

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-2557X V1

WATER RIGHT NUMBER: 37-2557X V1

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	DONATA ROOS PO BOX 3343 HAILEY, ID 83333 (208)788-2439
Previous Owner	CONRAD PETERSEN PO BOX 3874 HAILEY, ID 83333 (208)412-2412
Current Owner	WELDON AND MARILYN J WANKIER LIVING TRUST PO BOX 194 SUN VALLEY, ID 83353 (208)788-3197
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Original Owner	ALLEN E HENDRIX , ID
Previous Owner	JUDITH PETERSEN PO BOX 3874 HAILEY, ID 83333 (208)412-2412

Priority Date: 09/25/1954

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.100 CFS	17.90 AF
	<u>Total Diversion:</u>	0.100 CFS	17.90 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 7, Twp 01N, Rge 19E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	19E	7												5.1					5.1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-2557X V1

Total Acres: 5.1

Conditions of Approval:

1. Point of diversion is located within Lot 11, Block 4, Bellevue Farms Subdivision.
2. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. 01M 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. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. Place of use is located within Lot 11, Block 4, Bellevue Farms Subdivision.
6. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. Right Nos. 37-2557X, 37-20764, 37-20771, 37-20778, 37-20785, 37-20792 and 37-8663 are limited to the irrigation of a combined total of 5.1 acres in a single irrigation season.
10. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Rights 37-002557X and 37-08663 when combined shall not exceed an annual diversion volume of 17.9 af for irrigation purposes.

Remarks:

Comments:

Water Supply Bank:

ORIGINAL IN RED

Claimants Names:

Weldon and Marilyn J. Wankier Living
Trust

Attorney Name & Address:

James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752

RECEIVED

DEC 29 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

In Re SRBA

Case No. 39576

)
)
)
)
)
)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

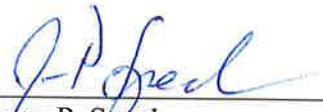
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Weldon and Marilyn J. Wankier Living Trust, for the following water right which is not the subject of a subcase: 37-2557X.

DATED this 27 day of December, 2006.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 27 day of December, 2006, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

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

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

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

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

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

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


JAMES P. SPECK

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

December 27, 2006

Mr. Doug Jones
Idaho Department of Water Resources
1341 Filmore, Suite 200
Twin Falls ID 83301

RECEIVED
DEC 29 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

**Re: Weldon and Marilyn J. Wankier Living Trust
Water Right Nos. 37-20771, 37-20778, 37-20785, 37-20792,
37-2557X and 37-20764
Our File No.: 259/060068**

Dear Doug:

Enclosed please find the following Notices of Appearance for my client, Weldon and Marilyn J. Wankier Living Trust: 37-20771, 37-20778, 37-20785, 37-20792, 37-2557X and 37-20764. Please receipt date stamp the originals, conform the copies and return them to our office in the enclosed self-addressed stamped envelope.

Please call my office if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____


James P. Speck

JPS:jal
Enclosures
cc: Client (w/encls.)

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

RECEIVED
NOV 28 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, 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
37-20771			31-20764		
37-20778			37-8663		
37-20785					
37-20792					
37-2557X					

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

OR

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

3. Name and Address of Former Owner/Claimant(s) CONRAD & JUDITH PETERSEN
P.O. Box 3874, HAILEY, ID. 83333
4. New Owner/Claimant(s) WELDON & MARILYN J. WANKLER LIVING TRUST
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 194
- City, State and ZIP Code SUN VALLEY, IDAHO 83353
- New Telephone Number (208) 788-3197
5. Date you acquired the property August 18, 2006

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

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

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

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

Weldon Wankin, Trustee
Marilyn J Wankin, Trustee

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

For Office Use Only

Received by <u>[Signature]</u>	Date <u>11/28/06</u>	Fee <u>2500</u>
Receipted by <u>[Signature]</u>	Date <u>11/28/06</u>	Receipt No. <u>3029065</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

November 26, 2006

Connie Hahn
Department of Water Resources
State of Idaho
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RECEIVED
NOV 28 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: ownership change

Dear Connie Hahn:

Enclosed is the "change of ownership" form covering the transfer to the Weldon and Marilyn J. Wankier Living Trust.

I have noted the water right numbers. I have also enclosed the \$25.00 fee for the transfer of water right #37-8663.

As noted in your letter, I am assuming that you have the documentation for item #2.

Please send confirmation to our post office box in Sun Valley. Also, please call if you have any questions.

Yours truly,



Weldon Wankier
P.O. Box 194
Sun Valley, ID 83353
(208) 788-3197



Order No. 0622686

WARRANTY DEED

FOR VALUE RECEIVED

CONRAD PETERSEN and JUDITH PETERSEN, husband and wife

the Grantors do hereby grant, bargain, sell, convey and warrant unto

WELDON WANKIER and MARILYN J. WANKIER Trustees of THE WELDON AND MARILYN J. WANKIER LIVING TRUST Dated March 23, 2000

the Grantees whose current address is:

P O Box 194
Sun Valley, ID 83353

w/rgw

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

Lot 11, Block 4 of BELLEVUE FARMS SUBDIVISION, BLAINE COUNTY, IDAHO,
according to the official plat thereof, recorded August 25, 1980, as Instrument No. 206106,
records of Blaine County, Idaho.SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and
encumbrances as shown of record, if any.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with
the said Grantees, that they are the owners in fee simple of said premises; that said premises are
free from all encumbrances and that they will warrant and defend the same from all lawful
claims whatsoever.

Conrad Petersen
7-25-06
Date

Judith Petersen
7/25/06
Date

State of: Idaho

County of: Blaine

On this 25 day of July, 2006, before me, the undersigned, a Notary Public, in and for said
State, personally appeared CONRAD PETERSEN AND JUDITH PETERSEN, known to me,
and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are
subscribed to the within instrument and acknowledged to me that they executed the same.

Notary Public

Residing at: Ketchum

Commission Expires: 11-27-08

To: Vick
From: Ayndie
@ WD 37

COPY

Order No. 0622686

QUITCLAIM DEED

For Value Received

CONRAD PETERSEN and JUDITH PETERSEN, husband and wife

*Do hereby convey, release, remise and forever quitclaim unto*WELDON WANKIER AND MARILYN J. WANKIER TRUSTEES OF THE WELDON
AND MARILYN J. WANKIER LIVING TRUST DATED MARCH 23, 2000*Whose current address is*

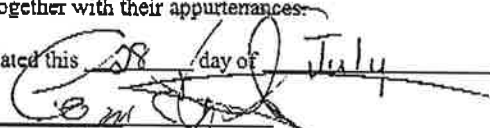
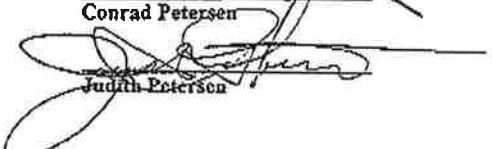
P O Box 194, Sun Valley, ID 83353

The following described premises, to-wit:

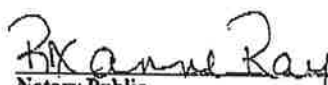
"all water rights and other entitlements to receive water for beneficial use on the real property described below hereto, including, without limitation, all rights represented by any contract, decree, license, permit, permit application, claim or storage entitlement, and those water rights identified in the records of the Idaho Department of Water Resources ("IDWR") as 37-2557X, 37-20764, 37-20771, 37-20778, 37-20785, 37-20792 and 37-8663, and all ditches, ditch rights, easements and rights-of-way associated with the delivery of such water rights"

Lot 11, Block 4 of BELLEVUE FARMS SUBDIVISION, BLAINE COUNTY, IDAHO,
according to the official plat thereof, recorded August 25, 1980, as Instrument No. 206106,
records of Blaine County, Idaho.

Together with their appurtenances:

Dated this 28 day of July, 2006.
Conrad Petersen
Judith PetersenState of: IdahoCounty of: Blaine

On this 28 day of July, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared CONRAD PETERSEN AND JUDITH PETERSEN, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.


Notary PublicResiding at: KetchumCommission Expires: 11-27-08



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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 22, 2006

WELDON AND MARILYN WANKIER
PO BOX 194
SUN VALLEY ID 83353

RE: OWNERSHIP CHANGE

Dear Mr. and Mrs. Wankier,

In research, the Department has found you are the current owners of the property to which a water right and water right claims are appurtenant. In order for our records to be changed, however, it is necessary for you to complete the enclosed Notice of Change of Water Right Ownership form.

Please complete it per the instructions (pages 3 and 4). The Adjudication Claims do not have fees at this time but Water Right 37-8663 requires a fee of \$25.00. The documentations listed under item 2 have already been submitted.

