parties in possession and any facts about the Land that an inspection or inquiry of parties in possession would disclose and that are not shown by the Public Records.
8. Any easements or liens or rights to lien for medical indigent services and for any liens, or rights to lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the Public Records.
9. Any facts about the Land that a correct survey would disclose and that are not shown by the Public Records. This does not limit the forced removal coverage in Item 18 and Item 20 of Covered Risks of the EAGLE Protection Owner's Policy.

RECEIVED

NOV 20 2003

Department of Water Resources
Southern Region

ALTA Plain Language Commitment
Form No.: 1344-B2 (1982)
(K27324.PFD/K27324/9)

The foregoing numbered exceptions (7-9) may be eliminated in an EAGLE PROTECTION OWNER'S POLICY.

10. 2002 taxes are an accruing lien now due and payable. The first one-half is not delinquent until after December 20 of the current year, the second one-half is not delinquent until after June 20 of the following year. Taxes which may be assessed and entered on the property roll for 2003 with respect to new improvements and first occupancy, which may be included on the regular property, which are an accruing lien, not yet due and payable.

General taxes as set forth below. Any amounts not paid when due will accrue penalties and interest in addition to the amount stated herein:

Year	Original Amount	Amount Paid	Parcel Number
2002	\$3,104.66	\$3,104.66	000520020080

Homeowners Exemption is in effect for 2002.

11. Taxes for the year 2003, a lien, not yet due or payable.
Levies & Assessments of Bellevue Farms, Inc.
12. Easements, Restrictions and Reservations as shown on the official plat of said BELLEVUE FARMS SUBDIVISION.
13. Right-of-Way for ditches, as disclosed by that certain Warranty Deed recorded as Instrument No. 23826, records of Blaine County, Idaho.
14. Declaration of Protective Covenants for BELLEVUE FARMS, INC., recorded as Instrument No. 206105 and Amended by Instrument Nos. 286932, 424396, and 440209, with second amendment to by-laws recorded as instrument No. 445429, records of Blaine County, Idaho, but deleting any covenant, condition or restriction indicating a preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
15. Deed of trust to secure an original indebtedness of \$474,000.00, and any other amounts and/or obligations secured thereby.
Recorded: January 31, 2003, as Instrument No. 477777
Grantor: Donald Montgomery and Mary Catherine Moore Montgomery, husband and wife
Trustee: Blaine County Title
Beneficiary: Countrywide Home Loans, Inc.,
16. Deed of trust to secure an original indebtedness of \$100,000.00, and any other amounts and/or obligations secured thereby.
Recorded: June 30, 1997, as Instrument No. 403421
Grantor: Donald Montgomery and Mary Catherine Moore Montgomery

RECEIVED
NOV 20 2003
Department of Water Resources
Southern Region

ALTA Plain Language Commitment
Form No.: 1344-B2 (1982)
(K27324.PFD/K27324/9)

Trustee: First American Title Company
Beneficiary: KeyBank

The lien of this Deed of Trust has been subordinated to the lien of the Deed of Trust recorded January 11, 2003, as Instrument No. 477777 by a document recorded January 31, 2003, as Instrument No. 477778, records of Blaine County, Idaho.

END OF EXCEPTIONS

If you have any questions regarding this report, please feel free to contact:

First American Title Company
120 2nd Avenue North Ste 101/P. O. Box 7999
Ketchum, Idaho 83340
Phone: (208)726-5688
Fax: (208)726-3567
E-Mail: fatco@firstamsv.com
Web page: www.firstamsv.com
Title Officer: Basil Service
Escrow Officer: Nancy A. Woldberg
Escrow Assistant: Kerri Houck

Report Ordered By:

Copies To:

RECEIVED

NOV 20 2003

Department of Water Resources
Southern Region

ALTA Plain Language Commitment
Form No.: 1344-B2 (1982)
(K27324.PFD/K27324/9)

RECEIVED

NOV 20 2003

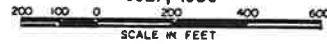
Department of Water Resources
Southern Region

PLAT SHOWING BELLEVUE FARMS SUBDIVISION

LOCATED WITHIN SECTIONS 7 AND 18 T.1N. R.19E, B.M.

BLAINE COUNTY, IDAHO

JULY, 1980



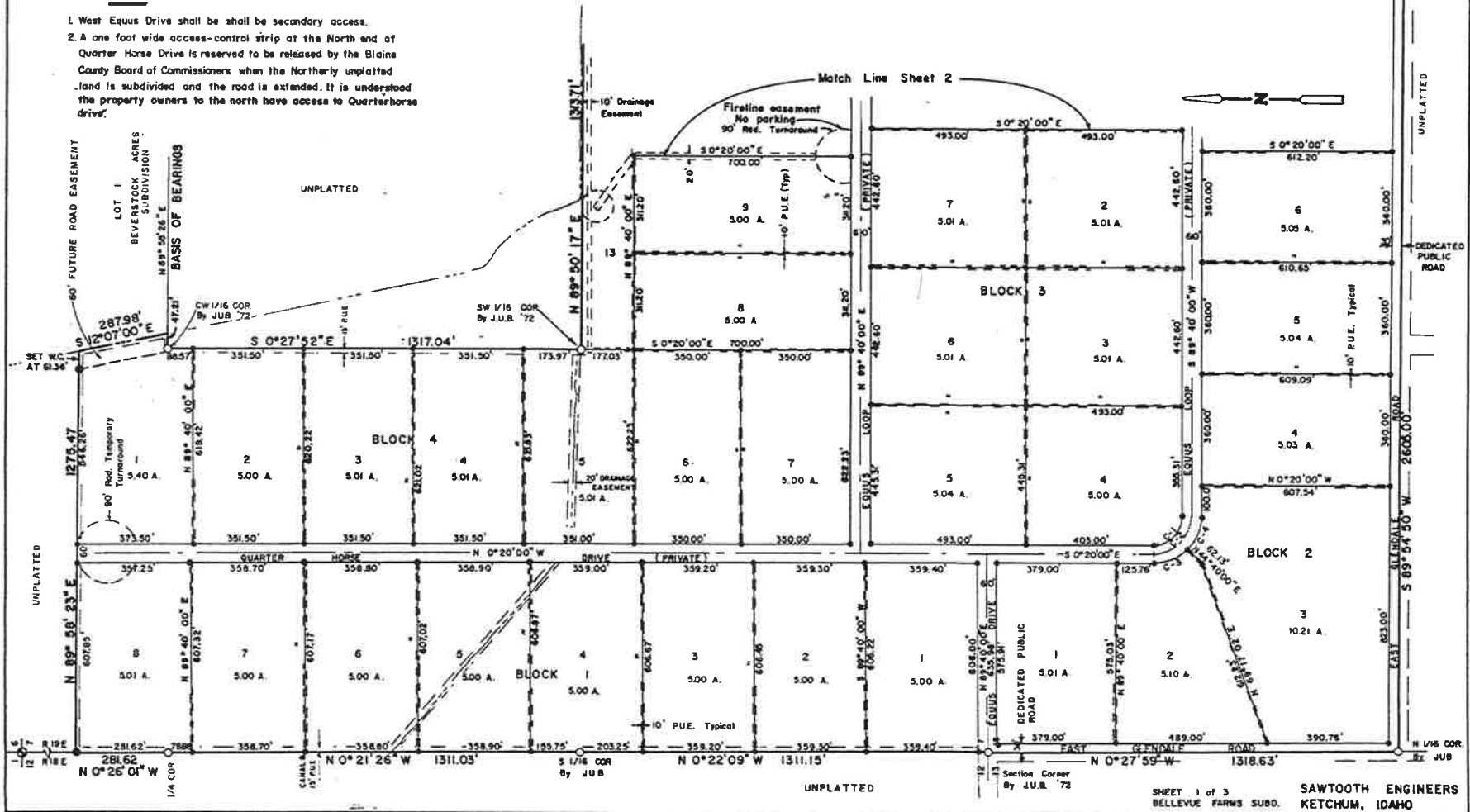
LEGEND

- Found 5/8" Bar
- Set 1/2" Bar with cap No. 3621
- Set 5/8" Bar with cap No. 3621
- Found Brass Cap
- Public Utility Easement (width as shown)
- - - Irrigation Easement

