

AMENDED 37-230

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 _____

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

RECEIVED

AUG 01 2005

Department of Water Resources
Southern Region

RECEIVED
JUL 18 2005
Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Sun Valley Ranch, LLC Phone (208) 726-1780

Mailing Address P.O. Box 40380, Ketchum, Idaho Zip 83340

2. Date of Priority (Only one (1) per claim) 05/15/1883

3. Source of water supply (a) Big Wood River

which is tributary to (b) Malad River

4. a. Location of existing point of diversion is: Township 01N Range 18E Section 35,
NW 1/4 of SE 1/4 of 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any: 01S18E10SWNE, 01S18E02NWSE, 01S18E11NWNW,

01S18E11SWSW, and 01S18E15NWNE

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 _____

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. Existing ditches and pipelines that are gravity fed into the system

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(Not scanned)

SCANNED

AUG 09 2005

6. Water is claimed for the follow , purposes:

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

For Irrigation purposes from 04/01 to 11/01 amount 4 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 4 (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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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 Irrigable 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 160 acres per irrigation season when used without the rest of the associated water rights of the PPU

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

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

COPY

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AUG 09 2005

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 37-230
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 _____

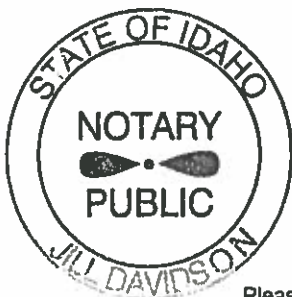
For Organizations: I do solemnly swear or affirm that I am Authorized Agent
_____ Title
Of Sun Valley Ranch LLC, that I have signed the foregoing
_____ Organization
Document in the space below as Senior Member of Brookway Engineering D.L.L.C.
_____ Title _____ Organization

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

Signature of Authorized Agent Chris E. Brookway
Title and Organization Senior Member Brookway Engineering Date 7-13-05

State of Idaho / or _____)
County of Twin Falls) ss.

Subscribed and sworn (or affirmed) before me this 13th day of July, 2005.



SEAL

Notary Public Will Davidson
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

SCANNED

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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: A37-00230

Date Received: 10/19/1988

Receipt No: W001290 (#190)

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 83313-0000
2. Date of Priority: MAY 15, 1883
3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	35	NW	SE			BLAINE
01S	18E	2				1	BLAINE
			NW	SE			BLAINE
		10	SW	NE			BLAINE
		11	NW	NW			BLAINE
			SW	SW			BLAINE
		15	NW	NE			BLAINE

5. Description of diverting works:
WATER DIVERTED THROUGH SEVERAL LATERALS TO CROPLAND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 400.0 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	NW	SW		IRR	20.0
			SW	SW		IRR	23.0
			Section Acres				43.0
		15	NE	NW		IRR	9.0
			NW	NW		IRR	19.0
			SW	NW		IRR	32.0
			SE	NW		IRR	28.0
			Section Acres				88.0
		16	NE	NE		IRR	29.0
			Section Acres				29.0
			Total Acres				160.0

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:
A37-00231, A37-00232.

14. Remarks:
WATER APPLIED TO THESE LANDS EXCEEDS ONE MINERS INCH PER ACRE.
USE CLAIMED IS BASED UPON WATER MASTER RECORDS SHOWING HISTORIC
USE. THE SOILS ARE EXTREMELY POROUS AND WATER APPLIED IN EXCESS
OF THE CONSUMPTIVE IRRIGATION REQUIREMENT ENTERS THE GROUNDWATER
SYSTEM AND RETURNS TO THE BIG WOOD RIVER.

