

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: **A37-00577CH**
Date Received: 9/ 7/1988
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: PETER TRUST
Address: 300 S 4TH ST STE 200
LAS VEGAS NV 89101
OR
Name: DBA RIVER GROVE FARM 208-622-4987
Address: C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353
2. Date of Priority: MAR 24, 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 of	Lot	County
02N	18E	5	NE	NW			BLAINE
03N	18E	32	SE	SW			BLAINE
5. Description of diverting works:
TWO HEADGATES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	1.200		
RECREATION	01/01	12/31	1.200		
AESTHETIC	01/01	12/31	1.200		
7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or) 180.00 A.F.A.
8. Total consumptive use is 150.0 Acre Feet Per Annum.
9. Non-irrigation uses:
H/ 1 EARTH POND F/ AVAILABLE WATER

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02N	18E	5	SE	NE		FISH	
			SE	NE		REC	
			SE	NE		AES	
			NE	SE		FISH	
			NE	SE		REC	
			NE	SE		AES	

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:

14. Remarks:

CLAIM WAS SPLIT FROM A37-00577AH PURSUANT TO APPROVED TRANSFER 3648. DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO 180 ACRE FEET ANNUALLY. TOTAL COMPUMPTIVE VOLUME IS LIMITED TO 150 ACRE FEET.

TF, 10/17/95: CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 3776:

1. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

2. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

3. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.

4. DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO 180 ACRE FEET ANNUALLY.

5. TOTAL CONSUMPTIVE VOLUME IS LIMITED TO 150 ACRE FEET.

6. MEASURING DEVICES OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE INSTALLED AND MAINTAINED AT EACH POINT OF DIVERSION.

DIVERSION AND CONSUMPTIVE VOLUMES ADDED 12/5/95 TF.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBRETHSEN

Decree Plaintiff

WOOD RIVER LAND CO.

vs

Decree Defendant

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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AMENDED

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

AMENDED

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Address: 300 S 4TH ST STE 200
LAS VEGAS NV 89101
OR
Name: DBA RIVER GROVE FARM 208-622-4987
Address: C/O E PARRY THOMAS
PO BOX 642
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2. Date of Priority: MAR 24, 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 of	Lot	County
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03N	18E	32		SE	SW		BLAINE
5. Description of diverting works:
TWO HEADGATES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	1.200		
RECREATION	01/01	12/31	1.200		
AESTHETIC	01/01	12/31	1.200		
7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
H/ 1 EARTH POND F/ AVAILABLE WATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	5	SE	NE		FISH	
			SE	NE		REC	
			SE	NE		AES	
			NE	SE		FISH	
			NE	SE		REC	
			NE	SE		AES	

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:

14. Remarks:

CLAIM WAS SPLIT FROM A37-00577AH PURSUANT TO APPROVED TRANSFER 3648. DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO 180 ACRE FEET ANNUALLY. TOTAL COMPUMPTIVE VOLUME IS LIMITED TO 150 ACRE FEET.

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15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBRETHSEN

Decree Plaintiff

WOOD RIVER LAND CO.

vs Decree Defendant

- BLAINE COUNTY

IDAHO

RECEIVED

MAR - 1 1991

Department of Water Resources
Southern Region Office



- Survey Point Found
- Brass Cap Found
- 3/8" X 30" Rebar Set
- └ Lot Corner
- Floodway
- R.R. Floodplain

NOTES

1. No signs shall be placed outside of a building envelope.
2. Temporary cut-de-ice shall be abandoned upon completion of a proper access to State Highway through land to the north.
3. Wherever possible natural drainage ways should not be diverted.
4. Fences shall not extend into Roadway, nor shall the river be controlled in any manner.
5. A 15 foot easement and Fishermen easement is dedicated along the easterly bank of the Big Wood River. Said easement shall shift with the river bank if the river changes its location.
6. Parts of this subdivision are subject to flood hazard.
7. Private driveway off State Highway 13 to be abandoned when Aspen Lakes Drive is completed.

Prepared by
PHILIP F. PUGHNER
Consulting Engineer
Ketchum, Idaho
January, 1979

LIMITED POWER OF ATTORNEY

DATE OF EXECUTION August 30, 1989 DATE OF EXPIRATION: August 15, 1991

Peter M. Thomas and Thomas A. Thomas, Co-Trustees of the Peter Trust, residing at 300 South Fourth Street, Suite #200, Las Vegas, Nevada 89101, hereby do constitute and appoint CHARLES E. BROCKWAY, residing at 706 Sunrise Blvd. North, Twin Falls, Idaho 83301, our attorney in fact, and in our name and place to:

Effect any and all matters, including but not limited to, execution of documents regarding water rights at the River Grove Farm, Haily, Idaho, including any and all lots owned or controlled by grantors individually or jointly with others in the Flying Heart Subdivision and/or River Grove Subdivision and for no other purpose.

Given at Las Vegas, Nevada the day and year first above written.
(City and State)

WITNESSES:

Agnes M. Knobloch
Linda M. LeKatz

Peter M. Thomas
Peter M. Thomas, Co-Trustee
Thomas A. Thomas
Thomas A. Thomas, Co-Trustee

STATE OF NEVADA)
) SS
COUNTY OF CLARK)

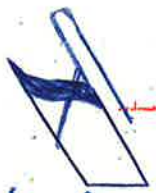
Before me a Notary Public, in and for said County and State, personally appeared PETER M. THOMAS AND THOMAS A. THOMAS, Co-Trustees of the Peter Trust, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

In testimony whereof, I have hereunto subscribed my name at Las Vegas,
Nevada, this 30th day of August, 1989.



Appointment Expires Mar. 30, 1991

Karen A. Gigar
NOTARY PUBLIC



FRI APR 24 10:00AM

River Grove Farm

37-577CH Obj Big Wood Canal

Transfer should be ~~for~~ rescinded for failure
to comply with Cond.

Measurement should be installed @ outlet
Vol & Meas. should be required annually

Rec based upon T- 3776 approved 1-25-94

RECEIVED

NOV 26 2008

DEPARTMENT OF
WATER RESOURCES

**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

Case No. 39576

A. Subcase No. 37-577CH

STANDARD FORM 1

AMENDED OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING:

Tom O'Gara
John F. Stevenson
Bill Molyneux
Pete Van Der Meulen
Grace Eakin
Rocky Sherbine
Gerald Bashaw
Pepin Corso-Harris
c/o Concerned Water Users
P.O. Box 1200
Bellevue, ID 83313

Big Wood Canal Company
112 South Apple Street
Shoshone, ID 83352

Name and Address of Attorney, if any:

Albert P. Barker
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701
Telephone: (208) 336-0700
Attorney for O'Gara, Stevenson,
Molyneux, Van Der Meulen, Eakin,
Sherbine & Bashaw

Craig Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330
Telephone: (208) 934-4420
Attorney for Big Wood Canal Company

C. **CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT:**

Name: River Grove Farm (Perry Thomas)
Address: P. O. Box 642, Sun Valley, ID 83353

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate boxes):

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☒ **Quantity**
Should be:
4. ☒ **Priority Date**
Should be: See "E" below.
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Beginning and Ending Point**
Should be:
7. ☒ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be:
10. ☐ **I object because:**

☐ This water right should not exist
☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

- Transfer should be rescinded for failure to comply with conditions of transfer including measuring.
- Measurement should be installed at pond outlet.
- Volume measurement should be required annually.

Tom O'Gara
John F. Stevenson
Bill Molyneux
Pete Van Der Meulen
Grace Eakin
Rocky Sherbine
Gerald Bashaw
Pepin Corso-Harris

Big Wood Canal Company

By: _____

Albert P. Barker, Attorney

By: _____

Craig Hobdey, Attorney

F.

VERIFICATION

State of IDAHO)
) ss.
County of Ada)

_____Albert P. Barker_____, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting, and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

(Attorney signing in representative capacity)

In Re SRBA
Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER RIGHT

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

OBJECTORS:

Craig D. Hobdey **Date**
Attorney for Big Wood Canal Company

Albert P. Barker **Date**
Attorney for Tom O'Gara, John F.
Stevenson, Bill Molyneux, Pete Van Der
Meulen, Grace Eakin, Gerald Bashaw, and
Pepin Corso-Harris

IDWR CONCURRENCE:

Kelly K Christensen 6-15-11
Kelly K. Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

03/28/2011

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

RIGHT NUMBER: 37-577CH

NAME AND ADDRESS: RIVER GROVE FARM
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353

~~PETER M THOMAS TRUST~~
~~300 S 4TH ST STE 200~~
~~LAS VEGAS NV 89101~~

PETER TRUST LP
PO BOX 642
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.200 CFS
180.00 AFY

Total consumptive volume is limited to 150 acre feet annually.

