

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

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SHEILA WHITE Phone: (949) 697-9236
PO BOX 367
BELLEVUE ID 83313

JAMES D WHITE Phone: (949) 697-9236
PO BOX 367
BELLEVUE ID 83313

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	SW SW 4	BLAINE	

5. Description of diverting works:

WELL & PUMP, MAINLINE, HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.06	

7. Total Quantity Appropriated is:
0.06 C.F.S. and/or 9.8 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	SW	SW	IRRIGATION	2.8
Section Acres						2.8
Total Acres						2.8

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM WAS SPLIT FROM A 37-02557C PURSUANT TO APPROVED TRANSFER 4540.

***** CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4540: 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 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

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

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THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

5. 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.

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

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

8. PLACE OF USE IS LOCATED WITHIN LOT 4, BLOCK 1 BELLEVUE FARMS SUBDIVISION.

***** 10/10/96 TF;
ATTORNEY ADDED 6-15-98: OWNERSHIP CHANGE MALO TO EXCHANGE SERVICES PER NOTICE REC'D 3-16-98 - VH | CORRECTED DATA ENTRY BY DELETING SPECK AS 'O' ATTORNEY FOR FORMER OWNER.

15. Basis of Claim: License

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

RECEIVED
NOV 10 2005
 Department of Water Resources
 Southern Region

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

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

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

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

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

OR

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

3. Name and Address of Former Bellevue Farms Landowners Association
 Owner/Claimant(s) P.O. Box 774, Bellevue, Idaho 83313
4. New Owner/Claimant(s) James D. White and Sheila White
 Name Connector (Check one): [☒] and, [☐] or [☐] and/or
- New Mailing Address P.O. Box 367
- City, State and Zip Code Bellevue, ID 83313
- New Telephone Number (949) 697-9236
5. Date you acquired the property August 6, 2004

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

Water Right and/or Adjudication Claim Number 37-21523

Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u>0.08 cfs</u>	<u>5 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.08 cfs</u>	

SHEILA WHITE

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

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

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

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

- JAMES D. WHITE

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

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

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

Water Right and/or Adjudication Claim Number _____

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

- ~~JAMES D. WHITE~~

SHEILA WHITE

For Office Use only

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

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

Index to: WTY/QC/CORP DEED

P. 50
 L. 120
 W. 1
 14/2006
 NOTARY
 PUBLIC
 STATE OF IDAHO
 LUCIE THOMPSON

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

RECEIVED
NOV 10 2005
 Department of Water Resources
 Southern Region

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	37-2557F				

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

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

OR

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

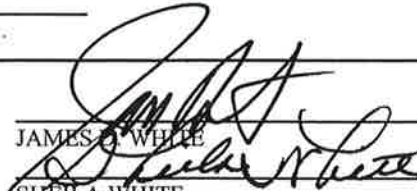
3. Name and Address of Former Exchange Services, Inc.
- Owner/Claimant(s) PO Box 427, Hailey, Idaho, 83333
4. New Owner/Claimant(s) James D. White and Sheila White
 Name Connector (Check one): [☒] and, [☐] or [☐] and/or
- New Mailing Address P.O. Box 367
- City, State and Zip Code Bellevue, ID 83313
- New Telephone Number (949) 697-9236
5. Date you acquired the property August 24, 1998

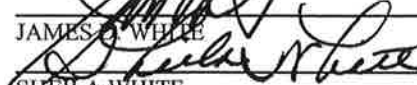
6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
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)


JAMES A. WHITE


SHEILA WHITE

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 _____

Order No. 21497

**CORPORATION
WARRANTY DEED**

417955

Deed
PLATINUM CO. REQUEST
FIRST AMERICAN TITL

FOR VALUE RECEIVED,

Exchange Services, Inc.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto

98 AUG 24 PM 3 17

MADE BY

James D. White and Sheila M. White, husband and wife

FEE \$3⁰⁰ *mpp*

whose address is **1085 Canyon View Drive, Laguna Beach, CA, 92651**

grantee, the following described real estate, situated in Blaine County, Idaho, to-wit:

Lot 4 in Block 1 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 Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; and that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its (Vice) President and its (Asst.) Secretary.

Dated:

By

[Signature]
Robert Benjamin PRESIDENT.

State of Idaho

County of Blaine

On this 19th day of August, 1998, before me, a Notary public in and for said State, personally appeared Robert Benjamin, known to me to be the President of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

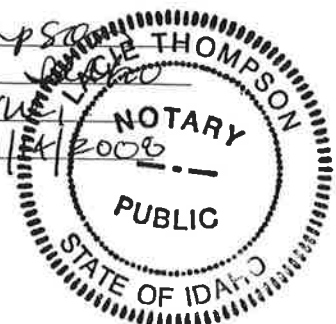
[Signature]
Notary Public

Residing at: *[Signature]*
Commission Expires: 1-01-02



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

Index to: WTY/QC/CORP DEED



Claimants Names:

James D. White
Sheila White

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
NOV 10 2005
Department of Water Resources
Southern Region

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

In Re SRBA

Case No. 39576

)
)
)
)
)
)
)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

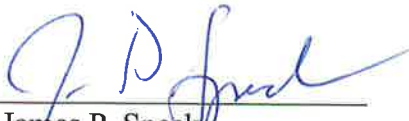
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimants, James D. White and Sheila White, for the following water rights which are not the subject of any subcases: 37-21567, 37-21523, 37-21534, 37-21545, 37-21556, 37-2557F.