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

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: 39356

Ident. Number

A37-00230

Date Received

10-19-88

Receipt Number

W001290(8/90)

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) 788-4002
Mailing Address P. O. Box 186, Bellevue, Idaho Zip 83313

2. Date of Priority (Only one (1) per claim) May 15, 1883

3. Source of water supply (a) Big Wood River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 1S Range 18E Section 2,
-- 1/4 of -- 1/4 of -- 1/4, Govt. Lot, 1 B.M., County of Blaine

Additional points of diversion if any: NW/4 SE/4 Sec. 2; SW/4 NE/4 Sec. 10; NW/4 NW/4 Sec. 11;
SW/4 SW/4 Sec. 11; NW/4 NE/4 Sec. 15, all in T1S, R18E and NW/4 SE/4, Sec. 35, T1N, R18E,

b. If instream flow, beginning point of claimed instream flow is: NA Blaine County

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. Water is diverted from the Big Wood River
at several points into lateral ditches for distribution to the croplands.

RECORDED
FEB 22 1989

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 11/1 amount 4.0 or 480

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.0 (cfs) and/or (b) 480 (acre feet)

8. Total consumptive use claimed is 400 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									20	23							43
1S	18E	15					9	19	32	28									88
1S	18E	16	29																29

Total number of acres irrigated 160

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.
37-0231; 37-0232 or None ()

14. Remarks: Water applied to these lands exceeds one miners inch per acre. Use claimed is based upon water master records showing historic use. The soils are extremely porous and water applied in excess of the consumptive irrigation requirement enters the ground water system and returns to the Big Wood River.

