

HAEMMERLE & HAEMMERLE, P.L.L.C.

Attorneys & Counselors at Law

Fritz X. Haemmerle
Jennifer L. K. Haemmerle

P. O. Box 1800
Hailey, ID 83333

RECEIVED
MAR 12 2009
DEPARTMENT OF
WATER RESOURCES

WA
400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

March 10, 2009

Idaho Dept. of Water Resources
c/o Aaron Marshall, Sr. resource Agent
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Right 37-21739 (Patrick and Adele Savaria)

Dear Mr. Marshall:

Please find enclosed my client's Application to Lease Water to Water Bank., for water right 37-21739, owned by Patrick and Adele Savaria. This Application was previously returned because both parties had not signed the form. Please confirm receipt of this Application.

If you require any further information, please advise.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.


Fritz X. Haemmerle

FXH: fxh
Encl.

EXHIBIT A

Instrument # 530149

HAILEY, BLAINE, IDAHO

2005-12-19

01.12.00 No. of Pages: 2

Recorded for: PAT SAVARIA

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to WTY/QC/CORP DEED

JKS

AFTER RECORDATION MAIL TO ABOVE ADDRESSEE

ABOVE SPACE RESERVED FOR RECORDATION INFORMATION

QUIT CLAIM DEED

Effective Date:

10-1-05

County and State where Real Property is Located:

BLAINE ID

GRANTOR (Name, Mailing Address and Zip Code):

JAMES R & SHIRLEY SAVARIA
PO Box 751
HAILEY ID 83333

GRANTEE (Name, Mailing Address and Zip Code):

PATRICK J & ADELE S SAVARIA
PO Box 551
HAILEY, ID 83333

Subject Real Property (Address or Location):

BLAINE COUNTY, IDAHO

Legal Description proofed
by persons whose initials
appear to the right

1.

2.

3.

Subject Real Property (Legal Description):

WTRILEY

19.5 INCHES MARCH 24, 1883 WATER RIGHT
97-14275

BIGWOOD RIVER TRIB MALAD RIVER
BLAINE COUNTY

POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4	OF	1/4	OF	1/4
03N	18E	20	SE		SW		NW

HEADGATE 22, HIALWATHA CANAL

1. **Conveyance.** For valuable consideration, Grantor quit claims to Grantee all right, title, and interest of Grantor in Subject Real Property together with all rights and privileges appurtenant or to become appurtenant to Subject Real Property on the effective date subject to all taxes, liens, encumbrances and other claims against the Subject Real Property, if any, as is, where is.

2. **Other Provisions:**

1.	 <i>William R. ...</i>
2.	 <i>Christy ...</i>
Signatures of Witnesses	Signatures of Grantors

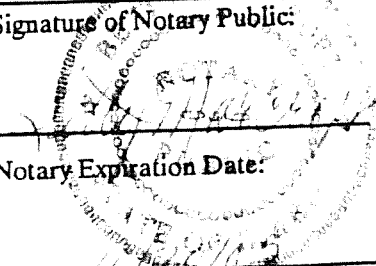
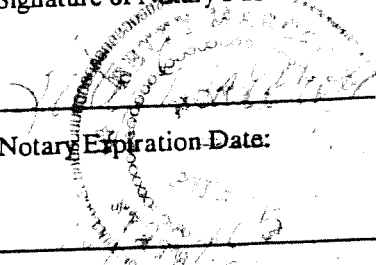
STATE OF: <i>Delaware</i> COUNTY OF: <i>Delaware</i> Date of this Acknowledgement.: <i>11/20/05</i>	Acknowledgement of Grantor. On this date, before me, a Notary Public, personally appeared: _____ known to me or satisfactorily proven to be the person whose name is subscribed to this instrument and acknowledged that he executed the same. If this person's name is subscribed in a representative capacity, it is for the principal named and in the capacity indicated.	Signature of Notary Public:  Notary Expiration Date: <i>11/20/05</i>
STATE OF: <i>Delaware</i> COUNTY OF: <i>Delaware</i> Date of this Acknowledgement.: <i>11/20/05</i>	Acknowledgement of Witnesses. On this date, before me, a Notary Public, personally appeared: _____ known to me or satisfactorily proven to be the person whose name is subscribed to this instrument and acknowledged that he executed the same. If this person's name is subscribed in a representative capacity, it is for the principal named and in the capacity indicated.	Signature of Notary Public:  Notary Expiration Date: <i>11/20/05</i>

EXHIBIT B

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

05/14/2008

WATER RIGHT NO. 37-21739

Owner Type	Name and Address
Current Owner	ADELE S SAVARIA
Current Owner	PATRICK J SAVARIA
	PO BOX 551
	HAILEY, ID 83333
	(208)788-2509
Original Owner	JAMES R SAVARIA
Original Owner	SHIRLEY J SAVARIA
	PO BOX 751
	HAILEY, ID 83333
	(208)788-4129

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

Source	Tributary
BIG WOOD RIVER	MALAD RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/31	0.39 CFS	
Total Diversion			0.39 CFS	

Location of Point(s) of Diversion:

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BIG WOOD RIVER	SWNW	Sec. 20	Township 03N	Range 18E	BLAINE County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	18E	4		NWSE	1.1									

Total Acres: 1.1

Conditions of Approval:

1.		Water is delivered through Hiawatha Canal.
2.		This right is a split from former right 37-14275 .
3.	J01	Property is also known as Lot 2, Savaria Subdivision.
4.	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.

Dates:

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

EXHIBIT C

HIAWATHA CANAL

P.O. Box 1604 • Hailey, ID 83333

May 14, 2008

IDWR Central Office
Attn: Water Bank, Aaron Marshall

Re: *Water Right 37-21739 (Patrick and Adele Savaria)*

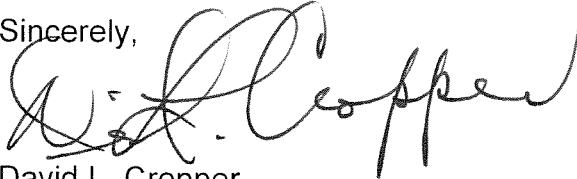
Dear Mr. Marshall:

My name is David L. Cropper, President of the "Hiawatha Canal Water Users' Association of Lateral or Laterals," better known as the Hiawatha Canal Company ("Canal").

In the normal course of business, I am in charge of collating delivery records for the Canal. Please find attached the delivery records for the year 2007. I know that we have delivered water to Patrick and Adele Savaria listed as customer 225.

If you require any further information, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "D. L. Cropper", written in a cursive style.

David L. Cropper,
President

FXH: fxb

HIAWATHA CANAL CO										
MARK WITH (X) FOR USE			HIAWATHA # 22 2007							
FIRST NAME	LAST NAME	CUST	APR	MAY	JUN	JUL	AUG	SEP	FEEES/37&37M	FEEES/CANAL
JACKSON	ALLERD III	403	ALL WATER USERS WERE DELIVERED THEIR WATER UP TO THE POINT THEIR PRIORITY DATES WERE GOOD.							
JANET LEE	ARGYLE (NOT SURE ON THIS)									
THOMAS	BAILEY	063	PURCHASED A PORTION FROM JIM SAVARIA 2005							
JOHN	BAZOVSKY	021								
HANS	BEEKWILDER	049								
ALAN	BILLER	387								
JOHN	BLACKBURN	245								
	CAT TRACK SELECT LLC	038								
JEAN-PIERRE	CHESNELL	090								
	CITY OF HALEY	065		WAS MIZER (?)						
JOHN H	CLARK	007								
WILLIAM P	CLIFFORD	063								
	COTTONWOOD INVESTMENT	133								
	COYOTE BLUFF INC	136								
DAVID L	CROPPER	072								
	CROSS CREEK TRUST	390								
ST. OF ID.	DEPT. OF LANDS	249								
RANNEY	DRAPER	394								
EDMUND E	DUMKE	199								
S F	ECCLES	088								
	EMB-HAILEY L P	104								
MELVIN	EVANS	400								
ELMAR	GRABHER	334								
THOMAS	HANSON	111								
DAVID B	HENNESSY	110								
	HIAWATHA CANAL CO	125								
THOMAS	HICKEY	341								
CHARLES M	JOHNSON	340								
ROD	KEGLEY	271								
TOM	KENNEDY / D KIRBY	134								
HOWARD	KNIGHT	234								

2005 PRIORITY CUTS

BIG WOOD RIVER ABOVE MAGIC RESERVOIR WATER DISTRICT 37

Date of Priority	Date Priority Cut Made	Remarks
May 31, 1887	July 15, 2005	
June 06, 1886	July 18, 2005	
Sept. 18, 1885	July 22, 2005	
Oct. 15, 1884	July 29, 2005	
May 1, 1883	August 12, 2005	
March 24, 1883	August 22, 2005	50% CUT

BIG WOOD RIVER BELOW MAGIC RESERVOIR WATER DISTRICT 37M

Date of Priority	Date Priority Cut Made	Remarks
April 1, 1905	July 14, 2005	
July 1, 1889	August 8, 2005	
All Priorities	September 11, 2005	

SILVER CREEK & LITTLE WOOD RIVER WATER DISTRICT 37M

Date of Priority	Date Priority Cut Made	Remarks
October 25, 1892	July 7, 2005	
Cottonwood rights	July 20, 2005	
April 1, 1889	August 16, 2005	

2004 PRIORITY CUTS

BIG WOOD RIVER ABOVE MAGIC RESERVOIR WATER DISTRICT 37

Date of Priority	Date Priority Cut Made	Remarks
May 1, 1886	July 7, 2004	
June 03, 1884	July 12, 2004	
April 12, 1883	July 31, 2004	
March 24, 1883	August 13, 2004	50%
December 19, 1882	September 10, 2004	

BIG WOOD RIVER BELOW MAGIC RESERVOIR WATER DISTRICT 37M

Date of Priority	Date Priority Cut Made	Remarks
October 20, 1902	May 10, 2004	
May 1, 1893	May 24, 2004	
All Priorities	July 6, 2004	

SILVER CREEK & LITTLE WOOD RIVER WATER DISTRICT 37M

Date of Priority	Date Priority Cut Made	Remarks
Cottonwood Rights	May 24, 2004	
October 25, 1892	June 18, 2004	
June 1, 1889	July 6, 2004	
April 1, 1886	July 12, 2004	
June 3, 1884	July 19, 2004	
April 1, 1884	September 4, 2004	

2004 PRIORITY CUTS

BIG WOOD RIVER ABOVE MAGIC RESERVOIR WATER DISTRICT 37

Date of Priority	Date Priority Cut Made	Remarks
May 1, 1886	July 7, 2004	
June 03, 1884	July 12, 2004	
April 12, 1883	July 31, 2004	
March 24, 1883	August 13, 2004	50%
December 19, 1882	September 10, 2004	

BIG WOOD RIVER BELOW MAGIC RESERVOIR WATER DISTRICT 37M

Date of Priority	Date Priority Cut Made	Remarks
October 20, 1902	May 10, 2004	
May 1, 1893	May 24, 2004	
All Priorities	July 6, 2004	

SILVER CREEK & LITTLE WOOD RIVER WATER DISTRICT 37M

Date of Priority	Date Priority Cut Made	Remarks
Cottonwood Rights	May 24, 2004	
October 25, 1892	June 18, 2004	
June 1, 1889	July 6, 2004	
April 1, 1886	July 12, 2004	
June 3, 1884	July 19, 2004	
April 1, 1884	September 4, 2004	

BIG WOOD RIVER	SESWNW	Sec. 20	Township 03N	Range 18E	BLAINE County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

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02N	18E	4		NWSE	1.1									

Total Acres: 1.1

Conditions of Approval:

1.		This right is a split from former right 37-14275 .
2.	J01	Property is also known as Lot 2, Savaria Subdivision.

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

HAEMMERLE & HAEMMERLE, P.L.L.C.

Attorneys & Counselors at Law

Fritz X. Haemmerle
Jennifer L. K. Haemmerle

P. O. Box 1800
Hailey, ID 83333

400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

June 26, 2008

RECEIVED

JUL 01 2008

**DEPARTMENT OF
WATER RESOURCES**

The Idaho Department of Water Resources
The Idaho Water Center
Attn: Water Bank, Aaron Marshall
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Right 37-21739 (Patrick and Adele Savaria)

Dear Mr. Marshall:

Please find enclosed an Application by Patrick and Adele Savaria to lease water to the Idaho Water Bank.

If you require any further information, please advise.

Thank you.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.



Fritz X. Haemmerle

FXH: fxh
Encl.