

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: **A37-00562A**
Date Received: 6/ 4/1990
Receipt No: S012382
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JOHN BROWN INC
Address: 247 GLENDALE RD
BELLEVUE ID

208-788-2593

83313

2. Date of Priority: MAY 10, 1887

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	12		SW	SW		BLAINE
		14	NE	NW	SE		BLAINE

5. Description of diverting works:

EXISTING HEADGATE, GLENDALE CANAL, PUMP IN PRIVATE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.363		

7. Total Quantity Appropriated is:

2.363 C.F.S. (and/or) 154.00 A.F.A.

8. Total consumptive use is

110.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	22	NW	NW		IRR	25.0
			SW	NW		IRR	19.0

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NOV 22 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	44.0
					Total Acres	44.0

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:
NONE

14. Remarks:

TRANS. 307.
P/U INCOMPLETE. SEE FILE.
RT. DECREED FROM BIG WOOD R. BUT DELIVERED FROM BIG WOOD SLOUGH.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

ORIGINAL OWNER FAILED TO ADJUDICATE CLAIM TIMELY.
CURRENT OWNER FILING CLAIM ALONG WITH A P/U TRANSFER. SEE
ATTACHED.
160 ACRES DISTRIBUTED EQUALLY AMONG THE 5 QTRS INVOLVED.

5/31/96 TF; CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 3716.
THIS RIGHT SHALL BE CHARGED A LOSS OF 5.3% OF THE TOTAL AMOUNT
TRANSFERRED OR 6.26 INCHES LEAVING A TOTAL OF 111.89 INCHES TO
BE DELIVERED TO THE HEAD OF THE GLENDALE CANAL.
USE OF WATER UNDER THIS RIGHT IS SUBJECT TO CONTROL BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 37, BIG WOOD RIVER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL
vs Decree Defendant

MICROFILMED

NOV 22 1996

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
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CIVIL CASE NUMBER: 39576

Ident. Number: A37-00562A
Date Received: 6/04/1990
Receipt No: S012382
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN BROWN INC. 208-788-2593
Address: 247 GLENDALE RD.
BELLEVUE, ID 83313
2. Date of Priority: MAY 10, 1887
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 |
| 02N | 18E | 9 | | SE | NW | | BLAINE |
5. Description of diverting works:
JUSTUS #32 HEADGATE
6. Water is used for the following purposes:
- | | | | | | |
|------------|-------|-------|--------|------|--------|
| Purpose | From | To | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/01 | 2.363 | | |
7. Total Quantity Appropriated is:
2.363 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 400.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	15	NE	SW		IRR	32.0
			NW	SW		IRR	32.0
			SW	SW		IRR	32.0
			SE	SW		IRR	32.0
			NW	SE		IRR	32.0

A37-00562A

Page 1

Date: 06/04/90

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Section Acres 160.0

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:
NONE

14. Remarks:

TRANS. 307.

P/U INCOMPLETE. SEE FILE.

RT. DECREED FROM BIG WOOD R. BUT DELIVERED FROM BIG WOOD SLOUGH.

P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

ORIGINAL OWNER FAILED TO ADJUDICATE CLAIM TIMELY.

CURRENT OWNER FILING CLAIM ALONG WITH A P/U TRANSFER. SEE
ATTACHED.

160 ACRES DISTRIBUTED EQUALLY AMONG THE 5 QTRS INCOLVED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

COPY

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
 Decree /
 If applicable provide IDWR Water Right Number _____
 Court _____ Case Number _____ Decree Date _____
 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 _____

X For Organizations: I do solemnly swear or affirm that I am Vice - Pres Title _____
 of John Brown, Inc. Organization _____, that I have signed the foregoing
 document in the space below as Vice - Pres Title _____ of John Brown, Inc. Organization _____
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Daniel P. Brown

Title and Organization Vice - Pres John Brown, Inc. Date 6-4-90

State of Idaho/or _____)
 County of VF) SS.

Subscribed and sworn (or affirmed) before me this 6 day of June 19 90

SEAL

Notary Public Lo White

Residing at VF

My Commission Expires 5/94

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 _____

COPY

MICROFILMED
 FEB 23 1993

Last Name _____ Ident. Number _____

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
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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN BROWN INC. 208-788-2593
Address: 247 GLENDALE RD.
BELLEVUE, ID 83313

2. Date of Priority: MAY 10, 1887

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
02N	18E	9		SE	NW		BLAINE

5. Description of diverting works:
JUSTUS #32 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.363		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	15	NE	SW		IRR	32.0
			NW	SW		IRR	32.0
			SW	SW		IRR	32.0
			SE	SW		IRR	32.0
			NW	SE		IRR	32.0

10. Place of Use: Continued

Section Acres 160.0

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:
NONE

14. Remarks:

TRANS. 307.

P/U INCOMPLETE. SEE FILE.

RT. DECREED FROM BIG WOOD R. BUT DELIVERED FROM BIG WOOD SLOUGH.

P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

ORIGINAL OWNER FAILED TO ADJUDICATE CLAIM TIMELY.

CURRENT OWNER FILING CLAIM ALONG WITH A P/U TRANSFER. SEE
ATTACHED.

160 ACRES DISTRIBUTED EQUALLY AMONG THE 5 QTRS INVOLVED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
 Decree /
 If applicable provide IDWR Water Right Number _____
 Court _____ Case Number _____ Decree Date _____
 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 _____

X **For Organizations:** I do solemnly swear or affirm that I am Vice-Pres Title
 of John Brown, Inc. Organization, that I have signed the foregoing
 document in the space below as Vice-Pres Title of John Brown, Inc. Organization
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Daniel P. Brown
 Title and Organization Vice-Pres John Brown, Inc. Date 6-4-90

State of Idaho/or _____)
 County of TF) SS.

Subscribed and sworn (or affirmed) before me this 6 day of June 19 90

SEAL

Notary Public Lo White

Residing at TF

My Commission Expires 5/94

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 _____ Ident. Number _____

MICROFILMED
 FEB 23 1993

COPY

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 16 2010	
By _____	Clerk
Deputy Clerk	

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

In Re SRBA	)	Subcase No. <u>37-562A</u> , 37-22219,
	)	37-22221, 37-22223, 37-22225, 37-22227
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 11/16/10



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11-16, 2010, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Jo Beeman
Beeman & Associates
409 W Jefferson
Boise ID 83702-6049



Signature of person or attorney mailing the form

11/03/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-562A

NAME AND ADDRESS: BROWN RANCH INC
247 GLENDALE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.360 CFS

This right shall be charged a loss of 0.12 cfs for mitigation purposes.

This right when combined with all other rights shall provide no more than 3.0
afa per acre for irrigation of the lands above.

PRIORITY DATE: 05/10/1887

POINT OF
DIVERSION:

T01N R18E S12 SESW Within BLAINE County

T01N R18E S14 NENWSE Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

2.240 CFS

MITIGATION

04/15 10/31

0.120 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R18E S22

NWNW

25.00

T01N R18E S22

SWNW

19.00

MITIGATION same as IRRIGATION

44 ACRES TOTAL

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

Use of water under this water right will be regulated by the watermaster of
State Water District No. 37.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22219

NAME AND ADDRESS: BROWN RANCH INC
247 GLENDALE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 6.290 CFS

PRIORITY DATE: 05/02/1884

POINT OF
DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	6.290 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R18E S14 SWNW	8.30	T01N R18E S14 NESW 32.00
	T01N R18E S14 NWSW	40.00	T01N R18E S14 SWSW 39.00
	T01N R18E S14 SESW	34.00	T01N R18E S14 NWSE 33.00
	T01N R18E S15 SENE	8.00	T01N R18E S15 NESW 8.20
	T01N R18E S15 SESW	25.00	T01N R18E S15 NESE 40.00
	T01N R18E S15 NWSE	33.00	T01N R18E S15 SWSE 40.00
	T01N R18E S15 SESE	40.00	T01N R18E S22 NENE 39.00
	T01N R18E S22 NWNE	39.00	T01N R18E S23 NWNW 38.00
	T01N R18E S23 SWNW	37.00	

533.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 527.0 acres within the permissible place of use of 533.5 acres, in a single irrigation season. Combined Right Nos.: 37-22219, 37-22221, 37-22223, 37-22225, 37-22227.

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

This right is a split from former right 37-203 .