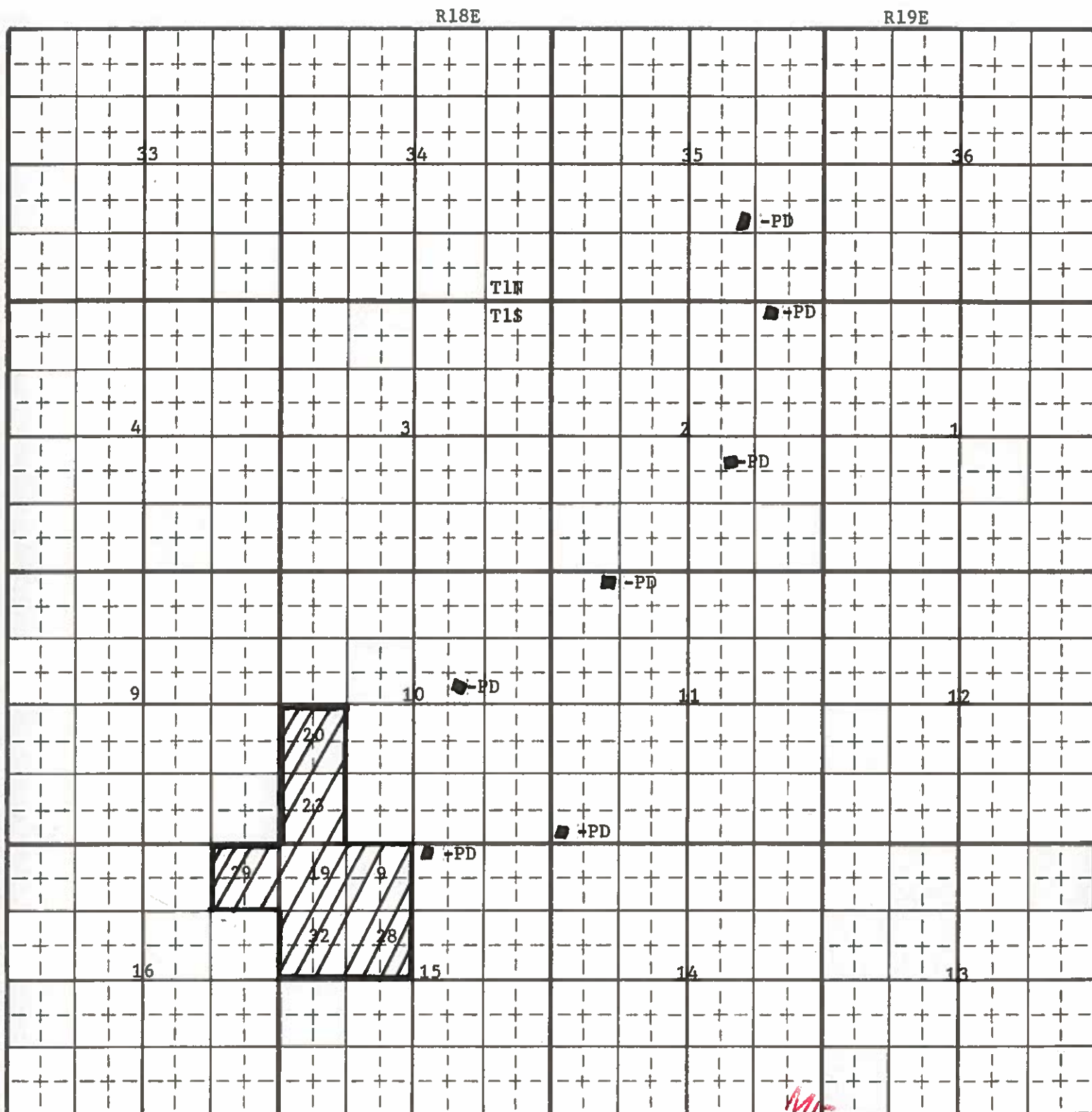
MICROFILMED
FEB 22 1993

Last Name Stuart Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

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 37-0230

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 Hadley Stuart Jr 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 _____ of _____

Title

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 Sher L Chapman

Residing at 457 W Willowbrook Meadows Dr

My Commission Expires 8/14/94

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 _____

Copies White-State, Yellow-Claimant

MICROFILMED
FEB 22 1993

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



FIRST CLASS

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MAR 12 2007

DEPARTMENT OF
WATER RESOURCES

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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: 37-230

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

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 4.000 CFS

PRIORITY DATE: 05/15/1883

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	4.000 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

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

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.

Right Nos. 37-230, 37-231B and 37-232 are limited to the irrigation of a combined total of 160 acres in a single irrigation season.

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.

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.

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

Form No. 222 10/89
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

Transfer No. 2973

Water Right No. 37-0230
37-0231
37-0232

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

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

APPROVED

Name of applicant E. Hadley Stuart, Jr. Phone 788-4002

Post Office address P.O. Box 186, Bellevue, Idaho, 83313

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

37-0230 thru 37-0232

a. Decree No. _____ Decreed to Robert T. Flood
(Name)

In case of S. C. Frost vs Alturas Water Company

dated in December 13, 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 _____

Thru purchase of lands to which rights have been traditionally used.

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

4. Date of priority 37-0230:5-15-1883/37-0231:5-15-1883/37-0232:5-15-1884/7

5. Water is used for the following purposes:

* Not listed in Decree

37-0230 amount 4.00 cfs for Irrigation purposes from 4/1 to 11/1
37-0231 amount 2.40 cfs for Irrigation purposes from 4/1 to 11/1
37-0232 amount 1.60 cfs for Irrigation purposes from 4/1 to 11/1
(month/day — both dates inclusive)

6. Total amount of water under right: a. 8.00 cubic feet per second
b. _____ &/or
acre feet per annum

7. Location of original point of diversion is SW % of SW % of Section 11
Township 1S Range 18E R.M. in Blaine County

Additional points of diversion, if any NWNE 1/4 Sec 15; NW 1/4 Sec 11, T1S, R1E, R.M.
(Original P/D not listed in Decree) * NWSE Sec 7 T1S, R1E

8. Lands irrigated or 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	
1S	18E	15					40	40	40	40	40	*	*				40		320
			* Original Findings of Fact appear to have typo error and place of use resolved to be as indicated above.																

Total number of acres to be irrigated 320

9. Describe any other water rights used for the same purpose as described above 37-0233 (80" 5-15-1888)

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 _____ acre feet per annum
b. _____
2. Point of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11 Township 1S
Range 18E, B.M., Blaine County
Additional points (P/D also known as Black #61 generally described as the NW $\frac{1}{4}$ SE/4, Sec. 2, T1S, R18E)
3. Place of use:

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	15					40	40	40	40									160

Total number of acres to be irrigated 160

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

1. General Information

- a. Amount of water to be diverted 6.0 c.f.s. &/or _____ acre feet
- b. Description of diverting works Headgates, canals and lateral ditches.
- c. Describe the reasons for the proposed changes Redistribution of water rights to reflect existing pattern of usage.