DATED this 8th day of November, 2005.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 9 day of November, 2005, 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

November 9, 2005

RECEIVED
NOV 10 2005
Department of Water Resources
Southern Region

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

**Re: James D. And Sheila White - Lot 4, Block 1 of
Bellevue Farms Subdivision - Notices of Change in
Water Right Ownership
Our File No.: 239/050175**

Dear Trish:

I represent James D. And Sheila M. White, the owners of Lot 4 in Block 1 of Bellevue Farms Subdivision. My clients acquired the property in 1998, but were not told at the time that a portion of the groundwater rights (37-2557F) had already been transferred and was appurtenant to the lot. Therefore, I have now prepared and had my clients sign the Notice of Change in Water Right Ownership for this water right. I have also prepared and had my clients sign the Notice of Change in Water Right Ownership for the portions of the six Big Wood River water rights appurtenant to this property conveyed to them by the Bellevue Farms Land Owners Association in August, 2004. Finally, my firm's Notice of Appearance on behalf of my clients for all of these water rights is also included.

Please receipt date stamp the copies of the two Notices of Change in Water Right Ownership and the Notice of Appearance and return them to me in the postage, pre-paid self-addressed envelope included for that purpose.

Ms. Trish Fawcett
November 9, 2005
Page - 2

Kindly call me if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal

Enclosures

cc: Client
Kevin Lakey, Watermaster
Chief, Natural Resources Division, Atty. General's Office
U.S. Dept. Of Justice
Idaho Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

March 31, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JAMES WHITE
SHEILA WHITE
PO BOX 367
BELLEVUE ID 83313

RE: Bellevue Farms Subdivision water rights

Dear Claimants:

Pursuant to the notification that you own a lot in Bellevue Farms Subdivision, the department has split the Subdivision's claims. Computer-generated copies of your portion of these claims are enclosed. Please review these documents and should you have any questions or corrections, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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

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

CIVIL CASE NUMBER: 39576

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

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: EXCHANGE SERVICES INC 208-788-8170
Address: PO BOX 427
HAILEY ID 83333

2. Date of Priority: SEP 25, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	19E	7	SW	SW		4	BLAINE

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.060		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 9.80 A.F.A.

8. Total consumptive use is 7.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	7	SW	SW		IRR	2.8

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.8
					Total Acres	2.8

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM WAS SPLIT FROM A 37-02557C PURSUANT TO APPROVED TRANSFER 4540.

CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4540:

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 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

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

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

5. 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.

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

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

8. PLACE OF USE IS LOCATED WITHIN LOT 4, BLOCK 1 BELLEVUE FARMS SUBDIVISION.

10/10/96 TF; ATTORNEY ADDED

6-15-98: OWNERSHIP CHANGE MALO TO EXCHANGE SERVICES PER NOTICE REC'D 3-16-98 - VH

15. Basis of Claim: LICENSE

Water Right Number: 25187

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

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

MAR 16 1998

1. Water Right Number(s) 37-02557F
Adjudication Claim Number(s) _____ Department of Water Resources
Southern Region
2. The following **REQUIRED** information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) ANTHONY L. MALO AND CHRISTIANE T. MALO
5234 146TH SE, BELLEVUE, WA 98006
4. New Owner/Claimant(s) EXCHANGE SERVICES, INC.
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. BOX 427
City, State and ZIP Code HAILEY, ID 83333
New Telephone Number (208) 788 - 8170
5. Date you acquired the property 3/12/98
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
- 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.
EXCHANGE SERVICES, INC.
7. Signature of New Owner/Claimant(s) ROBERT BENJAMIN, PRESIDENT Date 3/12/98
Date _____
- (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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

CIVIL CASE NUMBER: 39356

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

Ident Number A37-02557F

Date Received _____

Receipt Number _____

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

RECEIVED

JUN 20 1996

Department of Water Resources
Southern Region

1. Name of Claimant(s): Anthony L Malo and/or Christiane T. Malo
Phone: 1-206-747-0256
Mailing Address: 5234 146th Avenue SE
Bellevue, WA 98006

2. Date of Priority: September 29, 1954

3. Source of water supply (a) Groundwater
which is tributary to (b)

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
1N	19E	7	NW	SW	SW	4	Blaine

Additional points of diversion if any:

5. Description of existing diversion works: Well and pump, mainlines, handlines.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 15	November 1	0.06 cfs

7. Total Quantity Claimed: 0.06 cfs

8. Total consumptive use claimed is 7.0 acre feet per annum.

9. Non-irrigation uses:

10. Place of use:

<u>TWP</u>	<u>RGE</u>	<u>SEC</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>TOTALS</u>
1N	19E	7												2.8					2.8
TOTALS																			2.8

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above?
None.

14. Remarks: Claim is for portion of water right number 37-02557C, which was split pursuant to Transfer 4540.

Last Name: Malo

Ident No. A37-02557F

5/21/96

MICROFILMED
NOV 27 1996

15. Basis of Claim: License/Transfer

IDWR Water Right Number: 37-02557F

Court:

Case Number:

Decree Date:

Plaintiff v. Defendant:

16. Signature(s)

(a) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments -

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

Anthony L. Malo
ANTHONY L. MALO

Date

5/31/96

State of Washington)

) ss.

County of King)

Subscribed and sworn before me this 31 day of MAY, 1996.

Notary Public for STATE OF WASHINGTON

Residing at Bellevue

Commission Expires 11-18-96

Jonathan L. Lobb



Last Name: Malo

Ident No. A37-02557F

5/21/96

RECORDED
MAY 27 1996

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: _____

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 6/6/96, 1996.