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

11/03/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22221

NAME AND ADDRESS: BROWN RANCH INC
247 GLENDALE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 7.860 CFS

PRIORITY DATE: 07/15/1887

POINT OF
DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	7.860 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R18E S14 SWNW	8.50	T01N R18E S14 NESW 32.70
	T01N R18E S14 NWSW	40.00	T01N R18E S14 SWSW 40.00
	T01N R18E S14 SESW	35.00	T01N R18E S14 NWSE 32.90
	T01N R18E S14 SWSE	1.20	T01N R18E S15 SENE 7.00
	T01N R18E S15 NESW	6.70	T01N R18E S15 SESW 25.00
	T01N R18E S15 NESE	39.00	T01N R18E S15 NWSE 34.00
	T01N R18E S15 SWSE	40.00	T01N R18E S15 SESE 40.00
	T01N R18E S22 NENE	39.00	T01N R18E S22 NWNW 39.00
	T01N R18E S23 NWNW	34.00	T01N R18E S23 SWNW 33.00

527 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 527 acres in a single irrigation season. Combined Right Nos.: 37-22219, 37-22221, 37-22223, 37-22225, and 37-22227.

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

This right is a split from former right 37-204 .

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

11/03/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22223

NAME AND ADDRESS: BROWN RANCH INC
247 GLENDALE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 6.290 CFS

PRIORITY DATE: 08/09/1899

POINT OF
DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	IRRIGATION		04/15 10/31		6.290 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>				
	T01N R18E S14	SWNW	8.50	T01N R18E S14	NESW 32.70
	T01N R18E S14	NWSW	40.00	T01N R18E S14	SWSW 40.00
	T01N R18E S14	SESW	35.00	T01N R18E S14	NWSE 32.90
	T01N R18E S14	SWSE	1.20	T01N R18E S15	SENE 7.00
	T01N R18E S15	NESW	6.70	T01N R18E S15	SESW 25.00
	T01N R18E S15	NESE	39.00	T01N R18E S15	NWSE 34.00
	T01N R18E S15	SWSE	40.00	T01N R18E S15	SESE 40.00
	T01N R18E S22	NENE	39.00	T01N R18E S22	NWNE 39.00
	T01N R18E S23	NWNW	34.00	T01N R18E S23	SWNW 33.00

527 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 527.0 acres in a single irrigation season. Combined Right Nos.: 37-22219, 37-22221, 37-22223, 37-22225, 37-22227.

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

This right is a split from former right 37-205 .

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

11/03/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22225

NAME AND ADDRESS: BROWN RANCH INC
247 GLENDALE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.140 CFS

PRIORITY DATE: 06/01/1901

POINT OF
DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	3.140 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R18E S14 SWNW	8.50	T01N R18E S14 NESW 32.70
	T01N R18E S14 NWSW	40.00	T01N R18E S14 SWSW 40.00
	T01N R18E S14 SESW	35.00	T01N R18E S14 NWSE 32.90
	T01N R18E S14 SWSE	1.20	T01N R18E S15 SENE 7.00
	T01N R18E S15 NESW	6.70	T01N R18E S15 SESW 25.00
	T01N R18E S15 NESE	39.00	T01N R18E S15 NWSE 34.00
	T01N R18E S15 SWSE	40.00	T01N R18E S15 SESE 40.00
	T01N R18E S22 NENE	39.00	T01N R18E S22 NWNE 39.00
	T01N R18E S23 NWNW	34.00	T01N R18E S23 SWNW 33.00

527 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 527.0 acres in a single irrigation season. Combined Right Nos.: 37-22219, 37-22221, 37-22223, 37-22225, and 37-22227.

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

This right is a split from former right 37-206 .

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

11/03/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22227

NAME AND ADDRESS: BROWN RANCH INC
247 GLENDALE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.570 CFS

PRIORITY DATE: 06/10/1887

POINT OF
DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
PLACE OF USE:	IRRIGATION	04/15 10/31	1.570 CFS
	<u>IRRIGATION in BLAINE County</u>		
	T01N R18E S14 SWNW	8.50	T01N R18E S14 NESW 32.70
	T01N R18E S14 NWSW	40.00	T01N R18E S14 SWSW 40.00
	T01N R18E S14 SESW	35.00	T01N R18E S14 NWSE 32.90
	T01N R18E S14 SWSE	1.20	T01N R18E S15 SENE 7.00
	T01N R18E S15 NESW	6.70	T01N R18E S15 SESW 25.00
	T01N R18E S15 NESE	39.00	T01N R18E S15 NWSE 34.00
	T01N R18E S15 SWSE	40.00	T01N R18E S15 SESE 40.00
	T01N R18E S22 NENE	39.00	T01N R18E S22 NWNE 39.00
	T01N R18E S23 NWNW	34.00	T01N R18E S23 SWNW 33.00

527 ACRES TOTAL

This right is limited to the irrigation of 170 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 527.0 acres in a single irrigation season. Combined Right Nos.: 37-22219, 37-22221, 37-22223, 37-22225, and 37-22227.

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.

This right is renumbered from former right 37-478A.

This right is a split from former right 37-479A.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

November 16, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

JO BEEMAN
BEEMAN & ASSOCIATES
409 W JEFFERSON
BOISE ID 83702-6049

RE: SRBA Claim(s) 37-562A, 37-22219, 37-22221, 37-22223,
37-22225 and 37-22227 / Brown Ranch Inc.

Dear Counselor:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 20 2010

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
<i>Adj</i> 37-562a	Yes ☐	<i>Adj</i> 37-22219	Yes ☐	<i>Adj</i> 37-22221	Yes ☐
<i>Adj</i> 37-22223	Yes ☐	<i>Adj</i> 37-22225	Yes ☐	<i>Adj</i> 37-22227	Yes ☐
<i>WR</i> 37-11182	Yes ☐	<i>PD</i> 37-11184	Yes ☐	<i>Disallowed</i> 37-645	Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: John Brown, Inc.
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Brown Ranch, Inc.
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
247 Glendale Road
Mailing address
Bellevue Idaho 83313
City State ZIP
(208) 788-2143 danbrown@sunvalley.net
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: March 23, 2005

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 37-562A

7. Signature: Daniel P. Brown President, Brown Ranch, Inc. 10-19-10
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. **SCANNED**
Approved by _____ Processed by _____ Date _____

OCT 21 2010



ARTICLES OF AMENDMENT (General Business)

To the Secretary of State of the State of Idaho
Pursuant to Title 30, Chapter 1, Idaho Code, the undersigned
corporation amends its articles of incorporation as follows:

Click here to reset form

2004 JUL -8 AM 8:54
FILED EFFECTIVE
STATE OF IDAHO

1. The name of the corporation is:

John Brown, Inc.

If the corporation has been administratively dissolved and the corporate name is no longer available for use, the amendment(s) below must include a change of corporate name.

2. The text of each amendment is as follows:

Name of corporation changed to "Brown Ranch, Inc." Changes to title and paragraph 1.

Minimum number of directors changed from three (3) to two (2); Change to paragraph 8.

3. The date of adoption of the amendment(s) was: July 1, 2004.

4. Manner of adoption (check one):

☐ The amendment consists exclusively of matters which do not require shareholder action pursuant to section 30-1-1002, Idaho Code, and was, therefore, adopted by the board of directors.

☐ None of the corporation's shares have been issued and was, therefore, adopted by the
☐ incorporator ☐ board of directors.

☒ The number of shares outstanding and entitled to vote was 10,000.

The number of shares cast for and against each amendment was:

Amended article	Shares for	Shares against
Name Change	10,000	0
Minimum Number of Directors	10,000	0

Customer Acct #:

(if using pre-paid account)

Secretary of State use only

Dated: July 1, 2004.

Signed: Daniel P. Brown

Typed Name: Daniel P. Brown

Capacity: President

g:\complements of amendment
general business.pmd
Revised 10/2003
Web Form

IDAHO SECRETARY OF STATE
07/08/2004 05:00
CK: 9389 CT: 19527 BH: 754451
1 @ 30.00 = 30.00 AMEND PROF # 2

C 25994

SCANNED

OCT 21 2010

QUITCLAIM DEED

For Value Received

JOHN BROWN, INC., an Idaho Corporation

Do hereby convey, release, remise and forever quitclaim unto

BROWN RANCH, INC., an Idaho Corporation

Whose current address is 247 GLENDALE ROAD
BELLEVUE, ID 83313

the following described premises, to-wit:

NESW, SE, NENW, N1/2NE, SENE
SEC 9
1N 18E

Together with their appurtenances.