Once this packet is received, the changes will be made to our records, and you will be sent confirmation that the change has been completed.

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

Sincerely,

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

Carrie Hahn
Clerk

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 37-2557X
Date Received: 8/22/2002
Receipt No:
Received By:

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

1. Name of Claimant(s)

CONRAD PETERSEN Phone: (208)412-2412
PO BOX 3874
HAILEY ID 83333

JUDITH PETERSEN Phone: (208)412-2412
PO BOX 3874
HAILEY ID 83333

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	7	SE SW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/31	0.1	17.9

7. Total Quantity Appropriated is:
0.1 C.F.S. and/or 17.9 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	7	SE	SW	IRRIGATION	5.1
Section Acres						5.1
Total Acres						5.1

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:

8/22/02 tf; claim split from 37-2557U pursuant to approved transfer 5615:

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.

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

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-22, Idaho Code, or approval of the Department if a transfer is not required.

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.

Rights 37-002557X and 37-08663 when combined shall not exceed a total annual maximum diversion volume of 17.9 af for the irrigation of 5.1 maximum acres, and are subject to the further modification in the Snake River Basin Adjudication. Point of diversion and place of use are located within Lot 11, Block 4, Bellevue Farms Subdivision.

Right holder shall comply with the drilling permit requirements of Section 42-35, Idaho Code.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

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

. 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

August 2, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CONRAD PETERSEN
JUDITH PETERSEN
PO BOX 3874
HAILEY ID 83333

Re: SRBA Claim(s) 37-2557X, 37-20764, 37-20771, 37-20778, 37-20785,
37-20792

Dear Mr. and Mrs. Petersen:

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

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED

JUL 12 2005

Department of Water Resources
Southern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED

JUL 06 2005

Department of Water Resources
Southern Region

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
37-2557x			37-20792		
37-20764					
37-20771					
37-20778					
37-20785					

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) Donata Lovelless 31211 N. 64th St.
Love Creek, AZ 85331-6143
4. New Owner/Claimant(s) Conrad and Judith Peterson
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 3874
- City, State and ZIP Code Hailey, Idaho 83333
- New Telephone Number 208 412-2412
5. Date you acquired the property 20-Nov-2004

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

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

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

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

Conrad Refersen
Julith Refersen

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 _____

AFTER RECORDING MAIL TO:

Conrad Petersen and Judith Petersen
30 Hugh Street
West Hartford, CT 06119

RECEIVED

JUL 12 2005

Department of Water Resources
Southern Region

WARRANTY DEED

File No.: **101522 (ab)**

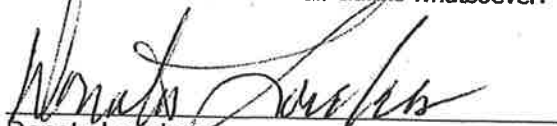
Date: **October 29, 2004**

For Value Received, **Donata Loveless, a single person**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Conrad Petersen and Judith Petersen, husband and wife**, hereinafter called the Grantee, whose current address is **30 Hugh Street, West Hartford, CT 06119**, the following described premises, situated in **Blaine County, Idaho**, to-wit:

LOT 11 IN BLOCK 4 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.


Donata Loveless

A. Settlement Statement

OME Approval No. 2502-0265

First American Title Company
Settlement Statement

B. Type of Loan

1-5. Loan Type Conv. Unins.

6. File Number 101522

7. Loan Number 084984246

8. Mortgage Insurance Case Number

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown, items marked "(POC)" were paid outside this closing; they are shown here for informational purposes and are not included in the totals.

D. Name of Borrower: Conrad Petersen, Judith Petersen
30 Hugh Street, West Hartford, CT 06119

E. Name of Seller: Donata Loveless
29047 N. 64th Street Cave Creek, AZ 85331

F. Name of Lender: Countrywide Home Loans
6154 North Meeker Place Suite 200
Boise, ID 83713

G. Property Location: 206 Equus Loop, Blaine County, ID 83313

H. Settlement Agent: First American Title Company
Address: 20A East Bullion, Hailey, ID 83333

Place of Settlement Address: 20A East Bullion, Hailey, ID 83333

I. Settlement Date: 11/16/2004

Print Date: 11/10/2004, 1:51 PM

Disbursement Date: 11/16/2004

J. Summary of Borrower's Transaction

100. Gross Amount Due From Borrower

101. Contract Sales Price

515,000.00

102. Personal Property

103. Settlement charges to borrower (line 1400)

5,082.96

104.

