

**AMENDED 37-62**

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 FORM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number \_\_\_\_\_

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

↑  
wrong  
legal

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

RECEIVED  
JUL 18 2005

Department of Water Resources  
Southern Region

RECEIVED  
AUG 01 2005

Department of Water Resources  
Southern Region

Please type or print clearly

- Name of Claimant (s) Sun Valley Ranch, LLC Phone (208) 726-1780  
Mailing Address P.O. Box 40380, Ketchum, Idaho Zip 83340
- Date of Priority (Only one (1) per claim) 07/01/1881
- Source of water supply (a) Big Wood River  
which is tributary to (b) Malad River
- a. Location of existing point of diversion is: Township 01S Range 18E Section 02,  
NE 1/4 of NE 1/4 of 1/4, Govt. Lot, B.M., County of Blaine  
Additional points of diversion if any: 01S18E02NWSE, 01S18E10SWNE, & 01S18E11NWNW  
b. If instream flow, beginning point of claimed instream flow is:  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,  
Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_  
ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,  
Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed  
and as enlarged and the depth of each well. Existing ditches and pipelines that are gravity fed into the system

COPY

merged with AG  
claim file 7/19/2016

SCANNED

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 03/15 to 10/15 amount 2.8 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 2.8 (cfs) and / or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) \_\_\_\_\_.

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | 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 |        |
| 01S | 18E | 10  |        |        |        | 8      |        |        |        |        | 25.6   |        | 37     | 34     | 16.6   | 40     | 40     | 11.6   | 212.8  |
|     |     | 11  | 40     | 40     | 40     | 40     | 40     | 16.7   | 37.3   | 40     | 40     | 39     | 38     | 40     | 38.5   | 35.4   |        |        | 524.9  |
|     |     | 12  |        |        |        |        |        | 29.4   | 24     |        |        |        |        |        |        |        |        |        | 53.4   |
|     |     | 13  |        |        |        |        | 40     | 40     | 28     | 40     |        |        |        |        |        |        |        |        | 148    |
|     |     | 14  | 36     | 38.5   | 40     | 36     | 38.7   | 40     | 40     | 40     |        |        |        |        |        |        |        |        | 309.2  |
|     |     | 15  | 40     | 36.8   | 39     | 40     | 25     | 22     | 17.6   | 33.8   |        |        |        |        |        |        |        |        | 254.2  |
|     |     | 16  | 22     |        |        | 27     |        |        |        |        |        |        |        |        |        |        |        |        | 49     |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of Irrigatable acres 1551.5

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes \_\_\_\_\_ No XX  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

See attached Or None ☐

14. Remarks:

\*1: Total authorized irrigated acres shall not exceed 400 acres per irrigation season when used in conjunction with 37-60 and 37-61, and when used without the rest of the associated water rights of the permissible place of use

\*2: Total authorized irrigated acres of the PPU shall not exceed 1551.5 acres per irrigation season

See Purchase Agreement regarding the ownership transactions for this water right and the appertunant property

COPY

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Last Name \_\_\_\_\_ Ident. No. \_\_\_\_\_  
15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree XX

If applicable provide IDWR Water Right Number 37-62  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date 12/13/1909  
Plaintiff vs 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 ☐ 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) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear of affirm that I am Authorized Agent  
Title  
Of Sun Valley Ranch LLC, that I have signed the foregoing  
Organization  
Document in the space below as Senior Member of Brockway Engineering PLLC  
Title Organization

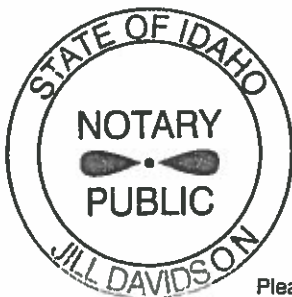
And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]  
Title and Organization Senior Member / Brockway Engineering Date 7-13-05

State of Idaho / or \_\_\_\_\_ )  
County of Twin Falls ) ss.

Subscribed and sworn (or affirmed) before me this 13<sup>TH</sup> day of July, 20 05.

SEAL



Notary Public [Signature]  
Residing at Twin Falls  
My Commission Expires November 18, 2010

Please Print Name

17. Notice of Appearance:  
Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf  
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 me at the address listed below.

Signature \_\_\_\_\_  
Address \_\_\_\_\_  
Date \_\_\_\_\_

COPY

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Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

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AUG 09 2005



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: A37-00062  
Date Received: 10/19/1988  
Receipt No: W000290(50)  
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: E. HADLEY STUART, JR. 208-788-4002  
Address: P.O. BOX 186  
BELLEVUE, ID 83313

2. Date of Priority: JUL 01, 1881

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01S      | 18E   | 2       |        | NE     | NE     |     | BLAINE |
|          |       |         |        | NW     | SE     |     | BLAINE |
|          |       | 10      |        | SW     | NE     |     | BLAINE |
|          |       | 11      |        | NW     | NW     |     | BLAINE |

5. Description of diverting works:  
BLACK #61 HEADGATE IN RIVER W/DITCHES TO CROPLAND.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 10/15 | 2.800 |      |        |

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

8. Total consumptive use is 1000.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 01S      | 18E   | 10      | NE     | SW  |     | IRR | 16.0  |
|          |       |         | SE     | SW  |     | IRR | 11.0  |
|          |       |         | NE     | SE  |     | IRR | 34.0  |
|          |       |         | NW     | SE  |     | IRR | 14.0  |
|          |       |         | SW     | SE  |     | IRR | 20.0  |
|          |       |         | SE     | SE  |     | IRR | 33.0  |

Section Acres 128.0

|    |    |    |     |      |
|----|----|----|-----|------|
| 11 | NE | SW | IRR | 38.0 |
|    | NW | SW | IRR | 38.0 |
|    | SW | SW | IRR | 37.0 |
|    | SE | SW | IRR | 39.0 |
|    | NE | SE | IRR | 39.0 |
|    | NW | SE | IRR | 28.0 |

Section Acres 219.0

|    |    |    |     |      |
|----|----|----|-----|------|
| 15 | NW | NE | IRR | 35.0 |
|    | SW | NE | IRR | 18.0 |

Section Acres 53.0

Total Acres 400.0

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:  
CLAIM NO.'S A37-00060 & A37-00061.

14. Remarks:

TRANS. 2936.

P/D DESCRIBED INCORRECTLY IN TRANS. AS INCL. NENE S2 T1S R18E.

ERROR DUE TO CORRECTION SECTION; NENE S2 DOES NOT EXIST.

ONLY P/D IN NWSE S2 IS ACTIVE AS OF 1985; PER WATERMASTER.

NOTE: WHEN ADJ. CLAIM FILED CLAIMANT HAS SHOWN THE NENE, S.2. IN REVIEW THIS SHOULD BE CLARIFIED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/06/1909

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

A37-00062

Page

2

Date: 10/24/88

MICROFILMED  
FEB 22 1993

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 \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

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 A37-00062Date Received 10-19-88Receipt Number W001290

Should questions arise during  
the processing of this applica-  
tion please contact:

SHERL L. CHAPMAN  
410 S. Orchard, Suite 144  
Boise, ID 83705  
344-6690

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) E. Hadley Stuart, Jr. Phone ( 208 ) 788-4002Mailing Address P. O. Box 186, Bellevue, Idaho Zip 833132. Date of Priority (Only one (1) per claim) July 1, 18813. Source of water supply (a) Big Wood River  
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 1S Range 18E Section 2,  
1/4 of NW 1/4 of SE 1/4, Govt. Lot, B.M., County of BlaineAdditional points of diversion if any: NW/4 NW/4 Sec. 11; SW/4 NE/4 Sec. 10; NE/4 NE/4 Sec. 2, all  
in T1S, R18E, Blaine Countyb. If instream flow, beginning point of claimed instream flow is: NA

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of

\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well. Headgates in Wood River. Diversion  
into open ditches to cropland.

MICROFILMED  
FEB 22 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 10/15 amount 2.8 or 280

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 2.8 (cfs) and/or (b) 280 (acre feet)

8. Total consumptive use claimed is 200 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NA

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| 1S  | 18E | 10  |        |       |       |       |        |       |       |       | 16     |       |       | 11    | 34     | 14    | 20    | 33    | 128    |
| 1S  | 18E | 11  |        |       |       |       |        |       |       |       | 38     | 38    | 37    | 39    | 39     | 28    |       |       | 219    |
| 1S  | 18E | 15  |        | 35    | 18    |       |        |       |       |       |        |       |       |       |        |       |       |       | 53     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 400

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
37-0060; 37-0061 or None ( )

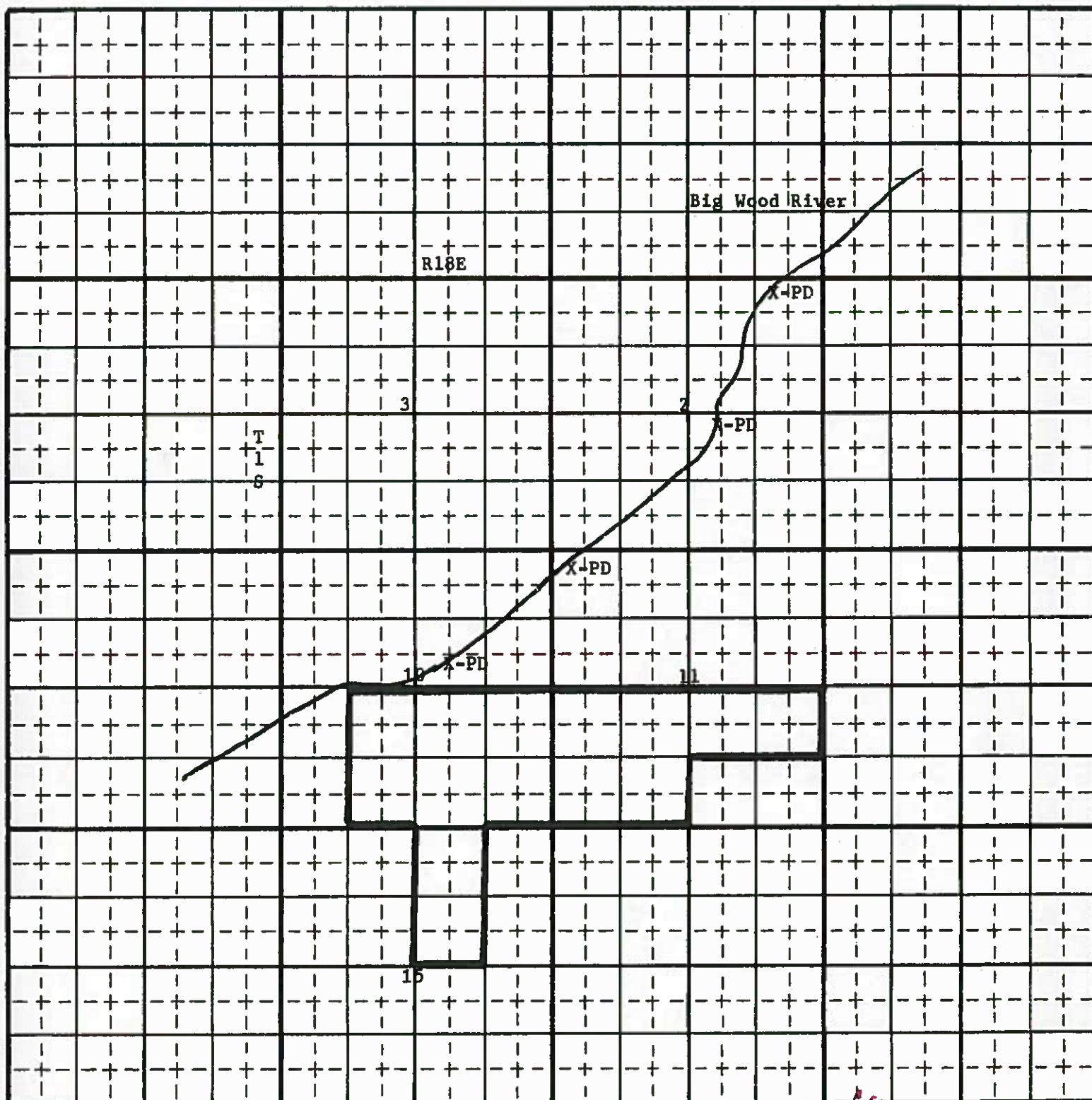
14. Remarks:

MICROFILMED  
FEB 22 1993

Last Name Stuart Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

**Scale: 2 inches equals 1 mile**



**MICROFILMED**  
**FEB 22 1993**

**Last Name**      **Stuart**                      **Ident No.**

**Copies: White-State, Yellow-Claimant**

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_

Decree X

If applicable provide IDWR Water Right Number 37-0062

Court Fourth District

Case Number \_\_\_\_\_

Decree Date 10/6/09

Plaintiff vs Defendant S C Frost v Alturas Water Co. et. al.

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 \_\_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

E. Hickey Stuart

Date 10/11/88

Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

Title \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing

Organization

document in the space below as \_\_\_\_\_

Title

of \_\_\_\_\_

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_

Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )

County of ada )

SS.

Subscribed and sworn (or affirmed) before me this

11

day of

October

19

88

Notary Public

Sherl L. Chapman

Residing at

457 W Willow Brook Meadows Rd

My Commission Expires

6/14/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf 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 me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name

Stuart

Ident. Number

\_\_\_\_\_

MICROFILMED  
FEB 22 1993

Copies White-State, Yellow-Claimant



**FIRST CLASS**



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

RECEIVED

MAR 12 2007

DEPARTMENT OF  
WATER RESOURCES

**NO SU  
ADDRESS**

Attorney  
to  
Sergeant

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37-71B  
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37-231B  
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3

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**NO SUCH ADDRESS**

SUN VALLEY RANCH LLC  
PO BOX 40380  
KETCHUM ID 83340

01/03/2007

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

RIGHT NUMBER: 37-62

NAME AND ADDRESS: SUN VALLEY RANCH LLC  
PO BOX 40380  
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.800 CFS

PRIORITY DATE: 07/01/1981

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01S R18E S2 SENWSE Within BLAINE County

T01S R18E S2 NESWSE Rediversion Within BLAINE County

This right is measured and administered at the point of rediversion.

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 10/31          | 2.800 CFS       |

PLACE OF USE:

IRRIGATION in BLAINE County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R18E S10 | SESW | 5.10  | T01S R18E S10 | NESE | 28.00 |
| T01S R18E S10 | SWSE | 34.00 | T01S R18E S10 | SESE | 34.00 |
| T01S R18E S11 | NENE | 40.00 | T01S R18E S11 | NWNE | 40.00 |
| T01S R18E S11 | SWNE | 40.00 | T01S R18E S11 | SENE | 40.00 |
| T01S R18E S11 | NENW | 39.00 | T01S R18E S11 | NWNW | 14.00 |
| T01S R18E S11 | SWNW | 28.00 | T01S R18E S11 | SENW | 40.00 |
| T01S R18E S11 | NESW | 40.00 | T01S R18E S11 | NWSW | 39.00 |
| T01S R18E S11 | SWSW | 39.00 | T01S R18E S11 | SESW | 40.00 |
| T01S R18E S11 | NESE | 41.00 | T01S R18E S11 | NWSE | 36.00 |
| T01S R18E S12 | NWNW | 27.00 | T01S R18E S12 | SWNW | 24.00 |
| T01S R18E S14 | NENE | 3.90  | T01S R18E S14 | NWNE | 34.00 |
| T01S R18E S14 | SWNE | 8.70  | T01S R18E S14 | NENW | 35.00 |
| T01S R18E S14 | NWNW | 40.00 | T01S R18E S14 | SWNW | 40.00 |
| T01S R18E S14 | SENW | 38.00 | T01S R18E S15 | NENE | 40.00 |
| T01S R18E S15 | NWNE | 40.00 | T01S R18E S15 | SWNE | 34.00 |
| T01S R18E S15 | SENE | 40.00 | T01S R18E S15 | NENW | 26.00 |
| T01S R18E S15 | SWNW | 3.40  | T01S R18E S15 | SENW | 33.00 |

1084.1 ACRES TOTAL

01/03/2007

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

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The rights listed below are limited to the irrigation of a combined total of 1084.1 acres in a single irrigation season. Combined Right Nos.: 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-230, 37-231B, 37-232, 37-577AZ and 37-22050.

The rights listed below are limited to the irrigation of a combined total of 1168.5 acres in a single irrigation season. Combined Right Nos.: 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-230, 37-231B, 37-232, 37-577AZ, 37-2492 and 37-22050.

Right Nos. 37-60, 37-61 and 37-62 are limited to the irrigation of a combined total of 400 acres in a single irrigation season.

This right is limited to the irrigation of 400 acres within the place of use described above in a single irrigation season.

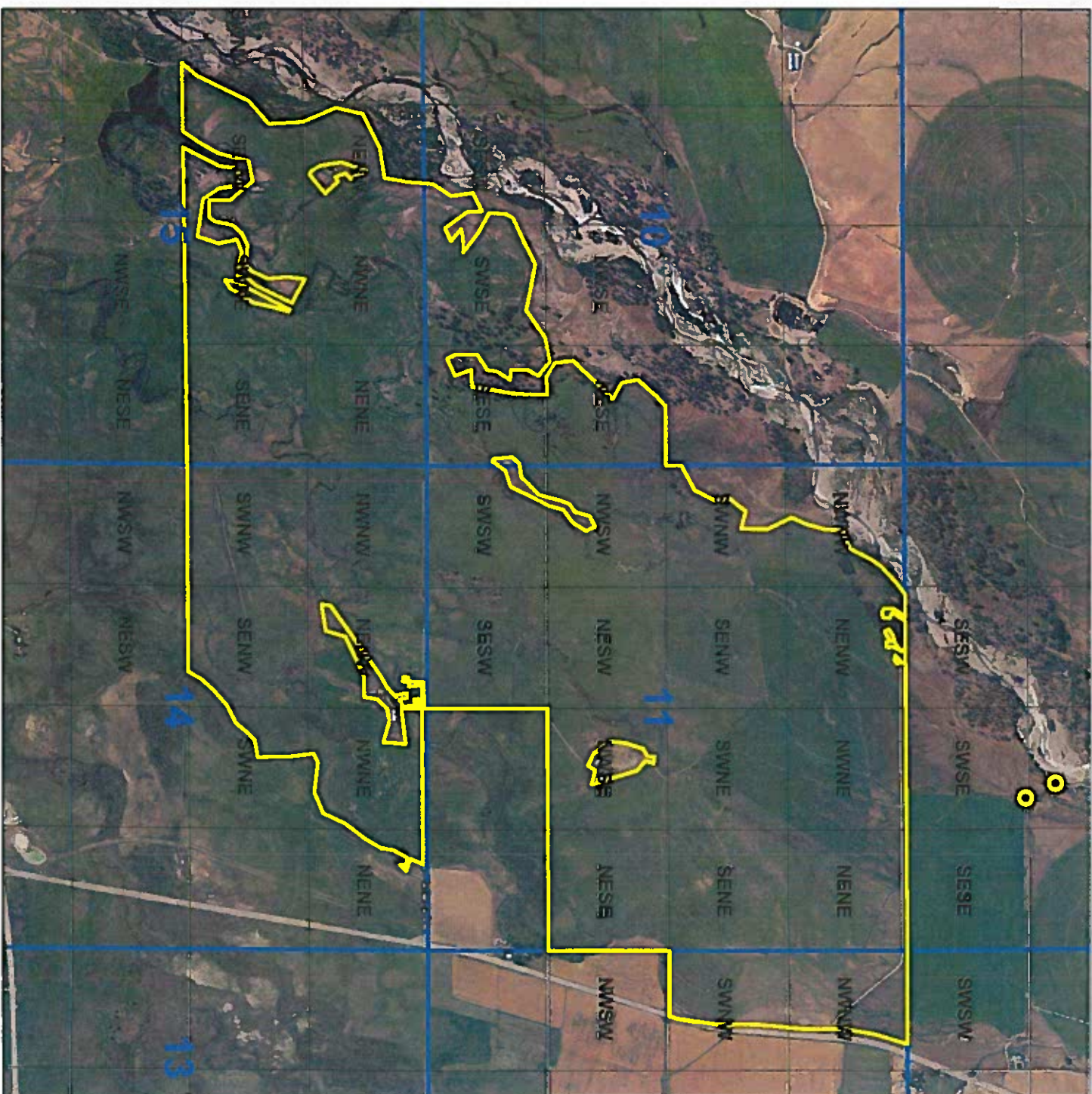
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

**37-62**





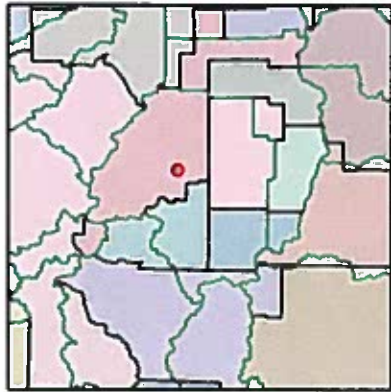
# Idaho Department of Water Resources

SRBA Recommendation:

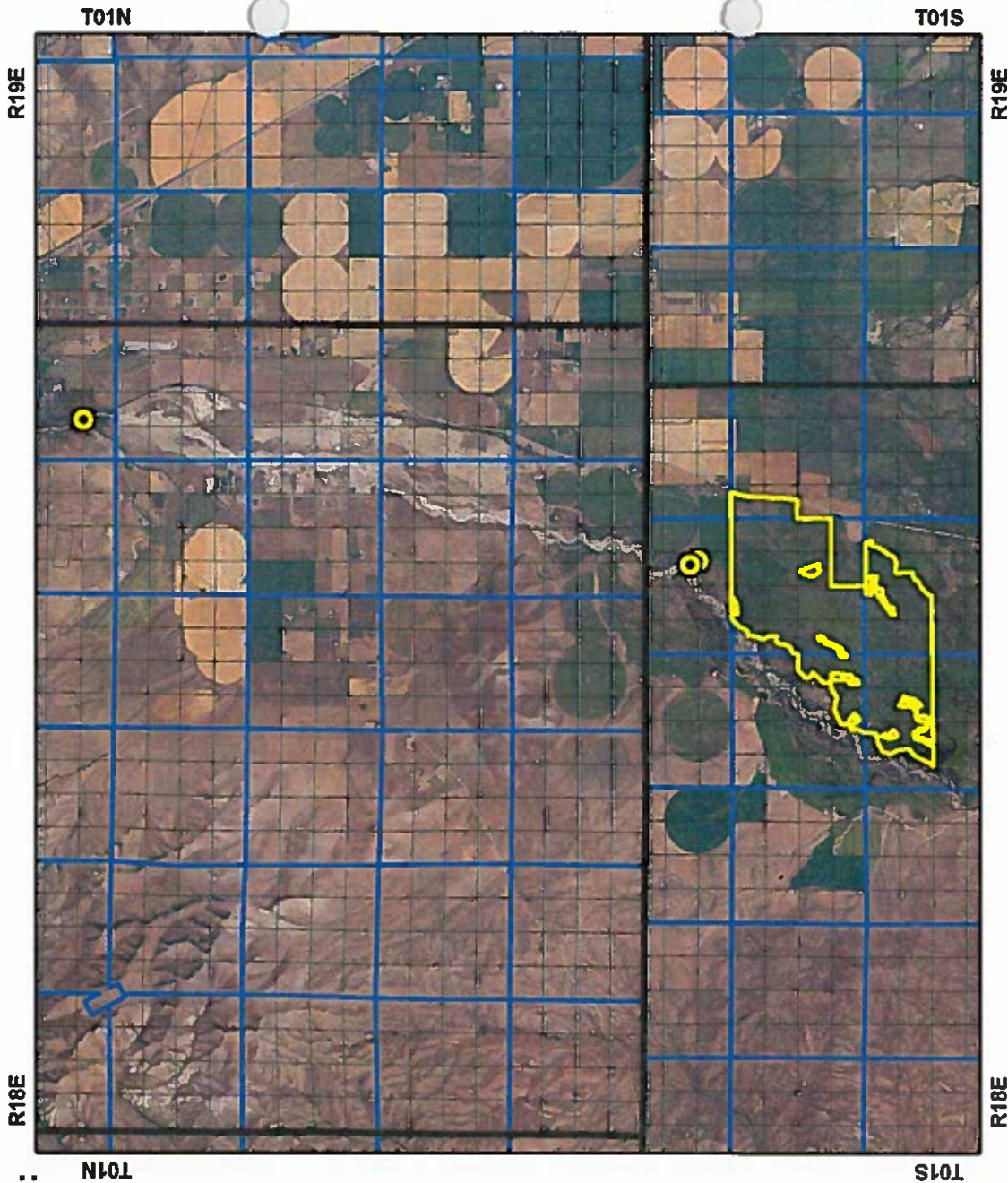
**37-62**  
(Irrigation)

## Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County  
IDWR Basin 37



Owner: Sun Valley Ranch Llc

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by A. Merritt  
On Tuesday, December 26, 2006  
2004 Aerial Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Claim Report 37-62

WATER RIGHT NUMBER: 37-62

|                   |                         |
|-------------------|-------------------------|
| <u>Owner Type</u> | <u>Name and Address</u> |
| Original Owner    | CHARLES M BLACK         |
|                   | BELLEVUE, ID 83313      |
| Current Owner     | E HADLEY STUART JR      |
|                   | PO BOX 186              |
|                   | BELLEVUE, ID 83313      |
|                   | (208)788-4002           |

Priority Date: 07/01/1881

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            | 3/15 to 10/15           | 2.800 CFS             |                      |
|                       | <u>Total Diversion:</u> | 2.800 CFS             |                      |

Location of Point(s) of Diversion

|                |            |                                 |
|----------------|------------|---------------------------------|
| BIG WOOD RIVER | NW1/4SE1/4 | Sec. 2, Twp 01S, Rge 18E, B.M.  |
| BLAINE County  |            |                                 |
| BIG WOOD RIVER | NE1/4NE1/4 | Sec. 2, Twp 01S, Rge 18E, B.M.  |
| BLAINE County  |            |                                 |
| BIG WOOD RIVER | NW1/4NW1/4 | Sec. 11, Twp 01S, Rge 18E, B.M. |
| BLAINE County  |            |                                 |
| BIG WOOD RIVER | SW1/4NE1/4 | Sec. 10, Twp 01S, Rge 18E, B.M. |
| BLAINE County  |            |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |      |      | NW |    |    |    | SW   |      |      |      | SE   |      |      |      | Totals |       |
|-----|-----|-----|----|----|------|------|----|----|----|----|------|------|------|------|------|------|------|------|--------|-------|
|     |     |     | NE | NW | SW   | SE   | NE | NW | SW | SE | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |       |
| 01S | 18E | 10  |    |    |      |      |    |    |    |    | 16.0 |      |      |      | 11.0 | 34.0 | 14.0 | 20.0 | 33.0   | 128.0 |
| 01S | 18E | 11  |    |    |      |      |    |    |    |    | 38.0 | 38.0 | 37.0 | 39.0 | 39.0 | 28.0 |      |      |        | 219.0 |
| 01S | 18E | 15  |    |    | 35.0 | 18.0 |    |    |    |    |      |      |      |      |      |      |      |      |        | 53.0  |

Total Acres: 400

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Claim Report 37-62

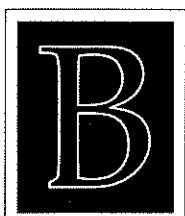
Conditions of Approval:

1. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. TRANS. 2936.  
P/D DESCRIBED INCORRECTLY IN TRANS. AS INCL. NENE S2 T1S R18E.  
ERROR DUE TO CORRECTION SECTION; NENE S2 DOES NOT EXIST.  
ONLY P/D IN NWSE S2 IS ACTIVE AS OF 1985; PER WATERMASTER.  
NOTE: WHEN ADJ. CLAIM FILED CLAIMANT HAS SHOWN THE NENE, S.2. IN REVIEW THIS SHOULD BE CLARIFIED.
3. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
4. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 11/4/1988  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal: S  
Owner Name Connector:  
Water District Number: 37  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

July 29, 2005

Douglas Jones  
Idaho Department of Water Resources  
Southern Region Office  
1341 Fillmore, Suite 200  
Twin Falls, ID 83301

RECEIVED

AUG 01 2005

Department of Water Resources  
Southern Region

Re: Sun Valley Ranch LLC: Amended Claims & Change of Ownership

Dear Doug:

I am resending the enclosed amended claims now that the warranty deed has been obtained from our client. We have not resubmitted the purchase agreement that was sent to you on July 14, 2005, since you stated that these documents were inadequate. In addition, I have included the original check for \$25.00 and an additional check for \$50.00 to cover the costs of the change of ownership forms appurtenant to the rights that have been partially decreed. As before stated if any other costs are needed during the processing of these documents please call our office and we will be glad to resolve the issue.

Just for your information our client will not receive the deed for the JD Spring Creek Ranch until August 12, 2005. Therefore, we will not be resubmitting these other amended claims until that point.

Our client wishes that these amendments be processed as soon as possible and if or any other agent have any questions regarding the enclosed documents, please feel free to give our office a call.

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

Sincerely,

Daren T. Nelson.

Attachments: Brockway Engineering Check # \_\_\_\_\_  
Warranty Deed

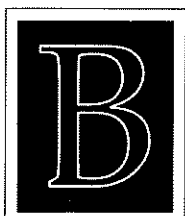
2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

cc: Robert Kantor



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

July 14, 2005

Douglas Jones  
Idaho Department of Water Resources  
Southern Region Office  
1341 Fillmore, Suite 200  
Twin Falls, ID 83301

RECEIVED  
JUL 18 2005  
Department of Water Resources  
Southern Region

Re: Sun Valley Ranch LLC: Amended Claims & Change of Ownership

Dear Doug:

Please find the enclosed amended claims for Sun Valley Ranch LLC. These claims are being amended as a result of your recommendations from our meeting on June 16, 2005 regarding SC Ranch LLC. The amended claims should create a permissible place of use appurtenant to the lands formerly known as Diamond Dragon Ranch (owned by E. Hadley Stuart Jr.). These claims are based on the use of the lands in 1987 and should correct the errors within in the current claims. In addition, it two more claims are being submitted (37-67A and 37-69A) since these rights were never claimed in the initial claiming process. However, these two rights have continually been delivered by the local Watermaster. In order to obtain the shapefiles for the PPU please contact me at my new email [daren.nelson@brockwayeng.com](mailto:daren.nelson@brockwayeng.com) and I will send them via email.

In order to change ownership of these rights two forms have been submitted (claimed rights and partially decreed rights). An attached purchase agreement for the property is also included. The final closing of these transactions will be completed shortly and the appropriate deeds will be submitted to IDWR as soon as the transaction is complete. In addition, a limited power attorney is attached that signifies Charles E. Brockway as the authorized agent for Sun Valley Ranch LLC.

I have included a check for a total of \$25.00 to cover the costs of the change of ownership forms appurtenant to the rights that have been partially decreed. If any other costs are needed during the processing of these documents please call our office to discuss the matter. Our client wishes that these amendments be processed as soon as possible and if or any other agent have any questions regarding the enclosed documents, please feel free to give our office a call.

Sincerely,

Daren T. Nelson.

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

Attachments: Limited Power of Attorney  
Two (2) change of ownership forms  
Purchase agreement and amendments  
Brockway Engineering Check # 6741

cc: Robert Kantor

RECEIVED

AUG 01 2005

Department of Water Resources  
Southern Region

## Supporting Narrative

### Sun Valley Ranch, LLC (Diamond Dragon Ranch): Amended Claims

Project #: 787-03-2005

Brockway Engineering is submitting the attached amended claims, in order to create a permissible place of use appurtenant to the property currently owned by E. Stuart Hadley Junior. It has been the recommendation of Douglas Jones at IDWR to amend these claimed rights so that they can be included in a PPU and allow flexibility in the management of these rights. These claimed rights are being amended based on how the rights were being used in 1987. In addition, two rights are being claimed that are appurtenant to the property that were not formerly claimed in the SRBA. SC Ranch, LLC has entered a purchase agreement with E. Stuart Hadley Jr. regarding the Diamond Dragon Ranch, and will close the transaction regarding the ownership of this property shortly. However, SC Ranch, LLC would like to proceed with the change of ownership of these rights and these amendments in order to update and fix errors that have occurred in the process of claiming many of these rights.

Based on our research of the IDWR water right database, eighteen (18) water rights are appurtenant to the E. Stuart Hadley Jr. (Diamond Dragon Ranch) property in Township 1S and Range 18E. According to the legal description acquired from the attached purchase agreement the ranch is ~ 1813 acres. In addition, according to aerial photos ~1551.5 of these acres were being irrigated in 1987. In the near future, when IDWR reviews these claims, the total allowed acreage of this property would probably equal the amount of acreage that was being irrigated in 1987. Therefore these claimed rights are being amended in order to reflect the 1551.5 acres that was being irrigated on the ranch in 1987.

To assist in the understanding of these rights, I have included a the following table that lists the priority date, source, status, diversion rate, allowed uses, etc. of each right owned by the ranch and used for irrigational purposes. In addition, see the attached current water right map to identify the claimed location of the POU's and POD's of each water right, and the boundaries of the properties. After these rights are amended the total claimed irrigatable area of the permissible place of use should be 1551.5 acres and the POU and POD's of the amended claims should reflect this.

Group #1 water rights are seven (7) water rights that have been claimed in the SRBA and have been decreed in the Frost Decree. All of these rights are being diverted from the Big Wood River and are being used for irrigation. The claimed diversion rate of these claims are higher than the standard allowed limit of 0.02 cfs/acre and all of the rights in this group have combined limits above this standard (0.035 (37-60, 37-61, and 37-62), 0.0375 (37-230, 37-231B, and 37-232), or 0.05 (37-577AZ) cfs/acre). However, within the remarks of 37-230, 37-231B, and 37-232 it states that the water applied to the POU exceeds the standard limit and are based on historical water master records that show that larger diversion rates are needed due to the extremely porous soils. The remarks also

state that the water that is applied in excess of the standard enters the ground water system and is returned to the Big Wood River. Thus, these higher diversion rates should be justified.

Table 3: Current Status of the Diamond Dragon Ranch Water Rights

| Water Right #                                                                     | Priority Date | Source         | Diversion (cfs/afa) | Beneficial Use | Status in SRBA       | Allowed Acreage |
|-----------------------------------------------------------------------------------|---------------|----------------|---------------------|----------------|----------------------|-----------------|
| <b>Group #1: Claimed Irrigation Rights that Exceed the Standard Rate</b>          |               |                |                     |                |                      |                 |
| 37-60                                                                             | 07/01/1880    | Big Wood River | 2.80/---            | Irrigation     | Claim                | 400             |
| 37-61                                                                             | 07/01/1880    | Big Wood River | 8.40/---            | Irrigation     | Claim                | 400             |
| 37-62                                                                             | 07/01/1881    | Big Wood River | 2.80/---            | Irrigation     | Claim                | 400             |
| 37-230                                                                            | 05/15/1883    | Big Wood River | 4.00/---            | Irrigation     | Claim                | 160             |
| 37-231B                                                                           | 05/15/1883    | Big Wood River | 0.40/---            | Irrigation     | Claim                | 160             |
| 37-232                                                                            | 05/15/1884    | Big Wood River | 1.60/---            | Irrigation     | Claim                | 160             |
| 37-577AZ                                                                          | 03/24/1883    | Big Wood River | 2.90/203            | Irrigation     | Claim                | 57.9            |
| <b>Group #2: Claimed Irrigation Rights that are Below or At the Standard Rate</b> |               |                |                     |                |                      |                 |
| 37-63A                                                                            | 07/01/1881    | Big Wood River | 1.23/---            | Irrigation     | Claim                | 614             |
| 37-64A                                                                            | 05/01/1883    | Big Wood River | 3.32/---            | Irrigation     | Claim                | 614             |
| 37-66A                                                                            | 12/19/1882    | Big Wood River | 2.46/---            | Irrigation     | Claim                | 614             |
| 37-68A                                                                            | 06/26/1883    | Big Wood River | 0.98/---            | Irrigation     | Claim                | 614             |
| 37-70                                                                             | 05/15/1887    | Big Wood River | 1.98/---            | Irrigation     | Claim                | 520             |
| 37-71B                                                                            | 05/01/1882    | Big Wood River | 0.50/---            | Irrigation     | Claim                | 40              |
| 37-2492                                                                           | 09/16/1948    | Big Wood River | 2.80/490            | Irrigation     | Claim                | 140             |
| 37-2538                                                                           | 06/20/1953    | Big Wood River | 1.86/326            | Irrigation     | Claim                | 93              |
| 37-4266                                                                           | 03/01/1910    | Big Wood River | 2.26/396            | Irrigation     | Beneficial Use Claim | 113             |
| <b>Group #3: Irrigation Rights Not Claimed in the SRBA</b>                        |               |                |                     |                |                      |                 |
| 37-67A (Portion)                                                                  | 06/26/1883    | Big Wood River | 2.80/---            | Irrigation     | Frost Decree         | ---             |
| 37-69A (Portion)                                                                  | 06/26/1883    | Big Wood River | 2.55/---            | Irrigation     | Frost Decree         | ---             |

Group #2 water rights are nine (9) water rights that have been claimed in the SRBA and have been decreed in the Frost Decree except 37-2492, 37-2538, and 37-4266. Both 37-2492 and 37-2538 have currently been licensed and 37-4266 is still a beneficial use claim. All of these rights are being diverted from the Big Wood River except 37-2492 and 37-2538, which are diverted from ground water sources. The claimed diversion rates of these rights are all either below or at the standard allowed limit of 0.02 cfs/acre.

Since 37-4266 is still a beneficial use claim the validity of this right still needs to be determined. It is our understanding that ERO Resources out of Boise is currently working with IDWR to regarding the priority of this right.

William M. Black owned all of the decreed rights at the time of these decrees. E. Stuart Hadley then acquired this property and the water rights associated with the property since the time of these former decrees. However, some of these rights were still in William M.

Blacks name when these claims were being made in 1987. The included area within the POU of these original rights included land that is not currently owned by Hadley. Thus, in 1987 when these rights were claimed the rights were divided to reflect the new ownership of the property. Group #3 water rights are two rights (37-67A and 37-69A) that were originally decreed in the Frost Decree and are appurtenant to a portion of the property, but were never claimed in the SRBA. Wood River Ranch owns a portion of the property that these rights POU describe and have claimed the corresponding portions of these rights. However, the remainder of the two rights have never been claimed by the ranch, even though the Watermaster for this region has continued to deliver these rights. Therefore, these two rights are now being claimed.

Thank you for your time and thorough review of these amended claims. We would appreciate if these transactions could be approved and processed as soon as possible. If you have any questions concerning this narrative or any of the amended claims, please do not hesitate to contact our office.

If questions arise, please contact:

Sheri L. Chapman  
921 S. Orchard, Suite N  
Boise, ID 83705  
344-6690

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 2936

Water Right No. 37-0060  
3-0061  
37-0062

# **APPLICATION FOR TRANSFER OF WATER RIGHT**

To Change the Point of Diversion and/or the Place of Use

Name of applicant E. Hadley Stuart, Jr. Phone 788-1062Post Office address P.O. Box 186, Bellvue, ID 83313

JAN 17 1983

## A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: 37-0060  
37-0061

Department of Water Resources  
Southern District Office

- a. Decree No. 37-0062 Decreed to Charles M. Black  
(Name)  
in case of S. C. Frost vs Alturas Water Company  
dated in October 6, 1909 in Fourth District county of Blaine & Lincoln  
(Name of court)

- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources

- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Purchase of land to which water right is appurtenant.

3. Source of water Big Wood River tributary to Snake River

4. Date of priority 37-0060:7-1-1880/37-0061:7-1-1880/37-0062:7-1-1881

5. Water is used for the following purposes:

37-0060 amount 2.8 for Irrigation purposes from 3-15 to 10-15  
37-0061 amount 8.4 for Irrigation purposes from 3-15 to 10-15  
37-0062 amount 2.8 for Irrigation purposes from 3-15 to 10-15  
(month/day — both dates inclusive)

6. Total amount of water under right: a. 14.0 cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum

7. Location of original point of diversion is NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 2  
Township 1S Range 18E B.M., in Blaine County  
Additional points of diversion, if any NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Sec. 2, T1S, R18E, Blaine County

8. Lands irrigated or place of use:

\* As per phone conv. with Sheri Chapman 11/6/83 ADM

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 1S   | 18E   | 10   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40               |                  | 40               | 40               | 120    |
|      |       | 11   |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 40               | 40               | 40               | 40               | 40               |                  |                  | 240    |
|      |       | 15   |                  | 40               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

RECEIVED

NOV 12 1982

Total number of acres to be irrigated 400

Department of Water Resources  
Southern District Office

9. Describe any other water rights used for the same purpose as described above 37-7838 (Permit)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. \_\_\_\_\_ cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum
2. Point of diversion \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4, Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_, B.M., \_\_\_\_\_ County  
Additional points \_\_\_\_\_
3. Place of use: \_\_\_\_\_

| TWP. | RANGE | 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 |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated \_\_\_\_\_

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 14.0 c.f.s. &/or \_\_\_\_\_ acre feet
- b. Description of diverting works Headgates, canal and lateral ditches.
- c. Describe the reasons for the proposed changes Redistribution of irrigation works and to increase flexibility of diversions.

2. Change in point of diversion \* NW 1/4 SE 1/4 Sec. 2 T.1S., R.18E., B.M. (Black #61)

Point of diversion NE 1/4 NE 1/4, Section 2 Township 1S  
Range 18E, B.M., Blaine County  
Additional points NW 1/4 NW 1/4 Sec. 11; SW 1/4 NE 1/4 Sec. 10 all in T.1S., R.18E., Blaine  
County

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes \_\_\_\_\_ No X If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer  
A portion of the land which is presently under irrigation will no longer be irrigated due to transfer of part of the water right from presently cultivated lands.

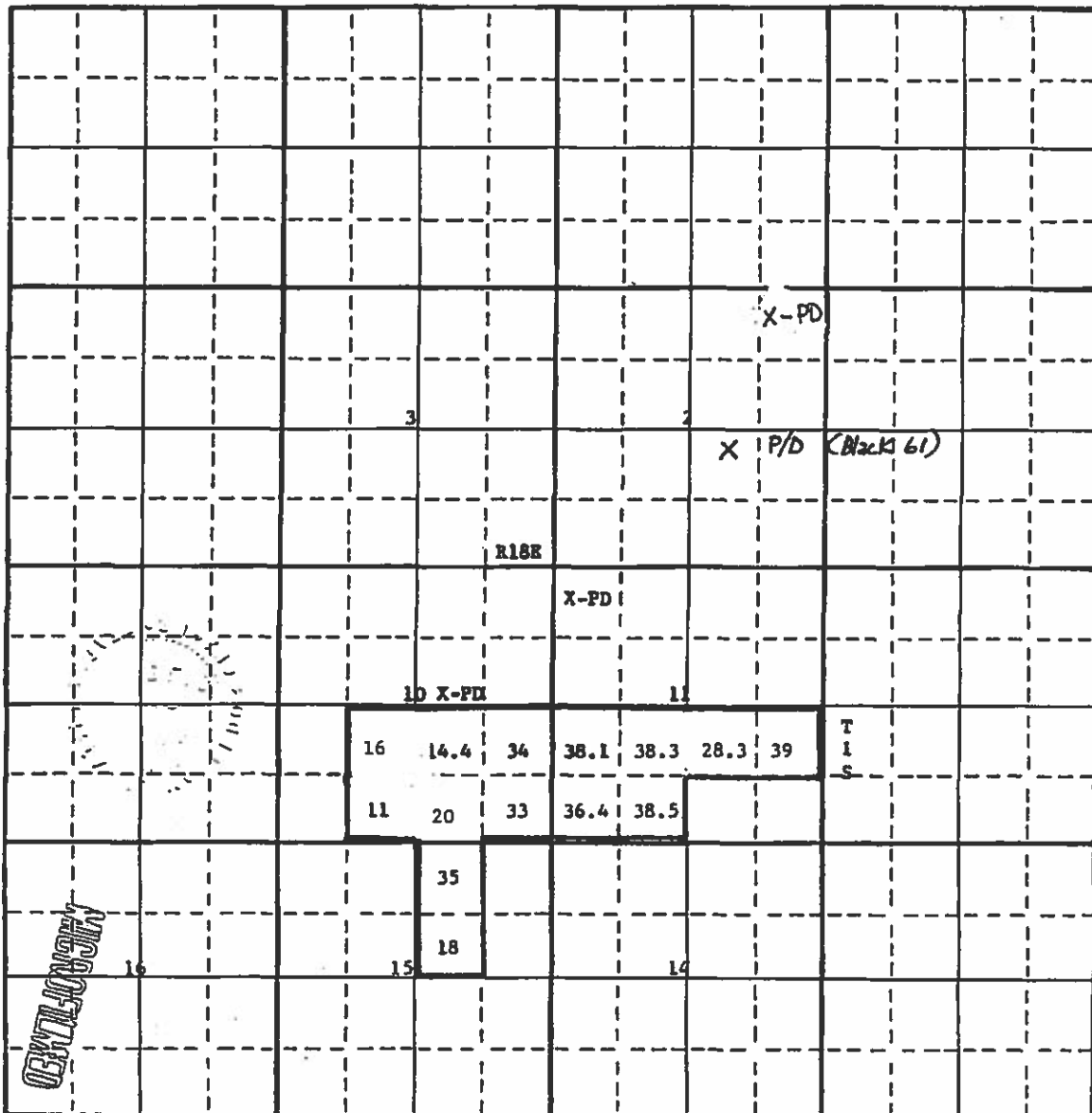
c. Describe range or place of use to which the right will be used:

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼  |      |      |     | SE¼  |      |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|------|------|------|-----|------|------|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼  | NW¼  | SW¼  | SE¼ | NE¼  | NW¼  | SW¼ | SE¼ |        |
| 15   | 18E   | 10   |     |     |     |     |     |     |     |     | 16   |      |      | 11  | 34   | 14.4 | 20  | 33  | 128.4  |
|      |       | 11   |     |     |     |     |     |     |     |     | 38.1 | 38.3 | 38.5 | 39  | 28.3 |      |     |     | 218.6  |
|      |       | 15   |     | 35  | 18  |     |     |     |     |     |      |      |      |     |      |      |     |     | 53     |
|      |       | 10*  |     |     |     |     |     |     |     |     | 16   |      |      | 11  | 34   | 14   | 20  | 33  | 128    |
|      |       | 11*  |     |     |     |     |     |     |     |     | 38   | 38   | 37   | 39  | 39   | 28   |     |     | 219    |

\* Acreages rounded by DRT 5/7/84

Total number of acres to be irrigated 400

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

Because of changes in irrigation practices in the area, the consolidation of several farms and changes in the Big Wood River channel modification of existing water rights is necessary. The changes described herein more accurately reflect actual irrigation practices and will ease delivery of water by Water District 37.

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 11 day of January, 19 83.

E. Harley Stewart  
(Signature of Applicant)

Arthur D. McMurda  
(Notary Public)

My commission expires Lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0060/0061/0062 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 37, Big Wood River.

Witness my hand this 8<sup>th</sup> day of May, 19 84

J. Glen Saxton  
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by mcg Date 11/12/81 Protest filed by None  
Prelim. check by mcg Fee \$20.00  
Receipted by mcg Date 11/12/81 # 23810  
Published in Grand River Journal Copies of protest forwarded by mcg  
Pub. dates 9/29 & 10/6/83 11/24 & 12/1/83 Hearing held by mcg Date 11/15/83  
Watermaster recommendation requested on 9/15/83 Recommended for approval denial  
11/15/83 rec'd. 11/10/83 by ADP

AMENDED NOTICE OF PROPOSED CHANGE OF WATER RIGHT

37-0060

37-0061

37-0062

Notice is hereby given that E. Hadley Stuart, Jr., of Bellevue, Idaho has applied to the Department of Water Resources for a change of point of diversion and change of place of use of rights from Big Wood River tributary to Snake River. The rights sought to be changed are evidenced by decrees to Charles M. Black in case of S. C. Frost vs Alturas Water Co., dated October 6, 1909 in Fourth District Court county of Blaine and Lincoln, and are recorded as follows:

37-0060

Amount: 2.8 cfs

Priority: July 1, 1880

Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 2, T1S, R18E, B.M., Blaine County

The water is used for irrigation of 400 acres from March 15 to October 15 within the E $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 10; SW $\frac{1}{4}$ , N $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 11; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 15, T1S, R18E

37-0061

Amount: 8.4 cfs

Priority: July 1, 1880

Point of Diversion: Same as 37-0060

Place of Use: Same as 37-0060

37-0062

Amount: 2.8 cfs

Priority: July 1, 1881

Point of Diversion: Same as 37-0060

Place of Use: Same as 37-0060

TO BE CHANGED AS FOLLOWS:

Amount: 14.0 cfs

Point of Diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ , (Black #61), NE $\frac{1}{4}$ NE $\frac{1}{4}$ ,/Sec. 2; NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 11; SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 10, T1S, R18E, B.M., Blaine County

Place of Use: E $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , Sec. 10; SW $\frac{1}{4}$ , N $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 11; W $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 15, T1S, R18E for irrigation of 400 acres from March 15 to October 15

Any protest against approval of the proposed change of the rights described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before December 12, 1983.

A. KEN DUNN - Director

Published in Wood River Journal on November 24 and December 1, 1983.

MICROFILMED