KKC

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T02N R18E S5 NENW Lot 3 Within BLAINE County
T03N R18E S32 SESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	1.200 CFS
RECREATION	01/01 12/31	1.200 CFS
AESTHETIC	01/01 12/31	1.200 CFS

PLACE OF USE: FISH PROPAGATION in BLAINE County

T02N R18E S05 SENE T02N R18E S05 NESE

RECREATION same as FISH PROPAGATION
AESTHETIC same as FISH PROPAGATION

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

Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.

Failure of the right holder to comply with the conditions of this transfer 3776 is cause for the Director to rescind approval of the transfer.

Use of water under this 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: 37-577CH

NAME AND ADDRESS: RIVER GROVE FARM
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353

PETER M THOMAS TRUST
300 S 4TH ST STE 200
LAS VEGAS NV 89101

VERIFIED BY *KKC*
6-1-11

*no change from
Director's Report
for body
of rec.*

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.200 CFS
180.00 AFY

Total consumptive volume is limited to 150 acre f

*Sent to S.D.
6-1-11*

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T02N R18E S5 NENW Lot 3 Within BLAINE County
T03N R18E S32 SESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
FISH PROPAGATION	01/01 12/31	1.200 CFS
RECREATION	01/01 12/31	1.200 CFS
AESTHETIC	01/01 12/31	1.200 CFS

PLACE OF USE: FISH PROPAGATION in BLAINE County

T02N R18E S05 SENE T02N R18E S05 NESE

RECREATION same as FISH PROPAGATION
AESTHETIC same as FISH PROPAGATION

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

Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.

Failure of the right holder to comply with the conditions of ~~this transfer~~ 3776 is cause for the Director to rescind approval of the transfer.

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

*update to
remarks*

02/20/2007

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

Director's Report

RIGHT NUMBER: 37-577CH

NAME AND ADDRESS: RIVER GROVE FARM
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353

PETER M THOMAS TRUST
300 S 4TH ST STE 200
LAS VEGAS NV 89101

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.200 CFS
180.00 AFY

Total consumptive volume is limited to 150 acre feet annually.

PRIORITY DATE: 03/24/1883

POINT OF

DIVERSION: T02N R18E S5 NENW Lot 3 Within BLAINE County

T03N R18E S32 SESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	1.200 CFS
RECREATION	01/01 12/31	1.200 CFS
AESTHETIC	01/01 12/31	1.200 CFS

PLACE OF USE: FISH PROPAGATION in BLAINE County

T02N R18E S05 SENE T02N R18E S05 NESE

RECREATION same as FISH PROPAGATION

AESTHETIC same as FISH PROPAGATION

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

Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

37-577CH ANALYSIS

T-3648 approved July 12, 1990

Changed 1.20 cfs of an irrigation right to fish propagation, recreation and aesthetic uses to be used in 2N, 18E, Sec 5 NESE and SENE. The point of diversion was in 3N, 18E Sec 32 NESESW. The transfer was filed by Peter Thomas Trust.

T-3776 application was filed in October of 1990

The transfer was filed to add a point of diversion to the system and keep the same POU. The uses stay the same. The points of diversion were identified as Aspen 27 and Aspen 27A. The source is directly from the Big Wood River.

There is a pond in Sec 5 NESE covered by 37-4420 (a storage right with the Big Wood as the source – indirect type source).

Sale of water right Dec 6, 1991

Peter Thomas sells right to Bruce Willis and apparently the department was not notified.

T-3776 approved Jan 25, 1994

Notification of sale Oct 23, 1996

Probably the first time that the department was notified of the sale. The warranty deed was part of an application for permit submitted by Brockway Engineering on behalf of Bruce Willis. The application was not in acceptable format and was ultimately returned to Brockway Engineering.

Based upon currently available information it does not appear that there was ever any fish propagation use that conforms to the definition of a commercial operation, rather, it appears to be associated with a "recreation fishing" pond use. Information attached to 37-4420 (and possibly 37-8249) indicate that the recreation use included "recreational fishing".

I do not believe that this right was ever perfected as identified in either transfer. I had given some thought that T-3776 should be rescinded based upon recent department policy as associated with T-74776. In that transfer the transfer applicant sold the right after filing the application but before the approval. The department rescinded that transfer as the applicant did not provide timely information regarding the right. The activity associated with that transfer was within a much tighter time frame though. Also the second transfer only added a second point of diversion so if it were rescinded the right would still be associated with the Peter Thomas pond.

Prepared - 7-6-2010

37-11828 Flying Heart Ranch

37-7767 Flying Heart Ranch

37-577CH River Grove Farm

37-22255 Peter Trust LP

37-4420 Peter Trust LP
Surface water storage

37-8249 Peter Trust LP
Ground water storage

37-22256 Oliver Family Trust



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-30013

WATER RIGHT NUMBER: 37-30013

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PETER M THOMAS TRUST 2300 W SAHARA BOX 1 LAS VEGAS, NV 89102
Present Owner	WALTER BRUCE WILLIS C/O EDWARD SIMON ESQ SIMON & DONAHOE PO BOX 540 KETCHUM, ID 83340 (208)726-2200

Priority Date: 03/24/1883

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>
AESTHETIC	1/01	12/31	1.200 CFS	
FISH PROPAGATION	1/01	12/31	1.200 CFS	
RECREATION	1/01	12/31	1.200 CFS	
<u>Total Diversion:</u>			1.200 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NE1/4NW1/4	Sec. 5, Twp 02N, Rge 18E, B.M.
BIG WOOD RIVER	SE1/4SW1/4	Sec. 32, Twp 03N, Rge 18E, B.M.

Place of Use

FISH PROPAGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
02N	18E	5	X				

AESTHETIC same as FISH PROPAGATION
RECREATION same as FISH PROPAGATION

Conditions of Approval:

1. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
3. Diversion of water under this right is limited to 180 acre feet annually.
Total consumptive volume is limited to 150 acre feet.
Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Comments:

1. BALDWIN 10/29/1993 TRANSFER NO. 3648
Comment: Trans. #3648 was filed to change the nature of use.
2. SKAGGS 1/11/1994 TRANSFER NO. 3776
Comment: Trans. #3776 was filed to add a point of diversion.
3. SCURTIS 10/15/1996 PREVIOUS NUMBER
Comment: This right was previously numbered 37-00577AH (part).

MEMORANDUM

TO: Bruce Willis Transfer File (water right 37-00577 Part)
FROM: Corey Skinner¹⁵
DATE: October 22, 1996
SUBJECT: Staff Review

Backfile 37-30013
Pgs 43 → 45

The enclosed transfer application, filed by Brockway Engineering for Bruce Willis, seeks to change the point of diversion, delete a point of diversion, change the place of use, and change the nature of use of a portion of the W.T. Riley right (37-00577) that Mr. Willis owns.

Mr. Willis obtained his portion of the Riley right from the Peter Trust, evident through the enclosed bill of sale signed by Peter Thomas (December 6, 1991). The bill of sale refers to water right 37-00577AH, which at one time was for 1.58 cfs. However, prior to the December 6, 1991 transaction, the Peter Trust filed two separate transfer applications (both eventually approved by the department) for this particular portion (37-00577AH) of the Riley right.

The first transfer (#3648 approved in 1990) was based on 37-00577AH for 1.58 cfs out of the Moore #21 diversion. Transfer #3648 split off 1.20 cfs and changed the diversion point (to Aspen 27-A? headgate) and place of use for this 1.20 cfs to a few miles down river to land near Flying Heart Subdivision. However, even though this transfer resulted in a split of the base right (37-00577AH) a copy of the approved transfer application lists the 1.20 cfs portion as 37-00577AH.

The second transfer (#3776 filed in 1990, approved in 1994) added a diversion point to the 1.20 cfs portion (apparently incorrectly identified as 37-00577AH) with no further splitting of the water right occurring. A copy of the transfer #3776 application lists the 1.20 cfs portion as 37-00577AH. However, the #3776 transfer approval document identifies the 1.20 cfs portion as water right number 37-00577BT. Mr. Willis obtained this particular 1.20 cfs portion of the W.T. Riley right (37-00577??).