NOTES

1. West Equus Drive shall be secondary access.
2. A one foot wide access-control strip at the North end of Quarter Horse Drive is reserved to be released by the Blaine County Board of Commissioners when the Northerly unplatted land is subdivided and the road is extended. It is understood the property owners to the north have access to Quarterhorse Drive.

CURVE	R	Δ	T	L	Ch.	Ch. Bearing
C-1	90.00	90°00'00"	90.00	141.37	127.28	S 45°20'00" E
C-2	120.00	-	120.00	168.50	169.71	-
C-3	150.00	45°00'00"	62.13	117.81	114.81	S 22°30'00" E
C-4	-	-	-	-	-	S 67°30'00" E
C-5	90.00	90°00'00"	90.00	141.37	127.28	N 44°40'00" E
C-6	120.00	90°00'00"	120.00	168.50	169.71	-
C-7	150.00	45°57'01"	63.60	120.30	117.10	N 66°41'27" E
C-8	150.00	44°02'53"	60.68	115.32	112.50	N 21°41'27" E
C-9	90.00	90°00'00"	90.00	141.37	127.28	N 45°20'00" W
C-10	120.00	-	120.00	168.50	169.71	-
C-11	150.00	30°33'28"	40.98	80.00	79.06	S 75°03'18" E
C-12	150.00	58°28'32"	85.83	155.62	146.73	S 30°03'18" E
C-13	420.00	50°50'00"	115.82	226.02	223.30	N 74°15'00" E
C-14	450.00	-	24.09	242.16	239.25	-
C-15	480.00	-	32.36	258.31	255.20	-



RECEIVED

NOV 20 2003

Department of Water Resources
Southern Region

PLAT SHOWING BELLEVUE FARMS SUBDIVISION

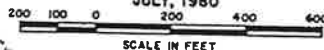
LOCATED WITHIN SECTIONS 7 AND 18 T.1N. R.19E. B.M.

BLAINE COUNTY, IDAHO

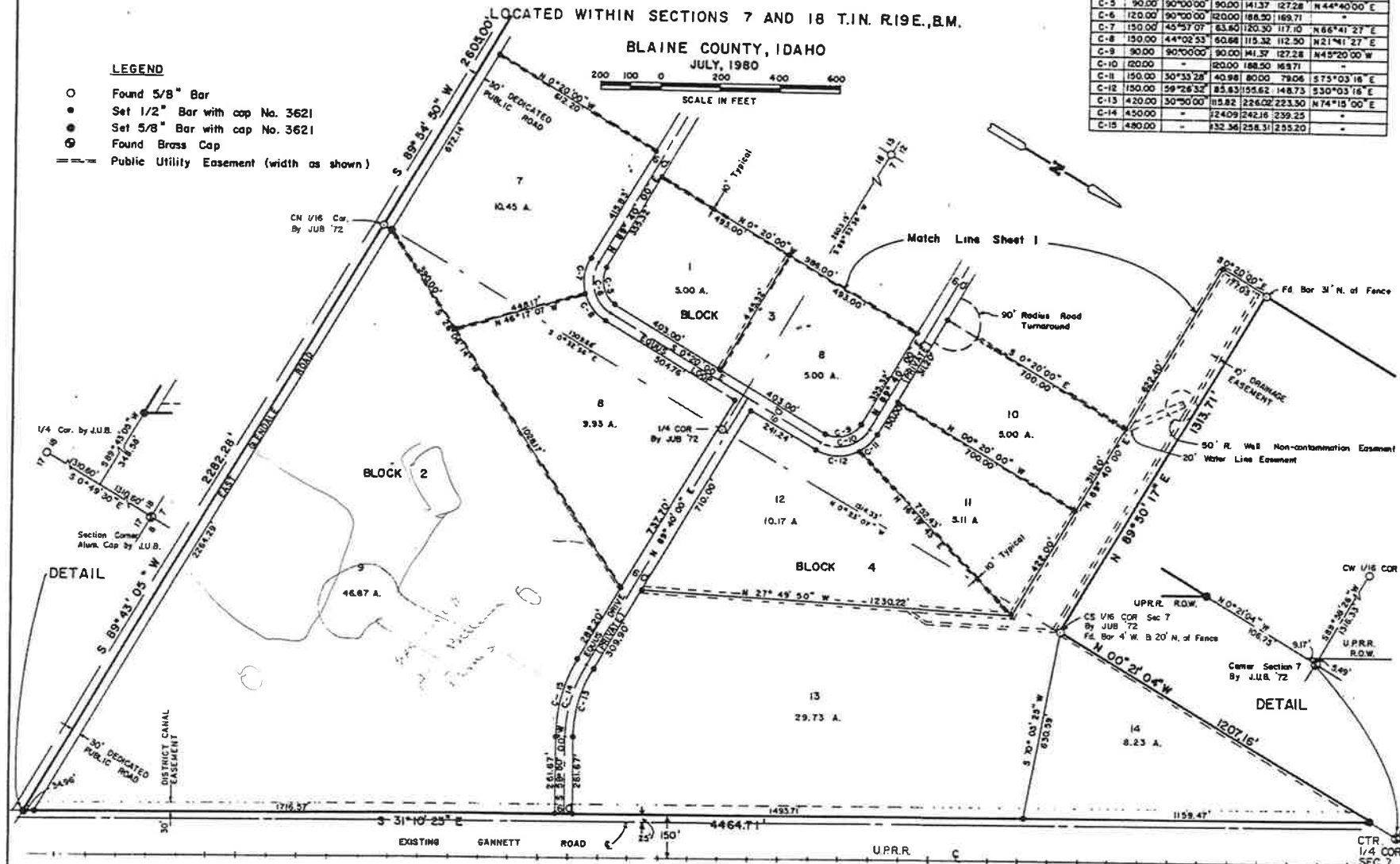
JULY, 1980

LEGEND

- Found 5/8" Bar
- Set 1/2" Bar with cap No. 3621
- Set 5/8" Bar with cap No. 3621
- ⊙ Found Brass Cap
- == Public Utility Easement (width as shown)