105.

Adjustments for items paid by seller in advance

106. City/town taxes

107. County taxes

108. Assessments

109. Association Dues 11/16/04 to 01/01/05 @\$650.00/yr

81.92

110.

111.

112.

113.

114.

115.

120. Gross Amount Due From Borrower

520,164.88

200. Amounts Paid By Or In Behalf of Borrower

201. Deposit or earnest money

10,000.00

202. Principal amount of new loan(s)

412,000.00

203. Existing loan(s) taken subject

204. New Loan to File from America's Wholesale Lender

51,500.00

205.

206.

207.

208.

209.

Adjustments for items unpaid by seller

210. City/town taxes

211. County taxes 07/01/04 to 11/16/04 @\$910.41/semi

688.42

212. Assessments

213.

214.

215.

216.

217.

218.

219.

220. Total Paid By/For Borrower

474,188.42

300. Cash At Settlement From/To Borrower

301. Gross amount due from Borrower (line 120)

520,164.88

302. Less amounts paid by/for Borrower (line 220)

474,188.42

303. Cash (X From) (To) Borrower

45,976.46

K. Summary of Seller's Transaction

400. Gross Amount Due To Seller

401. Contract Sales Price

402. Personal Property

403. Total Deposits

404.

405.

Adjustments for items paid by seller in advance

406. City/town taxes

407. County taxes

408. Assessments

409.

410.

411.

412.

413.

414.

415.

420. Gross Amount Due To Seller

500. Reductions in Amount Due to Seller

501. Excess deposit (see instructions)

502. Settlement charges (line 1400)

503. Existing loan(s) taken subject

504. Payoff of first mortgage loan

505. Payoff of second mortgage loan

506.

507.

508.

509.

Adjustments for items unpaid by seller

510. City/town taxes

511. County taxes

512. Assessments

513.

514.

515.

516.

517.

518.

519.

520. Total Reduction Amount Due Seller

600. Cash At Settlement To/From Seller

601. Gross amount due to Seller (line 420)

602. Less reductions in amounts due to Seller (line 520)

603.

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused a willful and

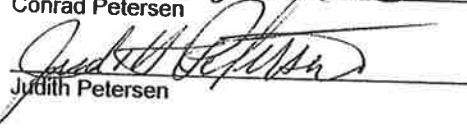
Supplemental Page HUD-1 Settlement Statement		File No. 101522
First American Title Company Settlement Statement		Loan No. 084984246
		Settlement Date: 11/16/2004
Borrower Name & Address: Conrad Petersen, Judith Petersen 30 Hugh Street, West Hartford, CT 06119		
Seller Name & Address: Donata Loveless 29047 N. 64th Street Cave Creek, AZ 85331		

Section L. Settlement Charges continued		Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
1108. Supplemental Summary	755.97		
a) Policy-Eagle Owners Policy - First American Title Company		168.87	
b) Policy-Extended Lender's Policy - First American Title Company		512.10	
c) Policy-Standard Lender's Policy - 2nd - First American Title Company		75.00	

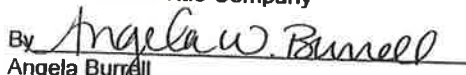
I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and distributions made on my account or by me in this transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

BUYER(S):


Conrad Petersen


Judith Petersen

First American Title Company

By 
Angela Burrell

AFTER RECORDING MAIL TO:

Conrad Petersen and Judith Petersen
30 Hugh Street
West Hartford, CT 06119

QUITCLAIM DEED

File No.: **101522 (ab)**

Date: **October 29, 2004**

For Value Received, **Donata Loveless, a single person**, does hereby convey, release, remise, and forever quit claim unto **Conrad Petersen and Judith Petersen, husband and wife**, whose address is **30 Hugh Street, West Hartford, CT 06119**, herein after called the Grantee, all right, title and interest in and to any **water rights** appurtenant to the following real property situated in **Blaine County, Idaho**, to-wit:

LOT 11 IN BLOCK 4 OF BELLEVUE FARMS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 206106, RECORDS OF BLAINE COUNTY, IDAHO.

together with its appurtenances.