A search through the current department records reveal that Mr. Willis' portion of the W.T. Riley right is represented by SRBA claim A37-00577CH and allocations record 37-30013. The enclosed transfer application seeks to properly record how Mr. Willis has been using this particular water right since he obtained it from the Peter Trust back in 1991.

Mr. Willis has diverted his portion of the W.T. Riley right out of the #27 Aspen headgate located in the SENENW $\frac{1}{4}$ of Section 5,

T # 4988

Page 2
Bruce Willis Transfer Memo
10/22/96

Township 02 North, Range 18 East. However, due to transfers #3648 and #3776, department records indicate that Mr. Willis' water right is diverted out of two headgates, the #27 Aspen and the #27A Aspen. Apparently the #27A Aspen headgate was never built and does not exist. The enclosed transfer application seeks to change the recording of the point of diversion of Mr. Willis' water right by removing the #27A Aspen headgate as a listed point of diversion.

The enclosed transfer application also seeks to properly record where and how Mr. Willis has been using his portion of the W.T. Riley right. The place of use for Mr. Willis' water right is currently recorded as the SENE $\frac{1}{4}$ and the NESE $\frac{1}{4}$ of Section 5 (T02N, R18E). This was the place of use originally proposed by transfer #3648 back when the Peter Trust owned the right. However, after Mr. Willis purchased the right, he began using the water right on his property in a series of recreational and aesthetic ponds and ditches. The enclosed transfer proposes a change in the place of use of the water right to Mr. Willis' current system (located in NWNE $\frac{1}{4}$, SWNE $\frac{1}{4}$, and SENE $\frac{1}{4}$ of Section 5, Township 02 North, Range 18 East). In addition, a change in nature of use is proposed due to the removal of fish propagation from the recording of the water right. Mr. Willis proposes to only use his water right for recreational and aesthetic purposes.

Mr. Willis also owns most of water rights 37-00557, 37-00558, and 37-00559 and uses them in the same system involved with the enclosed transfer. These three rights are currently recorded as irrigation rights, but the water is actually used in the recreational and aesthetic pond and ditch system discussed in the proceeding paragraph. Additional transfer applications have been filed to properly record the use(s) of these three rights. However, legal ownership questions exist on these three rights and the processing of these additional applications can not be completed until the ownership issue(s) are cleared up. These three rights are the only overlapping rights involved with the enclosed transfer and should not cause any problems.

Other than the somewhat confusing history of the involved water right, the enclosed transfer application should be pretty straightforward. Approval of the enclosed transfer should not cause any problems and should help to clean up and properly record Mr. Willis' portion of the W.T. Riley right.

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS that the PETER TRUST, in consideration of the sum of TWELVE THOUSAND DOLLARS (\$12,000.00), in hand paid, by BRUCE WILLIS, the receipt of which is hereby acknowledged, have granted, bargained, sold, conveyed, transferred, and delivered and by these presents to bargain, sell, grant, convey, transfer, and deliver unto BRUCE WILLIS, those non-consumptive water rights as set forth in Right No. 37-00577AH, with all rights appurtenant thereto.

To have and to hold the same unto BRUCE WILLIS, his executors, administrators, and assigns, forever;

I do for myself, my executors, administrators, and assigns, covenant and agree to warrant exclusive right and title to said water right hereby sold unto BRUCE WILLIS, his executors, administrators, and assigns, against all and every person and persons whomsoever;

I do for myself, my executors, administrators and assigns, warrant and represent to BRUCE WILLIS that the Title conveyed is good, its transfer is rightful; and that said water has been, or shall be, delivered from any security interest or other lien or encumbrance thereon.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 6th day of December, 1991.

PETER TRUST

By: [Signature]
Notary Public

STATE OF IDAHO)

County of Blaine)

ss.

On this the 6th day of December, 1991, before me the undersigned Notary Public, personally appeared Peter Thomas, being first duly sworn and known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he/she executed the same for the purpose contained therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

[Signature]
Notary Public for Idaho

Residing at: Ketchikan, Alaska

T #4988

01/18/2007

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

RIGHT NUMBER: 37-577CH

NAME AND ADDRESS: RIVER GROVE FARM
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353

PETER M THOMAS TRUST
300 S 4TH ST STE 200
LAS VEGAS NV 89101

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.200 CFS
180.000 AFY

Total consumptive volume is limited to 150 acre feet annually.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T02N R18E S5 NENW Lot 3 Within BLAINE County

T03N R18E S32 SESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	1.200 CFS
RECREATION	01/01 12/31	1.200 CFS
AESTHETIC	01/01 12/31	1.200 CFS

PLACE OF USE: FISH PROPAGATION in BLAINE County

T02N R18E S05 SENE T02N R18E S05 NESE

RECREATION same as FISH PROPAGATION
AESTHETIC same as FISH PROPAGATION

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



Idaho Department of Water Resources

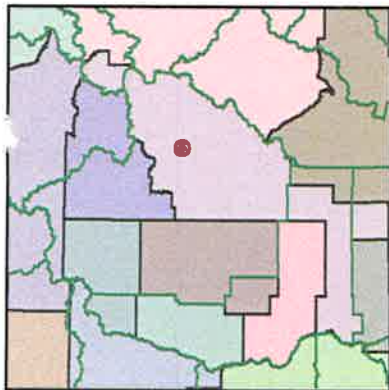
SRBA Recommendation:

37-577CH

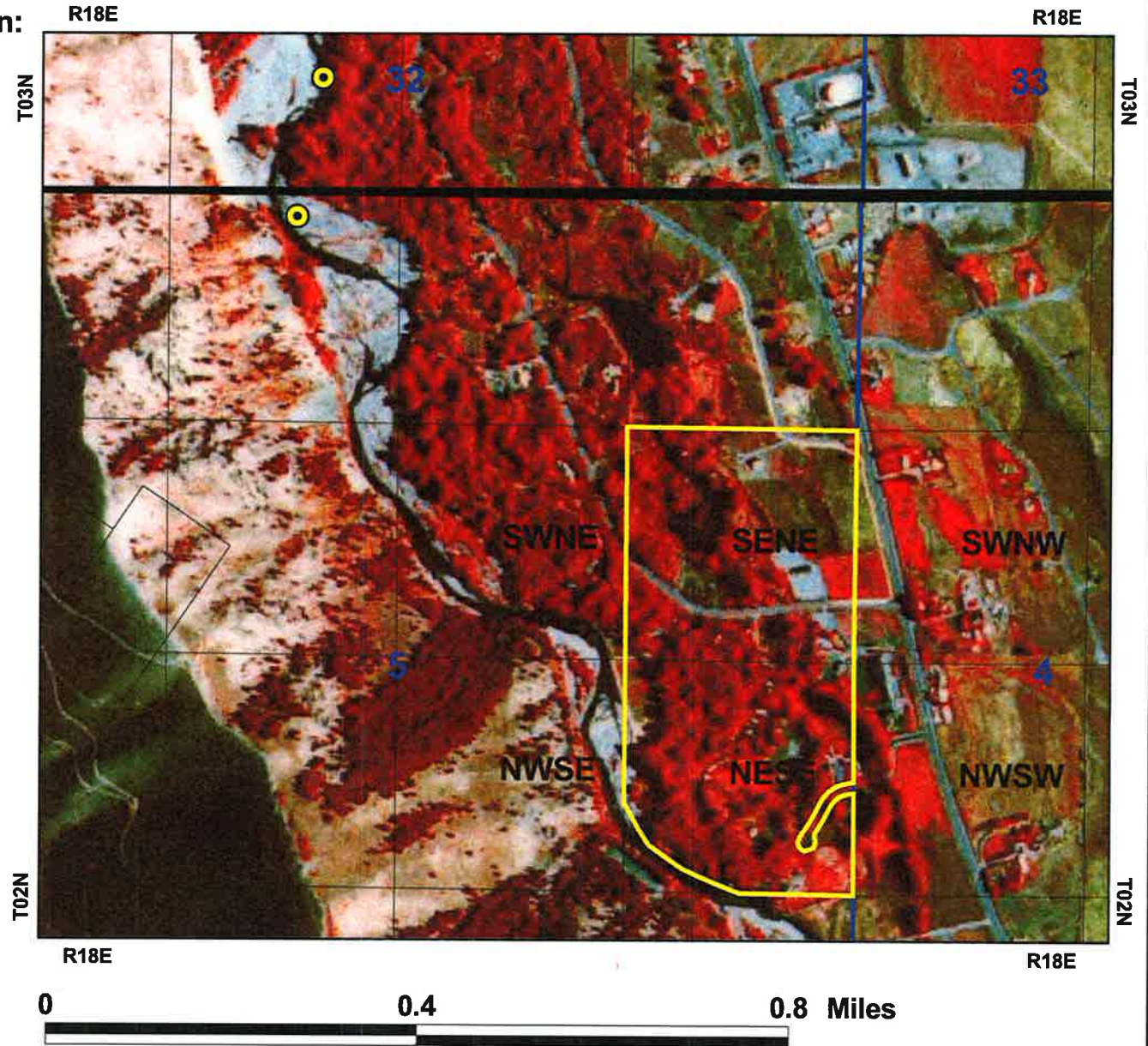
(Fish Propagation)

Legend

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

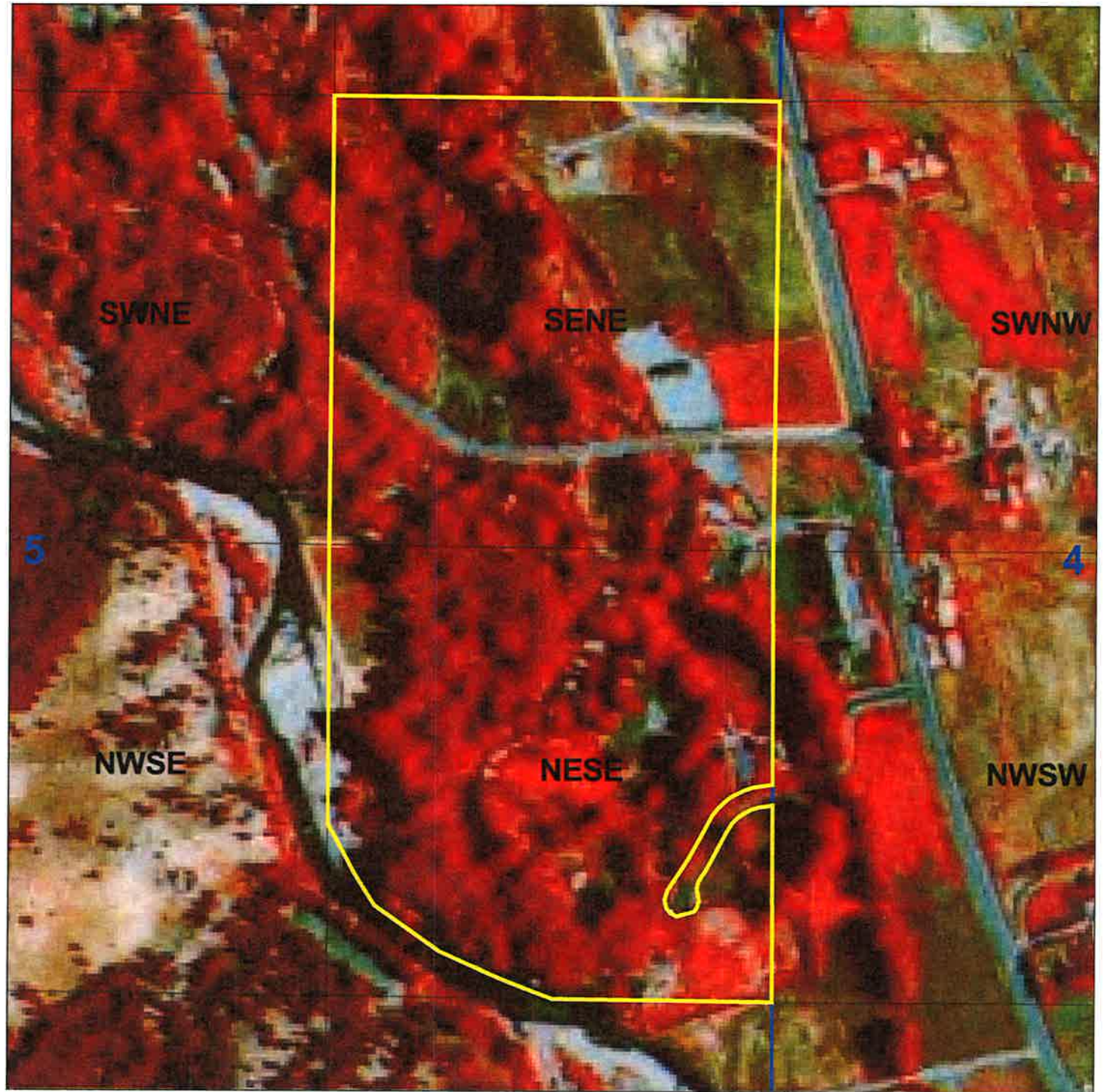


Blaine County
IDWR Basin 37



Prepared by C. Saxton
On Thursday, January 18, 2007
1987/88 Aerial Photography

37-577CH



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-577CH V1

WATER RIGHT NUMBER: 37-577CH V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	KENNETH L MOORE 106 RIVER BEND LN PO BOX 678 KETCHUM, ID 83340 (208)788-4848
Original Owner	ROSEMARY A MOORE 106 RIVER BEND LN PO BOX 678 KETCHUM, ID 83340 (208)788-4848
Current Owner	RIVER GROVE FARM C/O E PARRY THOMAS PO BOX 642 SUN VALLEY, ID 83353
Trustee	PETER M THOMAS 300 S 4TH ST STE 200 LAS VEGAS, NV 89101
Trustee	THOMAS A THOMAS 300 S 4TH ST STE 200 LAS VEGAS, NV 89101
Original Owner	KENNETH L MOORE 18182 BEL AIR CORONA, CA 91719 (714)737-4717
Current Owner	PETER M THOMAS TRUST 300 S 4TH ST STE 200 LAS VEGAS, NV 89101
Representative	CHARLES E BROCKWAY 2016 N WASHINGTON ST #4 TWIN FALLS, ID 83301 (208)736-8543

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
FISH PROPAGATION	01/01 to 12/31	1.200 CFS	
RECREATION	01/01 to 12/31	1.200 CFS	
AESTHETIC	01/01 to 12/31	1.200 CFS	
	<u>Total Diversion:</u>	1.200 CFS	180.00 AF

Location of Point(s) of DiversionBIG WOOD RIVER
BLAINE County

L3 (NE1/4NW1/4)

Sec. 5, Twp 02N, Rge 18E, B.M.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-577CH V1

BIG WOOD RIVER
BLAINE County

SE1/4SW1/4

Sec. 32, Twp 03N, Rge 18E, B.M.

Place of Use

FISH PROPAGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	5				X									X				

RECREATION same as FISH PROPAGATIONAESTHETIC same as FISH PROPAGATIONConditions of Approval:

1. Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. R05 Use of water under this right will be regulated by the watermaster of State Water District No. 37.
5. Total consumptive volume is limited to 150 acre feet annually.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-577CH V1

Comments:

1. csaxton 1/18/2007 TR 3776
Comment: Recommended per TR 3776

2. csaxton 1/18/2007 From Claim (1)
Comment: CLAIM WAS SPLIT FROM A37-00577AH PURSUANT TO APPROVED TRANSFER 3648. DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO 180 ACRE FEET ANNUALLY. TOTAL COMPUMPTIVE VOLUME IS LIMITED TO 150 ACRE FEET.
***** TF, 10/17/95: CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 3776: 1. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
2. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.
3. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.
4. DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO 180 ACRE FEET ANNUALLY.
5. TOTAL CONSUMPTIVE VOLUME IS LIMITED TO 150 ACRE FEET.
6. MEASURING DEVICES OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE INSTALLED AND MAINTAINED AT EACH POINT OF DIVERSION.
***** DIVERSION AND CONSUMPTIVE VOLUMES ADDED 12/5/95 TF.

3. csaxton 1/18/2007 Ownership
Comment: 37-30013 appears to be a record on the water right database that is the same as 37-577CH in the SRBA. There is no SRBA claim filed for 37-30013, but the elements of 37-30013 are recommended under SRBA recommendation 37-577CH.

4. csaxton 1/18/2007 Numbering
Comment: It appears that water right record 37-30013 was claimed as 67-577CH in the SRBA.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
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:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/18/2007 12:50:15 PM	csaxton			Active
Summary			01/18/2007	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-577CH V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	1/18/2007 1:04:18 PM	csaxton	Updated PLS for Active POU
POU	1/18/2007 1:04:10 PM	csaxton	Updated shape for Active POU
POD	1/18/2007 1:01:37 PM	csaxton	Updated shape
Summary	1/18/2007 1:23:18 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	1/18/2007 12:50:30 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Recommended per TR 3776
POD	1/18/2007 1:02:09 PM	csaxton	Updated shape
POD	1/18/2007 1:02:19 PM	csaxton	Updated PLS
POD	1/18/2007 1:01:47 PM	csaxton	Updated PLS
Summary	11/3/2006 4:54:53 PM	CFRITSCH	Bulk Copy

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-30013

WATER RIGHT NUMBER: 37-30013

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RIVER GROVE FARM , ID
Trustee	PETER M THOMAS , ID
Current Owner	PETER M THOMAS TRUST 2300 W SAHARA BOX 1 LAS VEGAS, NV 89102
Trustee	THOMAS A THOMAS , ID
Original Owner	W T RILEY , ID
Present Owner	WALTER BRUCE WILLIS C/O EDWARD SIMON ESQ SIMON & DONAHOE PO BOX 540 KETCHUM, ID 83340 (208)726-2200

Priority Date: 03/24/1883

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>
AESTHETIC	1/01 to 12/31	1.200 CFS	
FISH PROPAGATION	1/01 to 12/31	1.200 CFS	
RECREATION	1/01 to 12/31	1.200 CFS	
	<u>Total Diversion:</u>	1.200 CFS	

<u>Location of Point(s) of Diversion</u>				
BIG WOOD RIVER BLAINE County	NE1/4NW1/4	Sec. 5,	Twp 02N,	Rge 18E, B.M.
BIG WOOD RIVER BLAINE County	SE1/4SW1/4	Sec. 32,	Twp 03N,	Rge 18E, B.M.

Place of Use
FISH PROPAGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-30013

02N 18E 5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
				X									X				

AESTHETIC same as FISH PROPAGATIONRECREATION same as FISH PROPAGATIONConditions of Approval:

1. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
3. Diversion of water under this right is limited to 180 acre feet annually.
Total consumptive volume is limited to 150 acre feet.
Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:Comments:

1. BALDWIN 10/29/1993 TRANSFER NO. 3648
Comment: Trans. #3648 was filed to change the nature of use.
2. SKAGGS 1/11/1994 TRANSFER NO. 3776
Comment: Trans. #3776 was filed to add a point of diversion.
3. SCURTIS 10/15/1996 PREVIOUS NUMBER
Comment: This right was previously numbered 37-00577AH (part).

Water Supply Bank:

MEMORANDUM

TO: A37-00577CH file
FROM: Corey Skinner *CS*
DATE: October 23, 1996
SUBJECT: Ownership Information

Attached is a Bill of Sale from the Peter Trust to Bruce Willis dated December 6th, 1991 for water right 37-00577AH. It appears that this water right corresponds to SRBA claim A37-00577CH. Mr. Willis has filed a transfer application for this particular water right and submitted this Bill of Sale as his proof of ownership. If the transfer application is eventually approved A37-00577CH should appear in Mr. Willis' name. However, if the transfer application is not approved the attached Bill of Sale may be of use in determining the present owner of claim A37-00577CH.

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS that the PETER TRUST, in consideration of the sum of TWELVE THOUSAND DOLLARS (\$12,000.00), in hand paid, by BRUCE WILLIS, the receipt of which is hereby acknowledged, have granted, bargained, sold, conveyed, transferred, and delivered and by these presents to bargain, sell, grant, convey, transfer, and deliver unto BRUCE WILLIS, those non-consumptive water rights as set forth in Right No. 37-00577AH, with all rights appurtenant thereto.

To have and to hold the same unto BRUCE WILLIS, his executors, administrators, and assigns, forever;

I do for myself, my executors, administrators, and assigns, covenant and agree to warrant exclusive right and title to said water right hereby sold unto BRUCE WILLIS, his executors, administrators, and assigns, against all and every person and persons whomsoever;

I do for myself, my executors, administrators and assigns, warrant and represent to BRUCE WILLIS that the Title conveyed is good, its transfer is rightful; and that said water has been, or shall be, delivered from any security interest or other lien or encumbrance thereon.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 6th day of December, 1991.

PETER TRUST

By: *Peter Thomas*
Notary Public

STATE OF IDAHO)
) ss.
County of Blaine)

On this the 6th day of December, 1991, before me the undersigned Notary Public, personally appeared Peter Thomas, being first duly sworn and known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he/she executed the same for the purpose contained therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

[Signature]
Notary Public for Idaho
Residing at: *Ketchikan, Alaska*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 3776
WATER RIGHT NO. 37-00577BT

This is to certify that: **PETER TRUST**
DBA RIVER GROVE FARM
300 S 4TH ST
SUITE 200
LAS VEGAS NV 89101

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
FISH PROPAGATION	01/01 to 12/31	1.20 CFS
RECREATION	01/01 to 12/31	1.20 CFS
AESTHETIC	01/01 to 12/31	1.20 CFS
Totals		1.20 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG WOOD RIVER	MALAD RIVER

Priority: 03/24/1883

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 5, Township 02N, Range 18E
SESW , Sec. 32, Township 03N, Range 18E
BLAINE County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

02N 18E 5 SENE NESE

PLACE OF USE: RECREATION, same as FISH PROPAGATION use

PLACE OF USE: AESTHETIC, same as FISH PROPAGATION use

CONDITIONS/REMARKS:

1. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

*PC Doc 37-30013
Back file
pgs 17-18*
RECORDED

JUN 07 1995
MICROFILMED

NOV 05 1996

TRANSFER NO. 3776
WATER RIGHT NO. 37-00577BT

CONDITIONS/REMARKS:

2. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
4. Diversion of water under this right is limited to 180 acre feet annually.
5. Total consumptive volume is limited to 150 acre feet.
6. Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.

Dated this 25th day of

January, 1994.

J. Allen Saylor

Chief, Water Alloc. Bureau

RECEIVED

JUN 07 1995

MICROFILMED

NOV 05 1996

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4153

3776

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Peter Trust, Peter M. & Thomas A. Thomas, Trustees Phone 208 622-4987
Post Office address 300 South Fourth Street, Suite #200, Las Vegas, NV 89101
dba River Grove Farm, c/o E. Parry Thomas, P.O. Box 642, Sun Valley, ID 83353

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 Applicant needs additional point of diversion to provide alternate route to lands served.

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>37-00577 ^{CB} AM</u> | <u>03-24-1883</u> | <u>1.20 C.F.S.</u> | <u>Fish, recr., aesthetic</u> | <u>1/1 to 12/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 1.20 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Big Wood River tributary to Malad
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	SW	32	3N	18E	Blaine	Aspen 27-A (as designated by Watermaster District 37)
	NE	NE	NW	5	2N	18E	Blaine	Aspen 27

5. Lands irrigated or place of use:
- No change

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	
2N	18E	5				x									x				

Total acres 3776

PART 1**6. General Information:**

a. Description of diversion system The diversion works will consist of two headgates (Aspen 27 and Aspen 27A) with lockable gates and measuring devices acceptable to the Department of Water Resources and also to Water District 37's requirements.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A 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:

N/A

d. Remarks:

Flow returns to Big Wood River at SWNESE Sec5T2NR18E

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 _____

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: CB
 - a. Decree No. 37-0577 AM Part Decreed to W.T. Riley
in case of S.C. Frost vs. Alturas Water Co.
dated December 13, 1909 in 4th Judicial 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. 1743 & 3648 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 Contract of sale
3. Source of water Big Wood River tributary to Malad River
4. Date or priority 03-24-1883
5. Water is used for the following purpose:
amount 1.2 C.F.S. for Fish, recreation, aesthetic purposes from Jan. 1 to Dec. 31
(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 1.2 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	SW	3N	18E	Blaine	Aspen 27A after transfer #3648

8. 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	
2N	18E	5				X									X				

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

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

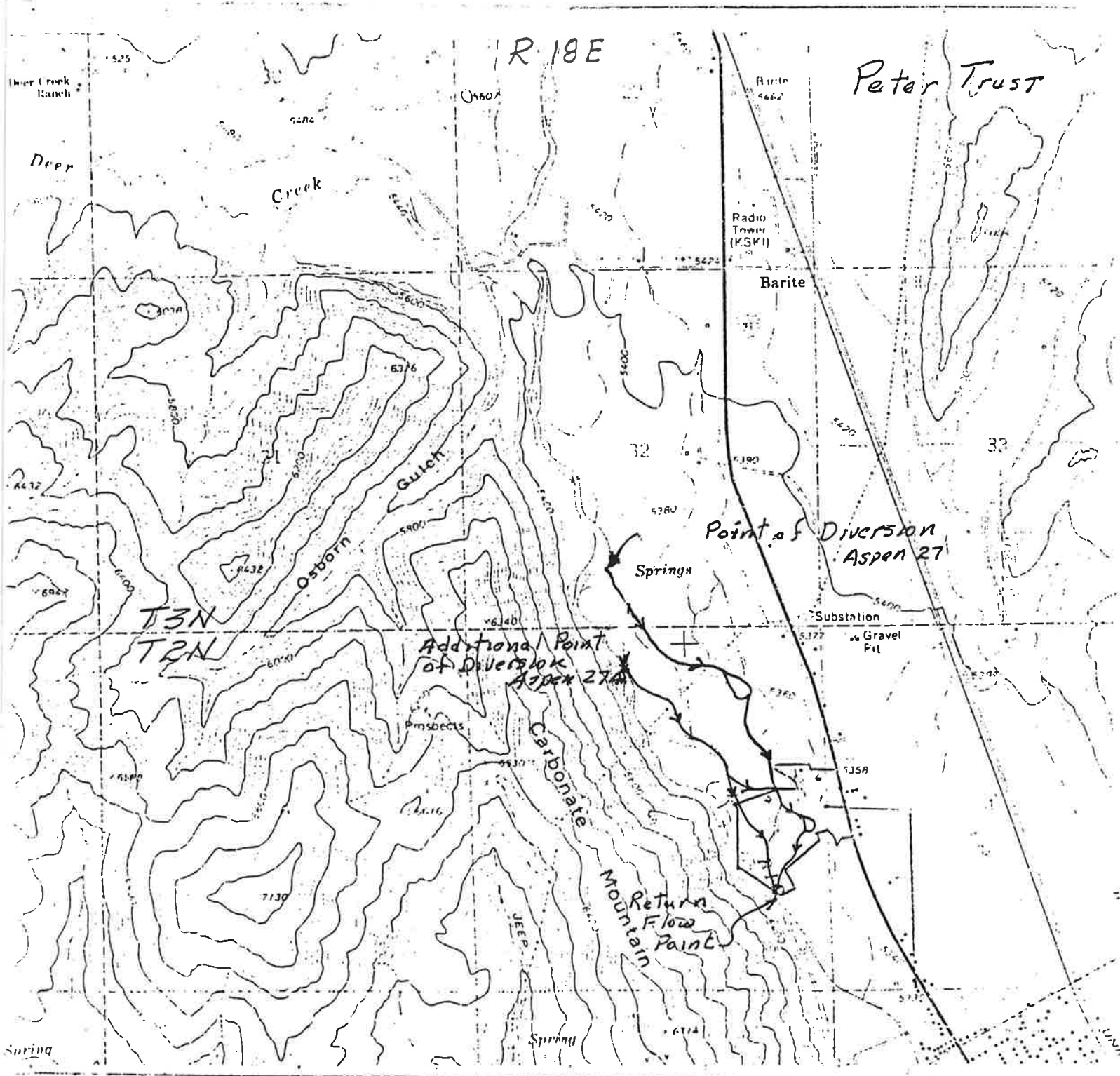
3. Lands irrigated or place of use:

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.



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

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

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ 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.

Chas E Graham

(Signature of Applicant)

Agent - Power of a Horn

Subscribed and sworn to before me this 3rd day of October, 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 M. Baldwin Date 10-3-90 @ 4:58 pm Protest filed by _____

Prelim. check by DRJ Fee 50.00 5012723

Receipted by M. Baldwin Date 10-4-90

Published in Wood River Journal

Pub. dates 11/7 & 11/14/90

Copies of protest forwarded by _____

Watermaster recommendation requested on 10-26-90

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial

_____ rec'd. 11-30-90 by [Signature]

Copy of transfer sent to lien holder _____

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-00577AH

RECEIVED

NOV 30 1990

RECOMMENDATION OF WATERMASTERDepartment of Water Resources
Southern Region Office

I, Reid J Newby, watermaster of Big Wood River,
of Water District No. 37, County of Blaine, State of Idaho,
whose address is Box T Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for _____
A. Thomas
Peter Trust, Peter M. & Thomas, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: None

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Shoshone, Idaho, this 30th day of October 19 90


(signature)

Please use reverse side if needed.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-00577AH

Notice is hereby given that the Peter Trust, dba River Grove Farm of Sun Valley, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right No. 37-00577AH Part

Basis of right: Decreed to W.T. Riley in case of S.C. Frost vs Alturas Water Co. dated 12/13/1909 in 4th Judicial District, Lincoln County; Transfer Nos. 1743 & 3648.

Source: Big Wood River tributary to Malad River

Priority Date: 3/24/1883.

Amount of water: 1.2 cfs

Water use: Fish Propagation, recreation and aesthetic

Point(s) of diversion: NE1/4SE1/4SW1/4, T3N, R18E; (Aspen 27A after transfer #3648); Blaine County.

Place of use: SE1/4NE1/4, NE1/4SE1/4, S5, T2N, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-00577AH Amount: 1.20 cfs

Total amount being transferred: 1.20 cfs

Source: Big Wood River tributary to Malad River

Point of diversion: NE1/4SE1/4SW1/4, S32, T3N, R18E (Aspen 27-A); NE1/4NE1/4NW1/4, S5, T2N, R18E (Aspen 27); Blaine County.

Place of use: SE1/4NE1/4, NE1/4SE1/4, S5, T2N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before November 26, 1990.

R. Keith Higginson, Director

Published in Wood River Journal 11/7 & 11/14/90.

26-Oct-1990

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

26-Oct-1990

PETER TRUST
C/O CHUCK BROCKWAY
706 SUNRISE BLVD NORTH
TWIN FALLS ID 83301

Re: Application for Transfer No. 37-00577AH

Dear Mr. Brockway

The Department of Water Resources acknowledges receipt of the Application for Transfer on behalf of the Peter Trust.

This office will be advertising the application in the Wood River Journal on 11/7 and 11/14/90. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and/or a notarized statement from any lien holder on the property.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineering Specialist

DJ:MB

26-Oct-1990

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

Re: Application for Transfer of Water Right No. 37-00577AH
(PETER TRUST)

Dear Mr. Newby:

Enclosed is a copy of an Application for Transfer of a Water Right within your District, and Watermaster's Recommendation Form.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return it to this office.

Processing of the application can be completed in 20 days, therefore, your prompt response to this request will be appreciated.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineering Specialist

DJ:MB

Enclosures

GRANT, BARGAIN, SALE DEED

THIS INSTRUMENT WITNESSETH: That

ROGER TRUST, JEROME D. MACK, Trustee

in consideration of \$ 10.00

the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to

PETER TRUST, JEROME D. MACK, Trustee

all that real property situate in the
State of Idaho

County of Blaine

bounded and described as follows:

All of Lot 1, RIVER GROVE RANCH SUBDIVISION, BLAINE COUNTY, IDAHO,
according to the amended official plat thereof, recorded in Book 15 of Plats,
page 10, records of Blaine County, Idaho, excepting the following described
parcel:

Commencing at the $\frac{1}{4}$ Section corner common to said Section 4 and Section 5;
thence S $11^{\circ}37'22''$ E. 446.89 feet to the Northeasterly corner of Lot 4,
RIVER GROVE RANCH SUBDIVISION, as shown on the official plat thereof, on
file with the Blaine County Recorder in Hailey, Idaho, and said corner being
the true point of beginning.

Thence S $71^{\circ}45'22''$ W, 284.29 feet along the boundary between said Lot 4
and Lot 1;

Thence N $13^{\circ}06'12''$ W, 140.32 feet;

Thence N $74^{\circ}55'06''$ E. 169.93 feet;

Thence S $56^{\circ}17'39''$ E. 165.57 feet to the true point of beginning.

SUBJECT TO:

General taxes.

Easements and restrictions appearing of record.

The Declaration of Protective Covenants for the RIVER GROVE RANCH SUBDIVISION,
recorded May 31, 1977, as Instrument No. 173934, records of Blaine County,
Idaho. Together with any and all water rights appurtenant thereto.

RECEIVED

MAR - 1 1991

Department of Water Resources
Southern Region Office

SUBJECT TO: 1. Taxes for the fiscal year
2. Rights of way, reservations, restrictions, easements and conditions
of record.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining

Witness my hand this 14th day of May, 1982

ROGER TRUST, JEROME D. MACK, Trustee

STATE OF NEVADA
County of CLARK

On the 14th day of May, 1982

personally appeared before me, a Notary Public in and for said

County and State
Jerome D. Mack

ESCROW NO. _____

WHEN RECORDED MAIL TO: _____

known to me to be the person described to and who executed
the foregoing instrument, who acknowledged to me that he
executed the same freely and voluntarily and for the uses and
purposes therein mentioned.

Belle C. James
OFFICIAL SEAL
BELLE C. JAMES
NOTARY PUBLIC, STATE OF NEVADA
COUNTY OF CLARK

ENTERED & ENTERED ON MARGIN O
FILED & INDEXED 1st PARTY O
COMPARED & INDEXED 2nd PARTY O

FEES \$ 20.00

BY Marie V. Me
EX OFFICIO RECORDER
DEPUTY

OF Marie V. Me

RECORDED IN BOOK 15 ON PAGE 10

AT Hailey, Idaho A.D. 1982

OFFICE AT THE REQUEST OF Jerome D. Mack

MENT WAS FILED FOR RECORD IN MY

I HEREBY CERTIFY THAT THIS INSTRUMENT

COUNTY OF BLAINE } 28

STATE OF IDAHO }

RECEIVED

MAR - 1 1991

Department of Water Resources
Southern Region Office

RIVER GROVE RANCH

SEC. 4 & 5, T2N, R18E, B.M.
BLAINE COUNTY

IDAHO



SCALE: 1" = 200'

LEGEND

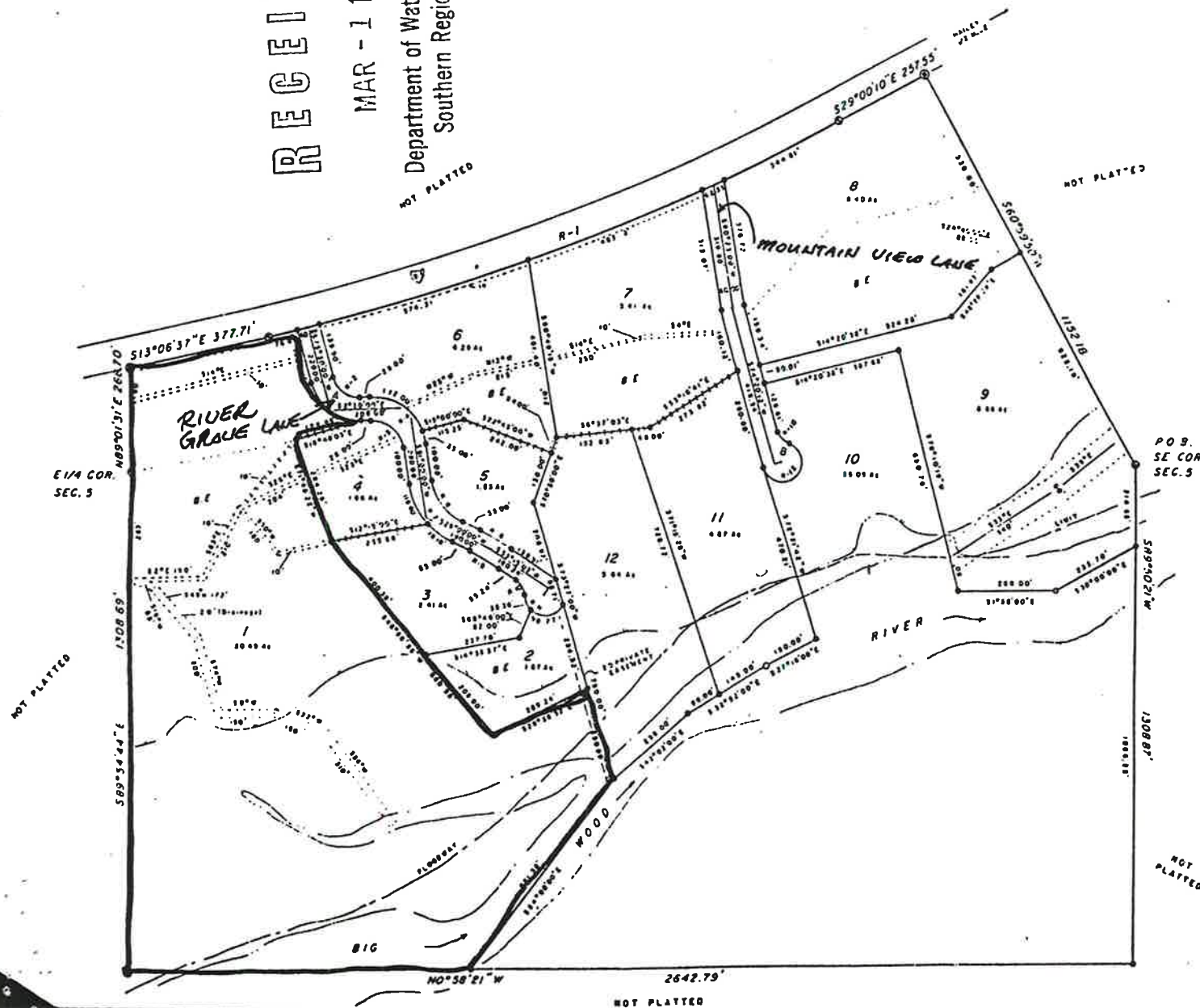
- o Point not set; inaccessible
- 1/2" x 24" Rebar set
- ⊙ 5/8" x 30"
- ⊕ Brass-Cap found
- === Ditch Easement
- 10' Floodplain limit
- B.E. Building Envelope
- A River Grove Lane
- B Mountain View Lane

NOTE: A 10' underground utility easement is granted adjacent to the roads and centered on all side and rear lot lines.

CURVE DATA

CURVE	Δ	R	Cn	Lc
R-1	15° 53' 33"	5772.87'	1596.13'	1601.21'
R-2	78° 00' 00"	68.79'	86.98'	93.62'
R-3	"	128.79'	162.10'	175.32'
R-4	83° 30' 00"	142.04'	189.16'	207.06'
R-5	"	82.04'	109.26'	119.51'
R-6	89° 00' 00"	142.89'	131.96'	137.16'
R-7	"	202.89'	187.57'	194.74'
R-8	7° 15' 03"	740.23'	93.61'	93.68'
R-9	"	680.23'	86.03'	86.08'
R-10	35° 07' 48"	50.00'	44.72'	46.36'
R-11	137° 08' 29"	"	98.02'	137.13'
R-12	233° 01' 48"	"	89.44'	203.44'

Prepared by:
PHILIP F. PUCHNER
Consulting Engineer
Ketchum, Idaho
March, 1977



WARRANTY DEED

For Value Received

E. PARRY THOMAS and PEGGY C. THOMAS, husband and wife

the grantor s. do hereby grant, bargain, sell and convey unto

JEROME D. MACK, TRUSTEE, of THE PETER TRUST DATED DECEMBER 27, 1963

the grantee, whose current address is
P.O. BOX 15427, Las Vegas, NV 89114

the following described premises, in Blaine

County Idaho, to-wit:

Lot 6 of FLYING HEART RANCH SUBDIVISION NO. 1, BLAINE COUNTY, IDAHO, as shown on the official plat thereof, on file in the office of the County Recorder, Blaine County, Idaho.

RECEIVED

MAR - 1 1991

Department of Water Resources
Southern Region Office[RECEIVED]
7/20/86
BEEN EXAMINED & FOUND TO BE
OR AS TO THE EFFECT UPON THE...

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee, that the y the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 2, 1986

E. Parry Thomas
E. PARRY THOMASPeggy C. Thomas
PEGGY C. THOMASSTATE OF IDAHO, COUNTY OF Blaine
On this 8/5 day of Sept. 1986,
before me, a notary public in and for the said State, personally appearedE. Parry Thomas &
Peggy C. Thomasidentified
known to me to be the persons whose name are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Notary Public

STATE OF IDAHO, COUNTY OF

th
at
th
19
of

B:

86 SEP 11 PM 4 35

BLAINE CO.
RECORDED

Just Valley, Inc.

Page 1 of 6
RECEIVED

JUL 18 1990

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 3648

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources

Southern Region Office
Name of applicant Peter Trust, Peter M. & Thomas A. Thomas, Trustees **Phone** 208 622-4987
Post Office address 300 South Fourth Street, Suite #200, Las Vegas, NV 89101
dba River Grove Farm, c/o E. Parry Thomas, P.O. Box 642, Sun Valley, ID 83353

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 Application to different land for fish,
2. Describe the reason for the proposed changes recreation and aesthetic purposes.

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

1. Right Number 37-00577 CB Priority 03-24-1883 Amount (cfs/ac-ft) 1.20 C.F.S. Nature of Use Fish, recr., aesthetic Period of Use 1/1 to 12/31

Part of 37-00577AH

_____ to _____

_____ to _____

_____ to _____

2. Total amount of water being transferred 1.20 cubic feet per second and/or _____ acre-feet per annum

3. Source of water Big Wood River tributary to Malad

4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres _____

37-0577AH

PART 1**6. General Information:**

a. Description of diversion system The diversion works will be a locable gate and measuring device acceptable to the Department of Water Resources and also to Water District 37's requirements.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? no 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:

This is a right that has been changed from consumptive to non-consumptive by a transfer made in 1973 by Kenneth Moore. This right is for fire protection, fish propagation, and other non-consumptive uses. It will be used for fire protection, recreation, and non-commercial fish propagation in existing ponds.

d. Remarks:

Flow returns to Big Wood River at SWNESE Sec 5 T2N R18E.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0577AH

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

Diversion of water under this right is limited to 180 acre-feet annually. Total consumptive volume is limited to 150 acre-feet.

Witness my hand this

12th day of

July

, 19 90

J. Glen Saylor
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: DRJ, 1/25/90
- a. Decree No. 37-0577 AH Decreed to W.T. Riley
in case of S.C. Frost vs. Alturas Water Co.
dated December 13, 1909 in 4th Judicial 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. 1743 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 Contract of sale
3. Source of water Big Wood River tributary to Malad River
4. Date or priority 03-24-1883
5. Water is used for the following purpose:
amount 1.58 C.F.S. for Fish, recreation, aesthetic purposes from Jan. 1 to Dec. 31
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
6. Total amount of water under right 1.58 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	18	3N	18E	Blaine	Moore 21

8. 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	
3N	18E	18	X			X													

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

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 1.20 C.F.S. for Non-consumptive purposes from Jan 1 to Dec 31
 (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
		NE	NE	18	3N	18E	Blaine	Moore 21

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	
3N	18E	18	x			x													

Total acres _____

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

1. amount 0.38 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: No change DRJ 1/25/90

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

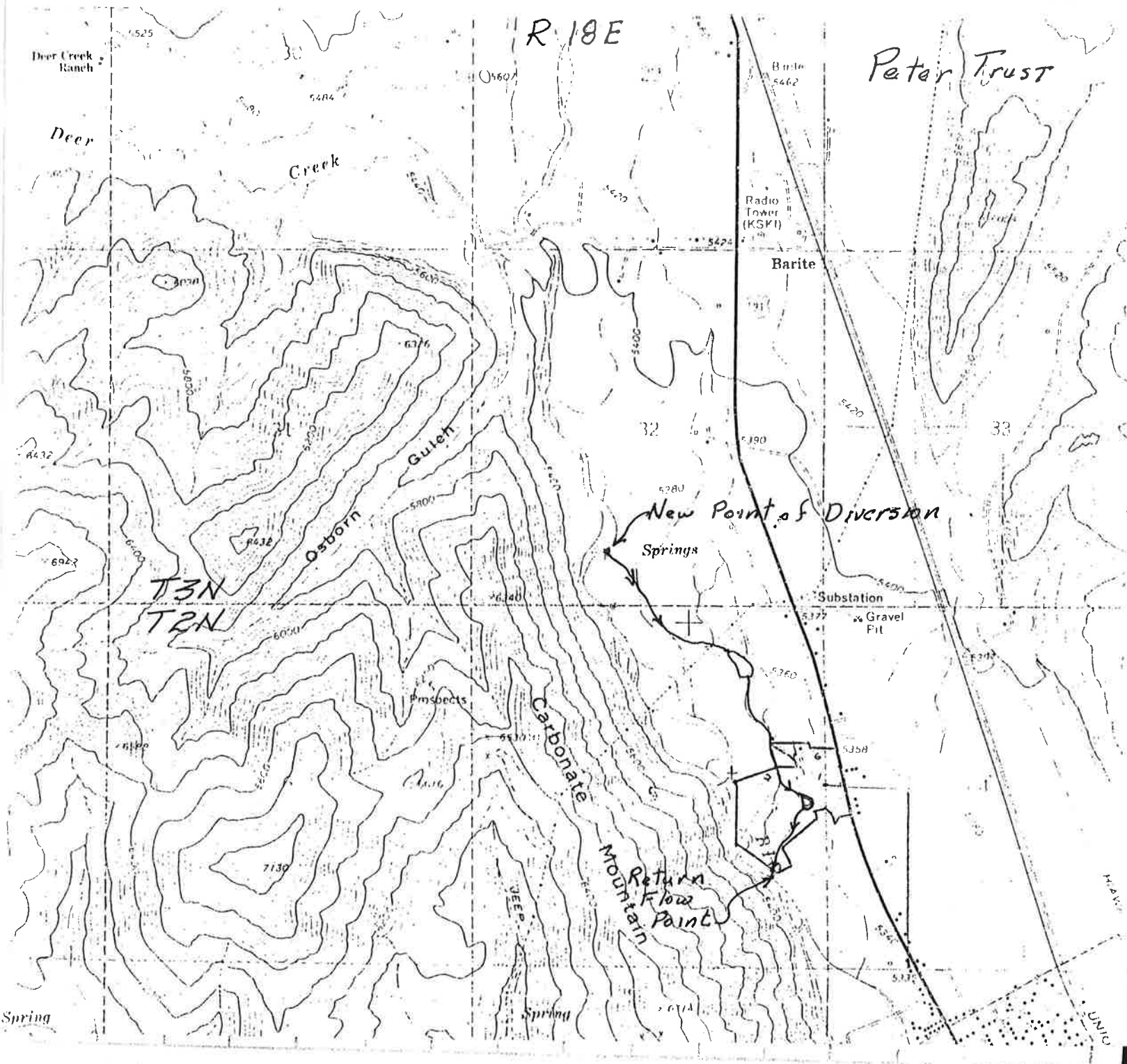
3. Lands irrigated or place of use: No change DRJ 1/25/90

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 _____

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.



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.

Chris E. Brackley (power of attorney)
(Signature of Applicant)

Subscribed and sworn to before me this 24th day of January, 19 90.

[Signature]
(Notary Public)

My commission expires 6/30/94

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by DRJ Date 1/24/90 Protest filed by _____

Prelim. check by _____ Fee \$50 5009187

Receipted by LRP Date 9/15/89

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 2/7 + 2/14/90 Hearing held by _____ Date _____

Watermaster recommendation requested on 1/24/90 Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by Bary S.

Copy of transfer sent to lien holder _____

ACTION REQUIRED

FROM: Jim Stanton

TO: Judy G., SRBA 5-21-93

RE: SRBA Claim A37-00577AH, Kenneth Moore

This claim was filed in 1988 to record Rt. 37-00577AH, which was established by a previous approved transfer. In 1990, Transfer #3648 was approved to split this right into 37-00577CA (0.38 cfs not transferred) and ~~11/37-00577CA~~ 37-00577CB (1.2 cfs transferred). As we discussed, this transfer provides authority to split the SRBA claim also. Please do so. Thx.

JS