

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: A37-00631

Date Received: 11/22/1988

Receipt No: C003521

Received By: CF: OWNER CHANGE

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	JOHN B FERY	208-788-4156
Address:	18433 US HWY 20 BELLEVUE ID	83313
AND/OR		
Name:	DELORES L FERY	208-788-4156
Address:	18433 US HWY 20 BELLEVUE ID	83313
AND/OR		
Name:	WARD W WOODS	208-788-4156
Address:	18433 US HWY 20 BELLEVUE ID	83313
AND/OR		
Name:	MARK T GATES	
Address:	BESSEMER SECURITIES CORP 630 FIFTH AVE NEW YORK NY	10111
AND/OR		
Name:	ELIZABETH W GATES	
Address:	BESSEMER SECURITIES CORP 630 FIFTH AVE NEW YORK NY	10111
AND/OR		
Name:	PRISCILLA B WOODS	208-788-4156
Address:	18433 US HWY 20 BELLEVUE ID	83313

2. Date of Priority: JUN 15, 1887

3. Source: LOVING CREEK Trib. to: SILVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	24	NE	SE	NW		BLAINE

5. Description of diverting works:

GILLIHAN #11 HEADGATE, GILLIHAN DITCH, PUMP FROM DITCH TO LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

7. Total Quantity Appropriated is:

0.700 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 222.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	24	SW	NE		IRR	31.0
			SE	NE		IRR	26.0
			SE	NW		IRR	16.0
			NE	SE		IRR	16.0

Section Acres 89.0

Total Acres 89.0

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:

37-0629, 37-0630A, 37-7799

14. Remarks:

RT. DECREED FROM BUTTE CR. BUT DELIVERED FROM LOVING CR.

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

AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.

CONFORMED MAILING ADDRESS DMS

06/18/99, CHANGED OWNERSHIP: MAGUIRES SOLD THEIR SHARES TO THE

FERYS AND THE WOODS, AS PER FORM 1409(6) AND WARRANTY DEED

RECEIVED 04/18/99. CHANGED ADDRESS AS REQUESTED. C.T.

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

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
APR 16 1999
 Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page
 Incomplete forms will be returned.

1. Water Right Number(s) _____
 Adjudication Claim Number(s) A37-00630A, A37-00631, A37-02686C, A37-07598C, A37-07799, A37-07853, A37-12216, A37-00629

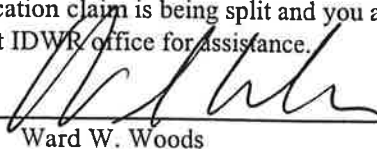
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Robert F. and Susan R. Maguire, III
 Owner/Claimants
355 South Grand Ave., Suite 4500, Los Angeles, California 90071

4. New Owner/Claimant(s) John B. and Delores L. Fery and Ward W. and Priscilla Woods
 Name connector (check one): [] AND, [] OR, ☒ AND/OR
 New Mailing Address 18433 U.S. Highway 20
 City, State and ZIP Code Bellevue, ID 83313
 New Telephone Number (208) 788-4156

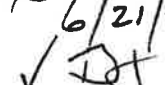
5. Date you acquired the property 1/12/98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New  Date 3/1/99
 Owner/Claimant(s) Ward W. Woods

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

o/c 6/21/99 ct


SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

April 14, 1999

RECEIVED

APR 16 1999

Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

**RE: John B. and Delores L. Fery and Ward W. and Priscilla Woods
Notice of Change of Water Right Ownership**

Dear Allen:

Enclosed you will find a Notice of Change of Water Right Ownership whereby John B. and Delores L. Fery and Ward W. and Priscilla Woods have acquired all the right, title and interest of Robert F. and Susan R. Maguire, III in and to the referenced water rights. You will also find in your records that Mark T. Gates and Elizabeth W. Gates, trustees, are identified as owners of this water right. Mr. and Mrs. Gates did not acquire any of the interest owned by Mr. and Mrs. Maguire. Therefore, they are not reflected in this Notice of Change of Water Right Ownership.

Please call me if you have any questions about this request. If not, kindly send me computer printouts of the SRBA claims reflecting the current ownership and a printout of the amended recommendation for 37-12216.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS:rsd
enclosures
cc: Ward Woods

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James P. Speck
HOGUE, SPECK & AANESTAD, P.A.
120 East Avenue
Post Office Box 987
Ketchum, Idaho 83340
(208) 726-4421

RECEIVED

JAN 14 1998

SPECK & AANESTAD

409719

Deed

BLAINE CO. REQUEST

OF: Speck & Aanestad

'98 JAN 12 AM 11 04

MARY GREEN, CLERK

FEE \$ 2.00

(Space above line for Recorder's use)

WARRANTY DEED

FOR VALUE RECEIVED, ROBERT F. MAGUIRE, III, a married man dealing in his sole and separate property, whose address is c/o Maguire Thomas Partners, 355 South Grand Avenue, Suite 4500, Los Angeles, CA 90071 ("Grantor", whether one or more), hereby grants, bargains, sells and conveys unto JOHN FERY and DELORES L. FERY, husband and wife, and WARD W. WOODS, JR., also known of record as WARD W. WOODS, and PRISCILLA B. WOODS, husband and wife, whose address is c/o Ward W. Woods, Jr., Bessemer Securities, 630 5th Avenue, 39th Floor, New York, NY 10111 ("Grantee", whether one or more), any and all of Grantor's interest as a tenant in common, in and to certain real property, with all improvements thereon and any water rights appurtenant thereto, situated in the County of Blaine, State of Idaho, and described in Exhibit A attached hereto and incorporated herein by this reference;

SUBJECT TO taxes and assessments for the current year, easements and rights-of-way of public record, any liens or encumbrances affecting or created by Grantee or any other person having an ownership interest in such real property.

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances except as above-described, and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed as of the dates set forth below.

"GRANTOR"

DATE: 1/3/98


ROBERT F. MAGUIRE, III

STATE OF CALIFORNIA)

County of Los Angeles)

ss.

On this 3rd day of January 1998, before me the undersigned notary public in and for said state, personally appeared ROBERT F. MAGUIRE, III, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

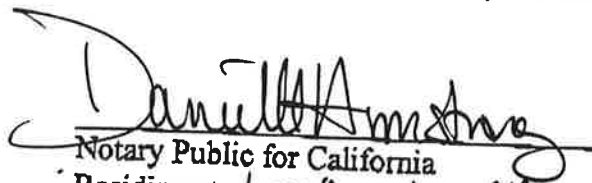

Notary Public for California
Residing at: Los Angeles, CA
Commission Expires: 1/26/01



EXHIBIT A

PARCEL I:

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho

Section 24: $N\frac{1}{2}NW\frac{1}{4}$, EXCEPTING that portion thereof conveyed to State of Idaho for highway right of way described in Warranty Deed recorded February 5, 1969, as Instrument No. 131958, records of Blaine County, Idaho;

$SW\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, and all of the $NW\frac{1}{4}SW\frac{1}{4}$ EXCEPT the $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$.

PARCEL II:

Lot 1, WORTHINGTON SUBDIVISION, Blaine County, Idaho, according to the official plat thereof recorded August 15, 1979, as Instrument No. 195880, records of Blaine County, Idaho, EXCEPT the following two parcels of land:

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho Section 24: A parcel of land located within the $NW\frac{1}{4}NE\frac{1}{4}$ more particularly described as follows:

COMMENCING at a brass cap marking the North one-quarter corner of said Section 24; THENCE South $39^{\circ}46'43''$ East, 43.37 feet to an iron pin which point is on the South boundary of Idaho State Highway No. 20, and which point is the REAL POINT OF BEGINNING; THENCE South $87^{\circ}11'48''$ East, 200.26 feet along said South boundary Highway No. 20 to a highway right-of-way monument; THENCE North $88^{\circ}35'19''$ East, 438.76 feet to a highway right-of-way monument on said South boundary Highway No. 20; THENCE South $89^{\circ}54'31''$ West 638.64 feet along what was erroneously platted as Worthington Subdivision's North boundary to the POINT OF BEGINNING;

AND

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho Section 24: A parcel of land located within the $SE\frac{1}{4}NE\frac{1}{4}$ more particularly described as follows: COMMENCING at the East one-quarter corner of said Section 24, which is witnessed by a brass cap 15.84 feet West; THENCE North $0^{\circ}37'29''$ West, 1124.24 feet along the East side of said Section 24 to an iron pin, which point is on the Southwesterly boundary of Idaho State Highway No. 20 and which point is the REAL POINT OF BEGINNING; THENCE continuing North $0^{\circ}37'29''$ West, 83.33 feet to the Northeast corner of Lot 1, Worthington Subdivision as erroneously platted; THENCE North $37^{\circ}15'59''$ West, 146.20 feet along said Northeasterly boundary of Lot 1, Worthington Subdivision as erroneously platted, to a $\frac{5}{8}$ " rebar by James A. Patterson, P.E.; THENCE North $89^{\circ}39'24''$ West, 62.77 feet along the North boundary of said $SE\frac{1}{4}NE\frac{1}{4}$ Section 24 to an iron pin on the Southwesterly boundary of said Highway No. 20; THENCE South $37^{\circ}15'59''$ East, 251.37 feet along said Southwesterly boundary of said Highway No. 20 to the POINT OF BEGINNING.

RECORDING REQUESTED BY
FIRST AMERICAN TITLE
INSURANCE COMPANY

WHEN RECORDED MAIL TO

NAME

MAILING
ADDRESS

CITY, STATE
ZIP CODE

COX, CASTLE & NICHOLSON LLP
2049 CENTURY PARK EAST,
SUITE 2800
LOS ANGELES, CA 90067
Attn: Robin Bennett

RECEIVED

JAN 14 1998

SPECK & AANESTAD

FEE \$ 6.00

MARY GREEN, CLERK

'98 JAN 12 AM 11 03

BLAINE CO. REQUEST
OF: *Speck & Aanstad*

409718

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

QUITCLAIM DEED
(Loving Creek Ranch)

This is an interspousal transfer involving a transfer to a spouse in connection with a property settlement agreement or decree of dissolution of a marriage and not a change in ownership.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SUSAN R. MAGUIRE ("Grantor"), does hereby convey, release, remise and forever quitclaim unto ROBERT F. MAGUIRE III, whose address is 355 South Grand Ave., Suite 4500, Los Angeles, CA 90071 ("Grantee"), any and all right, title and interest in and to that certain real estate, situated in Blaine County, State of Idaho, described in Exhibit "A" attached hereto and by this reference incorporated herein, together with all after acquired title of the Grantor therein.

December 30th 1997

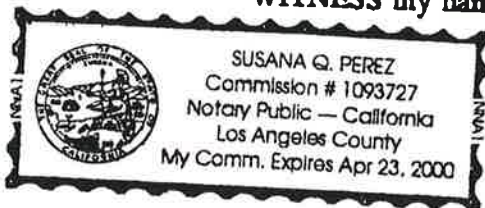

SUSAN R. MAGUIRE

STATE OF CALIFORNIA)

COUNTY OF Los Angeles) ss.

On December 30th 1997, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Susan R. Maguire, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity(ies), and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the within instrument.

WITNESS my hand and official seal.



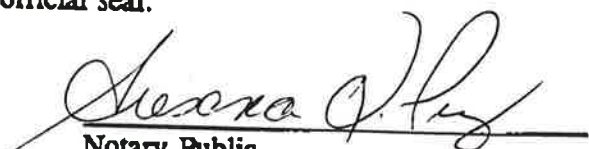

Notary Public

EXHIBIT A

LOVING CREEK RANCH

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF IDAHO, COUNTY OF BLAINE AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, Section 24:

N1/2NW1/4, Excepting that portion thereof conveyed to State of Idaho for highway right-of-way described in Warranty Deed recorded February 5, 1969, as Instrument No. 131958, records of Blaine County, Idaho;

SW1/4NW1/4, NW1/4SE1/4, NE1/4SW1/4, and all of the NW1/4SW1/4 except W1/2SW1/4NW1/4SW1/4.

PARCEL 2:

Lot 1, Worthington Subdivision, Blaine County, Idaho. According to the official plat thereof recorded August 15, 1979, as Instrument No. 195880, records of Blaine County, Idaho.

Together with any and all water rights appurtenant to either of the above-described parcels.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

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: A37-00631
Date Received: 11/22/1988
Receipt No: C003521
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN B. FERY
Address: NEW YORK, NY 10111
AND/OR
Name: ROBERT F. MAGUIRE III
Address: NEW YORK, NY 10111
AND/OR
Name: SUSAN R. MAGUIRE
Address: NEW YORK, NY 10111
AND/OR
Name: PRISCILLA B. WOODS
Address: NEW YORK, NY 10111
AND/OR
Name: ELIZABETH W. GATES
Address: NEW YORK, NY 10111
AND/OR
Name: DELORES L. FERY
Address: NEW YORK, NY 10111
AND/OR
Name: WARD W. WOODS 212-373-4486
Address: BESSEMER SECURITIES CORP.
630 FIFTH AVE.
NEW YORK, NY 10111
AND/OR
Name: MARK T. GATES
Address: NEW YORK, NY 10111

2. Date of Priority: JUN 15, 1887

3. Source: LOVING CREEK Trib. to: SILVER CREEK

A37-00631

Page 1

Date: 08/08/89

MICROFILMED

FEB 23 1993

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	24	NE	SE	NW		BLAINE

5. Description of diverting works:

GILLIHAN #11 HEADGATE, GILLIHAN DITCH, PUMP FROM DITCH TO LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

7. Total Quantity Appropriated is:

0.700 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 222.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	24	SW	NE		IRR	31.0
			SE	NE		IRR	26.0
			SE	NW		IRR	16.0
			NE	SE		IRR	16.0
						Section Acres	89.0
						Total Acres	89.0

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:

37-0629, 37-0630A, 37-7799

14. Remarks:

RT. DECREED FROM BUTTE CR. BUT DELIVERED FROM LOVING CR.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

A37-00631

Page

2

Date: 08/08/89

MICROFILMED

FEB 23 1993

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

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752
August 4, 1989

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

Mr. Loren Holmes
2148 4th Avenue East
Twin Falls, Idaho 83303

RE: Snake River Basin Adjudication
Claims Nos. A37-07853, A37-07799, A37-07598C,
A37-00629, A37-00630A, A37-00631, A37-02686C,
A37-12216 - Change of Claimants Address

Dear Loren:

The above-referenced Claims were filed by Ward W. Woods et al. The mailing address for the Claimant has been changed to the following:

Ward W. Woods
Bessemer Securities Corp.
630 Fifth Avenue
New York, New York 10111

The Claimant's former address as set forth in all of the above-referenced Claims is as follows:

c/o Ward W. Woods
Lazard, Freres & Co.
One Rockefeller Center
New York, New York 10020

Please call me if you have any questions about this notice of change of address. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS/rlk

cc: Mr. Ward W. Woods
Mr. Mark Gates
Mr. Robert F. Maguire, III
Mr. John B. Fery

MICROFILMED

FEB 23 1993

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: A37-00631
Date Received: 10/27/1988
Receipt No: C003521
Received By: PB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WARD W. WOODS
Address: LAZARD, FRERES & CO.
ONE ROCKEFELLER PLAZA
NEW YORK, NY 10020 212-373-4486
- AND/OR
- Name: MARK T. GATES
Address: NEW YORK, NY 10020
- AND/OR
- Name: JOHN B. FERY
Address: NEW YORK, NY 10020
- AND/OR
- Name: ROBERT F. MAGUIRE III
Address: NEW YORK, NY 10020
- AND/OR
- Name: SUSAN R. MAGUIRE
Address: NEW YORK, NY 10020
- AND/OR
- Name: PRISCILLA B. WOODS
Address: NEW YORK, NY 10020
- AND/OR
- Name: ELIZABETH W. GATES
Address: NEW YORK, NY 10020
- AND/OR
- Name: DELORES L. FERY
Address: NEW YORK, NY 10020
2. Date of Priority: JUN 15, 1887
3. Source: LOVING CREEK Trib. to: SILVER CREEK
- A37-00631 Page 1 Date: 11/21/88

MICROFILMED

FEB 23 1993

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	24	NE	SE	NW		BLAINE

5. Description of diverting works:

GILLIHAN #11 HEADGATE, GILLIHAN DITCH, PUMP FROM DITCH TO LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

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

A.F.A.

8. Total consumptive use is 222.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

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01S	19E	24	SW	NE		IRR	31.0
			SE	NE		IRR	26.0
			SE	NW		IRR	16.0
			NE	SE		IRR	16.0
Section Acres							89.0
Total Acres							89.0

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:
37-0629, 37-0630A, 37-7799

14. Remarks:

RT. DECREED FROM BUTTE CR. BUT DELIVERED FROM LOVING CR.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

A37-00631

Page

2

Date: 11/21/88

MICROFILMED

FEB 23 1993

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

vs ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Seal

Notary Public

Residing at _____
My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356
Ident Number A37-00631
Date Received 10-27-88
Receipt Number _____

RECEIVED

OCT 27 1988

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Ward W. Woods &/or Priscilla B. Woods &/or
Mark T. Gates, Jr. &/or Elizabeth W. Gates &/or
John B. Fery &/or Delores L. Fery &/or
Robert F. Maguire III &/or Susan R. Maguire

Phone: (212) 373-4486

Mailing Address: c/o Ward W. Woods
Lazard, Freres & Co.
One Rockefeller Plaza
New York, NY 10020

2. Date of Priority: June 15, 1887
3. Source of water supply (a) Loving Creek
which is tributary to (b) Silver Creek
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
1S	19E	24	NE	SE	NW		Blaine

Additional points of diversion if any: None.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: Gillihan #11 Headgate; Gillihan Ditch; pumped from ditch to wheelines and handlines and for flood irrigation.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	0.7 cfs

7. Total Quantity Claimed: 0.7 cfs

8. Total consumptive use claimed is 222.5 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
1S	19E	24	SW	NE	I	31
1S	19E	24	SE	NE	I	26
1S	19E	24	SE	NW	I	16
1S	19E	24	NE	SE	I	16

Total number of irrigated acres: 89

11. Place of use is located in Blaine County.

12. Do you own the property listed above as place of use? Yes.

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-0629, 37-0630A, 37-7799.

14. Remarks: Right originally decreed to Charles C. Smith in S.C. Frost et al. v. Alturus Water Co. et ux.. Right decreed from Butte Creek but delivered from Loving Creek.

Last Name: Woods

Ident No. _____

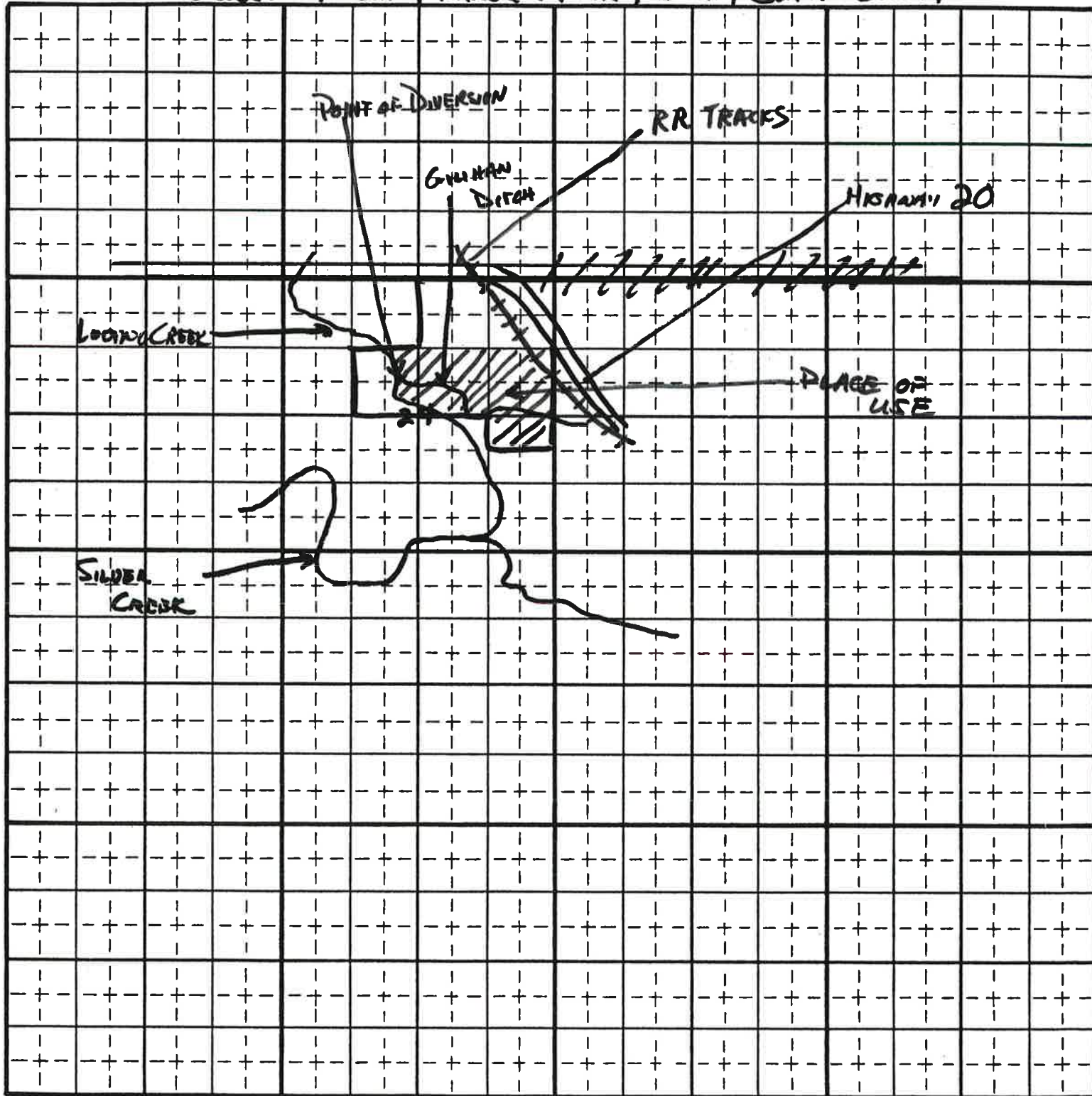
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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TOWNSHIP 1 SOUTH, RANGE 19 EAST, B.M., BLAINE COUNTY



Last Name

Woods

Ident No.

Copies: White-State, Yellow-Claimant

FEB 23 1993

15. Basis of Claim: Decree
IDWR Water Right Number: 37-0631
Court: Lincoln County
Case Number:
Decree Date: December 13, 1909
Plaintiff v. Defendant:
S.C. Frost et al. v. Alturus Water Company Co. et ux.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

Ward W. Woods, by
James P. Speck, his
attorney-in-fact

Date

10/21/88

Date

State of Idaho)

County of Blaine)

ss.

Subscribed and sworn before me this 24th day of October, 1988.

Notary Public

Residing at

Commission Expires

Ruby Marie Beaker
Sun Valley
1/17/93

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature:

James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date:

10/21/88

Last Name: Woods
a:\lvngck5.clm

Ident No.: _____

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FEB 23 1993

AJ0749NP
No. A37-00631

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/18/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN B FERY	06/15/1887	IRRIGATION	04-01 11-01	0.70 CFS	
C	DELORES L FERY					
C	WARD W WOODS					
	18433 US HWY 20			TOTAL DIVERSION:	0.70 CFS	
	BELLEVUE ID 83313			CONSUMPTIVE USE:		222.50 AFA
	(208) 788-4156					

C MARK T GATES
C ELIZABETH W GATES
BESSEMER SECURITIES CORP
630 FIFTH AVE
NEW YORK NY 10111

C PRISCILLA B WOODS
18433 US HWY 20
BELLEVUE ID 83313
(208) 788-4156

Water Source: LOVING CREEK

Tributary to: SILVER CREEK

Stage: DECREED

Point(s) of Diversion: T01S R19E S24 NESENW

BLAINE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
01S	19E	24	:			31		26	:			16	:					16	:		89.0
																			TOTAL ACRES	89.0	

POU County: BLAINE

Other Rights: 37-0629, 37-0630A, 37-7799

Remarks: GEN RT. DECREED FROM BUTTE CR. BUT DELIVERED FROM LOVING CR.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.
CONFORMED MAILING ADDRESS DMS

06/18/99, CHANGED OWNERSHIP: MAGUIRES SOLD THEIR SHARES TO THE
FERYS AND THE WOODS, AS PER FORM 1409(6) AND WARRANTY DEED
RECEIVED 04/18/99. CHANGED ADDRESS AS REQUESTED. C.T.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 37M Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

August 27, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**MARK T GATES
ELIZABETH W GATES
BESSEMER SECURITIES CORP
630 FIFTH AVE
NEW YORK NY 10111**

**RE: CHANGE OF OWNERSHIP SRBA Claim(s) A37-00629,
A37-00630A, A37-00631, A37-02686C, A37-07598C, A37-07799,
A37-07853, A37-12216**

Dear Claimant(s):

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership of the above referenced claims to you.

Please find the enclosed copies of the computer record of the claims noting the change in claimant. Review these records and if there is an error, please contact this office.

Sincerely,

Cheryl E. Timm
Records Clerk, SRBA

CET:cet

Enclosures

Cc: James P Speck, John B. and Delores L. Fery and Priscilla Woods



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

August 27, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

WARD W WOODS
PRISCILLA B WOODS
DELORES L FERY
JOHN B FERY
18433 US HWY 20
BELLEVUE ID 83313

RE: CHANGE OF OWNERSHIP SRBA Claim(s) **A37-00629,**
A37-00630A, A37-00631, A37-02686C, A37-07598C, A37-07799,
A37-07853, A37-12216

Dear Claimant(s):

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership of the above referenced claims to you.

Please find the enclosed copies of the computer record of the claims noting the change in claimant. Review these records and if there is an error, please contact this office.

Sincerely,

Cheryl E. Timm
Records Clerk, SRBA

CET:cet

Enclosures

Cc: James P Speck, Mark T. and Elizabeth Gates



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

August 27, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340**

**RE: Change of ownership SRBA claims A37-00629,
A37-00630A, A37-00631, A37-02686C, A37-07598C, A37-07799,
A37-07853, A37-12216**

Dear Mr. Speck:

Enclosed you will find computer printouts of the SRBA claims referenced above reflecting the current ownership.

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership of the above referenced claims to John B. and Delores L. Fery and Ward W. and Priscilla Woods. Mr. and Mrs. Gates remained as current owners of the above referenced claims.

Sincerely,

Cheryl E. Timm
Records Clerk, SRBA

CET:cet

Enclosures

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

D-37-0631

CLAIMANT'S NAME WOODS

CLAIM DENT. NO. _____

DATE RECEIVED 10/27

CK # _____

AMOUNT \$ 777.00

1. Is the name and address complete with zip code?

YES

NO

2. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required) N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

N/A

Is the consumptive use correct?

N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

15. Is the basis of the claim indicated?

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct? Exempt

If this claim is based on an existing water right, has the identification number been entered?

N/A

Should this claim be receipted and data entered?

Duplicate 89 acres

Claim checked by: [Signature]

Comments: fee = \$50.00

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RECEIVED

OCT 27 1988

Department of Water Resources
Southern Region OfficeSPECIAL POWER OF ATTORNEY
(WATER RIGHTS)

I, WARD W. WOODS, of New York, New York, designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

SPECIAL POWER OF ATTORNEY - 1

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FEB 23 1993

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

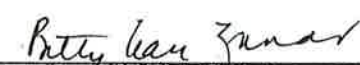
IN WITNESS WHEREOF, I have executed this Special Power of Attorney this _____ day of _____, 1988.


WARD W. WOODS

STATE OF IDAHO *ny*)
County of Blaine *ny*) ss.

On this 20 day of Dec, 1988, before me, the undersigned notary public in and for said state, personally appeared Ward Wood, Jr., known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.


Notary Public for ~~Idaho~~ *ny*.
Residing at: _____

SPPWRATY.MIS

5 Peter Cooper Rd
N.Y., NY 10010

BETTY VAN ZANDT
Notary Public, State of New York
No. 31-4087485
Qualified in New York County
Commission Expires July 31, 1989

SPECIAL POWER OF ATTORNEY - 2

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FEB 23 1993