Dated 11-12-04


Donata Loveless



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 6, 2005

CONRAD PETERSEN
JUDITH PETERSEN
PO BOX 3874
HAILEY ID 83333

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIMS 37-2557X, 37-20764,
37-20771, 37-20778, 37-20785, 37-20792

Dear Claimant(s):

Thank you for submitting the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without the required information listed under item 2 of the ownership change form. Specifically, we need a copy of your warranty deed (with attached legal description) along with a plat or survey map.

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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

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

RECEIVED
JUL 06 2005
 Department of Water Resources
 Southern Region

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
37-2557X			37-20792		
37-20764					
37-20771					
37-20778					
37-20785					

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) Donata Lovelless 31211 N. 64th St.
Love Creek, AZ 85331-6143
4. New Owner/Claimant(s) Conrad and Judith Peterson
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 3874
- City, State and ZIP Code Hailey, Idaho 83333
- New Telephone Number 208 412-2412
5. Date you acquired the property 20-Nov-2004

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

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

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

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

Conrad Peterson
Julia Peterson

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 _____

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 37-2557X
Date Received: 8/22/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DONATA ROOS Phone: (208)788-2439
PO BOX 3343
HAILEY ID 83333

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	7	SE SW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/31	0.1	17.9

7. Total Quantity Appropriated is:
0.1 C.F.S. and/or 17.9 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	7	SE	SW	IRRIGATION	5.1
Section Acres						5.1
Total Acres						5.1

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:

8/22/02 tf; claim split from 37-2557U pursuant to approved transfer 5615:

Rights 37-002557X and 37-08663 when combined shall not exceed a total annual maximum diversion volume of 17.9 af for the irrigation of 5.1 maximum acres, and are subject to the further modification in the Snake River Basin Adjudication.

Point of diversion and place of use are located within Lot 11, Block 4, Bellevue Farms Subdivision.

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.

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

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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

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

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.

15. Basis of Claim: License

37-2557X

08/22/2002

37-2557 X
37-20764
37-20771
37-20778
37-20785
37-20792

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

ADDRESS SERVICE
REQUESTED

RECEIVED
NOV 29 2006
DEPARTMENT OF
WATER RESOURCES

(former
owners)

PETE874 833332017 1706 03 11/26/05
PETERSEN FORM 3547
410 E 41ST ST
GARDEN CITY ID 83714-6309

CONRAD PETERSEN

JUDITH PETERSEN
PO BOX 3874
HAILEY ID 83333

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

RECEIVED
NOV 29 2006
DEPARTMENT OF
WATER RESOURCES

83720-0098

BOARDED
JAN 11 2008

11/28/2006

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

RIGHT NUMBER: 37-2557X

NAME AND ADDRESS: WELDON AND MARILYN J WANKIER LIVING TRUST
PO BOX 194
SUN VALLEY ID 83353

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

QUANTITY: 0.100 CFS
17.900 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Rights 37-002557X and 37-08663 when combined shall not exceed an annual diversion volume of 17.9 af for irrigation purposes.

PRIORITY DATE: 09/25/1954

POINT OF DIVERSION:

T01N R19E S7 SESW Within BLAINE County

Point of diversion is located within Lot 11, Block 4, Bellevue Farms Subdivision.

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 17.90 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S07 SESW 5.10

5.1 ACRES TOTAL

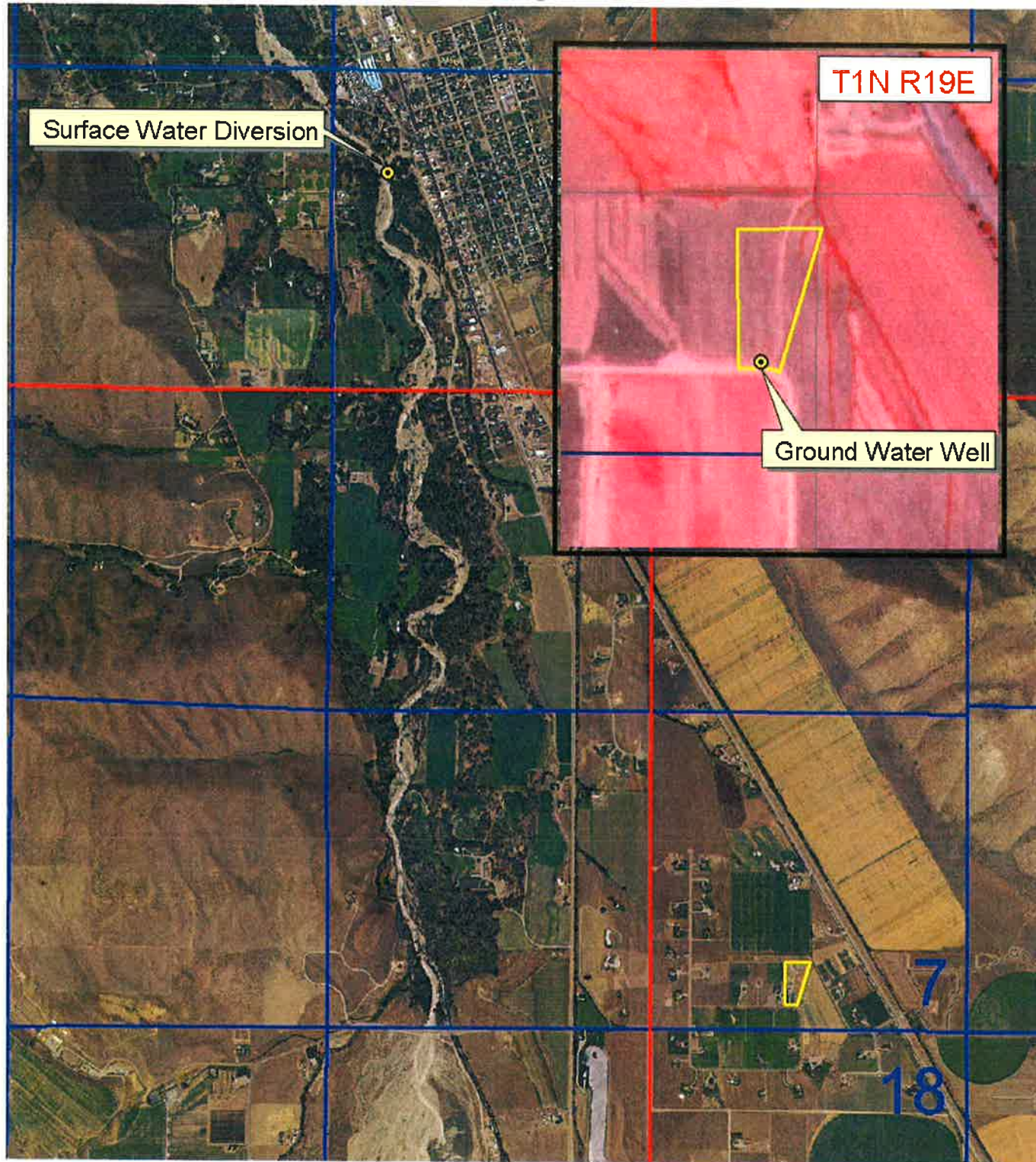
Place of use is located within Lot 11, Block 4, Bellevue Farms Subdivision.

Right Nos. 37-2557X, 37-20764, 37-20771, 37-20778, 37-20785, 37-20792 and 37-8663 are limited to the irrigation of a combined total of 5.1 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 - License



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

1320 0 1320 Feet



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

11/28/2006

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

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.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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

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

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

Southern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5615
WATER RIGHT NO. 37-02557X

RECEIVED
MAR 23 2000
Department of Water Resources
Southern Region

This is to certify that: DONATA ROOS
PO BOX 3343
HAILEY ID 83333

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 10/31	0.10 CFS	17.9 AF *

SOURCE

GROUNDWATER

Priority: 09/25/1954

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 7, 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	7	SESW	5.1		5.1
Total number of acres irrigated:						5.1 *

CONDITIONS OF APPROVAL AND 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 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of 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 right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

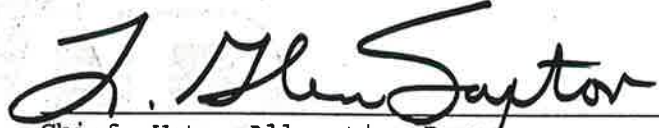
5615-02557X

TRANSFER NO. 5615
WATER RIGHT NO. 37-02557X

CONDITIONS OF APPROVAL AND REMARKS

5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
- * 9. Rights 37-002557X and 37-08663 when combined shall not exceed a total annual maximum diversion volume of 17.9 af for the irrigation of 5.1 maximum acres, and are subject to the further modification in the Snake River Basin Adjudication.
10. Point of diversion and place of use are located within Lot 11, Block 4, Bellevue Farms Subdivision.

Dated this 20th day of March, 2000.


Chief, Water Allocation Bureau