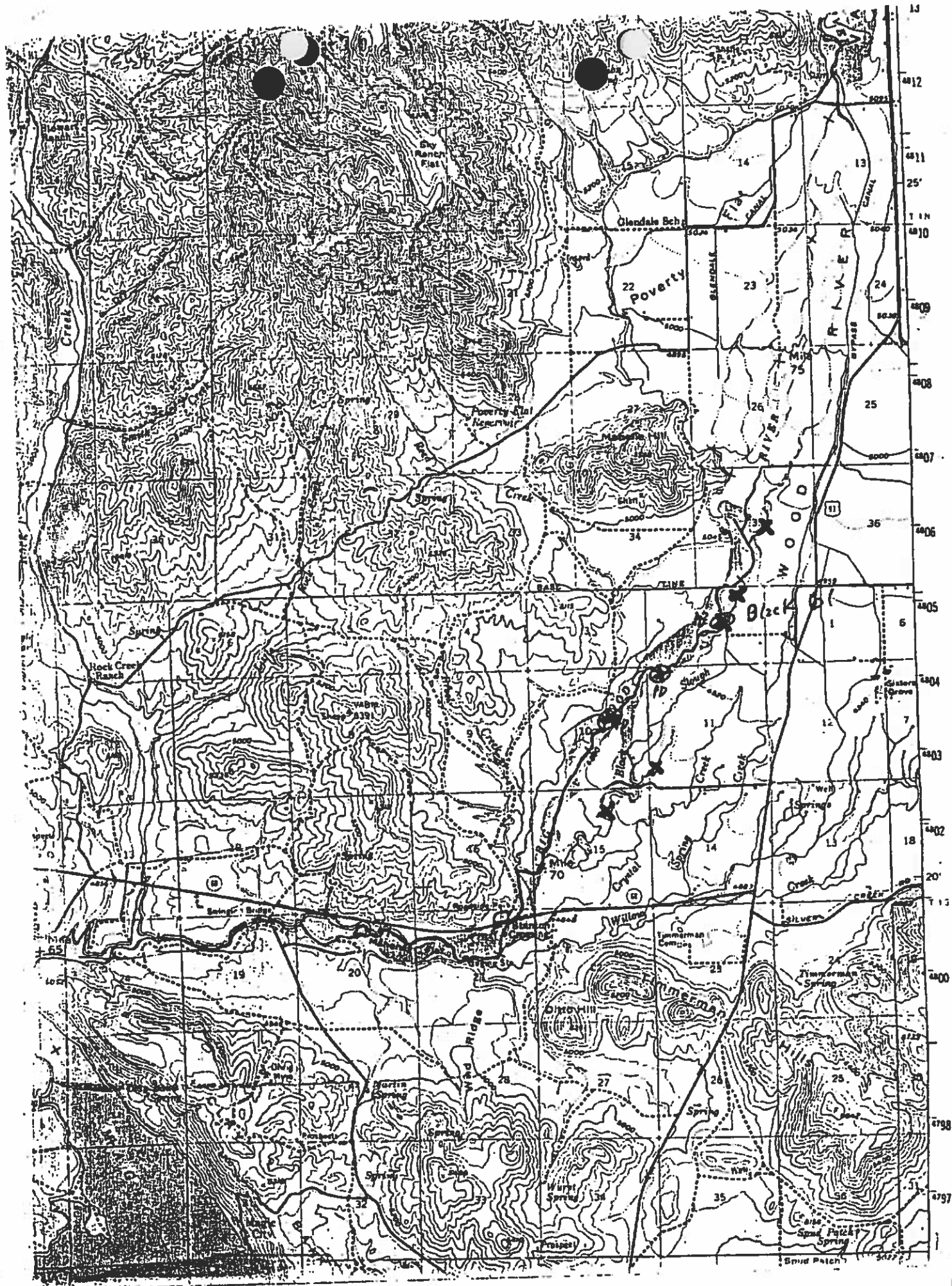
2. Change in point of diversion

Point of diversion $\frac{1}{4}$ Lot 1 $\frac{1}{4}$, Section 2 Township 1S
Range 18E, B.M., Blaine County
NE $\frac{1}{4}$ SE/4, Sec. 2,
NW $\frac{1}{4}$ SE/4 Additional points SW/4 NE/4, Sec. 10; NW/4 NW/4, Sec. 11; SW/4 SW/4, Sec. 11;