CURVE	R	Δ	T	L	Ch	Ch. Bearing
C-1	90.00	90°00'00"	90.00	141.37	127.28	S45°20'00"E
C-2	120.00	"	120.00	188.50	169.71	"
C-3	150.00	45°00'00"	62.13	117.81	114.81	S22°50'00"E
C-4	"	"	"	"	"	S67°50'00"E
C-5	90.00	90°00'00"	90.00	141.37	127.28	N44°40'00"E
C-6	120.00	90°00'00"	120.00	188.50	169.71	"
C-7	150.00	45°57'07"	63.60	120.30	117.10	N66°41'27"E
C-8	150.00	44°02'53"	60.68	119.32	112.50	N21°41'27"E
C-9	90.00	90°00'00"	90.00	141.37	127.28	N45°20'00"W
C-10	20.00	"	20.00	188.50	169.71	"
C-11	150.00	30°33'28"	40.98	80.00	78.06	S75°03'16"E
C-12	150.00	59°26'32"	85.63	155.62	148.73	S30°03'16"E
C-13	420.00	30°30'00"	113.82	226.02	223.50	N74°15'00"E
C-14	450.00	"	124.09	242.16	239.25	"
C-15	480.00	"	132.56	258.31	255.20	"



SHEET 2 of 3
BELLEVUE FARMS SUBD.
SAWTOOTH ENGINEERS
KETCHUM, IDAHO

Scott C. Porter
P.O. Box 92
Ketchum, Id., 83340

Regarding Property located at
130 Equus Loop
Bellevue, ID. 83313

RECEIVED
NOV 18 2003
WATER RESOURCES
WESTERN REGION

November 17, 2003

State of Idaho Dept. Of Water Resources
2735 Airport Way
Boise, Id., 83705-5082

Dear Sir or Madam:

Enclosed please find:

1. Application of change of ownership of water rights
2. Copy of warranty deed showing ownership in property
3. Copy of preliminary title report dated August 15, 2003
4. Copy of water right no. 37-2557H
5. Check #1022 in the amount of \$25.00 for filing fee

If you have any questions feel free to call (208) 788-5626 at any time.

Sincerely,



Scott C. Porter

RECEIVED
NOV 20 2003
Department of Water Resources
Southern Region

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-02557H**
Date Received: 10/24/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DON W MONTGOMERY 208-788-6182
Address: PO BOX 829
BELLEVUE ID 83313
AND/OR
Name: MARY CATHERINE MONTGOMERY 208-788-6182
Address: PO BOX 829
BELLEVUE ID 83313

2. Date of Priority: SEP 25, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	18	NW	NE			BLAINE

5. Description of diverting works:
WELL & PUMP, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.120		

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) 21.00 A.F.A.

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
NOV 27 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	18	NW	NE		IRR	4.5
			NE	NW		IRR	1.5
Section Acres							6.0
Total Acres							6.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM WAS SPLIT FROM A 37-02557E PURSUANT TO APPROVED TRANSFER 4545.

CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4545:

1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.

2. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

3. AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL INSTALL A SUITABLE MEASURING DEVICE OR SHALL ENTER INTO AN AGREEMENT WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE INFORMATION TO THE DEPARTMENT.

4. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

5. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE THE APPROVAL OF THIS TRANSFER SHOULD NOT BE RESCINDED.

6. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

7. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS, TO THE EXTENT THEY ARE AVAILABLE, IN CONJUNCTION WITH GROUNDWATER DIVERTED PURSUANT TO THIS RIGHT.

8. THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT THE APPROVAL OF THE DEPARTMENT.

9. PLACE OF USE IS LOCATED WITHIN LOT 8, BLOCK 2, BELLEVUE FARM SUBDIVISION.

MICROFILMED
NOV 27 1996

15. Basis of Claim: LICENSE

Water Right Number: 25187

RECEIVED
DEC 20 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF ERROR
REPLY

11/21/2006

RECEIVED
DEC 18 2006
DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 37-2557H

SCOTT C PORTER

PO BOX 92

KETCHUM ID 83340

Telephone Number: (208)788-5626

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: 12-12-06

SIGNATURE:

Scott C. Porter

Please print your name:

SCOTT C. PORTER

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

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. 37-2557H, 37-21514,
37-21525, 37-21536, 37-21547, 37-21558

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

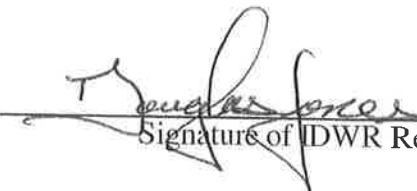
IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

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 *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:

2/17/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2-18, 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:

Original to:

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

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

Scott C. Porter
PO Box 99
Hailey ID 83333



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 37-2557H

NAME AND ADDRESS: SCOTT C PORTER
PO BOX 99
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
21.00 AFY

This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 09/25/1954

POINT OF
DIVERSION:

T01N R19E S18 NWNE 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	0.120 CFS 21.00 AFY
PLACE OF USE: <u>IRRIGATION in BLAINE County</u>		
T01N R19E S18 NWNE 4.50	T01N R19E S18 NENW	1.50
6 ACRES TOTAL		

Right Nos. 37-2557H, 37-21514, 37-21525, 37-21536, 37-21547 and 37-21558 are limited to the irrigation of a combined total of 9.9 acres in a single irrigation season.

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

The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.

This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.

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 - License

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Place of use is located within Lot 8, Block 2, Bellevue Farms Subdivision.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

02/02/2010

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

RIGHT NUMBER: 37-21514

NAME AND ADDRESS: SCOTT C PORTER
PO BOX 99
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.158 CFS

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T02N R18E S36 NESWNW 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	0.158 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R19E S18 NWNE 8.20	T01N R19E S18 NENW	1.70
	9.9 ACRES TOTAL		

Right Nos. 37-2557H, 37-21514, 37-21525, 37-21536, 37-21547 and 37-21558 are limited to the irrigation of a combined total of 9.9 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as Lot 8, Blk 2, Bellevue Farms Subdivision.

This right is a split from former right 37-577.

Point of diversion described above is the headgate for District 45 canal.

02/02/2010

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

RIGHT NUMBER: 37-21525

NAME AND ADDRESS: SCOTT C PORTER
PO BOX 99
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.010 CFS

PRIORITY DATE: 07/10/1884

POINT OF
DIVERSION:

T02N R18E S36 NESWNW 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	0.010 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R19E S18 NWNE 8.20	T01N R19E S18 NENW	1.70
	9.9 ACRES TOTAL		

Right Nos. 37-2557H, 37-21514, 37-21525, 37-21536, 37-21547 and 37-21558 are limited to the irrigation of a combined total of 9.9 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Point of diversion described above is the headgate for District 45 canal.

This right is a split from former right 37-664.

Property is also known as Lot 8, Blk 2, Bellevue Farms Subdivision.

02/02/2010

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

RIGHT NUMBER: 37-21536

NAME AND ADDRESS: SCOTT C PORTER
PO BOX 99
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 09/18/1885

POINT OF
DIVERSION:

T02N R18E S36 NESWNW 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	0.100 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R19E S18	NWNE 8.20	T01N R19E S18
			NENW 1.70
	9.9 ACRES TOTAL		

Right Nos. 37-2557H, 37-21514, 37-21525, 37-21536, 37-21547 and 37-21558 are limited to the irrigation of a combined total of 9.9 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as Lot 8, Blk 2, Bellevue Farms Subdivision.

