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MAY 18 2004

Page 1

Department of Water Resources
Southern Region

Transfer No. 71217

Receipt No. 5026720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information RUSS JENSON
PO BOX 972
HAILEY ID 83333
(208)720-0887
And/Or

ANDREA HARTOGENSIS
PO BOX 972
HAILEY ID 83333
(208)788-5718

Will this transfer result in an ownership change? _____ Yes ____X____ No

2. Current Water Right

Part 2 Attached for Each Right

Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
Recommendation	0.4	70.0	20.0	20.0	Groundwater

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-21175	No	Yes	No	No	No	No

Describe the reason for the proposed changes

Changing point of diversion, planning to drill a new well on our property.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

NA

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

NA

5. Total Amounts Transferred

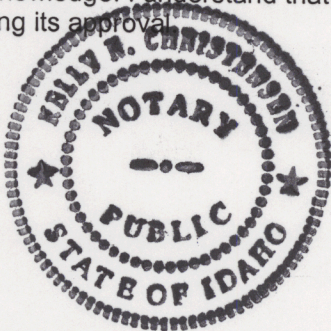
	Rate	Acre Limit	Total Acres	Volume
37-21175	0.40 cfs	20.0	20.0	70.0 af
TOTAL	0.40 cfs	20.0	20.0	70.0 af

Transfer No. 71217

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



[Signature]
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 10th day of May, 2004.

Kelly K. Christensen
(Notary Public)

My commission expires 4-2-2010

Transfer No. 71217

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Proposed Water Right No. 37-21175

Priority Date:

Origin: Adjudication
 Recommendation

Basis:

Status:

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.40 CFS	70.0 AFA	
	Total Diversion	0.40 CFS	70.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNENE Sec. 10 Twp 01S Rge 19E BLAINE County

Describe the proposed diversion system

Point of Diversion # 1 Well, pump, pipes to wheelines

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			<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>
01S	19E	10	.4			13.1								6.5					20.0

Total Acres: 20

Conditions/Remarks:

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Page 4

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
NA

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 71217

Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A

Proposed Water Right No. 37-21175

Priority Date:

Origin: Adjudication
Recommendation

Basis:

Status:

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.40 CFS	70.0 AFA	
	Total Diversion	0.40 CFS	70.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENE Sec. 10 Twp 01S Rge 19E BLAINE County

Describe the proposed diversion system

Point of Diversion # 1 Well, pump, pipes to wheelines

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	19E	10	.4			13.1									6.5				20.0

Total Acres: 20

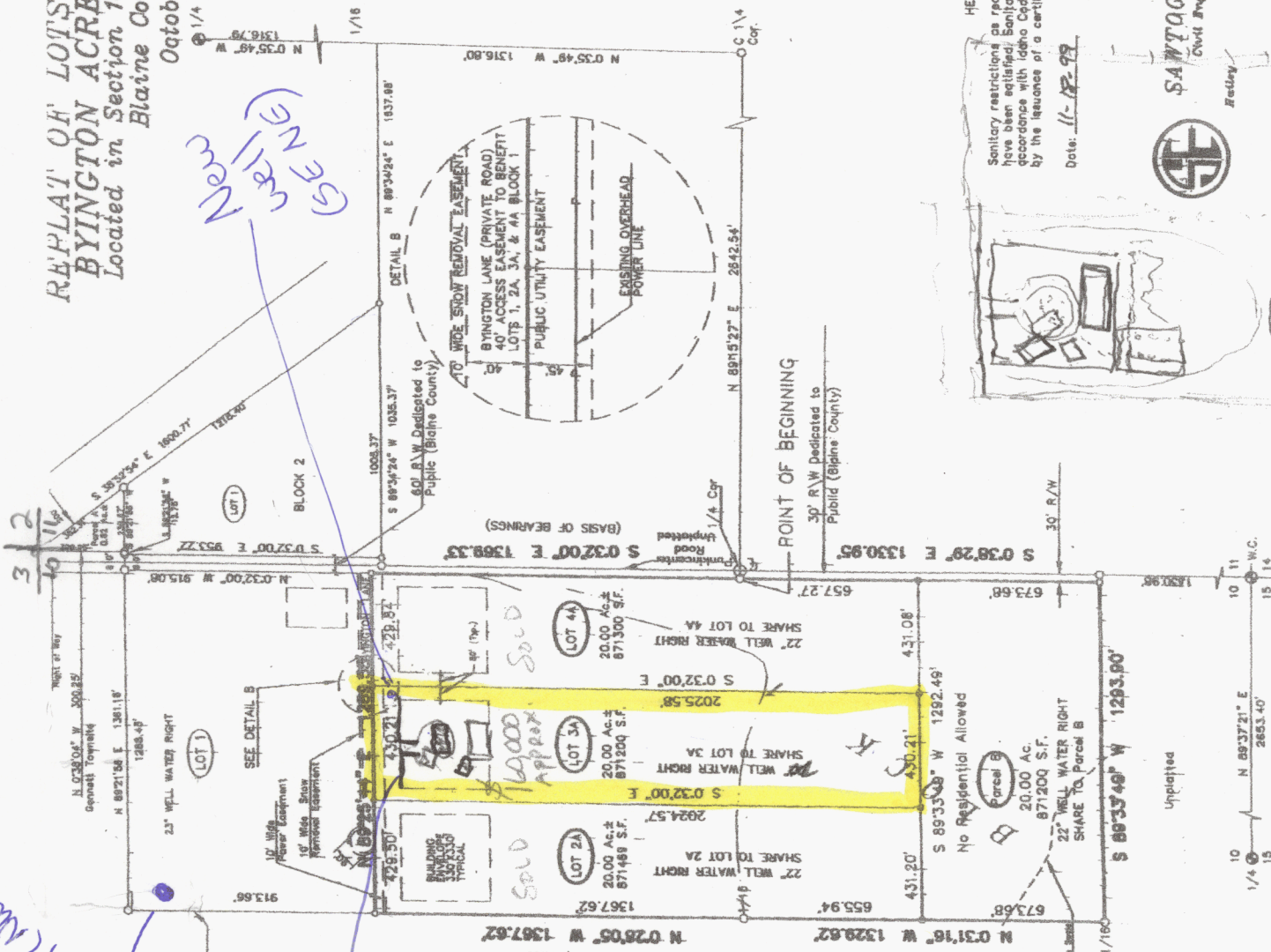
October 1999

Dr.

LEGEND

property boundary	
found brass cap	●
set aluminum cap	⊕
found 5/8" iron pin	○
set 5/8" iron pin	●
found 1/2" iron pin	○
set 1/2" iron pin	●
record data	()
designates the corner	

record data designates the approximate n-
umbers of hydric soils per
Soil Survey of Maine Count-
y Area, Idaho



HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.

Date: 11-18-99

South Central District Health Dep't., EHS



SAWTOOTH ENGINEERING
Civil Engineers and Land Surveyors

0906-884 (802)

SHEETS 1 OF 2

NOTES

[illegible]

4

a location of oil septic tanks, drainfields and wells shall be approved by the Central Health District.



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MAY 18 2004
Department of Water Resources
Southern Region

May 12, 2004

Mr. John Freitag
Idaho Department of Water Resources

VIA FACSIMILE

RE: Transfer of water rights
(application #71217)

Dear John:

The bank approves the change in water rights associated with the Byington Lane property in which FBI is a lien holder. The bank agrees to this change as long as the property value is not diminished.

Sincerely,

Jeff Moore
First Bank of Idaho

KETCHUM BRANCH

PO 9000 KETCHUM, ID 83340
208.725.0330 FAX 208.725.0388

MORTGAGE DIVISION

PO BOX 9000 KETCHUM, ID 83340
208.725.0329 FAX 208.725.0341

HAILEY BRANCH

314 N. MAIN HAILEY, ID 83333
208.578.1300 FAX 208.578.1299

BELLEVUE BRANCH

PO 650 BELLEVUE, ID 83313
208.788.2107 FAX 208.788.2414

W W W . F I R S T B A N K S O L U T I O N S . C O M



**FIRST BANK OF IDAHO**

111 MAIN STREET - PO BOX 3239 - KETCHUM - ID - 83340

208-725-0329 - fax 725-0388

*Jeff Moore***Fax****To:** John Freitag**From:** Jeff Moore**Fax:** 208-736-3037**Date:** 5/17/04**Phone:****Pages Inc.** 2**Cover:****Re:** Application #71217**CC:**☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☒ **Please Reply** ☐ **Please Recycle****•Comments:** Questions please call- Thanks!**CONFIDENTIAL**

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SVTC Order No. 03-19374

QUITCLAIM DEED

For Value Received

Instrument # 492238

HAILEY, BLAINE, IDAHO

2003-09-26

03:07:00 No. of Pages: 1

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTYQCICORP DEED

VERNILE J. BYINGTON AND MARY BYINGTON, husband and wife

Do hereby convey, release, remise and forever quitclaim unto

RUSS JENSON AND ANDREA HARTOGENSIS, husband and wife

Whose current address is **PO Box 972**
Hailey, ID 83333

the following described premises, to-wit:

All water rights appurtenant to, Lot 3A of Block 1 of REPLAT OF LOTS 2, 3, 4, & 5, BLOCK 1 OF BYINGTON ACRES SUBDIVISION, BLAINE COUNTY, IDAHO, as shown on the official plat thereof, recorded December 16, 1999, as Instrument No. 434482, records of Blaine County, Idaho including without limitation, 20 INCHES OF - A 37- 02624

Together with their appurtenances.

Dated: September 25, 2003

Vernile J. Byington
Vernile J. Byington

Mary Byington
Mary Byington

State of: Idaho

County of: Blaine

On this 25th day of September 2003, before me, a Notary Public in and for said State, personally appeared Vernile J. Byington and Mary Byington known or identified to me

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NOV 05 2003

Department of Water Resources
Southern Region

Hailey, ID 83333

the following described premises, to-wit:

All water rights appurtenant to, Lot 3A of Block 1 of REPLAT OF LOTS 2, 3, 4, & 5, BLOCK 1 OF BYINGTON ACRES SUBDIVISION, BLAINE COUNTY, IDAHO, as shown on the official plat thereof, recorded December 16, 1999, as Instrument No. 434482, records of Blaine County, Idaho including without limitation, 20 INCHES OF - A 37- 02624

Together with their appurtenances.

Dated: September 25, 2003

Vernile J. Byington
Vernile J. Byington

Mary Byington
Mary Byington

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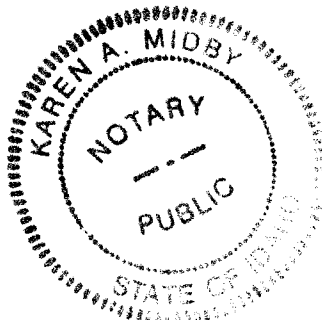
Department of Water Resources
Southern Region

State of: Idaho

County of: Blaine

On this 25th day of September 2003, before me, a Notary Public in and for said State, personally appeared **Vernile J. Byington and Mary Byington** known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Karen A. Midby
Notary Public
Residing at: Hailey, ID
Comm. Expires: 10/03/06



HECK PAYABLE TO:

L. DICK

COUNTY TAX COLLECTOR

T AVE SO., SUITE 205

, IDAHO 83333

T HALF DUE

10.34

2003 TAX BILL/RECEIPT

BILL# 14173

CODE AREA 141-0000 L

PARCEL NUMBER
RP00079001003AA
3,800

2ND HALF DUE

TAX 10.34

LATE

INT

COST

TOT

FULL DUE

TAX 20.68

LATE

INT

COST

TOT

TOT MV

3,800

TOT ACS

20.000

JENSON RUSSELL &
HARTOGENSIS ANDREA

BOX 972

HAILEY

ID 83333

TAXING DISTRICT

RATE

AMOUNT

STATE

.000000000

COUNTY

.000858922

3.26

AMBULANCE

.000125905

.48

RECREATION

.000115431

.44

REC. BOND

.000000000

SCHOOL DIST #61

.003899310

14.82

SCHOOL BOND

.000279588

1.06

PICABO CEM

.000164109

.62

CAREY FIRE

.001351026

(APPLICABLE MV

0)

AMOUNT DUE

.006794291

20.68

BYINGTON ACRES SUB

AMENDED LOT 3A BLOCK 1

20.00@ SEC 10, 1S 19E

300

BYINGTON

LN 80000

\$20.68 paid 11/20/03

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

RETURN STUBS WITH TAX PAYMENT ** FOR TAX
D QUESTIONS CALL (208) 788-5530

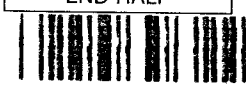
FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

, RUSSELL &

2003
14173



2ND HALF



AMOUNT DUE

10.34

COUNTY
9001003AA
000

LATE
INT
COST
TOT

IF NOT PAID ON OR BEFORE

JUNE 20, 2004

PAID
BY

CHECK #
CASH