Last Name: Malo

Ident No. A37-02557F

5/21/96

MICROFILMED
NOV 27 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: August 1981

RECEIVED

LEGAL DESCRIPTION OF PROPERTY: Township 1N Range 19E Section 7, NW 1/4 of SW 1/4 of SW 1/4, Govt. Lot 1, BM. Lot 4, Block, 1, Subdivision/Townsite Bellevue Farms Department of Water Resources
If you have additional legal descriptions, please attach separate sheet. Southern Region

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A37-02557N
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
Bellevue Farms Landowners Association
P.O. Box 774
Bellevue, Idaho 83313
- ☐ New Owner/Claimant (Purchaser):
Anthony L. Malo and/or Christiane T. Malo
5234 146th Ave. SE
- ☐ New Mailing Address:
Bellevue, WA 98006
- ☐ New Telephone Number: (206) 747 - 0256
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
.06 cfs of 3.81 cfs; .06 to be used for irrigation of 3 acres within SW 1/4,
SW 1/4 T1N, R19E, Sec. 7

- ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Christiane T. Malo Date 5/30/96
- ☐ Signature of Former Owner/Claimant(s): Bob Askey (President, Bellevue Farms) Date 6/14/96
Bellevue Farms Landowners Assoc. by Bob Askey Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

NOV 27 1996



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

July 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Exchange Services, Inc.
PO Box 427
Hailey, Idaho 83333

RE: Snake River Basin Adjudication (SRBA)
Claim Number A37-02557F
Change of Ownership Notification

Dear Claimant:

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim, and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

Vikie Hancock
SRBA Records Clerk



P.O. Box 427
Halley, Idaho 83333
(208) 788-8170
Fax (208) 788-3121

June 24, 1998

State of Idaho
Department of Water Resources
ATTN: Vikie Hancock
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RECEIVED

JUN 26 1998

Department of Water Resources
Southern Region

Dear Vikie,

Per your letter of June 15, 1998, of which a copy is enclosed, please find enclosed a Corporate Authorization Resolution, which authorizes me to sign on behalf of Exchange Services, Inc.

If you need anything further, please do not hesitate to contact me.

Sincerely,

EXCHANGE SERVICES, INC.



Robert Benjamin
President

enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

June 15, 1998

EXCHANGE SERVICES, INC
PO Box 427
Hailey, Idaho 83333

RE: Snake River Basin Adjudication
Claim Number: A37-02557F

Dear Claimant:

We are in receipt of your Notice of Change of Water Right Ownership for the above mentioned claim. To process this change, however, I need some additional documentation. The Department requires that corporations or other organizations submit a list of directors or officers demonstrating authority to sign this form. For your convenience, I have enclosed a self-addressed envelope. Your prompt attention to this matter will be appreciated, as we cannot proceed with the ownership change until our information is complete. If you have any questions, please feel free to contact me at this office.

Sincerely,

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

Vikie Hancock
SRBA Records Clerk

CORPORATE AUTHORIZATION

RESOLUTION

WHEREAS, Exchange Services, Inc., a corporation, desires to enter in to transactions to buy and sell real estate.

RESOLVED, Robert Benjamin is hereby authorized and empowered for and on behalf of and in the name of this Corporation and its corporate act:

To sign, on behalf of the corporation, all necessary documents, including but not limited to closing documents, as an agent in the purchase and sale of real estate as an exchange accomodator;

STATE OF IDAHO)
 :SS
COUNTY OF BINGHAM)

I, the undersigned, Executive Vice-President of Exchange Services, Inc., a Corporation, do hereby certify that the above and foregoing is a full, true and correct copy of a resolution duly adopted by the Board of Directors of said Corporation, at a meeting of said Board duly called and held, and at which a quorum of said Board was present on the 24th day of February, 1997 and that said resolution is duly entered upon the minute book of said Corporation, and that it is in full force and effect at this time.

Dated: February 24, 1997


SHELLEY A. KREHBIEL
Executive Vice-President

WARRANTY DEED

For Value Received

Anthony L. Malo and Christiane Malo, husband and wife

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

Exchange Services, Inc., an Idaho corporation

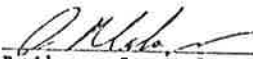
whose address is: **P. O. Box 427, Hailey, ID 83333**

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

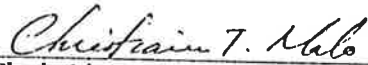
Lot 4 in Block 1 of BELLEVUE FARMS SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 206106, records of Blaine County, Idaho.

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:



Anthony L. Malo



Christiane Malo by Anthony L.
Malo her attorney in fact

State of Washington

County of Skagit

On Mar 31/01/98 before me, the undersigned, a Notary Public in and for said State, personally appeared Anthony L. Malo 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 she executed the same.

WITNESS my hand and official seal.

Signature: 
Residing: Wapacortes
Commission Expires: 5/19/99

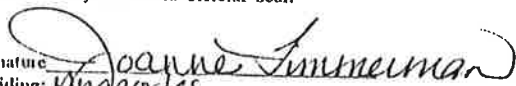


State of Washington

County of Skagit

On 3/10/98 before me, the undersigned, a Notary Public in and for said State, personally appeared Anthony L. Malo personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as the Attorney in Fact of Christiane Malo and acknowledged to me that he subscribed the name of Christiane Malo thereto as principal, and his own name as Attorney in Fact.

WITNESS my hand and official seal.

Signature: 
Residing: Wapacortes
Commission Expires: 5/19/99



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4540
WATER RIGHT NO. 37-02557F

This is to certify that: **ANTHONY L MALO**
CHRISTIANE T MALO
5234 146TH S E
BELLEVUE WA 98006

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	9.8 AF

SOURCE

GROUNDWATER

Priority: 09/25/1954

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), 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	SWSW	2.8		2.8
Total number of acres irrigated:						2.8

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. 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.
6. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.

PAGE 2

TRANSFER NO. 4540
WATER RIGHT NO. 37-02557F

CONDITIONS/REMARKS:

7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. Place of use is located within Lot 4, Block 1, Bellevue Farm Subdivision.

Dated this 30th day ofJune

, 19

95

Chief, Water Alloc. Bureau

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

CIVIL CASE NUMBER: 39356

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

Ident Number A37-02557F

Date Received _____

Receipt Number _____

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

1. Name of Claimant(s): Anthony L. Malo and/or Christiane T. Malo
Phone: 1-206-747-0256
Mailing Address: 5234 146th Avenue SE
Bellevue, WA 98006

2. Date of Priority: September 29, 1954

3. Source of water supply (a) Groundwater
which is tributary to (b)

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
1N	19E	7	NW	SW	SW	4	Blaine

Additional points of diversion if any:

5. Description of existing diversion works: Well and pump, mainlines, handlines.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 15	November 1	0.06 cfs

7. Total Quantity Claimed: 0.06 cfs
8. Total consumptive use claimed is 7.0 acre feet per annum.
9. Non-irrigation uses:

10. Place of use:

10. Place of Use:																			
			<u>NE</u>				<u>NW</u>				<u>SW</u>		<u>SE</u>						
<u>TWP</u>	<u>RGE</u>	<u>SEC</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>TOTALS</u>
IN	19E	7											2.8						2.8
TOTALS																			2.8

11. Place of use is located in Blaine County.
12. Do you own the property listed above as place of use? Yes.
13. Describe any other water rights used at the same place and for the same purposes as described above?
None.
14. Remarks: Claim is for portion of water right number 37-02557C, which was split pursuant to Transfer 4540.

Last Name: Malo

Ident No. A37-02557F
3/21/86

15. **Basis of Claim:** License/Transfer
IDWR Water Right Number: 37-02557F
Court:
Case Number:
Decree Date:
Plaintiff v. Defendant:

16. **Signature(s)**

(a) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments -

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

Anthony L. Malo
ANTHONY L. MALO

Date

5/31/96

State of Washington)

) ss.

County of King)

Subscribed and sworn before me this 31 day of MAY, 1996.

Notary Public for STATE OF WASHINGTON

Residing at Bellevue

Commission Expires 11-18-98

Jonathan L. Long



Last Name: Malo

Ident No. A37-02557F

2/21/98



First American Title Company

7 EAST BULLION • P.O. BOX 427 • HAILEY, IDAHO 83333
TELEPHONE (208) 788-3010 • FAX (208) 788-3121

March 12, 1998

RECEIVED

MAR 16 1998

Department of Water Resources
Southern Region

IDWR

222 Shoshone St. E.

Twin Falls, ID 83301

Re: Order No. 20821 - 4/1 Bellevue Farms
Exchange Services/ Malo

Dear Ladies:

In connection with the above mentioned order please find our check no. 6192
in the amount of \$ 25.00 representing: Transfer fee.

Also attached please find copies/originals of the following documents:

* Notice of Change of Water Right Ownership and Warranty Deed.

Please feel free to call me if you have any questions.

Sincerely,

FIRST AMERICAN TITLE COMPANY


Wanda L. Kinghorn
Escrow Officer

/wlk

Attachment(s)

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

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

CIVIL CASE NUMBER: 39576

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

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ANTHONY L MALO 206-747-0256
Address: 5234 146TH S E
BELLEVUE WA 98006
AND/OR
Name: CHRISTIANE T MALO 206-747-0256
Address: 5234 146TH S E
BELLEVUE WA 98006

2. Date of Priority: SEP 25, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	7	SW	SW	SW	4	BLAINE

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.060		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 9.80 A.F.A.

8. Total consumptive use is 7.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	7	SW	SW		IRR	2.8
Section Acres							2.8
Total Acres							2.8

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM WAS SPLIT FROM A 37-02557C PURSUANT TO APPROVED TRANSFER 4540.

CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4540:

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 3.5 AFA PER ACRE FOR THE LANDS ABOVE.
3. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
4. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
5. 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.
6. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS, TO THE EXTENT THEY ARE AVAILABLE, IN CONJUNCTION WITH GROUNDWATER DIVERTED PURSUANT TO THIS RIGHT.
7. THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT THE APPROVAL OF THE DEPARTMENT.
8. PLACE OF USE IS LOCATED WITHIN LOT 4, BLOCK 1 BELLEVUE FARMS SUBDIVISION.

15. Basis of Claim: LICENSE

Water Right Number: 25187



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 736-3037

October 27, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

ANTHONY AND CHRISTIANE MALO
5234 146TH SE
BELLEVUE WA 98006

RE: Amendment of SRBA Claim A37-02557F

Dear Claimant:

Pursuant to the approval of Transfer No. 4540 the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been amended to conform with the transfer. Please find enclosed a printout of the way your claim records have been modified. Please check these modified records over carefully to verify they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

MICROFILMED

NOV 27 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4540
WATER RIGHT NO. 37-02557F

RECEIVED

JUL 07 1995

This is to certify that: ANTHONY L MALO
CHRISTIANE T MALO
5234 146TH S E
BELLEVUE WA 98006

Department of Water Resources
Southern Region

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	9.8 AF

SOURCE

GROUNDWATER

Priority: 09/25/1954

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 7, Township 01N, Range 19E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 19E 7	SWSW 2.8			2.8
Total number of acres irrigated:				2.8

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. 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.
6. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.

MICROFILMED
NOV 27 1996

TRANSFER NO. 4540
WATER RIGHT NO. 37-02557F

CONDITIONS/REMARKS:

7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. Place of use is located within Lot 4, Block 1, Bellevue Farm Subdivision.

Dated this 30th day of June, 1995.

J. Glen Saylor
Chief, Water Alloc. Bureau

MICROFILMED
NOV 27 1998

MEMORANDUM

To: Bellevue Farms Subdivision files

From: Mel Schulte
Sr. Water Rights Agent
Southern Region Office

MTS

Date: May 15, 1995

On May 12, 1995 I met with Susan McCarthy, Bill Carey, Phil Hobson and several other lot owners at the Bellevue Farms Subdivision. These individuals represent to be a subdivision water committee. The primary purpose of our meeting was to examine the irrigation delivery system in place. We also discussed in general the water rights appurtenant to the subdivision and their plans to try to develop an allocation agreement that would provide groundwater to the lots in the NWSW & SWNW, S7 that don't have appurtenant groundwater.

The irrigation system currently in place consists of the following: a small pond that collects surface water from a ditch entering from the North and/or groundwater from an irrigation well contiguous to the pond on the South. A pump in the pond diverts water to the South in a buried mainline to a polo field of about 40 acres located to the center of the subdivision. The polo field is currently irrigated by wheel lines.

From the pond a ditch delivers water to the East. There are pumps in two locations in this ditch to pressurize sprinkler systems to irrigate about 90 acres at the East end of the subdivision.

A second ditch takes water to the West from the pond. There does not appear to be irrigation from this ditch at the present time. There are numerous old headgates in the ditch and evidence of smaller irrigation ditches that have been used to deliver water to both the North and South from this ditch. The subdivision roads and several homes that have been built on some of the lots interfere with delivery of water through some of the smaller ditches. How long it has been since this part of the irrigation system has not been used is unknown.

The issue of forfeiture could be addressed for some of the lots located primarily on the West and South sides of the subdivision. However, there is not clear and convincing evidence that forfeiture could be proven if the issue is contested.

Pending transfer applications as of this date that were being held contingent on an examination of the irrigation system are recommended for approval.

MTS

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JUL 27 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4540

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Anthony L. Malo and/or Christiane T. Malo Phone 206/747-0256
Post Office address 5234 146th S E Bellevue WA 98006

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split water right
2. Describe the reason for the proposed changes Divert water from new well on Applicant's property.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
37-02557 <i>FF</i>	09/25/1954	0.06 cfs	Irrigation	April 1	to Nov. 1
					to
					to
					to

2. Total amount of water being transferred 0.06 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water ground water tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
(IN) IN	19E	7											3						3
													↑						
													Gou't Lot 4						

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NOV 27 1996

Total acres

1

PART 1

6. General Information:

a. Description of diversion system well and pump, mainline, handlines

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

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

N/A

d. Remarks:

Place of use and point of diversion are on Lot 4, Block 1, Bellevue Farms
Subdivision. Only a portion of Lot 4 is within original place of use.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Witness my hand this _____ day of _____, 19 _____

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NOV 27 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 37-02557A issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 4035 + 4537 which produced this right.

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

☒ Tax Notice
 ☐ Warranty Deed
 ☐ Other _____
3. Source of water ground water tributary to _____4. Date or priority 09/25/1954

5. Water is used for the following purpose:

amount 5.2 5.1 for irrigation purposes from April 1 to Nov. 1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

6. Total amount of water under right 5.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	19E	7										40	35			5	35		115
IN	19E	18	25	40			40	35	40										145
							141												

Total acres 260 255

Portions of 37-00577,

9. Describe any other water rights used for the same purpose as described above
 37-00664, 37-00298, 37-00666, 37-00480 and 37-00667
 RECORDED
 NOV 27 1958

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.06 for irrigation purposes from April 1 to Nov. 1
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	19E	7											3						3
													L+4						

Total acres 3

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

1. amount 5.04 for irrigation purposes from April 1 to Nov. 1
 (cfs/ac-ft) 5.14 for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	19E	7											37	35			5	35	112
IN	19E	18	25	40			40	35					L+4						145
							L+1												

Total acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-02557 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water ground water tributary to _____

4. Date or priority 09/25/1954

5. Water is used for the following purpose:

amount 5.3 for irrigation purposes from April 1 to Nov. 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.3 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SW	7	IN	19E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
IN	19E	7											40	40		5	35	1	121
IN	19E	18	20	40			40	40											140

Total acres 261

9. Describe any other water rights used for the same purpose as described above A37-11924 through
A37-11928

RECEIVED
NOV 27 1958

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.06 for irrigation purposes from April 1 to Nov. 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	19E	7											3						3

Total acres 3

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

1. amount 5.24 for irrigation purposes from April 1 to Nov. 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

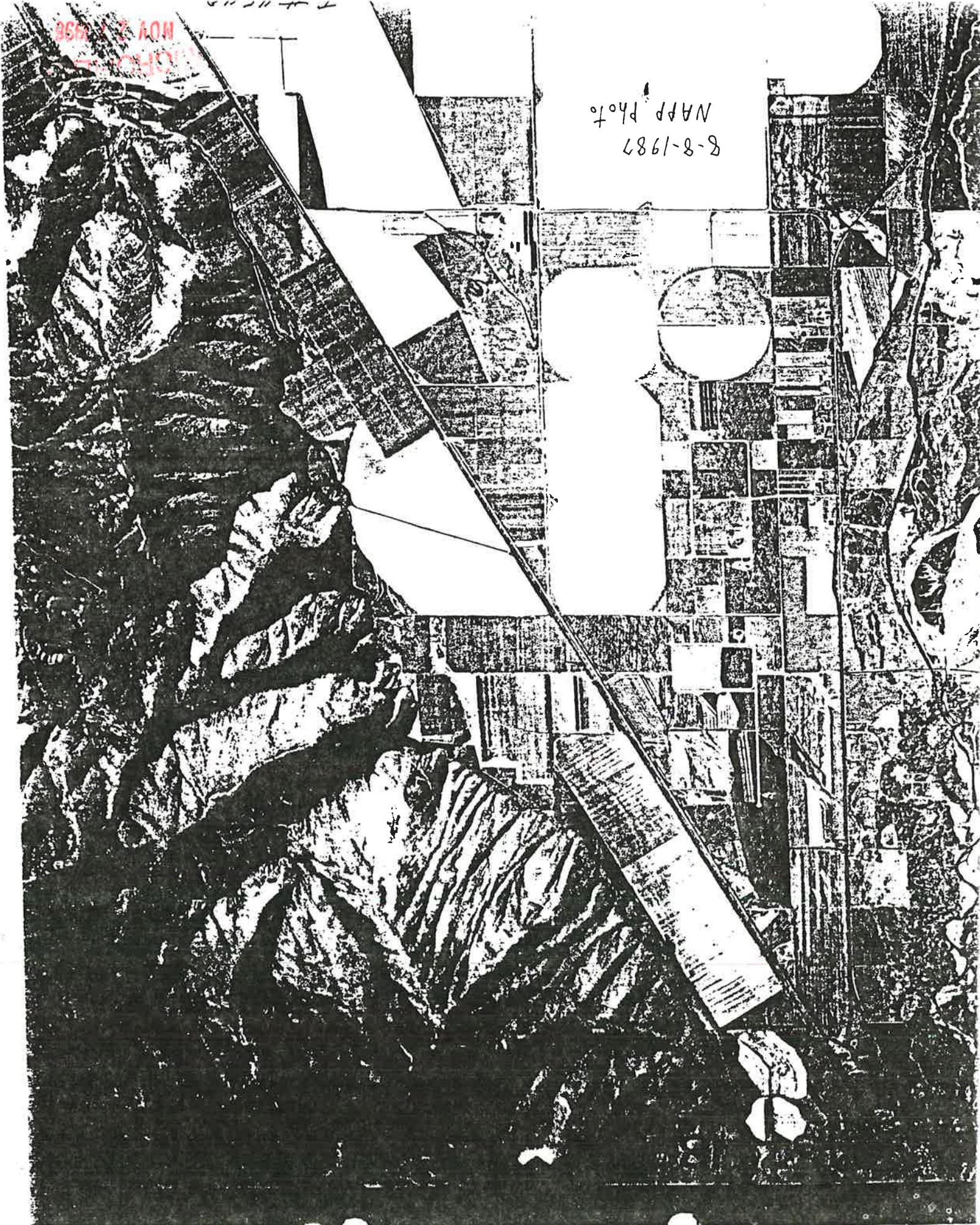
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	19E	7											37	40		5	35	1	118
IN	19E	18	20	40			40	40											140

Total acres 258

8-8-1987
NAPP Photo

NOV 2 1986



NOFO-111E

$$1'' = 465'$$

Good in love
Good in love

$$\begin{array}{r} 2.78 \\ + 1.17 \\ \hline \end{array}$$

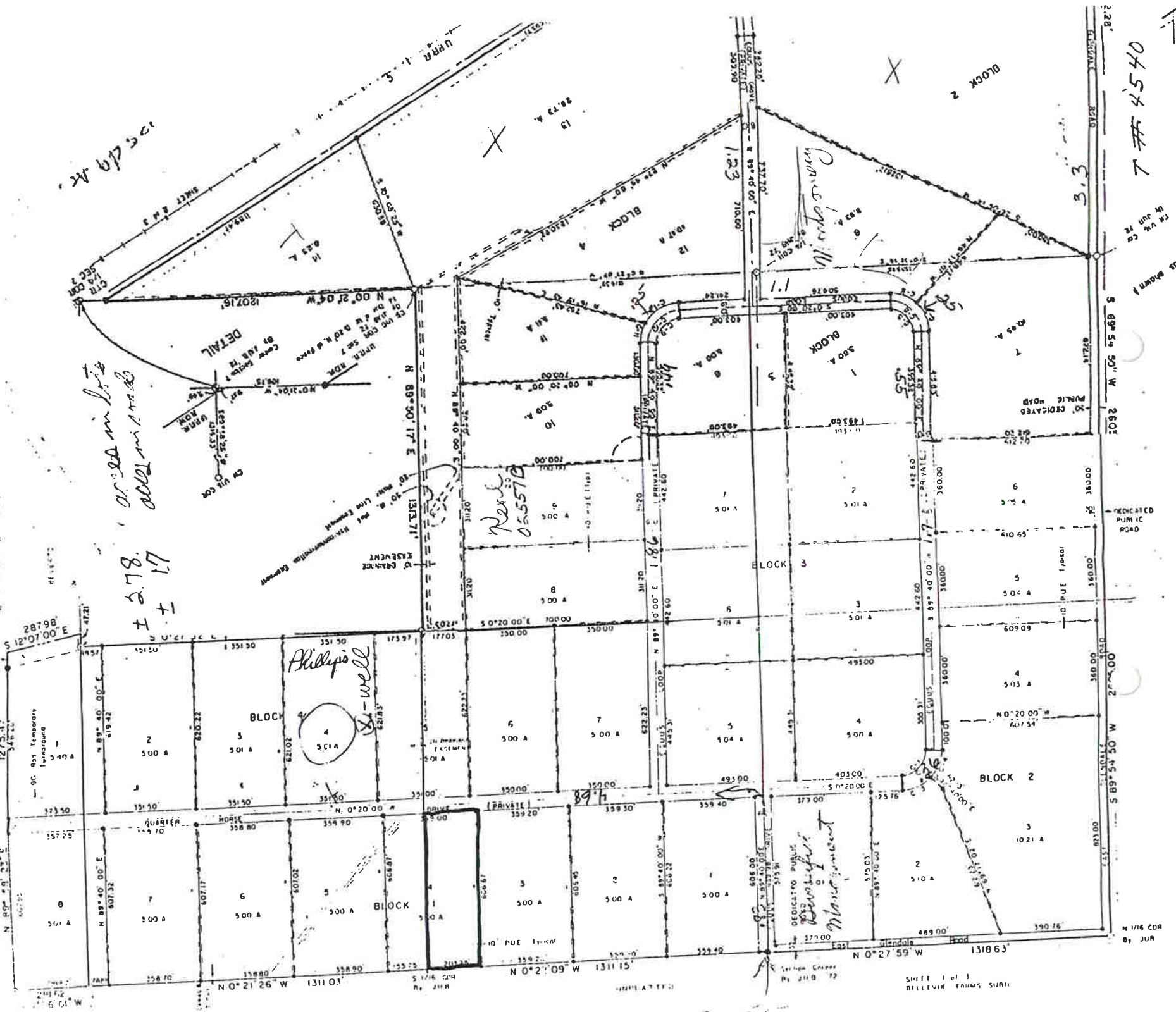
4
SCIA

055570
New

Prosp. 11

DEDICATO PUBLIC
Dedication
Dedication

1#4540



PART 3

B. CHANGES IN NATURE OF USE

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

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

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 21st day of November, 19 94.

My commission expires 1/29/97

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments

Received by MTS Date 11/28/94 Protest filed by None

Prelim. check by MTS Fee 6230.00

Received by MTS (5017577) Date 11-30-94

Published in Wood River Journal

Pub. dates 2/1 & 2/8/95

Copies of protest forwarded by _____

Watermaster recommendation requested on N/A

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial

by ADM

_____ rec'd. _____

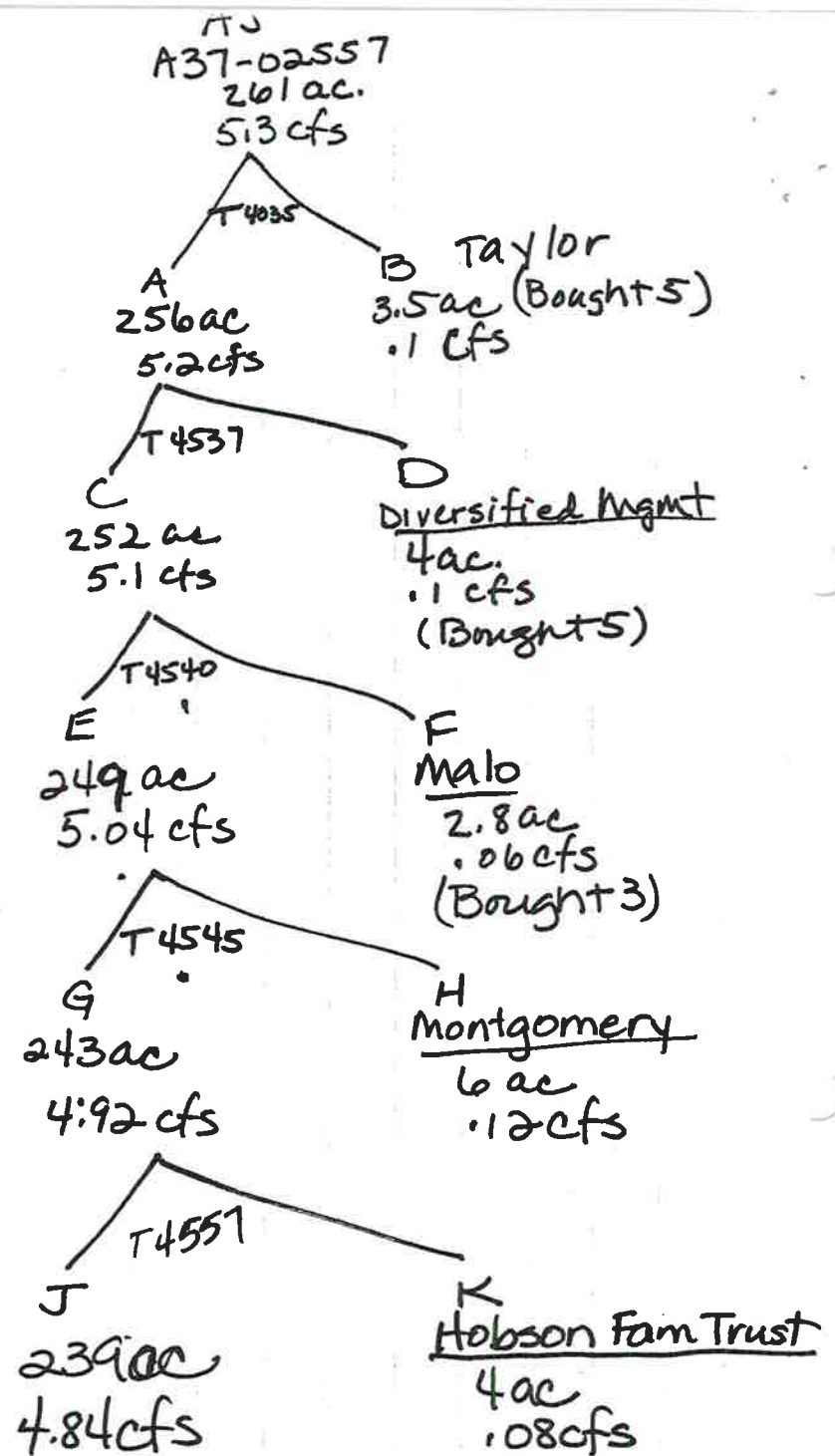
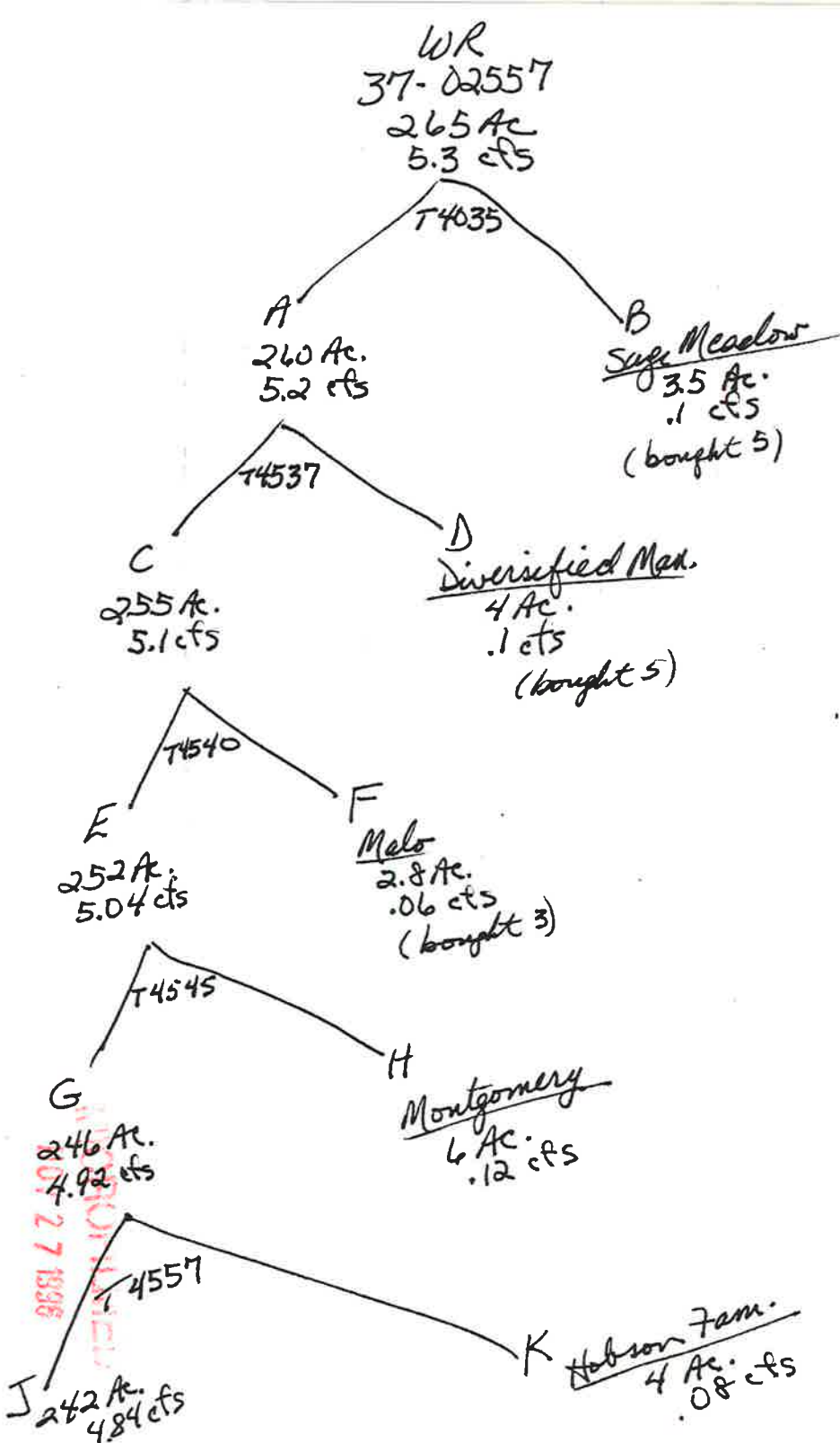
Copy of transfer sent to lien holder _____

U G E I V

NOV 30 1994

Department of Water Resources
Southern Region Office

NOV 27 1994



HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

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HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

June 19, 1996

A37-02557F
RECEIVED

JUN 20 1996

Idaho Department of Water Resources
222 Shoshone East
Twin Falls, ID 83301

Department of Water Resources
Southern Region

Re: Anthony Malo -- New Property Owner Notice of Change of Water Right
Ownership/Amended Notice of Claim to a Water Right -- 37-02557

To Whom It May Concern:

Please file the enclosed New Property Owner Notice of Change of Water Right
Ownership and Amended Notice of Claim to a Water Right. If you need any additional
information, please give me a call.

Sincerely,



Jacki R. Strobe
Assistant to James P. Speck

jrs
encl.

MICROFILMED

Jun 27 1996