Point of diversion described above is the headgate for District 45 canal.

This right is a split from former right 37-298.

02/02/2010

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

RIGHT NUMBER: 37-21547

NAME AND ADDRESS: SCOTT C PORTER
PO BOX 99
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.010 CFS

PRIORITY DATE: 06/12/1886

POINT OF
DIVERSION:

T02N R18E S36 NESWNW 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	0.010 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R19E S18 NWNE 8.20	T01N R19E S18 NENW	1.70
	9.9 ACRES TOTAL		

Right Nos. 37-2557H, 37-21514, 37-21525, 37-21536, 37-21547 and 37-21558 are limited to the irrigation of a combined total of 9.9 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as Lot 8, Blk 2, Bellevue Farms Subdivision.

This right is a split from former right 37-666.

Point of diversion described above is the headgate for District 45 canal.

02/02/2010

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

RIGHT NUMBER: 37-21558

NAME AND ADDRESS: SCOTT C PORTER
PO BOX 99
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.260 CFS

PRIORITY DATE: 06/15/1891

POINT OF
DIVERSION:

T02N R18E S36 NESWNW 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	0.260 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R19E S18 NWNE 8.20	T01N R19E S18 NENW	1.70
	9.9 ACRES TOTAL		

Right Nos. 37-2557H, 37-21514, 37-21525, 37-21536, 37-21547 and 37-21558 are limited to the irrigation of a combined total of 9.9 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as Lot 8, Blk 2, Bellevue Farms Subdivision.

This right is a split from former right 37-480 and 37-667.

Point of diversion described above is the headgate for District 45 canal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 18, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

SCOTT C PORTER
PO BOX 99
HAILEY ID 83333

RE: SRBA Claim(s) 37-2557H, 37-21514, 37-21525, 37-21536,
37-21547, 37-21558

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 12 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.

(Please print or type)

[] Water Right Number(s): 37-2557H, 37-21514,
37-21525, 37-21536,
37-21547, 37-21558

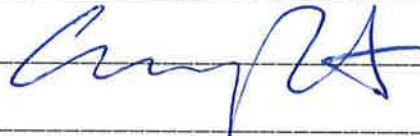
[] Name(s): SCOTT C. PORTER

[] Old Mailing Address: P.O. BOX 92
KETCHUM, ID 83340

[] New Mailing Address: P.O. BOX 99
HAILEY, ID 83333

Telephone Number: (208) 788-5626

Email: S.PORTER747@GMAIL.COM

[] Signature(s) of Owner(s) 

(Include your title if on behalf of company or organization)

Date: 1-29-10

Send a signed original to your closest regional office:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

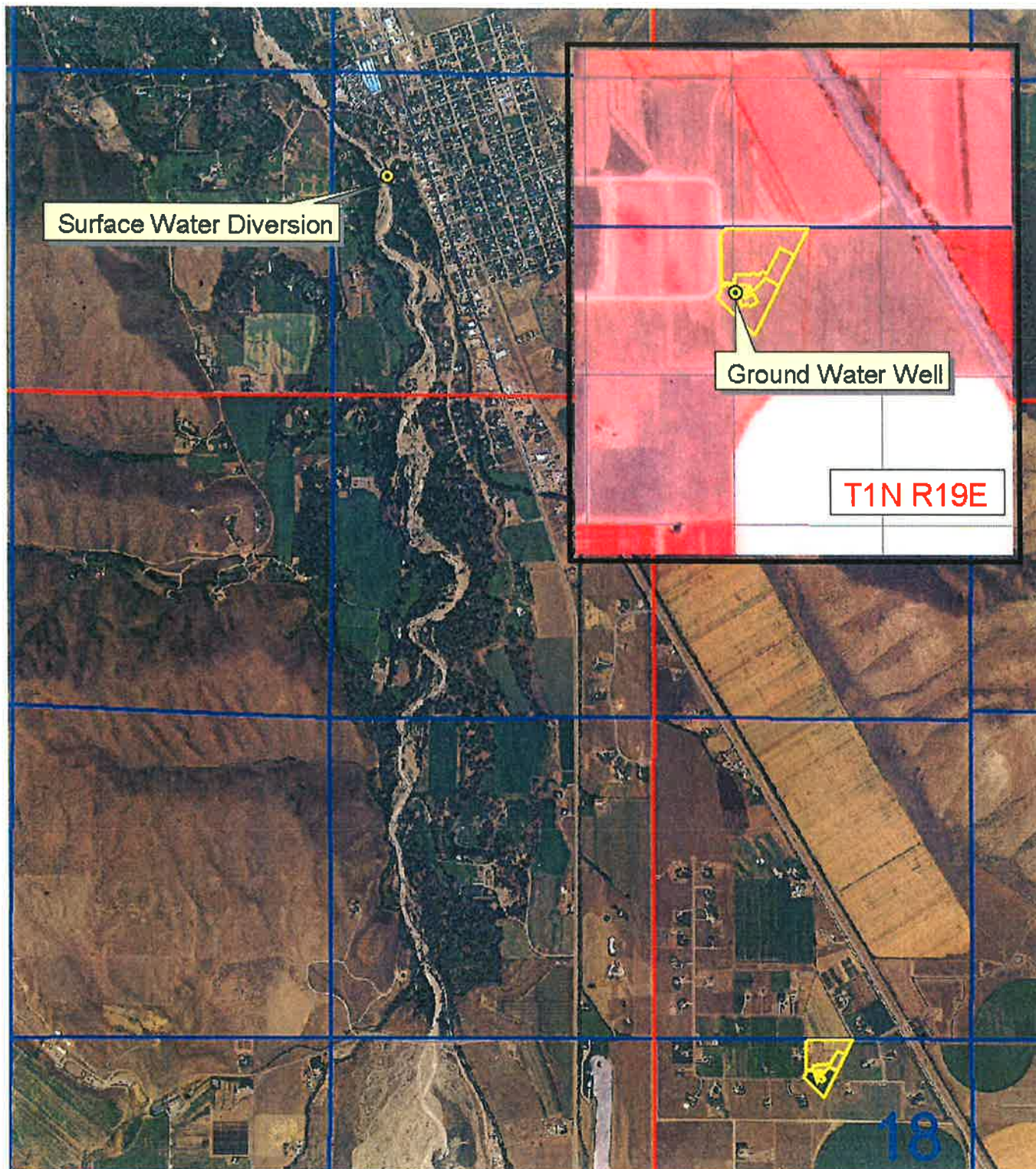
IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

SCANNED
MAR 10 2010

IDAHO DEPARTMENT OF WATER RESOURCES

Surface Water Rights: 37-21514, 37-21525, 37-21536,
37-21547, 37-21558

Ground Water Rights: 37-2557H



-  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: 11/28/2008
TARA D BAKER

11/29/2006

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

RIGHT NUMBER: 37-2557H

NAME AND ADDRESS: SCOTT C PORTER
PO BOX 92
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.

QUANTITY: 0.120 CFS
21.000 AFY

This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 09/25/1954

POINT OF DIVERSION:

T01N R19E S18 NWNE 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	0.120 CFS 21.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S18	NWNE	4.50	T01N R19E S18	NENW	1.50
---------------	------	------	---------------	------	------

6 ACRES TOTAL

Right Nos. 37-2557H, 37-21514, 37-21525, 37-21536, 37-21547 and 37-21558 are limited to the irrigation of a combined total of 9.9 acres in a single irrigation season.

Place of use is located within Lot 8, Block 2, Bellevue Farms Subdivision.

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 - License

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

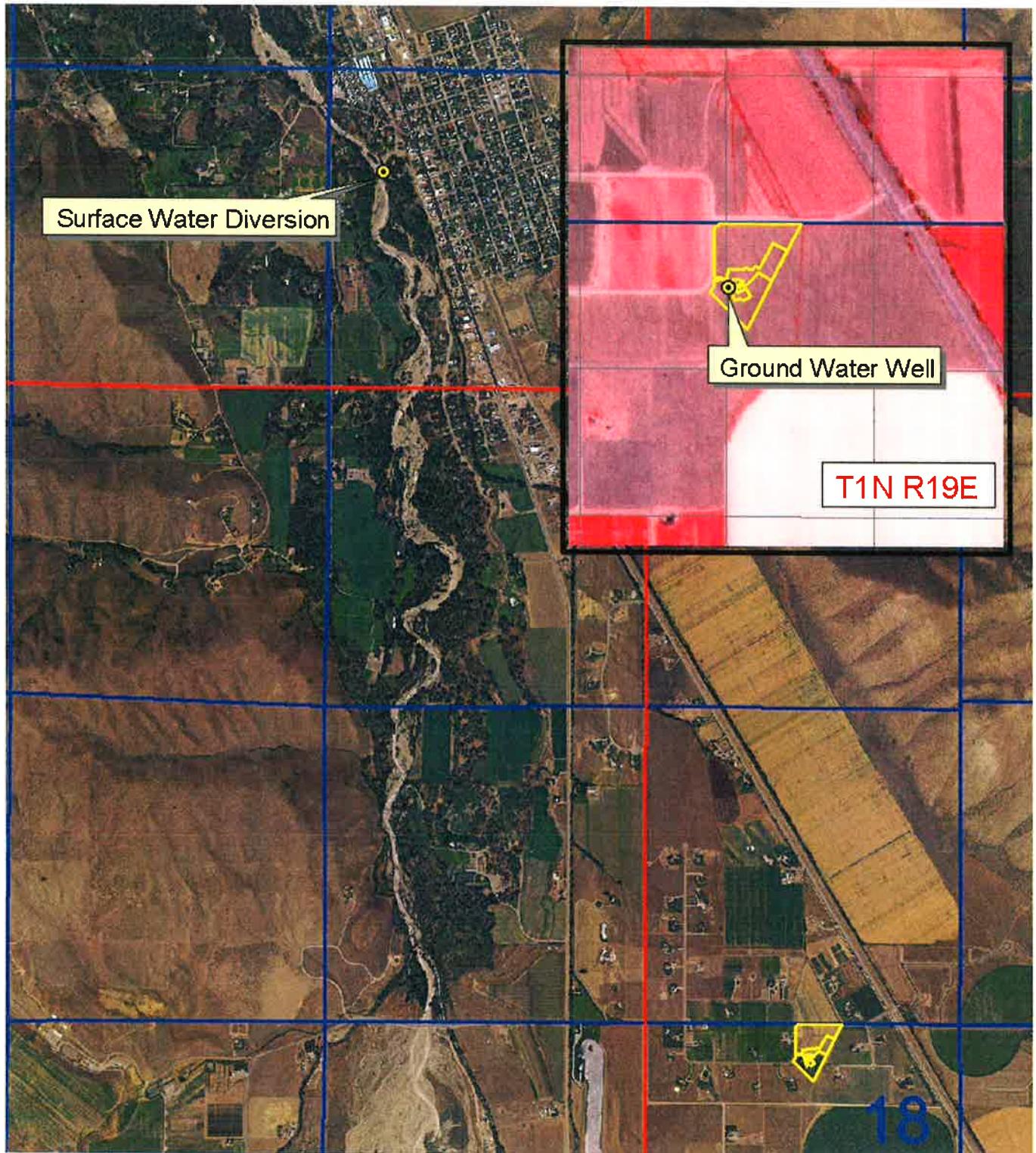
Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.

IDAHO DEPARTMENT OF WATER RESOURCES

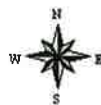
Surface Water Rights: 37-21514, 37-21525, 37-21536,
37-21547, 37-21558

Ground Water Rights: 37-2557H



-  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: 11/28/2008
TARA D BAKER



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

October 30, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

DON W AND MARY CATHERINE MONTGOMERY
PO BOX 829
BELLEVUE ID 83313

RE: Amendment of SRBA Claim A37-02557H

Dear Claimant:

Pursuant to the approval of Transfer No. 4545, 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
OCT 27 1996

Southern AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4545
WATER RIGHT NO. 37-02557H

This is to certify that: DON W MONTGOMERY
MARY CATHERINE MONTGOMERY
PO BOX 829
BELLEVUE ID 83313

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.12 CFS	21.0 AF

SOURCE

GROUNDWATER

Priority: 09/25/1954

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 18, Township 01N, Range 19E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	19E	18	NWNE 4.5	NENW 1.5		6
Total number of acres irrigated:						6

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

RECORDED
NOV 27 1996

TRANSFER NO. 4545
WATER RIGHT NO. 37-02557H

CONDITIONS/REMARKS:

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
8. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
- * 9. Place of use is located within Lot 8, Block 2, Bellevue Farm Subdivision

Dated this 30th day of

June

, 1995.

A. Glen Saylor

Chief, Water Alloc. Bureau

RECORDED
NOV 27 1995

MEMORANDUM

TO: FILE NO. 37-02557E
FROM: PAM SKAGGS/^{CS}STATE OFFICE
SUBJECT: TRANSFER NO. 4545
DATE: June 28, 1995

=====

Transfer No. 4545 was filed to change the point of diversion under a portion of Right No. 37-02557E, splitting the right into parts G and H. This is the third of 4 transfers being processed for approval simultaneously for a portion of Right No. 37-02557A.

The applicant has already drilled the well under Drilling Permit No. 37-93-S-0082-000 for Domestic use. A copy of the approved transfer will be routed to the Groundwater Protection Section to notify them of the change in status of use of the well. They should pursue the additional drilling permit fee for irrigation use.

Season of use and diversion volume were adjusted to current standards. Recommended transfer conditions include irrigation overlap, drilling permit requirements, supplemental groundwater, future measuring and reporting and standard transfer conditions.

MICROFILMED
NOV 27 1995

MAR 14 1995

Page 1 of 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4545

DEC 27 1994

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Don W. Montgomery 9/cr 11/91 Phone 208 788 6182

Post Office address PO 829 1 BELLEVUE, ID 83313

A. PURPOSE OF TRANSFER * Added per telecon w/applicant 1-25-95 JH

1. ~~Change~~ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use

- ☐ Change nature of use ☐ Change period of use ☒ Other Split right

2. Describe the reason for the proposed changes We want to split part of the groundwater right into our name. We want to irrigate 6 acres from the well we drilled in 1993. (Drilling Permit 27-93-5-0082-000) *

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

- | 1. Right Number | Priority | Amount
(cfs/acre-ft) | Nature
of Use | Period of Use |
|-----------------|-----------|-------------------------|------------------|---------------|
| 37-02557-1 | 9-25-1954 | 0.12 | Irrigation | 4-15 to 10-15 |
| | | | | to |
| | | | | to |
| | | | | to |

2. Total amount of water being transferred 0.12 cubic feet per second and/or 21 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use: * No Change

[illegible]

Total acres 6

PART 1

6. General Information:

a. Description of diversion system Existing well with pump to mainlines
that service sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A

d. Remarks:
Place of use is Lt 8, Block 2, Bellevue Farms Sub. and
consists of paddocks, lawn and a sand arena.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

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

NOTED
NOV 27 1998

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. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. ~~437-02557E~~ 37-02557A ^{80 1-24-95} issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 4035 which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date or priority 9-25-1954

5. Water is used for the following purpose:

amount 5.04 5.20 for Irrigation purposes from 47 to 11-1
 (cfs/ac-ft) ^{80 1-24-95}
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 5.04 5.20 ^{80 1-24-95} cubic feet per second and/or 9/10 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	7	1N	19E	Blaine	

8. Lands irrigated or place of use:

^{80 1-24-95}

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	
1N	19E	7											40 37 40 * 47	35		5	35		142 115*
		18	25	40			40	35											140 145*
							41 40 *												

Total acres * 252 260

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

Various surface
water rights on all or 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 0.12 cfs for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	7	1N	19E	Blaine	

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	
1N	19E	18		4.5			1.5												6

Total acres 6

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

1. amount 4.92 * 5.08 cfs for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	7	1N	19E	Blaine	

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	
1N	19E	7											37	35		5	35		112 115*
		18	25	35.5			39.5	35					44	*					+34 139
							41	40											

Total acres 246 254*

5. 87. 6

Irregular

DETAIL

PROPOSED

PLAT

T# 4545

5. 87. 6

DETAILED PLAT MAP

Block 2, 3, 4

UPRR

Public Road

Private

Block 2

Block 3

Block 4

Lot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

RECORDED

NOV 27 1995

T# 4545

Section Corner

By JUB '72

SHEET 1 of 3

BELLEVUE FARMS SUBD.

5. 87. 6

RECORDED
JUN 27 1985

Section Corner
By JUN '72

SHEET 1 of 3
BELLEVUE FARMS SUBD.

T# 4545

5. 87. 6

1111 = Irrigated

RECORDED

NOV 27 1995

Section Corner
By JUL '72

SHEET 1 of 3
BELLEVUE FARMS SUBD.

T# 4545

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 20th day of January, 1995.

[Signature]
(Notary Public)

My commission expires 8-1-2000

CV# 5747/100.

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by MTS 45 main Date 1/23/95

Protest filed by None

Prelim. check by J.F. Stanton Fee \$100 5017700

Received by MTS Date 1-24-95

Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 2/8 & 2/15/95

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by ADm

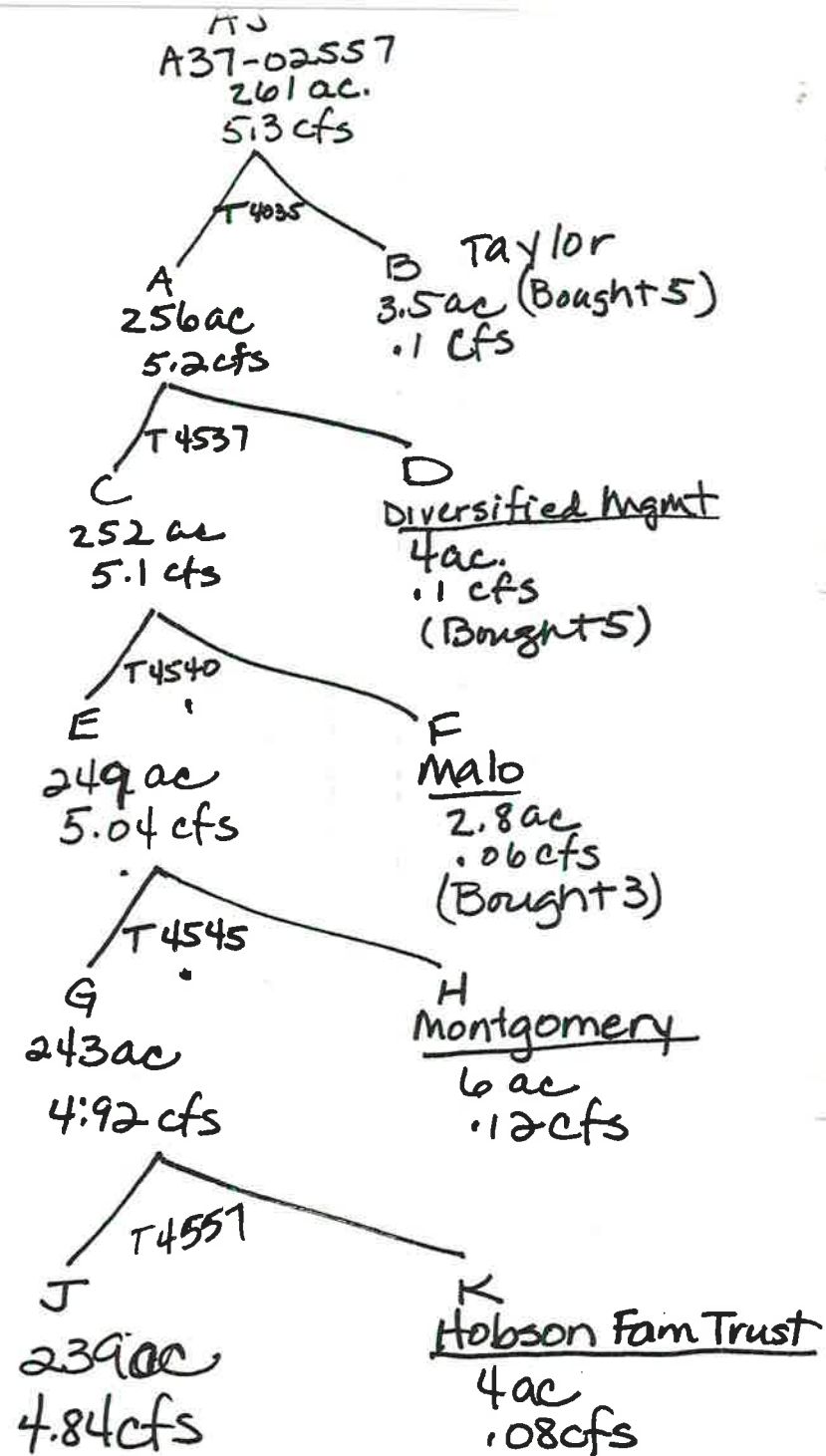
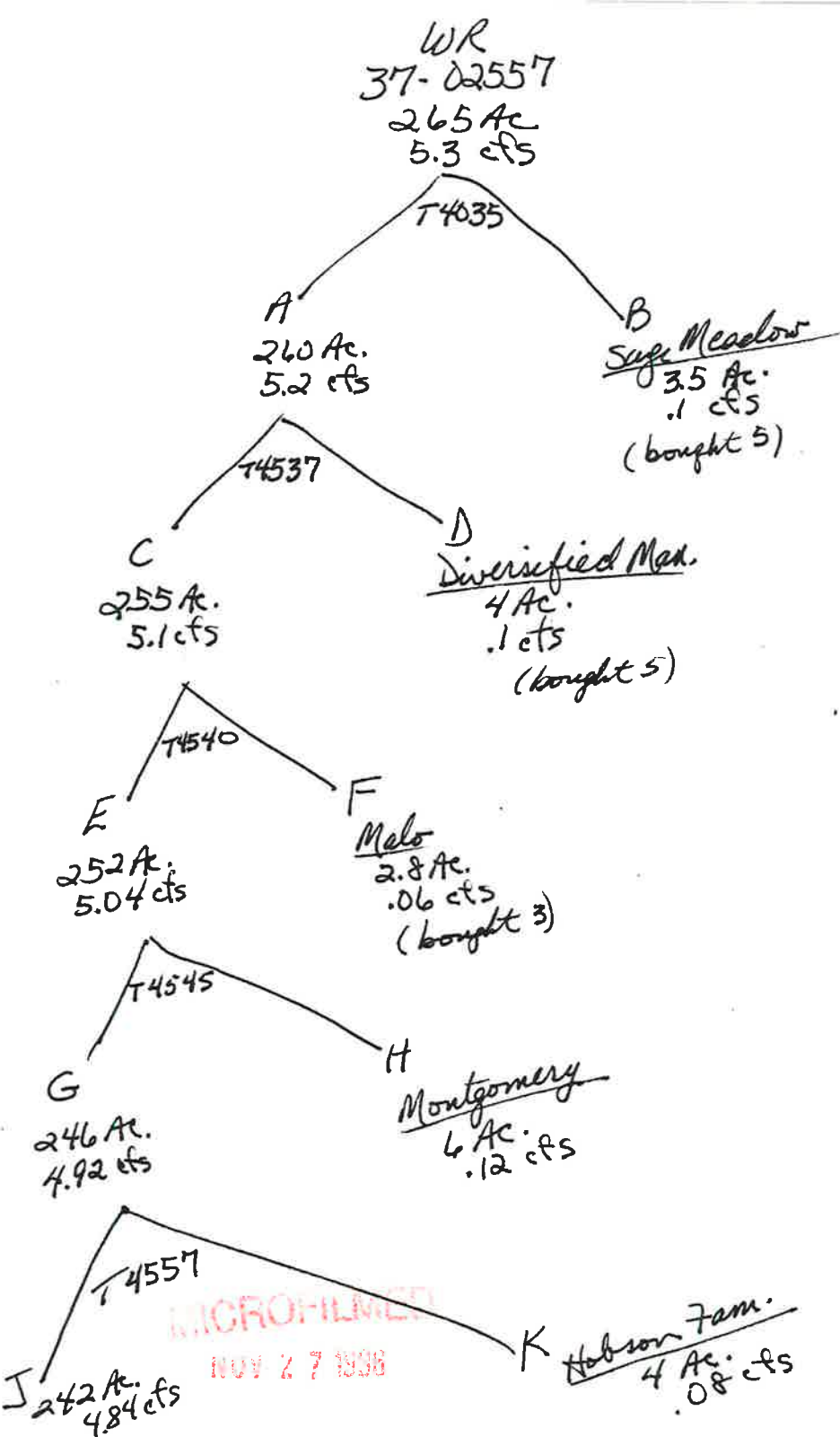
Copy of transfer sent to lien holder _____

RECEIVED

JAN 24 1995

Department of Water Resources
Southern Region

MICROFILMED
NOV 27 1994



WATER RIGHT NUMBER - A37-11353

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
BROWNING

CARL

1 - BOX 259

2 -

3 -

CITY- BELLEVUE

STATE- ID ZIP- 83313

PHONE - 208-788-9673

BROWNING

BARBARA

1 - BOX 259

2 -

3 -

CITY- BELLEVUE

STATE- ID ZIP- 83313

PHONE - 208-788-9673

+ - - PRIORITY DATE - - +
09/01/1981

+ - - - REGION - - - +
ERROR IN REGION

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - TRIBUTARY - - - - - +

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
01N	19E	29	NE NW NW			(13)	BLAINE	

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
43 - DOMESTIC		01/01	12/31		0.060	
04 - STOCKWATER		01/01	12/31		0.090	

TOTAL DIV. RATE - +	TOTAL DIV. VOLUME - +	TOTAL DIV. CAPACITY - +	TOTAL CONSUMPTIVE USE - +	KW USAGE - +
0.060			0.0	

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
01N	19E	29	NW NW			04	STOCKWATER	(13) BLAINE
01N	19E	29	NW NW			43	DOMESTIC	(13) BLAINE

+ - - DIVERSION MEANS - WELL AND PUMP

+ - - NON-IRRIGATION USE - 0/ 2 HOUSES S/ 2000 SHEEP

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

172 Pero Rd #

MICROFILMED
NOV 27 1998

WATER RIGHT NUMBER - A37-11353

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 10/05/88 MOBILE2 10/03/89 REFUNDML

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 10/05/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- M001513	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- OR	NOTICE OF ERROR FLAG	-

01N19029118A (S/)
01N19029118C A (D)

DATA ENTRY

ENTERED 12-22-93 RS
CHECKED 4-7-94

"Verified By"
Topographic PQ
ASCE Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 20 1992

CERTIFIED
MAR 25 1992
WATER EXAMINER

MICROFILMED
NOV 27 1996

Southern AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4545
WATER RIGHT NO. 37-02557H

This is to certify that: **DON W MONTGOMERY**
MARY CATHERINE MONTGOMERY
PO BOX 829
BELLEVUE ID 83313

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.12 CFS	21.0 AF

SOURCE

GROUNDWATER

Priority: 09/25/1954

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 18, Township 01N, Range 19E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 19E 18	NWNE 4.5	NENW 1.5		6
Total number of acres irrigated:				6

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

MICROFILMED
NOV 27 1996

TRANSFER NO. 4545
WATER RIGHT NO. 37-02557H

CONDITIONS/REMARKS:

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
8. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
- * 9. Place of use is located within Lot 8, Block 2, Bellevue Farm Subdivision.

Dated this 30th day of June, 1995.

A. Glen Saylor
Chief, Water Alloc. Bureau

MICROFILMED
NOV 27 1995

MEMORANDUM

TO: FILE NO. 37-02557E

FROM: PAM SKAGGS/^{CS}STATE OFFICE

SUBJECT: TRANSFER NO. 4545

DATE: June 28, 1995

=====

Transfer No. 4545 was filed to change the point of diversion under a portion of Right No. 37-02557E, splitting the right into parts G and H. This is the third of 4 transfers being processed for approval simultaneously for a portion of Right No. 37-02557A.

The applicant has already drilled the well under Drilling Permit No. 37-93-S-0082-000 for Domestic use. A copy of the approved transfer will be routed to the Groundwater Protection Section to notify them of the change in status of use of the well. They should pursue the additional drilling permit fee for irrigation use.

Season of use and diversion volume were adjusted to current standards. Recommended transfer conditions include irrigation overlap, drilling permit requirements, supplemental groundwater, future measuring and reporting and standard transfer conditions.

MICROFILMED
NOV 27 1996

Date Sent to S.O.

MAR 14 1995

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4545

DEC 27 1994

Department of Water Resources
Southern Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Don W. Montgomery & Mary Catherine Montgomery* Phone 208 788 6182
Post Office address po 829 Bellevue Id 83313A. PURPOSE OF TRANSFER * Added per telecon w/applicant 1-25-95

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split right

2. Describe the reason for the proposed changes We want to split part of the groundwater right into our name. We want to irrigate 6 acres from the well we drilled in 1993. (Drilling Permit 37-93-5-0082-000) *

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-02557H</u>	<u>9-25-1954</u>	<u>0.12</u>	<u>Irrigation</u>	<u>4-15</u> to <u>10-15</u>
				to
				to
				to

2. Total amount of water being transferred 0.12 cubic feet per second and/or 21 acre-feet per annum.

3. Source of water Groundwater tributary to

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>NW</u>	<u>NW</u>	<u>NE</u>	<u>18</u>	<u>1N</u>	<u>19E</u>	<u>Blaine</u>	

5. Lands irrigated or place of use: * No Change

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>1N</u>	<u>19E</u>	<u>18</u>		<u>4.5</u>			<u>1.5</u>												<u>6</u>

MICROFILMED
NOV 27 1994Total acres 6

PART 1

6. General Information:

a. Description of diversion system Existing well with pump to mainlines
that service sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A

d. Remarks:
Place of use is Lt 8, Block 2, Bellevue Farms Sub. and
consists of paddocks, lawn and a sand arena.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

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

MICROFILMED
NOV 27 1998

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. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 437-02557E 37-02557A § 1-24-95 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 4035 which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 9-25-1954

5. Water is used for the following purpose:

amount 5.04 5.20 for Irrigation purposes from 47 to 11-1
 (cfs/ac-ft) § 1-24-95
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 5.04 5.20 § 1-24-95 cubic feet per second and/or 9/0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	7	1N	19E	Blaine	

8. Lands irrigated or place of use:

* § 1-24-95

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	
1N	19E	7											40 37 35			5	35		142 115*
		18	25	40			40	35				40 41 40 *							140 145*

Total acres * 253 260

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

water rights on all or 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 0.12 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	7	1N	19E	Blaine	

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	
1N	19E	18		4.5			1.5												6

Total acres 6

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

1. amount 4.92*5.08 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	7	1N	19E	Blaine	

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	
1N	19E	7											37	35		5	35		112 115*
		18	25	35.5			38.5	35					44						+34 139
							41	40											

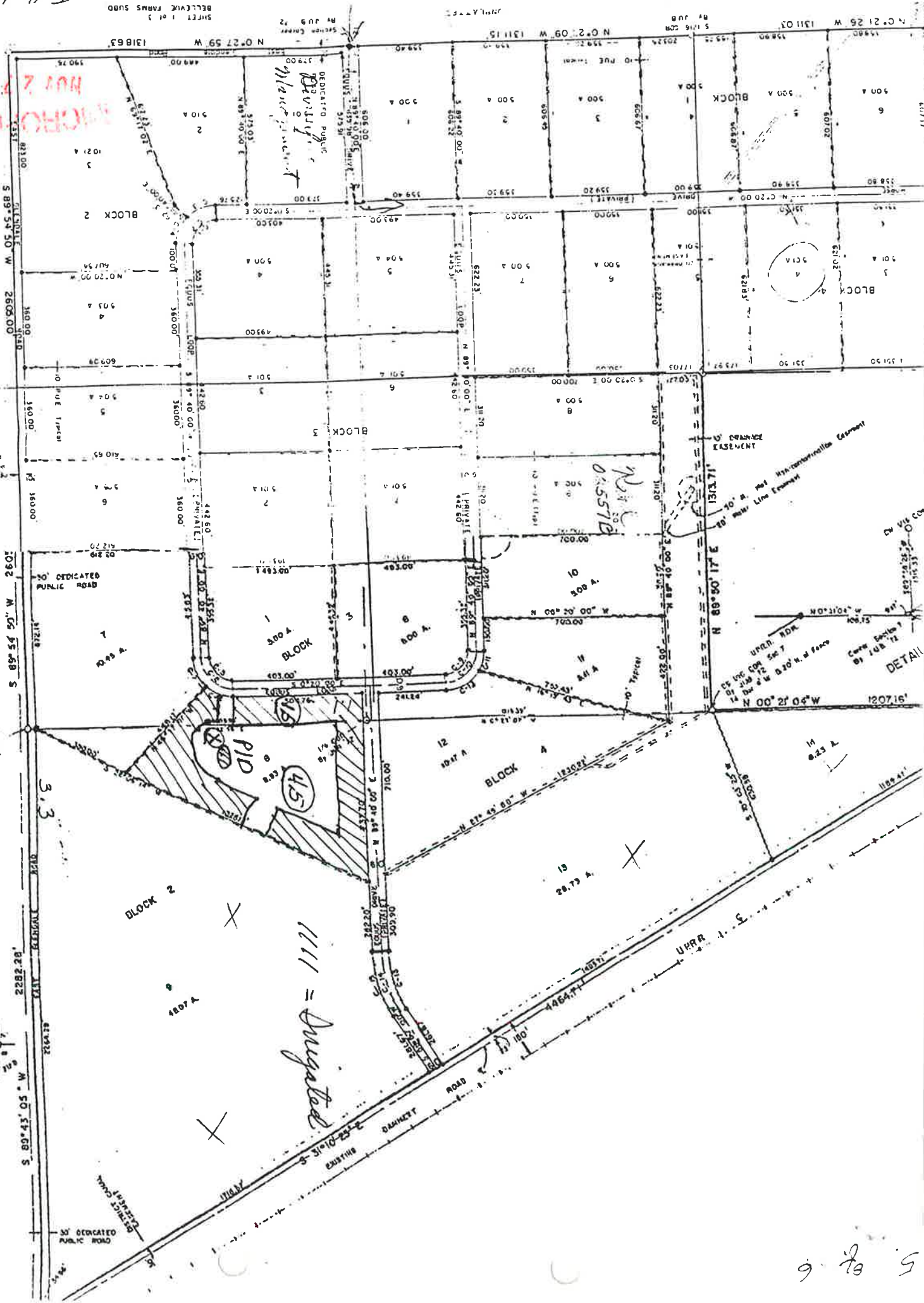
Total acres 246 254*

T# 4545

SHEET 1 of 3
BELLVIEW FARMS SUBD

By JUB

NOV 27 1938



1111 = Augated

5. 9. 6

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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 20th day of January, 1995.

[Signature]
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 8-1-2000

att # 5147/100.

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by M/S AS maid Date 1/23/95

Protest filed by None

Prelim. check by JF Stanton Fee \$100 5017700

Receipted by M/S Date 1-24-95

Published in Wood River Journal

Copies of protest forwarded by

Pub. dates 2/8 & 2/15/95

Hearing held by Date

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

rec'd. by AD

Copy of transfer sent to lien holder

RECEIVED

JAN 24 1995

Department of Water Resources
Southern Region

MICROFILMED
NOV 27 1996