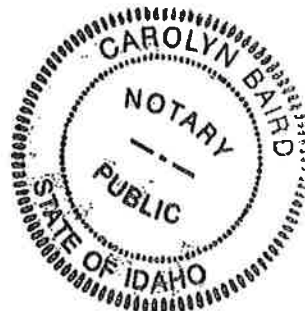
Dated: March 23, 2005

Daniel P. Brown
Daniel P. Brown, President

State of: Idaho
County of: Blaine

On this 23rd day of March in the year 2005, before me, a Notary Public personally appeared Daniel P. Brown, known or identified to me to be the President of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Carolyn Baird
Notary Public
Residing at: Hailey
Comm expires: 1/23/2009



Instrument # 517754

HAILEY, BLAINE, IDAHO

2005-03-23

02:00:00 No. of Pages: 1

Recorded for : DANIEL P BROWN

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QCICORP DEED

mp

SCANNED
OCT 21 2010

QUITCLAIM DEED

For Value Received

JOHN BROWN, INC., an Idaho Corporation

Do hereby convey, release, remise and forever quitclaim unto

BROWN RANCH, INC., an Idaho Corporation

Whose current address is 247 GLENDALE ROAD
BELLEVUE, ID 83313

the following described premises, to-wit:

S1/2SW, W1/2SWSE, SEC 10
1N 18E

Together with their appurtenances.

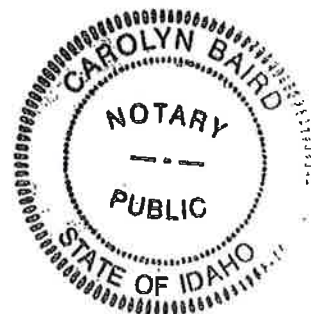
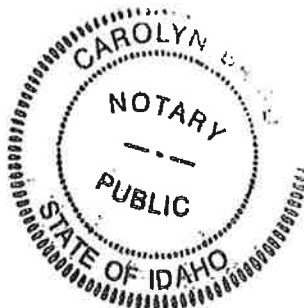
Dated: March 23, 2005

Daniel P. Brown
Daniel P. Brown, President

State of: Idaho
County of: Blaine

On this 23rd day of March in the year 2005, before me, a Notary Public personally appeared Daniel P. Brown, known or identified to me to be the President of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Carolyn Baird
Notary Public
Residing at: Hailey
Comm expires: 1/23/2009



Instrument # 517755

HAILEY, BLAINE, IDAHO

2005-03-23 02:01:00 No. of Pages: 1

Recorded for: DANIEL P BROWN

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTYQCICORP DEED

SCANNED

OCT 21 2010

QUITCLAIM DEED

For Value Received

JOHN BROWN, INC., an Idaho Corporation

Do hereby convey, release, remise and forever quitclaim unto

BROWN RANCH, INC., an Idaho Corporation

Whose current address is 247 GLENDALE ROAD
BELLEVUE, ID 83313

the following described premises, to-wit:

FR SWNW TL 6057 & SOUTH 10
ACRES OF SWNW, SEC 14
IN 18E

Together with their appurtenances.

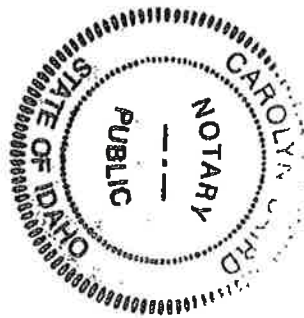
Dated: March 23, 2005

Daniel P. Brown
Daniel P. Brown, President

State of: Idaho
County of: Blaine

On this 23rd day of March in the year 2005, before me, a Notary Public personally appeared Daniel P. Brown, known or identified to me to be the President of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Carolyn Band
Notary Public
Residing at: Hailey
Comm expires: 1/23/2009



Instrument # 517756

HAILEY, BLAINE, IDAHO

2005-03-23

02:02:00 No. of Pages: 1

Recorded for : DANIEL P BROWN

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

mp

SCANNED
OCT 21 2010

QUITCLAIM DEED

For Value Received

JOHN BROWN, INC., an Idaho Corporation

Do hereby convey, release, remise and forever quitclaim unto

BROWN RANCH, INC., an Idaho Corporation

Whose current address is 247 GLENDALE ROAD
BELLEVUE, ID 83313

the following described premises, to-wit:

SW & NWSE EXCEPT TL 6859,
SEC 14
E1/2SW, SE, SWNE, W1/2SENE,
FR SENE TL 5146, SEC 15
IN 18E
1972 FLEETWOOD 12X56

Together with their appurtenances.

Dated: March 23, 2005

Daniel P. Brown
Daniel P. Brown, President

State of: Idaho
County of: Blaine

On this 23rd day of March in the year 2005, before me, a Notary Public personally appeared Daniel P. Brown, known or identified to me to be the President of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Carolyn Baird
Notary Public
Residing at: Hailey
Comm expires: 1/23/2009



Instrument # 517757

HAILEY, BLAINE, IDAHO

2005-03-23 02:03:00 No. of Pages: 1

Recorded for : DANIEL P BROWN

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

SCANNED

OCT 21 2010

QUITCLAIM DEED

For Value Received

JOHN BROWN, INC., an Idaho Corporation

Do hereby convey, release, remise and forever quitclaim unto

BROWN RANCH, INC., an Idaho Corporation

Whose current address is 247 GLENDALE ROAD
BELLEVUE, ID 83313

the following described premises, to-wit:

W1/2SW, NW, W 30 ACRES NWNE,
SEC 15
1N 18E

Together with their appurtenances.

Dated: March 23, 2005

Daniel P. Brown
Daniel P. Brown, President

State of: Idaho
County of: Blaine

On this 23rd day of March in the year 2005, before me, a Notary Public personally appeared Daniel P. Brown, known or identified to me to be the President of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Carol Baird
Notary Public
Residing at: Hailey
Comm expires: 1/23/2009



Instrument # 517758

HAILEY, BLAINE, IDAHO

2005-03-23 02:04:00 No. of Pages: 1

Recorded for : DANIEL P BROWN

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy mp

Index to: WTIQICICORP DEED

SCANNED

OCT 21 2010

QUITCLAIM DEED

For Value Received

JOHN BROWN, INC., an Idaho Corporation

Do hereby convey, release, remise and forever quitclaim unto

BROWN RANCH, INC., an Idaho Corporation

Whose current address is 247 GLENDALE ROAD
BELLEVUE, ID 83313

the following described premises, to-wit:

NE, SENW, NESW, N1/2SE, SEC 21
1N 18E

Together with their appurtenances.

Dated: March 23, 2005

Daniel P. Brown
Daniel P. Brown, President

State of: Idaho
County of: Blaine

On this 23rd day of March in the year 2005, before me, a Notary Public personally appeared Daniel P. Brown, known or identified to me to be the President of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Carolyn Baird
Notary Public
Residing at: Hailey
Comm expires: 1/23/2009



Instrument # 517759

HAILEY, BLAINE, IDAHO

2005-03-23

02:05:00 No. of Pages: 1

Recorded for : DANIEL P BROWN

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

SCANNED
OCT 21 2010

QUITCLAIM DEED

For Value Received

JOHN BROWN, INC., an Idaho Corporation

Do hereby convey, release, remise and forever quitclaim unto

BROWN RANCH, INC., an Idaho Corporation

Whose current address is 247 GLENDALE ROAD
BELLEVUE, ID 83313

the following described premises, to-wit:

NWNE, NENE, SEC 22
W1/2NW, SEC 23
1N 18E

Together with their appurtenances.

Dated: March 23, 2005

Daniel P. Brown
Daniel P. Brown, President

State of: Idaho
County of: Blaine

On this 23rd day of March in the year 2005, before me, a Notary Public personally appeared Daniel P. Brown, known or identified to me to be the President of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Carolyn Baird
Notary Public
Residing at: Hailey
Comm expires: 1/23/2009



Instrument # 517760

HAILEY, BLAINE, IDAHO

2005-03-23

02:06:00 No. of Pages: 1

Recorded for : DANIEL P BROWN

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTYQCICORP DEED

SCANNED
OCT 21 2010

QUITCLAIM DEED

For Value Received

JOHN BROWN, INC., an Idaho Corporation

Do hereby convey, release, remise and forever quitclaim unto

BROWN RANCH, INC., an Idaho Corporation

Whose current address is 247 GLENDALE ROAD
BELLEVUE, ID 83313

the following described premises, to-wit:

W 27th SWNW, W 27th NWSW,
W 26th NNW, SEC 22
1N 18E

Together with their appurtenances.