(Black 61) NW/4 NE/4, Sec. 15; all in T1S, R18E and NW/4 SE/4, Sec. 35, T1N, R18E,
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

MICROFILMED



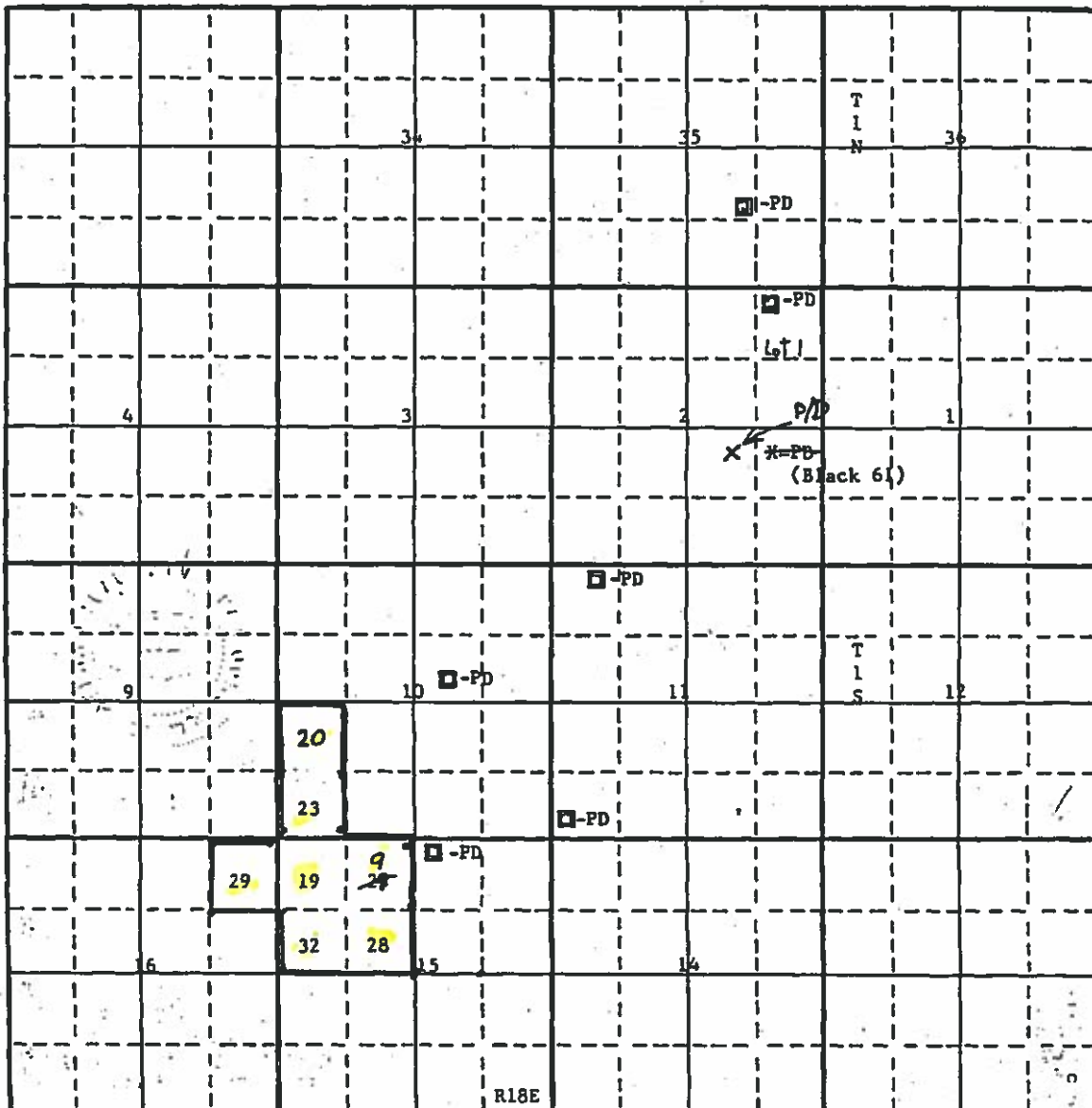
c. Describe the land or place of use to which the right will be installed:

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	
1S	18E	10									20	23							23 43
		15					9	19	32	28									100 88
		16	29																29

* Corrections made per phone conv. with Sherl Chapman 11/6/83 AD

Total number of acres to be irrigated 160

- Describe any other water rights used for the same purpose as described above. None
- 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.

MICROFILMED

D. REMARKS This transfer application is based on historical usage as expressed by watermaster records prior to 1925. While the water delivered exceeds one (1) miners inch per acre, the historical beneficial use should be honored. These soils are extremely porous in nature, being the flood plain of the Big Wood River. Additionally, water applied in excess of the consumptive requirement of crops enters the ground water system and returns to the Big Wood River within a few miles. This ranch is at the downstream end of the Big Wood River system therefore no other water rights will be injured by recognizing historical use and allowing the transfer.

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 willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 19th day of October, 19 83

E. Handley Stewart
(Signature of Applicant)

Quito D. McNeel
(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. 37-0230/02318/0232 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 3rd day of September, 19 85

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>ADK</u>	Date <u>10/24/83</u>	Protest filed by <u>None</u>
Prelim. check by <u>ADK</u>	Fee <u>\$50.00</u>	
Received by <u>marya</u>	Date <u>11/16/83</u>	# <u>23840</u>
Published in <u>Grand River Journal</u>	Copies of protest forwarded by _____	
Pub. dates <u>12/29/83 + 1/5/84</u>	Hearing held by _____	Date _____
Watermaster recommendation requested on <u>12/16/83</u>	Recommended for <u>approval</u>	denial
rec'd. <u>12/28/83</u>	by <u>ADK</u>	

MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-230

WATER RIGHT NUMBER: 37-230

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

Priority Date: 05/15/1883

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	4/01 to 11/01	4.000 CFS	
	<u>Total Diversion:</u>	4.000 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER BLAINE County	L1 ()	Sec. 2, Twp 01S, Rge 18E, B.M.
BIG WOOD RIVER BLAINE County	SW1/4NE1/4	Sec. 10, Twp 01S, Rge 18E, B.M.
BIG WOOD RIVER BLAINE County	SW1/4SW1/4	Sec. 11, Twp 01S, Rge 18E, B.M.
BIG WOOD RIVER BLAINE County	NW1/4SE1/4	Sec. 35, Twp 01N, Rge 18E, B.M.
BIG WOOD RIVER BLAINE County	NW1/4NW1/4	Sec. 11, Twp 01S, Rge 18E, B.M.
BIG WOOD RIVER BLAINE County	NW1/4NE1/4	Sec. 15, Twp 01S, Rge 18E, B.M.
BIG WOOD RIVER BLAINE County	NW1/4SE1/4	Sec. 2, Twp 01S, Rge 18E, B.M.

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											20.0	23.0					43.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-230

01S 18E 15			9.0	19.0	32.0	28.0			88.0
01S 18E 16		29.0							29.0

Total Acres: 160

Conditions of Approval:

1. 01E 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. WATER APPLIED TO THESE LANDS EXCEEDS ONE MINERS INCH PER ACRE.
USE CLAIMED IS BASED UPON WATER MASTER RECORDS SHOWING HISTORIC USE. THE SOILS ARE EXTREMELY POROUS AND WATER APPLIED IN EXCESS OF THE CONSUMPTIVE IRRIGATION REQUIREMENT ENTERS THE GROUNDWATER SYSTEM AND RETURNS TO THE BIG WOOD RIVER.

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: