

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20785 V1

WATER RIGHT NUMBER: 37-20785 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                          |
|-------------------|--------------------------------------------------------------------------------------------------|
| Previous Owner    | DONATA ROOS<br>PO BOX 3343<br>HAILEY, ID 83333<br>(208)788-2439                                  |
| Previous Owner    | JUDITH PETERSEN<br>PO BOX 3874<br>HAILEY, ID 83333<br>(208)412-2412                              |
| Current Owner     | WELDON AND MARILYN J WANKIER LIVING TRUST<br>PO BOX 194<br>SUN VALLEY, ID 83353<br>(208)788-3197 |
| Original Owner    | BELLEVUE FARMS LANDOWNERS ASSN<br>PO BOX 774<br>BELLEVUE, ID 83313                               |
| Previous Owner    | CONRAD PETERSEN<br>PO BOX 3874<br>HAILEY, ID 83333<br>(208)412-2412                              |
| Attorney          | JAMES P SPECK<br>SPECK & AANESTAD<br>PO BOX 987<br>KETCHUM, ID 83340<br>(208)726-4421            |

Priority Date: 06/12/1886

Basis: Decreed

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| BIG WOOD RIVER | MALAD RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/15 to 10/31          | 0.005 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.005 CFS             |                      |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| BIG WOOD RIVER | NE1/4SW1/4NW1/4 | Sec. 36, Twp 02N, Rge 18E, B.M. |
| BLAINE County  |                 |                                 |

Place of Use

IRRIGATION

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

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 37-20785 V1

Total Acres: 5.1

Conditions of Approval:

1. Point of diversion described above is the headgate for District 45 canal.
2. 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.
3. J01 PROPERTY IS ALSO KNOWN AS LOT 11, BLK 4, BELLEVUE FARMS SUBDIVISION.
4. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-666.
5. 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.

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**

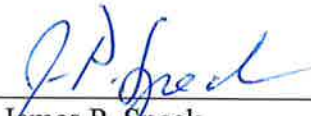
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

**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: 37-20785.

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

JAMES P. SPECK  
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD  
aanestad@cox-internet.com

120 EAST AVENUE  
POST OFFICE BOX 987  
KETCHUM, IDAHO 83340

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<br>Right No(s) | Adjudication<br>Claim No(s) | Split | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
| 37-20771             |                             |       | 37-20764             |                             |       |
| 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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                | _____                                                                      | _____                                                        |
| Stock                                                                     | _____                                                                      | _____                                                        |
| Domestic                                                                  | _____                                                                      | _____                                                        |
| Other _____                                                               | _____                                                                      | _____                                                        |
| <b>Total</b>                                                              | _____                                                                      | _____                                                        |

| 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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                | _____                                                                      | _____                                                        |
| Stock                                                                     | _____                                                                      | _____                                                        |
| Domestic                                                                  | _____                                                                      | _____                                                        |
| Other _____                                                               | _____                                                                      | _____                                                        |
| <b>Total</b>                                                              | _____                                                                      | _____                                                        |

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

William Wankar, Trustee  
Marilyn J Wankar, 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>25.00</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

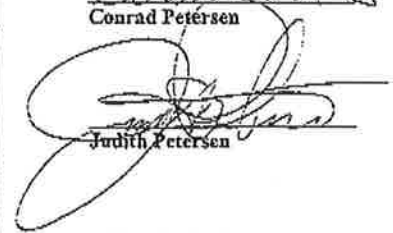
w/petersen

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

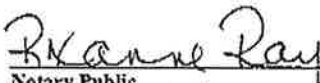
Date

7-25-06

  
Judith Petersen

Date

7/25/06

State of: IdahoCounty of: BlaineOn 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: KetchumCommission Expires: 11-27-08To: Trish  
From: Pyndic  
@ 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*

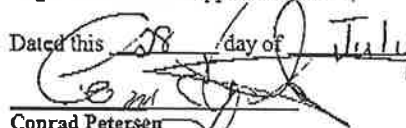
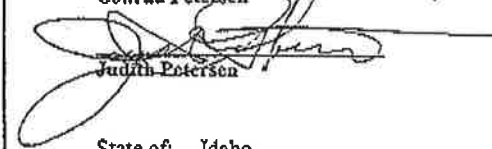
P O Box 194, Sun Valley, ID 83353

The following described premises, to-wit:

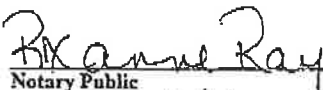
"all water rights and other entitlements to receive water for beneficial use on the real property described below hereto, including, without limitation, all rights represented by any contract, decree, license, permit, permit application, claim or storage entitlement, and those water rights identified 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

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 37-20785  
Date Received: 8/28/2002  
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: 06/12/1886

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

4. Point of Diversion:

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

5. Description of diverting works:

VIA DISTRICT CANAL TO DITCHES TO LANDS IRRIGATED.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.005  |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 01N      | 19E   | 7       | SE         | SW  | IRRIGATION    | 5     |
|          |       |         |            |     | Section Acres | 5     |
|          |       |         |            |     | Total Acres   | 5     |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-11927A.

PROPERTY IS ALSO KNOWN AS LOT 11, BLK 4, BELLEVUE FARMS SUBDIVISION.

15. Basis of Claim: Decreed



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>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. 64<sup>th</sup> 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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                | _____                                                                      | _____                                                        |
| Stock                                                                     | _____                                                                      | _____                                                        |
| Domestic                                                                  | _____                                                                      | _____                                                        |
| Other _____                                                               | _____                                                                      | _____                                                        |
| <b>Total</b>                                                              | _____                                                                      | _____                                                        |

| 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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                | _____                                                                      | _____                                                        |
| Stock                                                                     | _____                                                                      | _____                                                        |
| Domestic                                                                  | _____                                                                      | _____                                                        |
| Other _____                                                               | _____                                                                      | _____                                                        |
| <b>Total</b>                                                              | _____                                                                      | _____                                                        |

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 _____           |
| Received 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

OMB 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 or will cause it to be

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

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

AFTER RECORDING MAIL TO:

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

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**QUITCLAIM DEED**

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

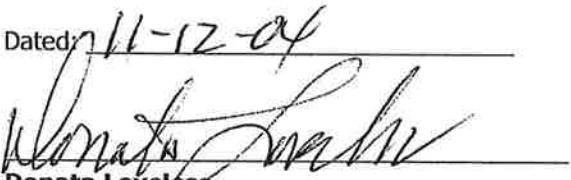
Date: **October 29, 2004**

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

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 37-20785  
Date Received: 8/28/2002  
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: 06/12/1886

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

4. Point of Diversion:

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

5. Description of diverting works:

VIA DISTRICT CANAL TO DITCHES TO LANDS IRRIGATED.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.005  |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|---------------|-------|---------|------------|-----|------------|-------|
| 01N           | 19E   | 7       | SE         | SW  | IRRIGATION | 5     |
| Section Acres |       |         |            |     |            | 5     |
| Total Acres   |       |         |            |     |            | 5     |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

PROPERTY IS ALSO KNOWN AS LOT 11, BLK 4, BELLEVUE FARMS SUBDIVISION.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-11927A.

15. Basis of Claim: Decreed

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 25 1999

Department of Water Resources  
Cameron Center

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s):

Adjudication Claim No(s):

A37-02557N; A37-11924A; A37-11925A; A37-11926A; A37-11927A  
A37-11928A

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

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

3. Name and Address of Former Owner/Claimant

BELLEVUE FARMS LANDOWNERS' ASSOC  
PO BOX 774  
BELLEVUE ID 83313

New Owner/Claimant(s)

DONATA ROOS

New Mailing Address

PO BOX 3343

City, State and ZIP Code

HAILEY ID 83333

New Telephone Number

(208) 788-2439

Date you acquired the property MAY 11, 1999

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

Number of acres you irrigate 5 ACRES

Number and type of stock

Diversion rate in CFS

Number of homes

Other Uses

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

Signature of New Owner or Claimant(s)

*Donata Roos*

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

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

Order No. 21870

①

427138

*Deed*

# WARRANTY DEED

For Value Received

BLAINE CO. REQUEST  
FIRST AMERICAN TITLE

Weldon Wankier and Marilyn Wankier, husband and wife

'99 MAY 11 PM 3 42

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

Donata Roos, a married women as her sole & seperate property  
whose address is: PO Box 3343, Hailey, ID 83333

MARSHALL ANN, CLERK  
FEES \$3-

Hereinafter called the Grantee, 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.

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

Dated:

*Weldon Wankier*  
Weldon Wankier

*Marilyn Wankier*  
Marilyn Wankier

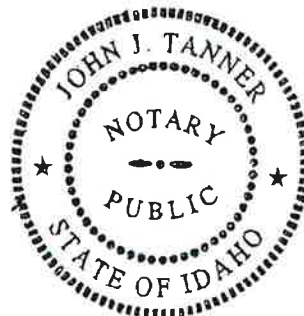
State of Idaho

County of Blaine

On May 11, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Weldon Wankier and Marilyn Wankier personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

Signature *[Signature]*  
Residing: *[Signature]*  
Commission Expires: *August 17, 2001*



RECEIVED AUG 1 - 1999

430727

Deed

BLAINE CO. REQUEST

OF: *Rosholt & Robertson*

'99 AUG 23 PM 4 13

MARSHA RIEMANN, CLERK

FEES \$9<sup>00</sup> mpp

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

Gary D. Slette  
ROSHOLT, ROBERTSON & TUCKER  
P. O. Box 1906  
Twin Falls, ID 83303-1906

(space above line for Recorder's use)

### QUITCLAIM DEED

FOR VALUE RECEIVED, BELLEVUE FARMS LANDOWNERS' ASSOCIATION, an Idaho non-profit corporation, whose current mailing address is P.O. Box 774, Bellevue, ID 83313 (hereinafter referred to as the "Grantor"), does hereby convey, release, remise and forever quitclaim unto DONATA ROOS, a married woman as her sole and separate property, whose mailing address is P.O. Box 3343, Hailey, ID 83333 (hereinafter referred to as the "Grantee"), any and all interest Grantor may have in the following described water rights, to wit:

1. 0.09 cfs of the Big Wood River with a March 24, 1883 priority date pursuant to Idaho Water Right No. 37-00577 and Claim No. A37-11924A in In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, Twin Falls District Court Case No. 39576;
2. 0.005 cfs of the Big Wood River with a July 10, 1884 priority date pursuant to Idaho Water Right No. 37-00664 and Claim No. A37-11925A in In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, Twin Falls District Court Case No. 39576;
3. 0.048 cfs of the Big Wood River with a September 18, 1885 priority date pursuant to Idaho Water Right No. 37-00298 and Claim No. A37-11926A in In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, Twin Falls District Court Case No. 39576;

4. 0.005 cfs of the Big Wood River with a June 12, 1886 priority date pursuant to Idaho Water Right No. 37-00666 and Claim No. A37-11927A in In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, Twin Falls District Court Case No. 39576; and
5. 0.123 cfs of the Big Wood River with a June 15, 1891 priority date pursuant to Idaho Water Rights Nos. 37-00480 and 37-00667 and Claim No. A37-11928A in In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, Twin Falls District Court Case No. 39576;

which are appurtenant to the following premises situated in Blaine County, Idaho, to wit:

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

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anyway appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Grantee, and to Grantee's heirs and assigns forever.

IN WITNESS WHEREOF the undersigned have executed this Quitclaim Deed on the dates set forth below:

BELLEVUE FARMS LANDOWNERS'  
ASSOCIATION

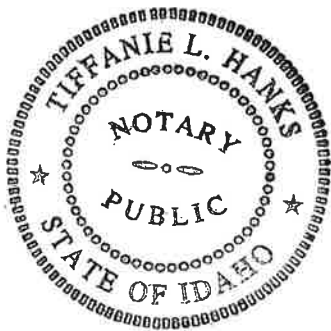
DATE: 8/17/99 By: Gandy Mattoon  
President

DATE: 8/17/99 By: [Signature]  
Secretary

STATE OF IDAHO )  
 )ss.  
County of Blaine )

On the 17 day of August, 1999, before me, a Notary Public, in and for said County and State, personally appeared Cindy Mattson, known or identified to me to be the president of BELLEVUE FARMS LANDOWNERS' ASSOCIATION, the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

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



Tiffanie L. Hanks  
NOTARY PUBLIC FOR IDAHO  
Residing at: Camas County  
My commission expires: 1/2004

STATE OF IDAHO )  
 )ss.  
County of Blaine )

On the 17 day of August, 1999, before me, a Notary Public, in and for said County and State, personally appeared Steven J. Wilson, known or identified to me to be the secretary of BELLEVUE FARMS LANDOWNERS' ASSOCIATION, the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

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



Tiffanie L. Hanks  
NOTARY PUBLIC FOR IDAHO  
Residing at: Camas County  
My commission expires: 1/2004

11/28/2006

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

RIGHT NUMBER: 37-20785

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

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.005 CFS

PRIORITY DATE: 06/12/1886

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.005 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S07 SESW 5.10

5.1 ACRES TOTAL

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 - Decreed

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

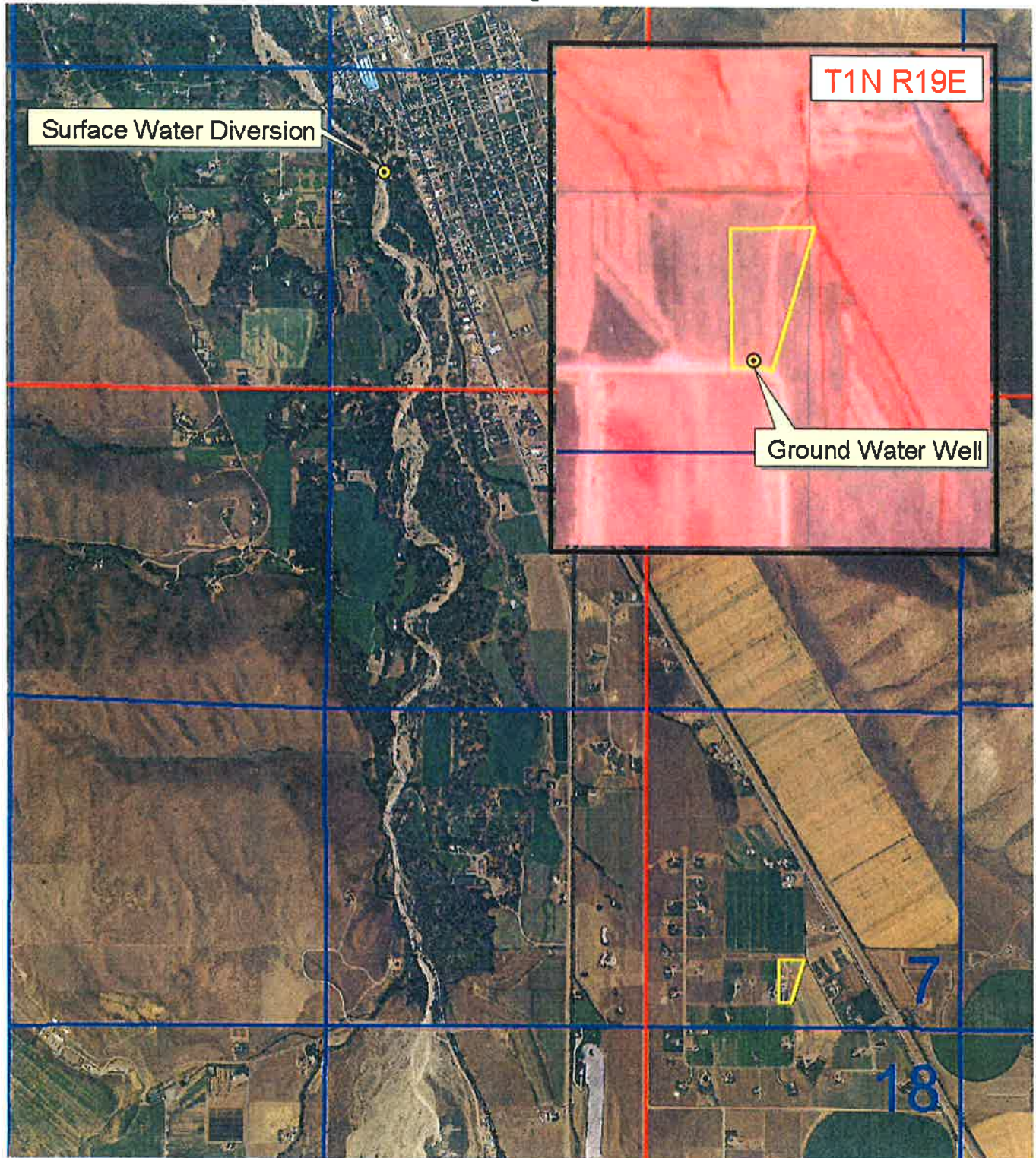
PROPERTY IS ALSO KNOWN AS LOT 11, BLK 4, BELLEVUE FARMS  
SUBDIVISION.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-666.

# IDAHO DEPARTMENT OF WATER RESOURCES

Surface Water Rights: 37-20764, 37-20771, 37-20778,  
37-20785, 37-20792

Ground Water Right: 37-2557X



- 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