Dated: March 23, 2005

Daniel P. Brown
Daniel P. Brown, President

State of: Idaho
County of: Blaine

On this 23rd day of March in the year 2005, before me, a Notary Public personally appeared Daniel P. Brown, known or identified to me to be the President of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Carolyn Baird
Notary Public
Residing at: Hailey
Comm expires: 1/23/2009



Instrument # 517761

HAILEY, BLAINE, IDAHO

2005-03-23

02:07:00 No. of Pages: 1

Recorded for : DANIEL P BROWN

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

SCANNED
OCT 21 2010

JPB
10/20/2010
SR

BEEMAN & ASSOCIATES, P.C.
Counselors and Attorneys at Law
409 West Jefferson Street
Boise, Idaho 83702-6049

RECEIVED

OCT 20 2010

DEPARTMENT OF
WATER RESOURCES

Josephine P. Beeman
jo.beeman@beemanlaw.com

Phone (208) 331-0950
Fax (208) 331-0954
office@beemanlaw.com

October 20, 2010

Vicki Kelly
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83702-0098

Re: Name Change for Brown Ranch Water Rights 37-562A, 37-645 (disallowed),
37-22219, 37-22221, 37-22223, 37-22225, 37-22227, 37-11182 and
37-11184; and application for permit 37-8656

Dear Vicki:

Enclosed is a signed Notice of Change in Water Right Ownership to complete the name change from John Brown, Inc. to Brown Ranch, Inc. for the above referenced water rights. Since this is simply a company name change, no fees are due to make the change. The required conveyance documents (copies of the quitclaim deed and the articles of incorporation) are included.

Also enclosed is the signed and notarized Assignment of Application for Permit for 37-8656. It seeks 4 cfs of supplemental ground water irrigation, but has been "on hold" since 1992 (mitigation/moratorium issues).

Please let me know if you have any questions.

Sincerely,

BEEMAN & ASSOCIATES, P.C.


Josephine P. Beeman 

JPB:dc

Encs.: Notice of change in Water Right Ownership
Assignment of Application for Permit

cc: Dan Brown
Norm Young, ERO Resources

SCANNED

OCT 21 2010

RECEIVE

WR0749NP
No. 37-00562A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

JAN 09 2007

DATE: 09/01/00
PAGE: 1

OWNER		PRIORITY	USE PERIOD	DIVERSION	DIVERSION
CODE	NAME & ADDRESS	DATE	FROM TO	RATE	VOLUME
C	JOHN BROWN INC 247 GLENDALE RD BELLEVUE ID 83313 (208) 788-2593	05/10/1887	IRRIGATION 04/01 11/01	2.363 CFS	
TOTAL DIVERSION:				2.363 CFS	

Water Source: BIG WOOD RIVER

Tributary to: MALAD RIVER

Stage: DECREED

Point(s) of Diversion: T01N R18E S12 SWSW BLAINE County
Point(s) of Re-diversion: T01N R18E S14 NENWSE BLAINE County

Point of Diversion Name(s):

	Name	Rate	Number
T01N R18E S12 SW SW	GLENDALE CANAL		HEADGATE #50
S14 NE NW SE	REDIVERSION PRIVATE DITCH		

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	
	NENE NWNE SWNE SENE	NENW NWNW SWNW SENW	NESW NWSW SWSW SESW	NESE NWSE SWSE SESE	
T R S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: SUM
01N 18E 22	:	25 19	:	:	44.0
TOTAL ACRES					44.0

Pou County: BLAINE

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
- R58 - This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

Remarks: GEN This right shall be charged a loss of 5.3% of the total amount transferred or 6.26 inches leaving a total of 111.89 inches to be delivered to the head of the Glendale canal.

Dates: App. Received: Priority Date: 05/10/1887
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 09/01/2000 User-ID: PSKAGGS Subject: TRANSFER 3716
Transfer 3716 changed the point of diversion & place of use under Right 37-00562A.

Page 2
to Notice of Error
Jan. 4, 2007
37-562A

NOTICE OF ERROR
REPLY

Water Right No.: 37-562A

John Brown, Inc.
247 Glendale Road
Bellevue, Idaho 83313
Telephone: 208-788-2593

RECEIVED

JAN 09 2007

DEPARTMENT OF
WATER RESOURCES

1. Describe the portion of the proposed recommendation with which you disagree (e.g., priority date, period of use, source):

- (1) Quantity:

Remark: "This right when combined with all other rights shall provide no more than 3.0 afa per acre for irrigation of the lands above."

- (2) Point of Diversion:

Listing of point of redirection:

"T01N R18E §14 NENWSE Rediversion within BLAINE County"

2. Describe the changes you wish to make in the proposed recommendation:

- (1) Quantity:

Omit remark or clarify that 3.0 afa per acre limitation is measured at the field headgate for irrigation (per attached IDWR profile report for 37-562A.)

- (2) Point of Diversion:

Omit point of redirection:

"T01N R18E §14 NENWSE Rediversion within BLAINE County"

3. Give a brief explanation as to why you disagree with these portions.

- (1) Quantity: Omit remark because annual volume limit on surface water right is counter to IDWR policy. If remark is not omitted, the location for measurement is ambiguous. Clarify that 3.0 afa per acre limitation is measured at the field headgate for irrigation (per attached IDWR profile report for 37-562A.)

- (2) Point of Diversion: The point of redirection is not on a natural channel. Identifying a point of diversion on a private canal is not within the scope of the SRBA.

DATE: January 4th, 2007

Dan Brown

Dan Brown
John Brown, Inc.

247 Glendale Road
Bellevue, Idaho 83313

MEMORANDUM

TO: File 37-562A

FROM: KAY WALKER



RE: Notice of Error

Date: January 10, 2007

.....

While reviewing the NOE submitted I found that the preliminary recommendation reflected approved transfer #3716 issued in 1990. The condition regarding volume and the redirection point on the preliminary are the same as shown on transfer approval. No changes made to the recommendation based on this.

Also, it is noted that this recommendation allows 0.05 cfs per acre for the lands recommended. Since we have no evidence in our file that an excessive flow review was completed and the claimant has more than an inch to the acre the additional rate per acre could be applied as conveyance loss to get the water to the property. Without excessive flow information the claimant should be limited to 3.0 afa, same as other claimants in this area.

NOTICE OF ERROR
REPLY

Water Right No.: 37-562A

John Brown, Inc.
247 Glendale Road
Bellevue, Idaho 83313
Telephone: 208-788-2593

RECEIVED

JAN 09 2007

DEPARTMENT OF
WATER RESOURCES

*Recommendation
matches approved
transfer - no
changes
made.
KW
1/10/07*

1. Describe the portion of the proposed recommendation with which you disagree (e.g., priority date, period of use, source):

- (1) Quantity:

Remark: "This right when combined with all other rights shall provide no more than 3.0 afa per acre for irrigation of the lands above."

- (2) Point of Diversion:

Listing of point of redirection:

"T01N R18E §14 NENWSE Rediversion within BLAINE County"

2. Describe the changes you wish to make in the proposed recommendation:

- (1) Quantity:

Omit remark or clarify that 3.0 afa per acre limitation is measured at the field headgate for irrigation (per attached IDWR profile report for 37-562A.)

- (2) Point of Diversion:

Omit point of redirection:

"T01N R18E §14 NENWSE Rediversion within BLAINE County"

3. Give a brief explanation as to why you disagree with these portions.

(1) Quantity: Omit remark because annual volume limit on surface water right is counter to IDWR policy. If remark is not omitted, the location for measurement is ambiguous. Clarify that 3.0 afa per acre limitation is measured at the field headgate for irrigation (per attached IDWR profile report for 37-562A.)

(2) Point of Diversion: The point of redirection is not on a natural channel. Identifying a point of diversion on a private canal is not within the scope of the SRBA.

DATE: January 4th, 2007

Dan Brown

Dan Brown
John Brown, Inc.

247 Glendale Road
Bellevue, Idaho 83313

COANNED

JAN 09 2007

RECEIVED

JAN 09 2007

WR0749NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/01/00
PAGE: 1

No. 37-00562A

DEPARTMENT OF
WATER RESOURCES

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN BROWN INC 247 GLENDALE RD BELLEVUE ID 83313 (208) 788-2593	05/10/1887	IRRIGATION	04/01 11/01	2.363 CFS	
TOTAL DIVERSION:					2.363 CFS	

Water Source: BIG WOOD RIVER

Tributary to: MALAD RIVER

Stage: DECREED

Point(s) of Diversion: T01N R18E S12 SWSW BLAINE County
Point(s) of Re-diversion: T01N R18E S14 NENWSE BLAINE County

Point of Diversion Name(s):

T01N R18E S12	SW SW	Name	Rate	Number
S14	NE NW SE	GLENDALE CANAL		HEADGATE #50
		REDIVERSION PRIVATE DITCH		

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	
01N	18E	22	:					:				:				44.0
TOTAL ACRES																44.0

Pou County: BLAINE

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
- R58 - This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

Remarks: GEN This right shall be charged a loss of 5.3% of the total amount transferred or 6.26 inches leaving a total of 111.89 inches to be delivered to the head of the Glendale canal.

Dates: App. Received: Priority Date: 05/10/1887
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 09/01/2000 User-ID: PSKAGGS Subject: TRANSFER 3716
Transfer 3716 changed the point of diversion & place of use under Right 37-00562A.

Page 2
to Notice of Error
Jan. 4, 2007
37-562A

COPIED
JAN 09 2007

12/08/2006

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

RIGHT NUMBER: 37-562A

NAME AND ADDRESS: JOHN BROWN INC
247 GLENDALE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.360 CFS

This right shall be charged a loss of 0.12 cfs for mitigation purposes.

This right when combined with all other rights shall provide no more than 3.0
afa per acre for irrigation of the lands above.

PRIORITY DATE: 05/10/1887

POINT OF DIVERSION:

T01N R18E S12 SESW Within BLAINE County

T01N R18E S14 NENWSE Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.240 CFS
MITIGATION	04/15 10/31	0.120 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S22	NWNW	25.00	T01N R18E S22	SWNW	19.00
---------------	------	-------	---------------	------	-------

44 ACRES TOTAL

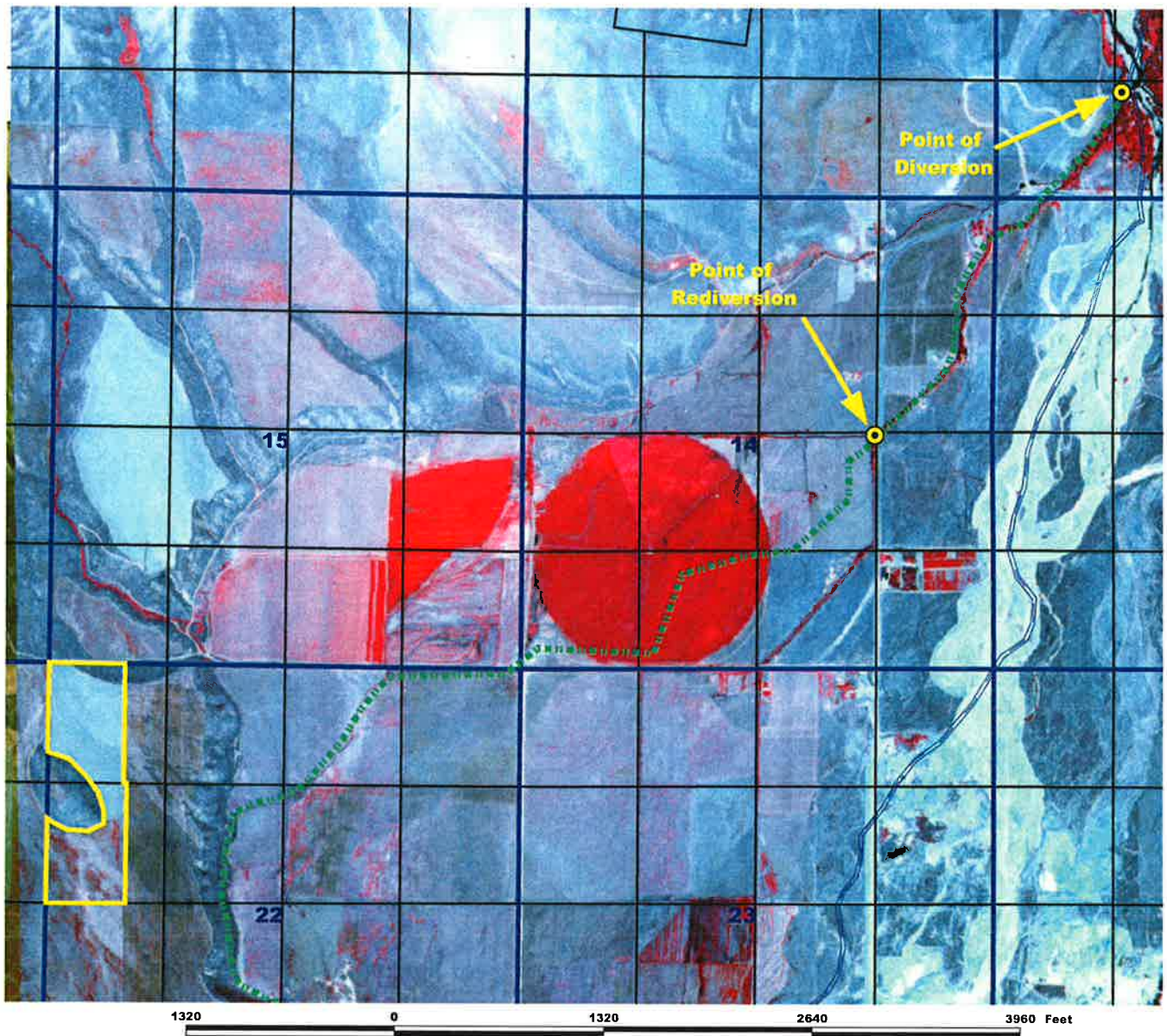
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

Use of water under this water right will be regulated by the watermaster of
State Water District No. 37.

RECOMMENDED PLACE OF USE FOR 37-562A



PLACE OF USE
TWP 1N, RNG 18E, SEC 22
Data entry on Sept 21, 2005

● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

TOWNSHIP LINES

SECTION LINES

QUARTER/QUARTER LINES

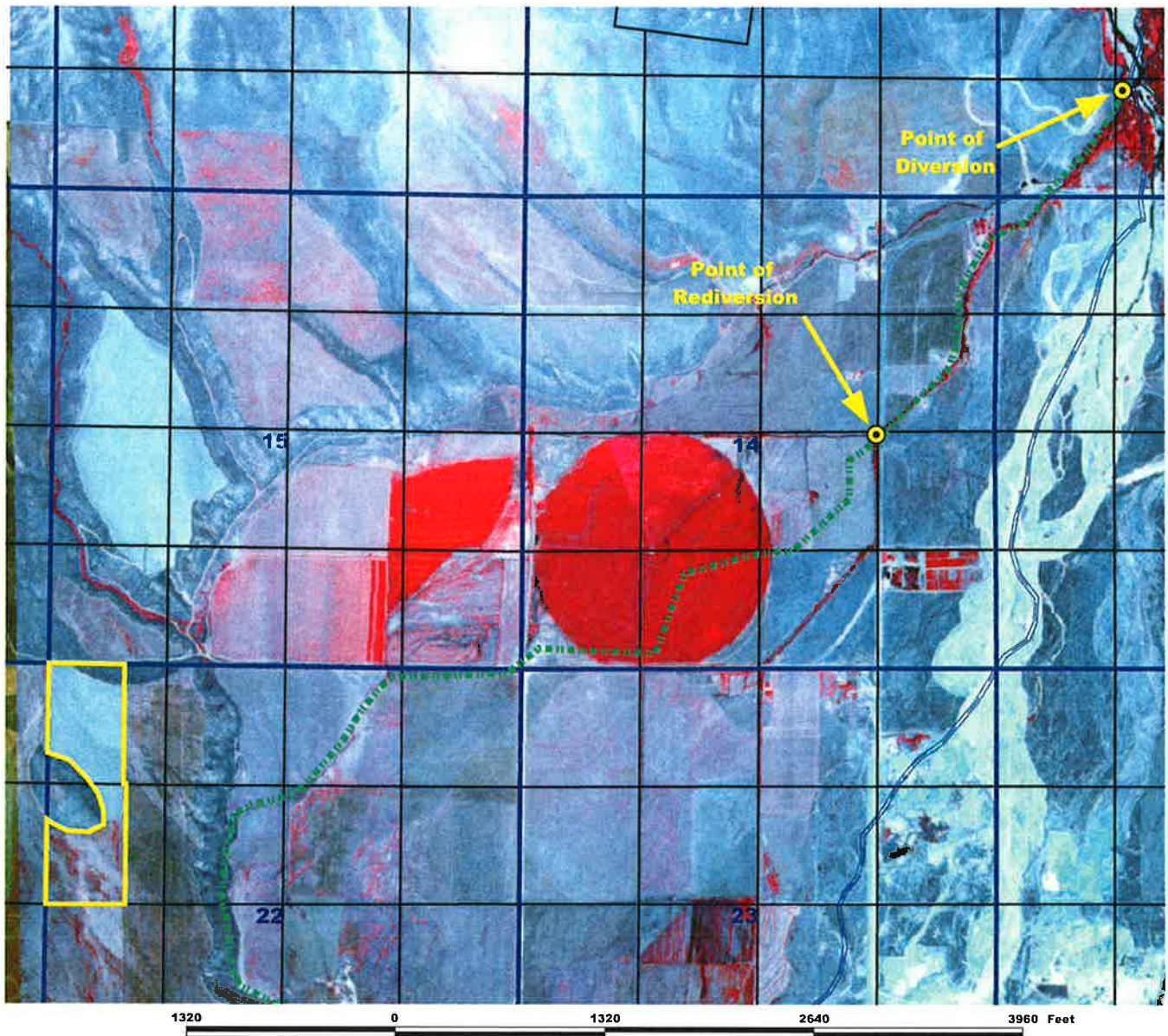
LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

Basin 37



RECOMMENDED PLACE OF USE FOR 37-562A



PLACE OF USE
TWP 1N, RNG 18E, SEC 22
Data entry on Sept 21, 2005

RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

TOWNSHIP LINES

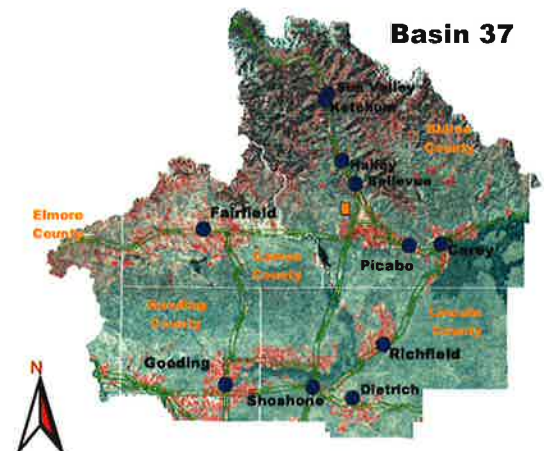
SECTION LINES

QUARTER/QUARTER LINES

LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

Basin 37



Claim Review 37-562A

S. Keen
12/8/2006

Watermaster records - show 2.24 cfs delivered to John Brown and 0.13 cfs left in the river.

POU Comparison - It looks like claims 37-21121 and 37-21122 overlap the POU for this right in the NWNW + SWNW of Section 22, but they will not be recommended in those tracts. I confirmed this with Corey Skinner today. Recommend in the tracts claimed with no overlap. Recommend POU as approved on Transfer 3716 in 1990.

Quantity

- Overall amount of ~~2.363~~ 2.363 rounded to 2.36
- 111.89 inches rounded to 2.24 cfs for irrigation
- 6.26 inches rounded to 0.12 cfs for mitigation.

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3716

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant John Brown Inc. Phone 788-2593
Post Office address 247 Glendale Road, Bellevue, ID 83313

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other

2. Describe the reason for the proposed changes Water was purchased to allow for irrigation of ground without water rights.

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

1. Right Number 37-00562A Priority 5-10-1887 Amount (cfs/ac-ft) 2,363 Nature of Use Irrig. Period of Use 4-1 to 11-1
2. Total amount of water being transferred 2,363 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Big Wood River tributary to Mald River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	12	1N	18E	Blaine	Headgate #50 & Glendale Canal
	NE	NW	SE	14	1N	18E	Blaine	Rediversion into private ditch

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	18E	22						30	30										85
		21																	75
1N	18E	22						25	27			29							81
		21						39											79
* 1N	18E	22						25	19										44
* changed per Applicant's letter of 8-7-90																			

TJL 8-9-90

Total acres 160-44

PART 1

6. General Information:

a. Description of diversion system Existing headgate & ditch, Glendale Canal, pump in private ditch.b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ✓ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

Land is being subdivided & will no longer be farmed. Land was sold without water rights.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 337-0562AAnd said application is hereby APPROVED, subject to the following limitations and conditions:

1. Use of water under this right is subject to control by the watermaster of State Water District No. 37, Big Wood River. 2. This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above. 3. This right shall be charged a loss of 5.3% of the total amount transferred or 6.26 inches leaving a total of 111.89 inches to be delivered to the head of the Glendale canal.

MICROFILMED

SEP 12 1990

Witness my hand this

17th

day of

August, 19 90J. New Saxon
Chief, Water Alloc. Bureau

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00562A Decreed to J. W. Ravenscroft
in case of S. C. Frost, Et. Al. vs. Alturas Water Company, Et. Al.
dated 12-12-1909 in 4th District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 307 which produced this right.

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

☐ Tax Notice☒ Warranty Deed☐ Other _____3. Source of water Big Wood River tributary to Mald River4. Date or priority 5-10-1887

5. Water is used for the following purpose:

amount 2,363 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2,363 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	9	2N	18E	Blaine	Justus #32 Headgate, Justus Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	15									X	X	X	X		X			160

MICROFILMED
SEP 17 1990

Total acres 160

9. Describe any other water rights used for the same purpose as described above 37-00562B, -0906,
-0155, -0156, -7683, -8118, -7715A+B, -8453,

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

PART 3**B. CHANGES IN NATURE OF USE**

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

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

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

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

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

Daniel P. Brown Vice-Pres
(Signature of Applicant)

Subscribed and sworn to before me this 15th day of May, 19 90.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by J. F. Stanton Date 5-18-90 Protest filed by _____

Prelim. check by _____ Fee \$50, 50/2322

Receipted by JS Date 5-18-90

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 6/20 + 6/27/90 Hearing held by _____ Date _____

Watermaster recommendation requested on 6/7/90 Recommended for ☒ approval ☐ denial

_____ rec'd. 6/14/90 by _____

Copy of transfer sent to lien holder _____

MICROFILMED

SEP 12 1990

A. Claim shows irr @ 2.36 cfs for 44 acres. P/D location is the head of the Glendale canal. The original right was delivered through the Justis Ditch

B. Claim shows irr @ 2.24 cfs for 44 acres. P/D location is the head of the Glendale canal. The original right was delivered through the Justis Ditch

0.12 cfs of this right has been determined as river losses. A total of 2.24 cfs shall be delivered to the head of the Glendale canal.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

July 8, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JOHN BROWN INC
247 GLENDALE RD
BELLEVUE ID 83313

RE: Amendment of SRBA Claim A37-00562A

Dear Claimant:

Pursuant to the approval of Transfer No. 3716, the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been amended to conform with the transfer. Please find enclosed a printout of the way your claim records have been modified. Please check these modified records over carefully to verify they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

MICROFILMED

NOV 22 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3716

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

AUG 22 1990

Name of applicant John Brown Inc.Phone 788-2593Post Office address 2412 Glendale Road, Bellevue, ID 83313

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Water was purchased to allow for irrigation of ground without water rights.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-00562A</u>	<u>5-10-1887</u>	<u>2,363</u>	<u>Irrig.</u>	<u>4-1</u> to <u>11-1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 2,363 cubic feet per second and/or _____ acre-feet per annum.

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

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	12	1N	18E	Blaine	Hedgate #50 & Glendale Canal
	NE	NW	SE	14	1N	18E	Blaine	Rediversion into private ditch

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	18E	22						30	25			30							85
		21							35						40				75
1N	18E	22						25	27			29							81
		21							39										79
* 1N	18E	22						25	19										44
* changed per Applicants Letter of 8-7-90																			

MICROFILMED

NOV 22 1996

TJL 8-9-90

Total acres 160-44

37-00562A, T #3716

D.R.B.
6/14/90

PART 1

6. General Information:

a. Description of diversion system Existing headgate & ditch, Glendale Canal, pump in private ditch.

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

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

Land is being subdivided & will no longer be farmed. Land was sold without water rights.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 337-0562A

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. Use of water under this right is subject to control by the watermaster of State Water District No. 37, Big Wood River. 2. This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above. 3. This right shall be charged a loss of 5.3% of the total amount transferred or 6.26 inches leaving a total of 111.89 inches to be delivered to the head of the Glendale canal.

Witness my hand this

17th day of

August, 19 90

J. Glen Saxton
Chief, Water Alloc. Bureau

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00562A Decreed to J. W. Ravenscroft
in case of S.C. Frost, Et. Al. vs. Alturas Water Company, Et. Al.
dated 12-12-1909 in 4th District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 307 which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

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

4. Date or priority 5-10-1887

5. Water is used for the following purpose:

amount 2,363 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 2,363 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	9	2N	18E	Blaine	Justus #32 Headgate, Justus Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	15									X	X	X	X		X			160

MICROFILMED
NOV 22 1985

Total acres 160

9. Describe any other water rights used for the same purpose as described above 37-00562B, -0906,

-0155, -0156, -7683, -8118, -7215A+B, -8453.

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

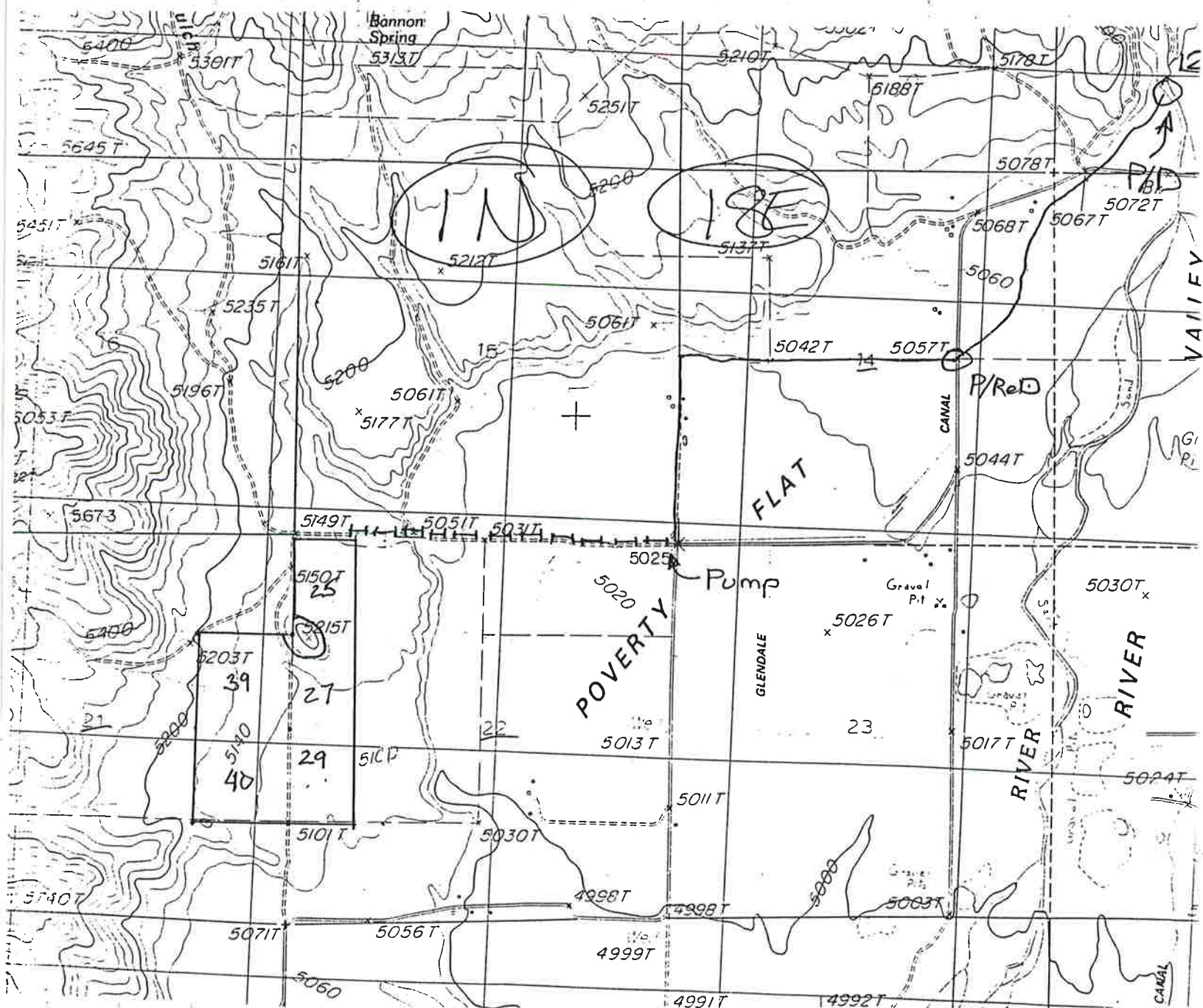
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



MICROFILMED
NOV 22 1996

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

PART 3**B. CHANGES IN NATURE OF USE**

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

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

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

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

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

Daniel P Brown Vice Pres
(Signature of Applicant)

Subscribed and sworn to before me this 15th day of May, 19 90.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by J.F. Stanton Date 5-18-90 Protest filed by _____

Prelim. check by _____ Fee \$50. 50/2322

Receipted by JA Date 5-18-90

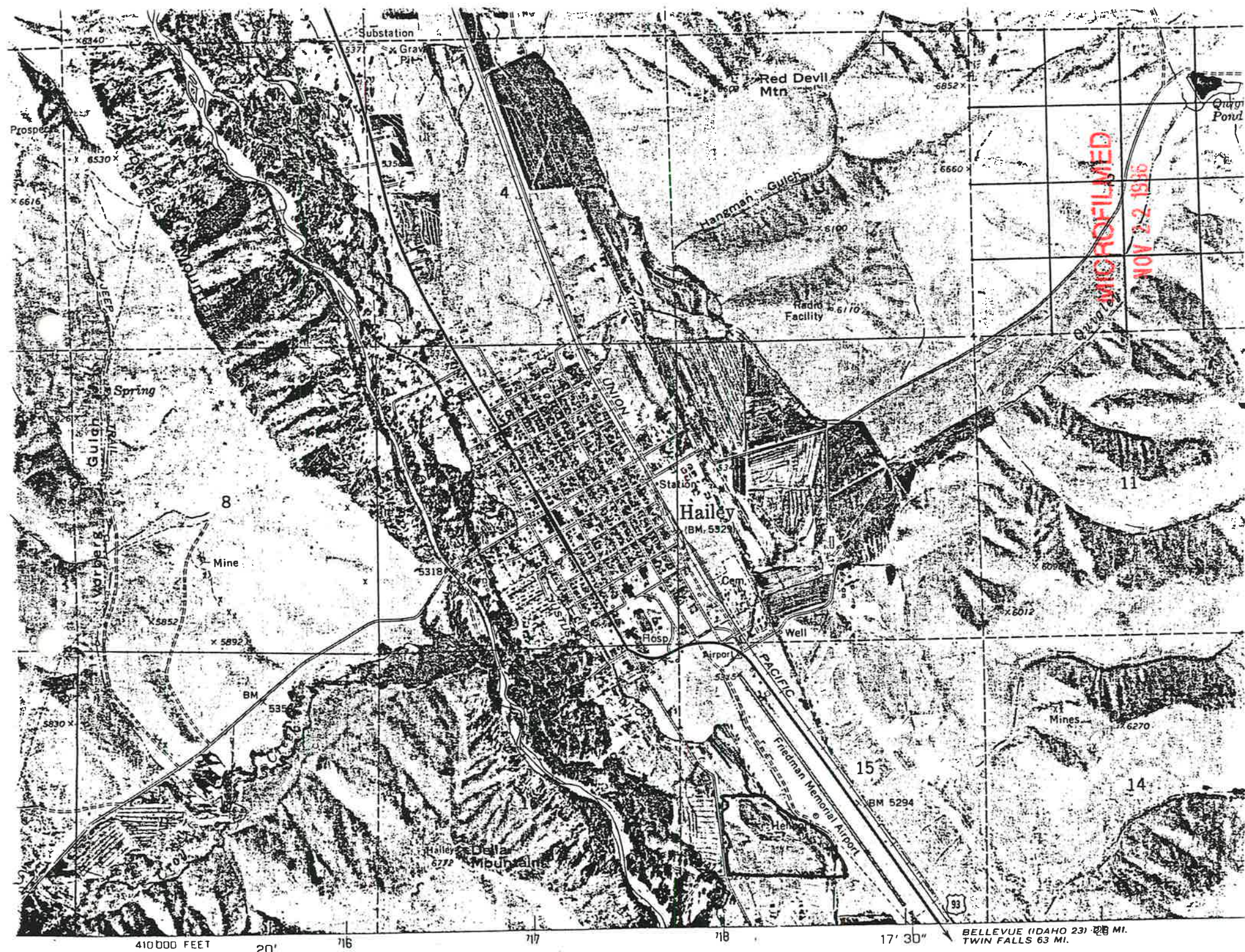
Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 6/20 + 6/27/90 Hearing held by _____ Date _____

Watermaster recommendation requested on 6/7/90 Recommended for ☒ approval ☐ denial

_____ rec'd. 6/14/90 by _____

Copy of transfer sent to lien holder _____



MICROFILMED

NOV 22 1956

410 000 FEET 20'

16

17

18

17' 30"

BELLEVUE (IDAHO 23) 28 MI.
TWIN FALLS 63 MI.

22-Aug-1990

REID J NEWBY WATERMASTER
WATER DISTRICT #37
BOX T
SHOSHONE ID 83352

Re: APPROVED Application for Transfer of Water Right No.
37-00562A

Dear Mr. Newby:

Enclosed is a copy of an APPROVED Application for Transfer of
a Water Right within your District for your information and
files.

If you have any questions about the application, please
contact this office or the applicant.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED
NOV 22 1996

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: August 9, 1990

RE: TRANSFER APP. NO. 3716/RT. NO. 37-0562A

=====

This application involves a change in place of use and point of diversion.

My letter of July 23, 1990 to the applicant provides some background concerning the original decreed right and subsequent splits. Right no. 37-00562A was at one time appurtenant to about 63 acres in the south-half of section 15, T2N, R18E (acreage more specifically described in July 23 letter). Some time later, an airport was constructed on a portion of the land and reduced the number of acres irrigated.

In response to my letter, the applicant located the number of acres irrigated under this right and now proposes to transfer only those number of acres to the new place of use. I recommend approval of the transfer for the new place of use with the same diversion rate given for the recorded right (warranty deed conveys the full 2.363 cfs).

The transfer should be approved subject to the following conditions:

1. Use of water under this right is subject to control by the watermaster of State Water District No. 37, Big Wood River.
2. <<R24>> This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.
3. This right shall be charged a loss of 5.3% of the total amount transferred or 6.26% inches leaving a total of 111.83% inches to be delivered to the head of the Glendale canal.

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NOV 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 23, 1990

Daniel P. Brown
John Brown Inc.
247 Glendale Rd
Bellevue, ID 83313

RE: Transfer Application No. 3716/Water Right No. 37-0562A

Dear Mr. Brown:

Our regional office in Twin Falls recently forwarded the above referenced transfer application to the state office for final review. This application proposed a change in the place of use and point of diversion of the above referenced water right.

In reviewing this application I developed several questions which prohibits me from recommending approval of the transfer at this time.

The Department's records show that right no. 37-0562 was originally decreed to J.W. Ravenscraft in 1909 as 6.00 cfs of water appurtenant to 160 acres of land located in section 15, Township 2N, R18E. A transfer was filed in 1921 by W.A. Ravenscraft, who stated in the transfer that he owned 3.6375 cfs of the 6.00 cfs right originally decreed to J.W. Ravenscraft (W.A. Ravenscraft had purchased 3.6375 cfs and about 97 acres of land from J.W. Ravenscraft). This transfer requested that 1.6 cfs of the 3.6375 cfs owned by W.A. Ravenscraft be moved to 40 acres in section 14, township 2N, range 18E. The transfer was approved and resulted in leaving a portion of W.A. Ravenscraft's right (2.03 cfs) appurtenant to about 57 unspecified acres in the SW1/4 of section 15. This means that the part right, 37-0562A, held by J.W. Ravenscraft for 2.36 cfs, was appurtenant to only about 63 acres within section 15. Based on the description of the lands owned by W.A. Ravenscraft in the 1921 transfer, the remaining 63 acres owned by J.W. Ravenscraft would have been within the NWSE, NESW, and perhaps the E1/2 of the NWSW of section 15.

Your application proposes that the 2.36 cfs under right 37-0562A be used to irrigate 160 acres at the new place of use in sections 21 and 22 of T1N, R18E. My review indicates that this proposal would increase the number of acres irrigated under the right. Expanding the number of irrigated acres is clearly an expansion of the right. The Department can not authorize an expansion of

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the right through a transfer application.

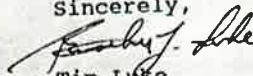
Your application does not describe the specific location or number of acres irrigated with right 37-0562A at the old place of use in section 15 of T2N, R18E. Furthermore, it appears that all or a portion of this right may have been lost and forfeited due to non-use for a period of five or more consecutive years. Maps show that a portion of the land to which right 37-0562A is appurtenant is the site of the Friedman Memorial Airport. Aerial photography and remote sensing data from 1974 and 1986 show that most of the land now described by 37-0562A, including land occupied by the airport, was not irrigated.

Before the Department can further consider this transfer application, you must provide evidence to the Department which will establish that the right has not been lost due to non-use for five or more consecutive years. You must also describe the location and number of acres irrigated with the right.

Failure to respond to this correspondence and provide the necessary information within 30 days of the date of this letter will be cause for the Department to initiate action which will deny the application.

Please feel free to contact me directly at 327-7864 if you have questions concerning this matter.

Sincerely,



Tim Luke

Sr. Water Resource Agent

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NOV 22 1985

POOR ORIGINAL

Idaho Dept. of Water Resources
ATTN: Tim Luke
Statehouse
Boise, ID

8-7-1990

RE: Application for Transfer of Water Right 37-00562A, John Brown Inc.

Dear Mr. Luke:

In reference to your letter of July 23 regarding this transfer application, the following information is submitted. This original place of use within the Sec. 15 land you described appears to be about 44 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ between the airport and the county road (see copy of USGS map, attached). If you accept this is correct, I would like the new place of use to be 25 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 19 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22 T. 1N R. 18E.

To the best of my knowledge, the water I purchased from Craig Stewart has been delivered over the years by the watermaster, and represents a valid water right.

I hope this answers your concerns.

Sincerely,

Daniel P. Brown

Daniel P. Brown

RECEIVED
AUG 9 1990
Department of Water Resources

RECEIVED

AUG 07 1990
Department of Water Resources
Southern Region Office

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NOV 22 1996
NOV 22 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant John Brown Inc. Phone 788-2593Post Office address 247 Glendale Road, Bellevue, ID 83313

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Water was purchased to allow for irrigation of ground without water rights.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-00562A</u>	<u>5-10-1887</u>	<u>2,363</u>	<u>Irrig.</u>	<u>4-1</u> to <u>11-1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 2,363 cubic feet per second and/or _____ acre-feet per annum.

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

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	12	1N	18E	Blaine	Headgate #50 & Glendale Canal
	NE	NW	SE	14	1N	18E	Blaine	Rediversion into private ditch

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	18E	22						30	~~25~~ 30		30								85
		21													40				75
1N	18E	22						25	27		29								81
		21				39									40				79

Total acres 160RECEIVED
FEB 23 1993D.R.B.
6/4/90

PART 1

6. General Information:

a. Description of diversion system Existing headgate & ditch, Glendale Canal, pump in private ditch

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

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

Land is being subdivided & will no longer be farmed. Land was sold without water rights.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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FEB 23 1993

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00562A Decreed to # J.W. Ravenscroft
in case of S.C. Frost, Et. Al. vs. Alturas Water Company, Et. Al.
dated 12-12-1909 in 4th District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 307 which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

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

4. Date or priority 5-10-1887

5. Water is used for the following purpose:

amount 2,363 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2,363 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	9	2N	18E	Blaine	Justus #32 Headgate, Justus Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	15									X	X	X	X		X			160

Total acres 160

9. Describe any other water rights used for the same purpose as described above 37-00562B, -0906,
-0155, -0156, -7683, -8118, -7215 A+B, -8453,

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

RECORDED
FEB 23 1993

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

Daniel P. Brown Vice-Pres
(Signature of Applicant)

Subscribed and sworn to before me this 18th day of May, 19 90.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by J. F. Stanton Date 5-18-90 Protest filed by _____

Prelim. check by _____ Fee \$50. 50/2322 _____

Receipted by JA Date 5-18-90 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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FEB 23 1993

Water Right Number - 37-00562A

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
RAVENS CRAFT

J. W.

1 -
2 -
3 -

City-

Phone - 208-000-0000

State- ID Zip-

+ - - Priority Date - - +
05/10/1887

+ - - - Region - - - +
17

+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +
BIG WOOD RIVER

+ - - - - Tributary - - - - - +
MALAD RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 18E 9 SE NW (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 2.363

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.363

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	18E	15	NE SW			01	IRRIGATION	(13) BLAINE
02N	18E	15	NW SW			01	IRRIGATION	(13) BLAINE
02N	18E	15	SW SW			01	IRRIGATION	(13) BLAINE
02N	18E	15	SE SW			01	IRRIGATION	(13) BLAINE
02N	18E	15	NW SE			01	IRRIGATION	(13) BLAINE

Total Acres:

+ - - Diversion Means - JUSTUS #32 HEADGATE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

TRANS. 307.
P/U INCOMPLETE. SEE FILE.
RT. DECREED FROM BIG WOOD R. BUT DELIVERED FROM BIG WOOD SLOUGH.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

FEB 23 1993
UNRECORDED

Water right number - 37-00562A

Adj. flag translation: Standard Water Right Number

+ - - - - - Old Water Right Numbers - - - - - +

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - +
S. C. FROST, ET. AL.+ - - - - Decree Defendant - - - +
ALTURAS WATER COMPANY, ET. AL.+ - Decree Date - +
12/13/1909

+ - - Audit Fields - 08/26/85

05/28/88 CONVERT 09/01/88 CURTIS

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 00/00/0000
Decree Date - 12/13/1909Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 08/26/1985
Receipt Number -
Appl Received - 00/00/0000
Presumption Flag -Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District - 37
Transfer/Amended - P
Microfilm Roll Number -MICROFILMED
FEB 23 1993

From: DWR03::THORNTON 18-NOV-1992 10:19:41.71
To: DWR60::MERRITT
CC: THORNTON
Subj: Justice Ditch Disallowed Claim Recommendation

I got to thinking about what you told me about R37-00562B, the claim you made the tentative disallowed recommendation on. You said you didn't find a claim in the files.

There should be a claim somewhere, or else why would there be a recommendation. It may be that someone has pulled it, 'cause I believe that Jim Stanton may be (or has been) working on a transfer.

I've moved the R record to the host master anyway.

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FEB 23 1993