

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 37-657B
Date Received: 1/30/1992
Receipt No: S014114
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THE VALLEY CLUB INC Phone: (208)788-0997
PO BOX 252
SUN VALLEY ID 83353

2. Date of Priority: 05/01/1881

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	20	SW NW	BLAINE	

5. Description of diverting works:

VIA HIAWATHA CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	2.02	

7. Total Quantity Appropriated is:
2.02 C.F.S. and/or 350 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	29	NW	NE	IRRIGATION	6
			SE	NE	IRRIGATION	33
			NE	SE	IRRIGATION	21
			NE	NE	IRRIGATION	40
					Section Acres	100
					Total Acres	100

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:

CORRECTING NAME TLB 8/1/95

15. Basis of Claim: Decreed

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-657A	37-657B	☐			☐
37-658		☐			☐
		☐			☐
		☐			☐
		☐			☐

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Gary J. Hibbard and Donna Hibbard
P.O. Box 414, Shoshone, ID 83352
4. New Owner/Claimant(s) The Valley Club, Inc.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 252
 City, State and ZIP Code Sun Valley, ID 83353
 New Telephone Number (208) 788-0997
5. Date you acquired the property June 27, 2003

ORIGINAL IN RED

RECEIVED
SEP 11 2003
 Department of Water Resources
 Southern Region

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) *Christ A. Shermacher*
President of Valley Club
_____, The Valley Club, Inc.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED
SEP 11 2003
 Department of Water Resources
 Southern Region

BLAINE CO. REQUEST

OF Gary Hibbard

1994 DEC 20 A 11:48

374259

Mary Green CLERK ^{11P}FEES 6.00

Deed

12-28-94

RECEIVED
SEP 11 2003
Department of Water Resources
Southern RegionWARRANTY DEED

FOR VALUE RECEIVED, GARY J. HIBBARD and DONNA G. HIBBARD, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto THE HIBBARD FAMILY LIMITED PARTNERSHIP, an Idaho Limited Partnership, the Grantee, whose address is 269 North Highway 26, Shoshone, Idaho, 83352, the following described premises, to-wit: EAST 5.14.

NE1/4NE1/4, FR NW1/4NW1/4 TL 2064, FR SE1/4NE1/4 TL 2063, FR E1/4SE1/4 TL 5762, Section 29, Township 3 North, Range 18 E., B.M., Blaine County, Idaho.

FR SW1/4SE1/4 TL 1961, Section 20, Township 3 North, Range 18 E., B.M., Blaine County, Idaho.

Together with (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting such real property and any of Grantors' rights to use the same; (iv) any and all rights of ingress and egress to and from such real property and any of Grantors' rights to use same; (v) any and all mineral rights and interests of Grantors relating to such real property (present or revisionary); (vi) any and all rights to the present or future use of waste water, waste water capacity, drainage, water, or other utility facilities to the extent such rights pertain to or benefit such real property or the improvements located thereon, including without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired; (vii) any and all rights and interests of Grantors, if any, to any leases covering all or any portion of such real property; and (viii) all right, title and interest of Grantors, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing, fronting or bounding such real property, including any awards made or to be made relating thereto, including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by

RECEIVED

SEP 11 2003

Department of Water Resources
Southern Region

reason of a widening of or changing of the grade with respect to same; (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or contiguous to such real property (whether owned or claimed by deed, limitations or otherwise); (c) any and all air rights relating to such real property and (d) any and all reversionary interests in and to such real property (such real property together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (viii) above are herein collectively referred to as the "Property").

TO HAVE AND TO HOLD the said Property together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns forever, subject to the matters herein stated; and Grantors do hereby bind themselves and their successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, to the full extent such matters are valid and subsisting and affect the Property.

DATED this 28 day of December, 1994.

Gary J. Hibbard
GARY J. HIBBARD

Donna G. Hibbard
DONNA G. HIBBARD

STATE OF IDAHO)
County of Lincoln : ss.

On this 28 day of December, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared GARY J. HIBBARD and DONNA G. HIBBARD, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Vyoma Cherkina
Notary Public for Idaho
Residing at Shoshone, Idaho
Commission Expires 6/23/2005

Instrument 486382

HAILEY, BLAINE, AHO

2003-06-27

10:21:00 No. of Pages: 2

Recorded for: SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

WARRANTY DEED

FOR VALUE RECEIVED, and as consideration as part of an IRC § 1031 tax-deferred exchange,

The Hibbard Family Limited Partnership, an Idaho Limited Partnership

the grantor, does hereby grant, bargain, sell and convey unto

THE VALLEY CLUB, INC., An Idaho Corporation

the grantee(s), whose current address is **PO Box 252**
Sun Valley, ID 83353

the following described premises, in **BLAINE COUNTY, IDAHO**, to wit:

SEE EXHIBIT 'A' Together with all appurtenant surface and subsurface water rights

This transaction is a 1031 Exchange for the benefit of The Hibbard Family limited Partnership, an Idaho Limited Partnership, as relinquished property.

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(s) and their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that they/he/she will warrant and defend the same from all lawful claims whatsoever.

Dated: June 17, 2003

The Hibbard Family Limited Partnership

Gary J. Hibbard
By Gary J. Hibbard, General Partner

Donna G. Hibbard
By Donna G. Hibbard, General Partner

State of Idaho

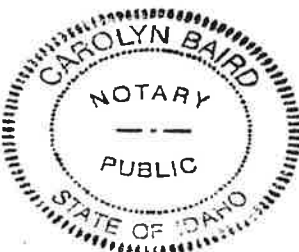
County of Blaine

On this 25 day of June, 2003, Before me a Notary Public in and for said State, personally appeared Gary J. Hibbard and Donna G. Hibbard, known or identified to me to be the partners in the partnership of The Hibbard Family Limited Partnership and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

Carolyn Baird
Notary Public

Residing at Hailey

Comm. Expires 1/23/2009



RECEIVED

SEP 11 2003

Department of Water Resources
Southern Region

EXHIBIT "A"

TOWNSHIP 3 NORTH, RANGE 18 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

A parcel of land being a portion of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 20 and a portion of the East $\frac{1}{2}$ of Section 29, more particularly described as follows:

Commencing at an Aluminum Cap by L.S. 8077, marking the Southeast corner of Section 29, Township 3 North, Range 18 East, B.M., Blaine County, Idaho; thence N. $00^{\circ} 01' 47''$ W., 1324.83 feet along the Easterly boundary of said Section 29 to a found $\frac{1}{2}$ inch rebar by L.S. 1000 on the Southerly boundary of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 29, said point being the TRUE POINT OF BEGINNING; thence

N. $89^{\circ} 32' 00''$ W., 402.58 feet along said Southerly boundary to a set $\frac{5}{8}$ inch rebar by L.S. 792 on the Northeasterly right-of-way line of the Stock Drive; thence along said Northeasterly right-of-way line the following courses and distances:

N. $18^{\circ} 40' 47''$ W., 3200.06 feet to a set $\frac{5}{8}$ inch rebar by L.S. 792; thence
N. $71^{\circ} 19' 13''$ E., 40.00 feet to a set $\frac{5}{8}$ inch rebar by L.S. 792; thence
N. $18^{\circ} 40' 47''$ W., 2406.03 feet to a found $\frac{5}{8}$ inch rebar by L.S. 1000 on the Northerly boundary of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 20, Township 3 North, Range 18 East, B.M., Blaine County, Idaho; thence
S. $89^{\circ} 08' 29''$ E., 876.56 feet along the Northerly boundary to a found $\frac{5}{8}$ inch rebar by L.S. 1000 on the Easterly boundary of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 20; thence
S. $00^{\circ} 14' 33''$ W., 1327.19 feet along said Easterly boundary to a found $\frac{5}{8}$ inch rebar by L.S. 3621 on the Northerly boundary of said Section 29; thence
S. $89^{\circ} 12' 27''$ E., 1301.90 feet along said Northerly boundary to a $\frac{5}{8}$ inch rebar by L.S. 1000 on the Easterly boundary of said Section 29; thence
S. $00^{\circ} 17' 05''$ W., 2643.69 feet along said Easterly boundary to a found Brass Cap monument marking the Southeast corner of the Northeast $\frac{1}{4}$ of said Section 29; thence continuing along said Easterly boundary S. $00^{\circ} 01' 47''$ E., 1324.90 feet to the POINT OF BEGINNING.

RECEIVED
SEP 11 2003
Department of Water Resources
Southern Region

SVTC Order No. 02-17733

QUITCLAIM DEED

Instrument # 486384
HAILE BLAINE, IDAHO
2003-06-27 10:23:00 No. of Pages: 2
Recorded for : SUN VALLEY TITLE
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index to: WTYQCICORP DEED

For Value Received The Hibbard Family Limited Partnership, an Idaho Limited Partnership

Do hereby convey, release, remise and forever quitclaim unto

The Valley Club, Inc., an Idaho Corporation

Whose current address is PO Box 252
Sun Valley, ID 83353

the following described premises, to-wit:

The following water rights located on property as shown on Exhibit "A"

Idaho Department of Water Resources Water Right No. A37-00657B 2.02 CFS Priority Date 5/01/1881

Idaho Department of Water Resources Water Right No. A37-00657A, 2.04 CFS, Priority Date 5/01/1881

Idaho Department of Water Resources Water Right No. 37-658, 1.14 CFS, Priority Date 6/15/1891

Together with their appurtenances.

Dated: June 24, 2003

The Hibbard Family Limited Partnership, an Idaho Limited Partnership

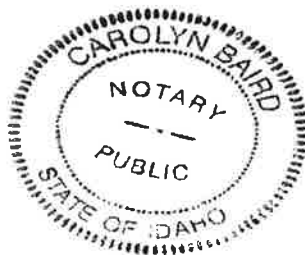
Gary J. Hibbard
By Gary J. Hibbard, General Partner

Donna G. Hibbard
By Donna G. Hibbard, General Partner

State of Idaho
County of Blaine

On this 25th day of June 2003, before me, a Notary Public in and for said State, personally appeared Gary J. Hibbard and Donna G. Hibbard, known or identified to me to be the partners in the partnership of The Hibbard Family Limited Partnership and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

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



RECEIVED
SEP 11 2003
Department of Water Resources
Southern Region

EXHIBIT "A"

TOWNSHIP 3 NORTH, RANGE 18 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

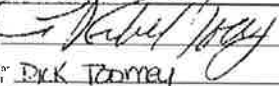
A parcel of land being a portion of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 20 and a portion of the East $\frac{1}{2}$ of Section 29, more particularly described as follows:

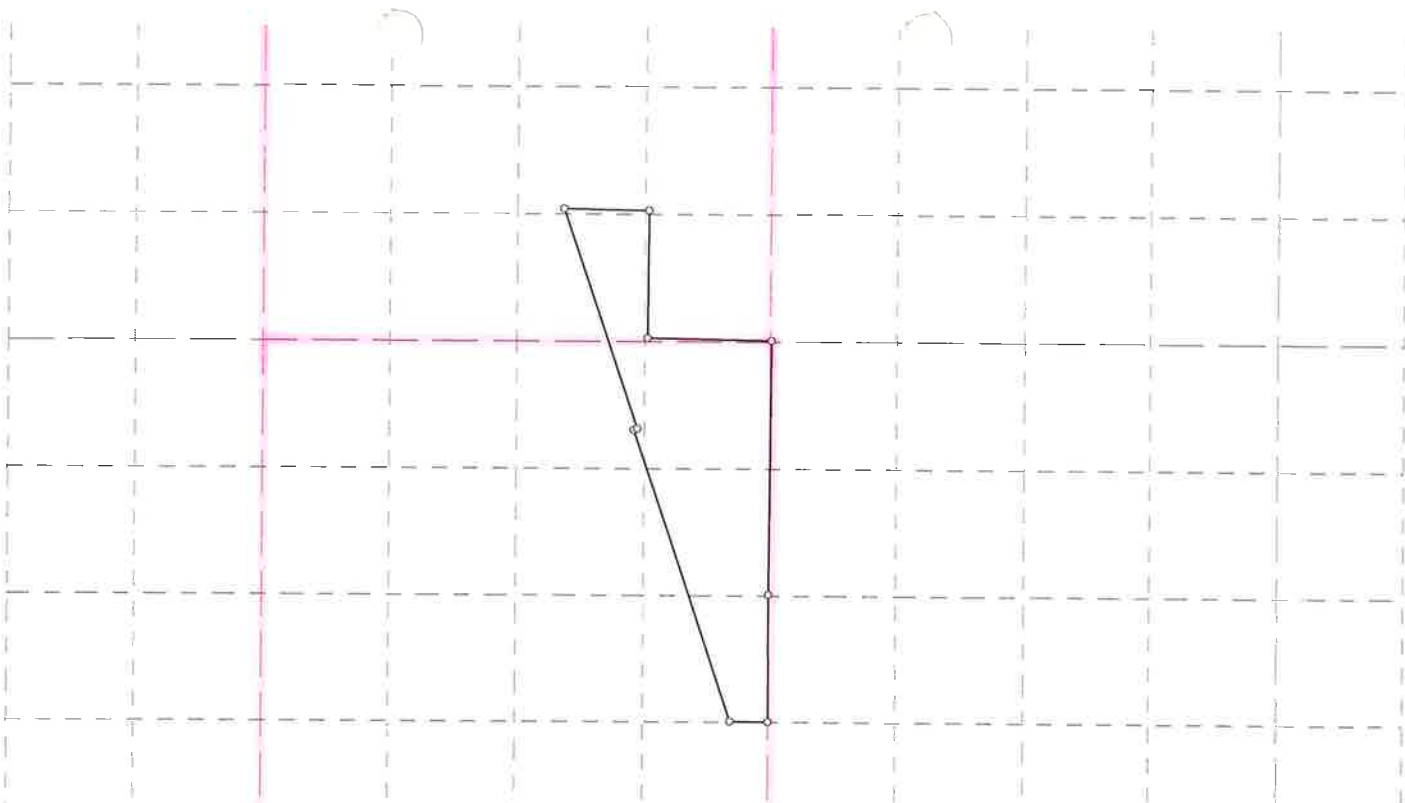
Commencing at an Aluminum Cap by L.S. '8077, marking the Southeast corner of Section 29, Township 3 North, Range 18 East, B.M., Blaine County, Idaho; thence N. $00^{\circ} 01' 47''$ W., 1324.83 feet along the Easterly boundary of said Section 29 to a found $\frac{1}{2}$ inch rebar by L.S. 1000 on the Southerly boundary of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 29, said point being the TRUE POINT OF BEGINNING; thence

N. $89^{\circ} 32' 00''$ W., 402.58 feet along said Southerly boundary to a set $\frac{5}{8}$ inch rebar by L.S. 792 on the Northeasterly right-of-way line of the Stock Drive; thence along said Northeasterly right-of-way line the following courses and distances:

N. $18^{\circ} 40' 47''$ W., 3200.06 feet to a set $\frac{5}{8}$ inch rebar by L.S. 792; thence
N. $71^{\circ} 19' 13''$ E., 40.00 feet to a set $\frac{5}{8}$ inch rebar by L.S. 792; thence
N. $18^{\circ} 40' 47''$ W., 2406.03 feet to a found $\frac{5}{8}$ inch rebar by L.S. 1000 on the Northerly boundary of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 20, Township 3 North, Range 18 East, B.M., Blaine County, Idaho; thence
S. $89^{\circ} 08' 29''$ E., 876.56 feet along the Northerly boundary to a found $\frac{5}{8}$ inch rebar by L.S. 1000 on the Easterly boundary of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 20; thence
S. $00^{\circ} 14' 33''$ W., 1327.19 feet along said Easterly boundary to a found $\frac{5}{8}$ inch rebar by L.S. 3621 on the Northerly boundary of said Section 29; thence
S. $89^{\circ} 12' 27''$ E., 1301.90 feet along said Northerly boundary to a $\frac{5}{8}$ inch rebar by L.S. 1000 on the Easterly boundary of said Section 29; thence
S. $00^{\circ} 17' 05''$ W., 2643.69 feet along said Easterly boundary to a found Brass Cap monument marking the Southeast corner of the Northeast $\frac{1}{4}$ of said Section 29; thence continuing along said Easterly boundary S. $00^{\circ} 01' 47''$ E., 1324.90 feet to the POINT OF BEGINNING.

RECEIVED
SEP 11 2003
Department of Water Resources
Southern Region

No. C 106031		Due no later than Apr 30, 2003		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		Annual Report Form * Starting Feb 2003 - Correct in the box * Applicable VALLEY CLUB, INC. (THE) PO BOX 252 SUN VALLEY, ID 83353		MICHAEL DAY, D 100 CLUB VIEW DR N HALL, ID 83333	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
President	AL SIBUE, MAKER	P.O. Box 252	Sun Valley	ID	83353
V. P.	Lynn Bailey	P.O. Box 252	Sun Valley	ID	83353
Sec.	Dick Tormey	P.O. Box 252	Sun Valley	ID	83353
Treas.	Mike Quinn	P.O. Box 252	Sun Valley	ID	83353
Director	Charles Prebier	P.O. Box 252	Sun Valley	ID	83353
Director	Doug Rhymes	P.O. Box 252	Sun Valley	ID	83353
Director	Dick Shelton	P.O. Box 252	Sun Valley	ID	83353
Director	Rich Fabinano	P.O. Box 252	Sun Valley	ID	83353
Director	Jim Russett	P.O. Box 252	Sun Valley	ID	83353
5. Organized Under the Laws of: IDAHO C 106031		6. Signature  Name (Print) Dick Tormey		Date 04/25/03 Title Secretary	
Issued 02/03/2003		Do Not Tape or Staple		2556	



Title: _____		Date: 09-16-2003
Scale: 1 inch = 2000 feet	File: _____	
Tract 1: 117.346 Acres: 5111572 Sq Feet: Closure = n59.5637e 0.01 Feet: Precision > 1/999999: Perimeter = 13523 Feet		
001=/se,29,3n,18e	005=n71.1913e 40.00	009=s89.1227e 1301.90
002=/n00.0147w 1324.83	006=n18.4047w 2406.03	010=s00.1705w 2643.69
003=n89.3200w 402.58	007=s89.0829e 876.56	011=s00.0147e 1324.90
004=n18.4047w 3200.06	008=s00.1433w 1327.19	

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: A37-00657B
Date Received: 1/30/1992
Receipt No: 5014114
Received By: ADM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY J. HIBBARD 208-886-2123
Address: P.O. BOX 414
SHOSHONE ID 83352

Name: DONNA HIBBARD 208-886-2123
Address: P.O. BOX 414
SHOSHONE ID 83352

2. Date of Priority: MAY 1, 1881

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	18E	20	SW	SW	NW		BLAINE

5. Description of diverting works:
VIA HIAWATHA CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.020		

7. Total Quantity Appropriated is:
2.020 C.F.S. (and/or) 350.00 A.F.A.

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	18E	29	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	29	NW	NE		IRR	6.0
			SE	NE		IRR	33.0
			NE	SE		IRR	21.0

Section Acres 100.0

Total Acres 100.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

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

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: _____

COPY

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): Gary J. Hubbard Date: JAN. 30 1992

Date: _____

State of Idaho

County of

Twin Falls

)
) SS.
)

Subscribed and sworn (or affirmed) before me this

30th

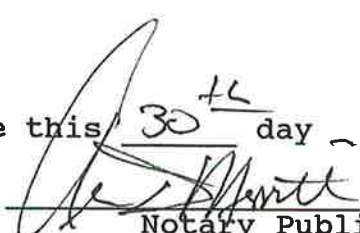
day

of

Jan

19

92


Notary Public

Seal

Residing at

Kimberly Id

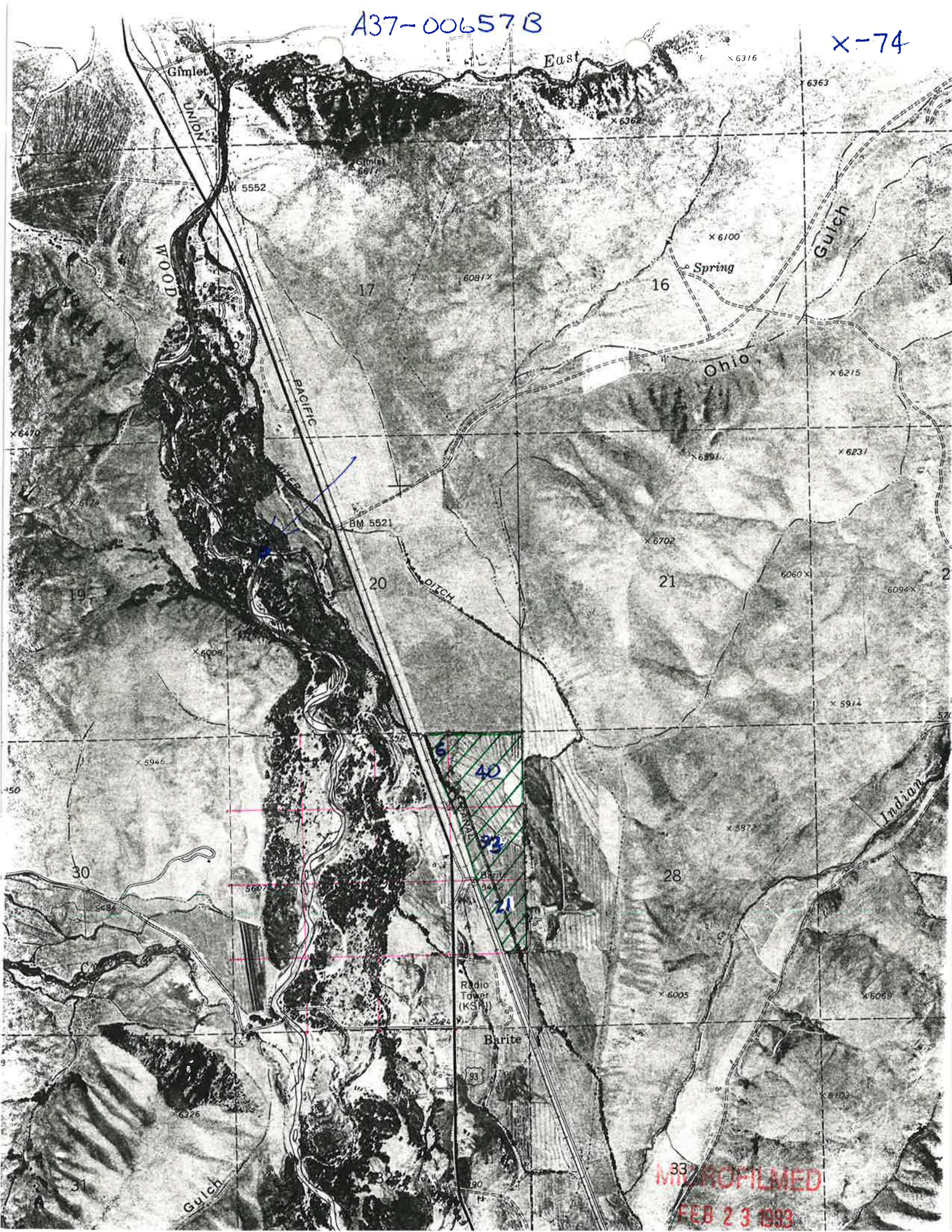
My Commission Expires

6/30/94

COPY

A37-00657 B

X-74



33
MICROFILMED
FEB 23 1993

37-657B



-  Section Lines
-  Quarter/Quarter Lines
-  Place of Use
-  Point(s) of Diversion

900 0 900 Feet



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 2004 NAIP
DATA ENTRY: 06/10/2007
DOUGLAS JONES

37-657B



- Section Lines
- Quarter/Quarter Lines
- Place of Use
- Point(s) of Diversion

900 0 900 Feet



GIS PLACE OF USE PRESENTATION
 PHOTOGRAPHY: 2004 NAIP
 DATA ENTRY: 06/10/2007
 DOUGLAS JONES

12/18/2006

NOTICE OF ERROR
REPLY

RECEIVED

JAN 03 2007

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-657B

THE VALLEY CLUB INC

PO BOX 252

SUN VALLEY ID 83353

Telephone Number: (208)788-0997

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

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

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

✓ *Check plus location of Hiawatha Canal diversion*
I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/29/06

SIGNATURE: *Charles E. Brockway*

Please print your name: Charles E. Brockway

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

JAN 04 2007

12/15/2006

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

RIGHT NUMBER: 37-657B

NAME AND ADDRESS: THE VALLEY CLUB INC
PO BOX 252
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.020 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/01/1881

POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.900 CFS
DIVERSION TO STORAGE	04/01 11/01	0.120 CFS
RECREATION STORAGE	01/01 12/31	13.40 AFY
AESTHETIC STORAGE	01/01 12/31	13.40 AFY

PLACE OF USE:

<u>IRRIGATION in BLAINE County</u>					
T03N R18E S20	SWSE	19.00	T03N R18E S29	NENE	38.60
T03N R18E S29	NWNE	5.50	T03N R18E S29	SENE	29.70
T03N R18E S29	NESE	17.90			

110.7 ACRES TOTAL

This right is limited to the irrigation of 93.7 acres within the place of use described above in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within

State

Water District No. 37.



Idaho Department of Water Resources

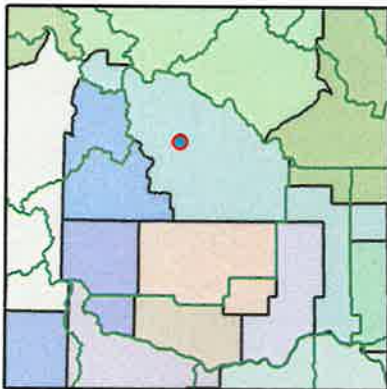
SRBA Recommendation:

37-657B

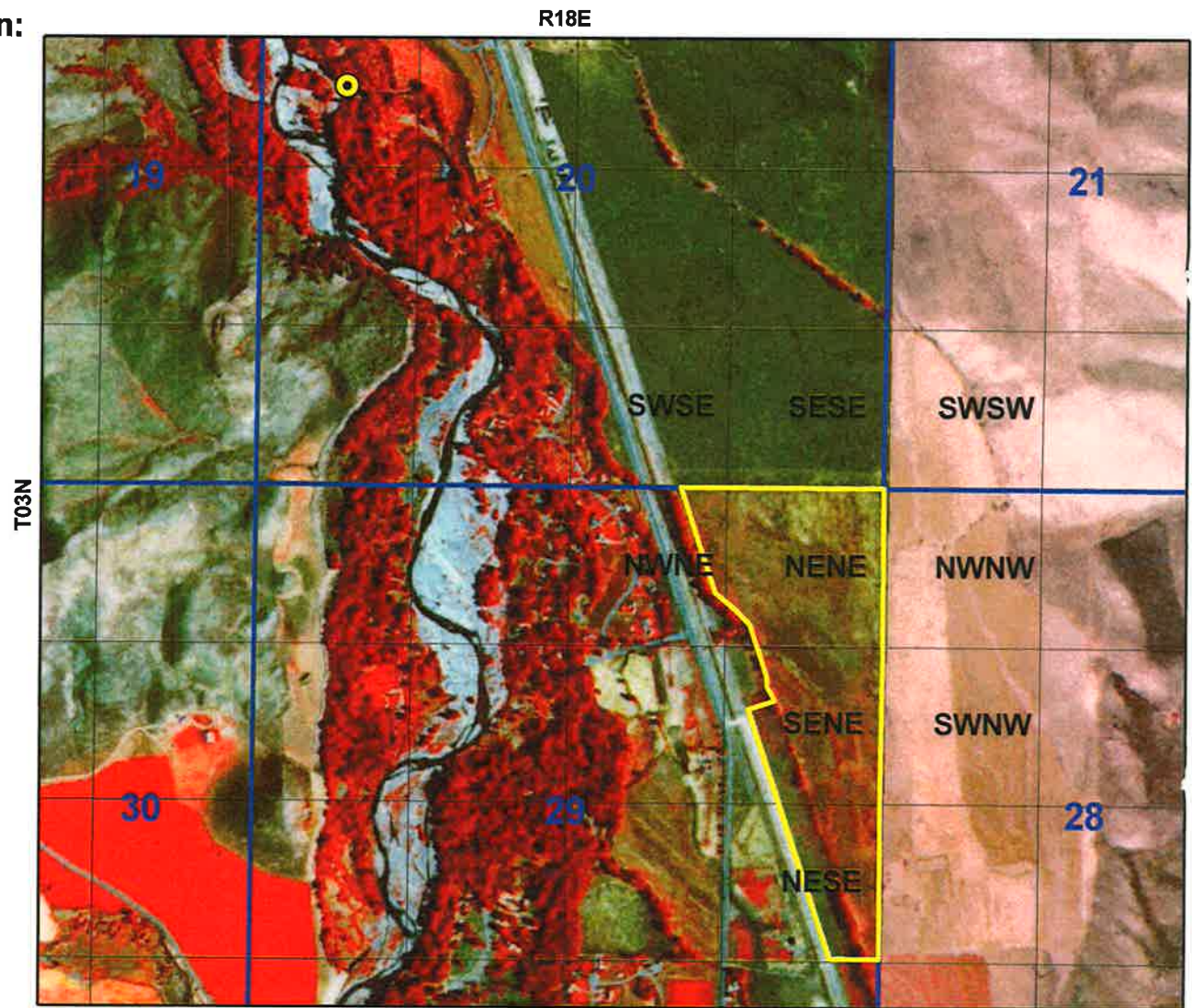
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.6 1.2 Miles

Prepared by A. Warntjes
On Saturday, December 2, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendation:

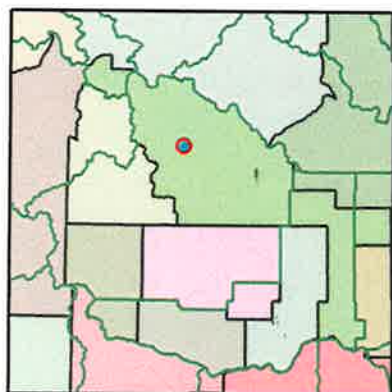
37-657B

(Irrigation)

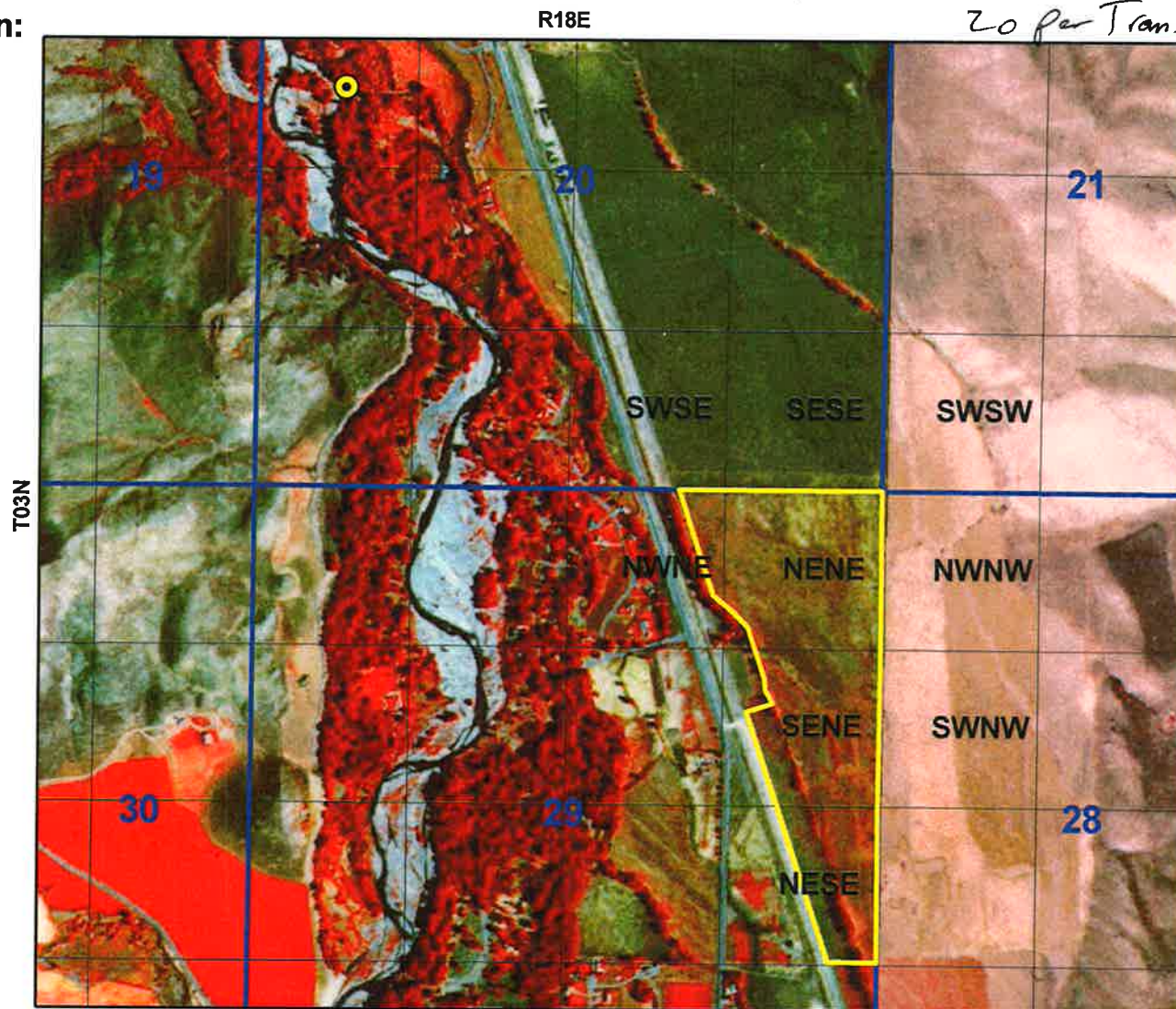
Add 19.0 ac in Sec
20 per Trans

Legend

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



Blaine County
IDWR Basin 37



0 0.6 1.2 Miles

Prepared by A. Warntjes
On Saturday, December 2, 2006
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED*****TRANSFER NO. 71721**

This is to certify that: THE VALLEY CLUB INC
PO BOX 252
SUN VALLEY ID 83353
(208)788-0997

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-657B	AJC/Decreed	05/01/1881	2.02 cfs	350 af	N/A	100.0	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-657B	NO	NO	YES	NO	NO	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-657B	37-657B	2.02 cfs	N/A	93.7	110.7		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.02 cfs	N/A	93.7	110.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of November, 2005



Chief, Water Allocation Bureau

SCANNED
NOV 17 2005

WATER RIGHT NO. 37-657B
As Modified by Transfer No. 71721

In accordance with the approval of Transfer No. 71721, Water Right No. 37-657B is now described as follows.

Right Holder: THE VALLEY CLUB INC
 PO BOX 252
 SUN VALLEY ID 83353

Priority Date: May 01, 1881

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	1.90 CFS	
DIVERSION TO STORAGE	04/01 to	11/01	0.12 CFS	
RECREATION STORAGE	01/01 to	12/31		13.4 AF
AESTHETIC STORAGE	01/01 to	12/31		13.4 AF
			2.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SWNW Sec. 20 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	20																19.0	19.0
03N	18E	29	38.6	5.5		29.7									17.9				91.7

Total Acres: 110.7

PLACE OF USE: RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	29	X			X									X				

PLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	29	X			X									X				

SCANNED

NOV 17 2005

WATER RIGHT NO. 37-657B
As Modified by Transfer No. 71721

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
3. Right 37-657B authorizes the diversion of an annual total of 13.4 af to be diverted to storage for the replacement of losses caused by evaporation from the 6.3 acre total surface area of the ponds established under Right 37-21338.
4. This right is limited to the irrigation of 93.7 acres within the place of use described above in a single irrigation season.
5. Place of use is located within Parcel No. RP03N18029584FA.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of November, 2005



Chief, Water Allocation Bureau

SCANNED

NOV 17 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 71721

This is to certify that: THE VALLEY CLUB INC

PO BOX 252

SUN VALLEY ID 83353

(208)788-0997

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-657B	AJC/Decreed	05/01/1881	2.02 cfs v	350 af	N/A	100.0	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-657B	NO	NO	YES	NO	NO	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-657B	37-657B	2.02 cfs	N/A	93.7	110.7		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.02 cfs	N/A	93.7	110.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of October, 2005



Chief, Water Allocation Bureau

SCANNED

NOV 17 2005

WATER RIGHT NO. 37-657B
As Modified by Transfer No. 71721

In accordance with the approval of Transfer No. 71721, Water Right No. 37-657B is now described as follows.

Right Holder: THE VALLEY CLUB INC
 PO BOX 252
 SUN VALLEY ID 83353

Priority Date: May 01, 1881

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	11/01	1.90 CFS
RECREATION	04/01 to	11/01	0.12 CFS
AESTHETIC	04/01 to	11/01	0.12 CFS
			2.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SWNW Sec. 20 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	20															19.0	19.0	
03N	18E	29	38.6	5.5		29.7										17.9		91.7	

Total Acres: 110.7

PLACE OF USE: RECREATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	29	X			X										X			

PLACE OF USE: AESTHETIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	29	X			X										X			

SCANNED

NOV 17 2015

WATER RIGHT NO. 37-657B
As Modified by Transfer No. 71721

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
3. Recreation and Aesthetic uses under Right 37-657B authorize 13.4 af to be used for the replacement of losses caused by evaporation from the 6.3 acre total surface area of the ponds established under Right 37-21338.
4. This right is limited to the irrigation of 93.7 acres within the place of use described above in a single irrigation season.
5. Place of use is located within Parcel No. RP03N18029584FA.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of October, 2005


Chief, Water Allocation Bureau

SCANNED
NOV 17 2005

12/02/2006

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

RIGHT NUMBER: 37-657B

NAME AND ADDRESS: THE VALLEY CLUB INC
PO BOX 252
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.020 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/01/1881

POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.900 CFS
DIVERSION TO STORAGE	04/01 11/01	0.120 CFS
RECREATION STORAGE	01/01 12/31	13.40 AFY
AESTHETIC STORAGE	01/01 12/31	13.40 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S20	SWSE	19.00	T03N R18E S29	NENE	38.60
T03N R18E S29	NWNE	5.50	T03N R18E S29	SENE	29.70
T03N R18E S29	NESE	17.90			

110.7 ACRES TOTAL

This right is limited to the irrigation of 93.7 acres within the place of use described above in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER OF
WATER RIGHT NOS. 37-0057 AND 37-0058 IN THE
NAME OF GARY J. &/OR DONNA HIBBARD

PROPOSED MEMORANDUM DECISION
AND ORDER

On November 17, 1978, Gary J. Hibbard and/or Donna Hibbard of Shoshone, Idaho filed an application with the Department of Water Resources to change the point of diversion of two water rights decreed to Ann Troeser in the case of S. C. Frost -vs- Alturas Water Co.

The two rights are diverted from the Big Wood River for the purpose of irrigation. Water right No. 37-0657 is for 3.20 cubic feet per second of water with a priority of May 1, 1881. Water right No. 37-0658 is for 4.00 cubic feet per second of water with a priority date of June 15, 1891. The point of diversion for both rights is the head of the Hiawatha Canal located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, Twp. 3N, Rge. 18E, B.M., Blaine County. The lands described as the place of use for the rights are in the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, Twp. 3N, Rge. 18E.

The change proposed by the application is to divert an unspecified portion of the water through the Purdum Slough and redirect the water for use from the Purdum Slough at a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, Twp. 3N, Rge. 18E, while maintaining the original point of diversion at the head of the Hiawatha Canal.

Notice of the application was published in the Wood River Journal on December 21 and 28, 1978. On January 2, 1979, a protest against the application was received from Dorothy Chapman.

On December 16, 1980, a conference in the matter was held in Hailey, Idaho. Present at the conference were Gary Hibbard representing the applicant and Dorothy Chapman, represented by her attorney, John S. Chapman.

Issues addressed at the conference were: 1) that the applicant proposes by this application to build a pond or dam in the Purdum Slough and that this would interfere with delivery of water under other rights, 2) the applicant has no water rights in the Purdum Slough, 3) the inlet to the Purdum Slough will not carry and additional flow of water.

After some discussion, the parties agreed to allow the Department to reach a decision based upon records of the Department. The protestant requested that official notice be taken of the hearing record on Application for Permit No. 37-7669,

MICROFILMED

previously filed and withdrawn by the same applicant.

Based upon information obtained at the hearing, Department records and his understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

- 1) The applicant has not by this application, proposed to establish a new beneficial use for the water being delivered under these rights.
- 2) The works used to divert water into the Purdom Slough are of inadequate capacity to deliver a dependable water supply when river flows are low. Injury to existing rights most likely would result if additional water is diverted from the Purdom Slough without increasing the capacity of the diversion.
- 3) There is a 5% loss of water in the Purdom Slough.

CONCLUSIONS OF LAW

- 1) The applicant is entitled to change the point of diversion of the rights for the purpose of irrigating lands to which the water rights are appurtenant.
- 2) The applicant must increase the capacity of the Purdom Slough diversion to carry the water to be delivered to his rediversion point and is responsible for the cost of the improvements.
- 3) The applicant's water that is taken through the Purdom Slough must be reduced by 5% to avoid injury to other existing water rights.

ANALYSIS

Application for Permit No. 37-7669 filed September 7, 1977 proposed to appropriate and store water in a pond to be built in the Purdom Slough waterway within the same described tract of land as the point proposed for rediversion of water in this application for transfer.

This transfer application expresses no intent to establish new uses for the water or to store water, but only to establish an additional point of diversion for delivery of water to lands described as place of use in the decree.

Water is diverted from the Big Wood River into the Purdom Slough by means of a rock wing dam in the river and culvert which carries water through a flood control dike into the slough. There are no control works at this diversion.

Water is delivered from the Purdom Slough by the watermaster at the Osborne 24 and Purdom 25 headgates. The Osborne 24 headgate is upstream from the applicant's proposed rediversion point and the Purdom 25 headgate is downstream. The protestant has rights in both the Osborne 24 and Purdom 25 ditches.

Any water not delivered through the headgates is spilled back to the Big

Wood River at the Purdum 25 diversion.

A field inspection made prior to the conference revealed that the lands to the west of the Purdum Slough are irrigable by gravity from the slough but that a fairly high diversion structure would be required.

ORDER

IT IS, THEREFORE, ORDERED That Application for Transfer of Water Right Nos. 37-70657 and 37-0658 be APPROVED subject to the following conditions:

- 1) Measuring devices and lockable headgates of a type approved by the Department shall be permanently installed and maintained as part of the diverting works at the diversion from Purdum Slough.
- 2) Use of water under this transfer is subject to control by the watermaster of State Water District 37, Wood River.
- 3) Water delivered in the Purdum Slough authorized by this transfer shall be subject to a 5% delivery loss to be deducted by the watermaster.
- 4) The approval of this transfer in no way grants any right-of-way across the land of another or grants a right to the use of the diverting or conveyance works of another.
- 5) The plans for the diversion structure from Purdum Slough shall be submitted to the Department for review and approval prior to actual construction of the facility.

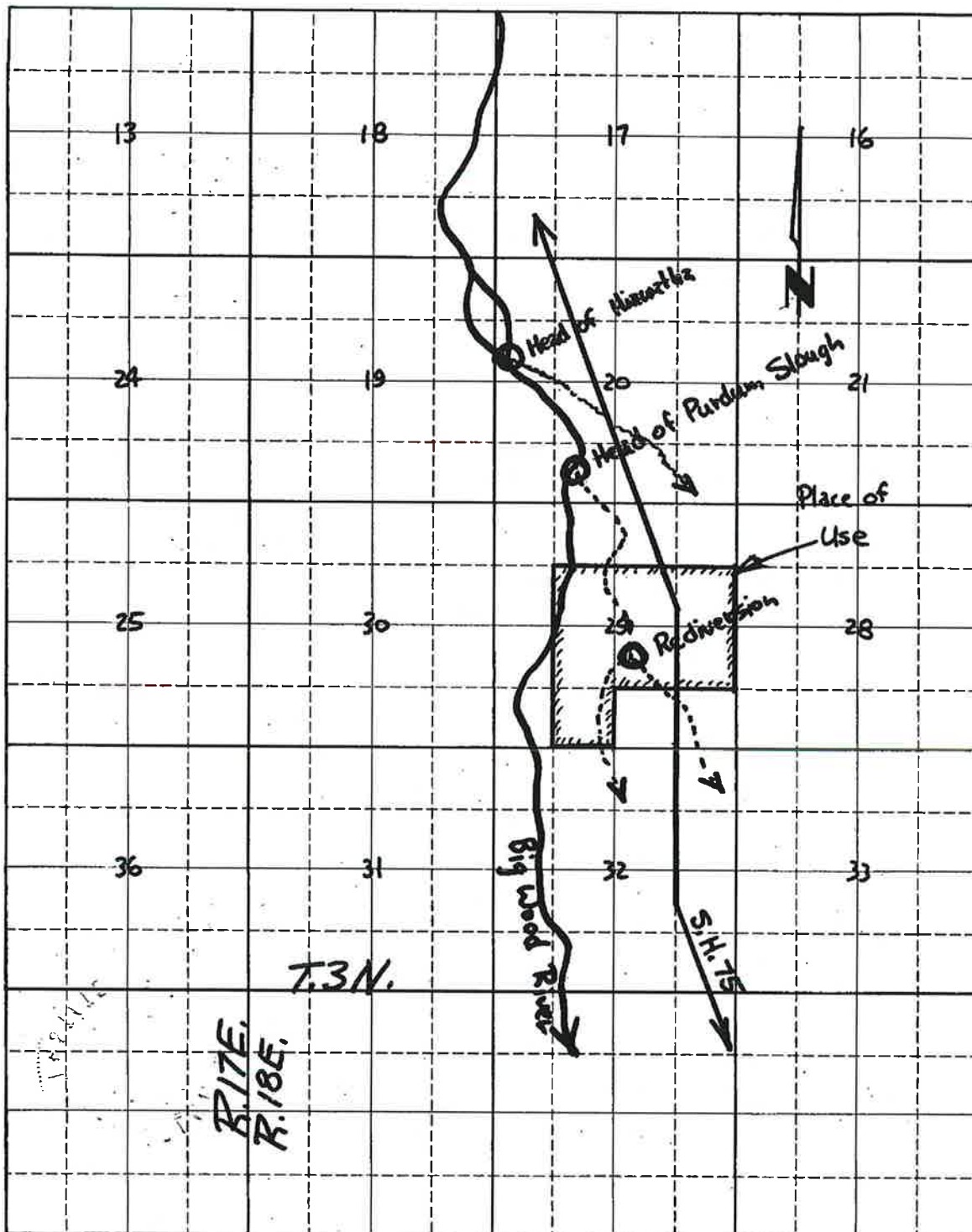
Dated this 1 day of September, 1981.


BOBBY D. FLEENOR

Hearing Officer

RECEIVED

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

MICROFILMED

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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

1. Change in point of diversion
 - a. Amount of water to be diverted 7.20 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion SE 1/4 SW 1/4, Section 20 Township 3N
Range 18E, B.M., Blaine County
Additional points Rediverted in NW 1/4 SE 1/4 of Sec. 29, Twp. 3 N, Rge. 18E. (Also keep
diversion at head of Hiawatha Canal SW 1/4 NW 1/4, Sec. 20, Twp. 3N, Rge. 18E
 - c. Description of diverting works Existing headgate is the Purdum Slough, redirection at
headgate is Purdum Slough. Also diversion at existing diversion at head of
Hiawatha Canal
 - d. Describe the reasons for applying for a change in the point(s) of diversion _____
Add additional point of diversion

2. Change in place of use no change

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

3. Remarks _____

I hereby assert that no one will be injured by such change and 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.

Gary J. Hibbard
(Signature of applicant)

Subscribed and sworn to before me this 17th day of November, 1978.

Loren O. Halme
(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0657 & 37-0658 and said application is hereby APPROVED, subject to the following limitations and conditions:
PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER

Witness my hand this 25 day of January, 19 82.

A. Kenneth Dunn
A. KENNETH DUNN, Director

FOR DEPARTMENT USE ONLY

Received by ADM Date 11/17/78
Prelim. check by JS Fee 35⁰⁰
Receipted by ADM Date 11/17/78 #12621

Protest filed by Deborah Chapman

Published in Lead River Journal
Pub. Dates 12/1/78 + 12/28/78

Copies of protest forwarded by _____

Watermaster recommendation requested on 11/25/80
rec'd. 12/1/80

Hearing held by LE & BDF Date 12/16/80

Recommended for approval denial
by LA Jim

Application No. 97-0657

RECEIVED

NOV 27 1978

Department of Water Resources
Sacramento District Office

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHTS

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

A. DESCRIPTION OF RIGHT AS RECORDED

1. 37-0657

2. 37-0658

(Name)

vs Alturas Water Co.

~~Dist. Ct.~~
(Name of court)

issued by the Idaho Department of Water Resources

on file with the Idaho Department of Water Resources

purchase of land (See attached copy of warranty deed)

tributary to Malad River

2. 6-15-1891

1. amount 3.20 cfs for irrigation purposes from Apr. 1 to Nov. 1

2. amount 4.00 cfs for irrigation purposes from Apr. 1 to Nov. 1

(month/day – both dates inclusive)

&/or

b. _____ acre feet per annum

is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20

18E, B.M., in Blaine

(Place of Use for Both Rights

[illegible]

Total number of acres to be irrigated

RECEIVED

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

1. Change in point of diversion
 - a. Amount of water to be diverted 7.20 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion SE ¼ SW ¼, Section 20 Township 3N
Range 18E, B.M., Blaine County
Additional points Rediverted in NW¼SE¼ of Sec. 29, Twp. 3 N, Rge. 18E. (Also keep
diversion at head of Hiawatha Canal SW¼NW¼, Sec. 20, Twp. 3N, Rge. 18E
 - c. Description of diverting works Existing headgate is the Purdum Slough, redirection at
headgate in Purdum Slough. Also diversion at existing diversion at head of
Hiawatha Canal
 - d. Describe the reasons for applying for a change in the point(s) of diversion _____
Add additional point of diversion

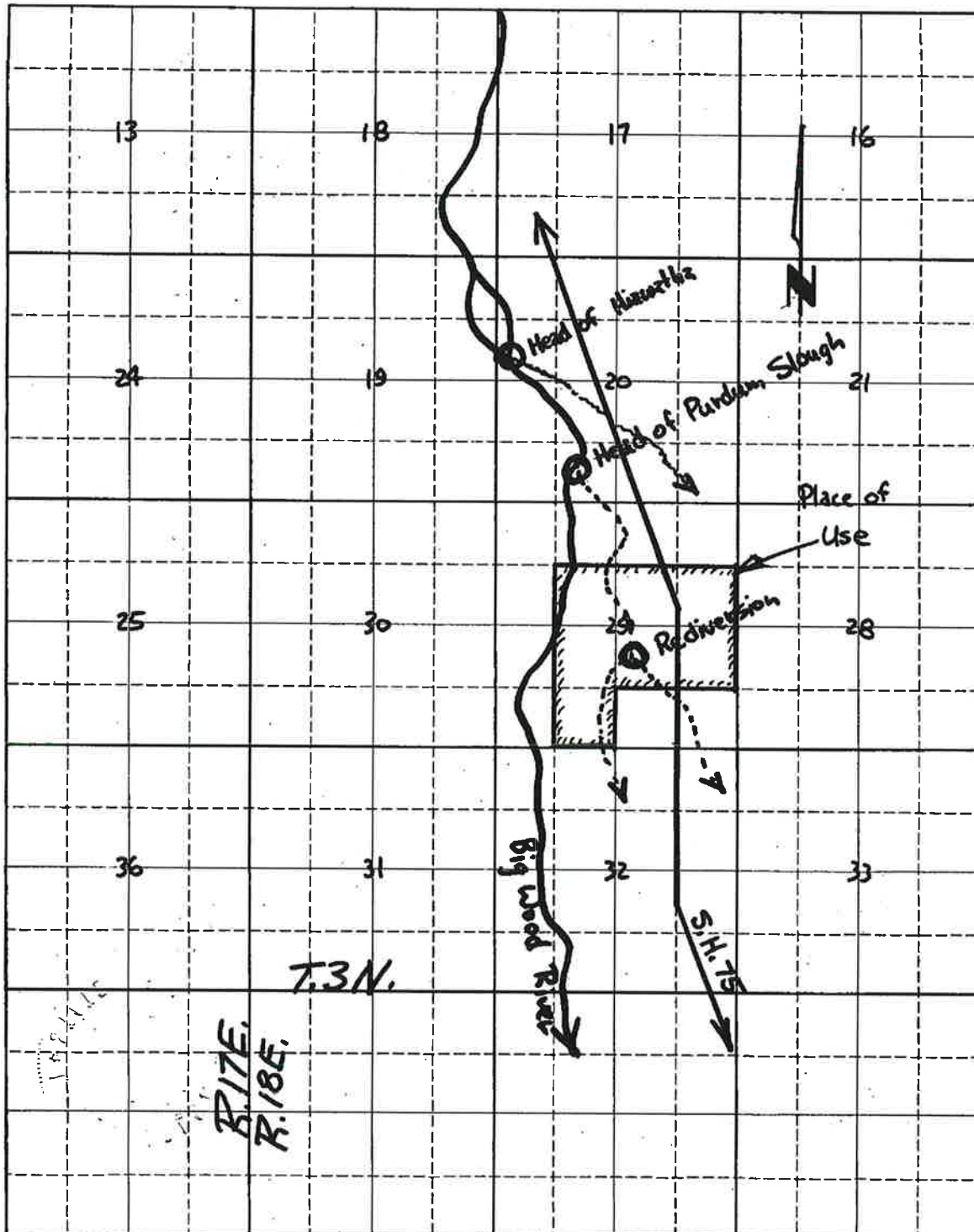
2. Change in place of use no change

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

MICROFILMED

3. Remarks _____

I hereby assert that no one will be injured by such change and 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.

Gary J. Hibbard
(Signature of applicant)

Subscribed and sworn to before me this 17th day of November, 1978.

Loren O. Halme
(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0657 & 37-0658 and said application is hereby APPROVED, subject to the following limitations and conditions:
PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER

Witness my hand this 25 day of January, 19 82.

A. Kenneth Dunn
A. KENNETH DUNN, Director

FOR DEPARTMENT USE ONLY

Received by ADM Date 11/17/78
Prelim. check by JA Fee 35⁰⁰
Receipted by ADM Date 11/17/78 #12621

Protest filed by Larry Chapman

Published in Lead River Journal
Pub. Dates 12/1/78 + 12/28/78

Copies of protest forwarded by _____

Watermaster recommendation requested on 11/25/80
rec'd. 12/1/80

Hearing held by LEE BDF Date 12/18/80

Recommended for approval denial
by LA Jim

7 0654 ✓	Timmerman, John L., Estate of	90 inches.	✓	May 15, 1881.	Spring Creek.
7 0655 ✓	Do.	100	"	155 July 1, 1888.	" "
7 0656 ✓	Trader, Charles C.	160	"	250 Apr. 5, 1900.	Cow Creek.
7 0657 ✓	Troeger, Anna E.	160	"	✓ May 1, 1881.	Big Wood River.
7 0658 ✓	"	200	"	185 June 15, 1891.	" " "
7 0659 ✓	"	90	"	167 July 15, 1889.	" " "
7 0660 ✓	Turnbull, Charles	60	"	248 May 1, 1902.	" " "
7 0661 ✓	"	50	"	289 May 1, 1904.	" " "
+ Turner, Jane E., Miller, et al.					
(See Miller, Annie I., Turner, et al.)					
7 0662 ✓	Turner, John G.	75	"	104 June 15, 1885.	Little Wood River. *729
7 0663 ✓	Uhlig, William	180	"	78 June 1, 1884.	Big Wood River.
7 0664 ✓	Utah & Idaho Improvement Co.	220	"	80 July 10, 1884.	" " "
7 0665 ✓	Do. T-2949	1300	"	95 Oct. 15, 1884.	" " "
7 0666 ✓	Do.	900	"	119 June 12, 1886.	" " "
7 0667 ✓	Do.	1800	"	188 June 15, 1891.	Trans. 68-69-70 1881 - Amended Woodward vs 5-12-11 See File 11-1 Anthony
7 0668 ✓	Vance, Martha E.	100	"	75 May 15, 1884.	Little Wood River.
7 0669 ✓	Vandergraft, Delilah	160	"	247 Apr. 30, 1896.	Big Wood River.
7 0670 ✓	Vaughn, William R.	160	"	78 June 1, 1884.	Little Wood River. *836
+ Village of Shoshone					
(See Shoshone, Village of)					
37 0671 ✓	Wallace, Chattie P.	310	"	289 May 1, 1904.	Big Wood River.
37 0672 ✓	Wallace, W. J.	280	"	237 Nov. 15, 1897.	" " "
37 0673 ✓	Walter, James F.	80	"	224 May 20, 1897.	" " "
37 0674 ✓	"	120	"	309 1906.	" " "
37 0675 ✓	Walter, L.	120	"	224 May 20, 1897.	" " "
37 0676 ✓	Ward, Augusta M.	65	"	243 June 2, 1899.	Little Wood River.
37 0677 ✓	"	40	"	24 June 2, 1882.	" " "
37 0678 ✓	Wardrop, John	120	"	30 Nov. 30, 1882.	Soldier Creek.
37 0679 ✓	"	125	"	103 June 1, 1885.	" " "
37 0680 ✓	"	160	"	103 Apr. 1, 1900.	" " "
T-3311					

taining in all 457 acres.

Strunk, William M. W 1/2 of NE 1/4 of Sec. 32, NE 1/4 of NW 1/4, SE 1/4 of NE 1/4 and NE 1/4 of SE 1/4 of Sec. 32, T. 2 S., R. 18 E., containing 200 acres.

Sweet, Catherine, et al. (Same as Mary and Sarah Brown and Catherine Sweet. Also, see Finding No. 15.)

Taylor, Goodwin P. S 1/2 of NW 1/4, N 1/2 of SW 1/4, SE 1/4 of SW 1/4, and SW 1/4 of SE 1/4 of Sec. 21, T. 1 S., R. 21 E., containing 240 acres. Also, SW 1/4 of SW 1/4 of Sec. 21, T. 1 S., R. 21 E., containing 40 acres.

Thomason, Tilford P. NE 1/4 of SW 1/4, NW 1/4 of SE 1/4, and SW 1/4 of NE 1/4 of Sec. 28, T. 3 S., R. 18 E., containing 120 acres.

Timmerman, John L.,
Estate of N 1/2 of NE 1/4 and N 1/2 of NW 1/4 of Sec. 23, T. 1 S., R. 18 E. Also, SE 1/4 of Sec. 14, T. 1 S., R. 18 E.

Trader, Charles C. NW 1/4 of Sec. 35, T. 1 S., R. 12 E., containing 160 acres.

Troeger, Anna B. S 1/2 of NE 1/4, and NE 1/4 of SE 1/4 of Sec. 29, T. 1 N., R. 18 E., containing 120 acres. Also, E 1/2 of SW 1/4, SE 1/4 of NW 1/4, and NW 1/4 of SE 1/4 of Sec. 29, T. 3 N., R. 18 E., containing 160 acres.

Turnbull, Charles W 1/2 of SE 1/4 of Sec. 21, and NW 1/4 of NE 1/4 of Sec. 28, T. 4 S., R. 18 E., containing 120 acres.

Turner, Jane E., et al. (Same as Annie I. Miller, et al.)

Turner, John G. W 1/2 of NE 1/4, and SE 1/4 of NW 1/4 of Sec. 7, T. 5 S., R. 19 E., containing 120 acres.

Timmerman, John L., Estate of	90 inches.	May 15, 1881.	Spring Creek.
Do.	100 "	July 1, 1888.	" "
Trader, Charles C.	160 "	Apr. 5, 1900.	Cow Creek.
Troege, Anna B.	160 "	May 1, 1881.	Big Wood River.
" " "	200 "	June 15, 1891.	" " "
" " "	90 "	July 15, 1889.	" " "
Turnbull, Charles	60 "	May 1, 1902.	" " "
" "	50 "	May 1, 1904.	" " "
Turner, Jane E., Miller, et al.			(See Miller, Annie I., Turner, et al.)
Turner, John G.	75 "	June 15, 1885.	Little Wood River.
Unrig, William	180 "	June 1, 1884.	Big Wood River.
Utah & Idaho Improvement Co.	220 "	July 10, 1884.	" " "
Do.	1300 "	Oct. 15, 1884.	" " "
Do.	900 "	June 12, 1886.	" " "
Do.	1800 "	June 15, 1891.	" " "
Vance, Martha E.	100 "	May 15, 1884.	Little Wood River.
Vandergraft, Delilah	160 "	Apr. 30, 1896.	Big Wood River.
Vaughn, William R.	160 "	June 1, 1884.	Little Wood River.
Village of Shoshone			(See Shoshone, Village of.)
Wallace, Chattie P.	310 "	May 1, 1904.	Big Wood River.
Wallace, W. J.	280 "	Nov. 15, 1897.	" " "
Walter, James F.	80 "	May 20, 1897.	" " "
" " "	120 "	 1906.	" " "
Walter, L.	120 "	May 20, 1897.	" " "
Ward, Augusta M.	65 "	June 2, 1899.	Little Wood River.
" " "	40 "	June 2, 1882.	" " "
Wardrop, John	120 "	Nov. 30, 1882.	Soldier Creek.
" "	125 "	June 1, 1885.	" "
" "	160 "	Aug. 1, 1900.	" "



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 17, 2003

THE VALLEY CLUB INC
PO BOX 252
SUN VALLEY ID 83353

Re: SRBA Claim(s) 37-657B
Water Right 37-658

Gentlemen:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership on SRBA claim 37-657B to The Valley Club. Water Right 37-658 was relinquished in May 1993 and is no longer a valid water right. Please find the enclosed copy of the computer record of the claim noting the change in claimant. Review this record and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 17, 2003

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

RE: Owner Change - Valley Club Inc./Hibbard
Water Right No. 37-658
Adjudication Claim 37-657B

Dear Jim:

I am in receipt of the Notice of Change of Water Right Ownership you recently submitted on the above listed claim and water right. Water Right 37-658 was relinquished in May 1993 and is no longer a valid water right; consequently, I am herein returning your firm's check no. 32632 in the amount of \$25.00.

Ownership of adjudication claim 37-657B has been updated to reflect The Valley Club as current owner. Should you have any questions or concerns, feel free to give me a call.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

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

September 9, 2003

RECEIVED

SEP 11 2003

Department of Water Resources
Southern Region

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

Re: Valley Club, Inc./Hibbard Water Rights

Dear Allen:

Enclosed you will find the original and one copy of a Notice of Change of Water Right Ownership for Water Rights recently acquired by the Valley Club, Inc. from the Hibbard Family Limited Partnership. Since the Department's records show Gary J. and Donna Hibbard as the current owners I have also included a copy of the Deed whereby the Hibbards conveyed the property and water rights to their family limited partnership. Also enclosed is our firm's check to cover the filing fee.

Please receipt date-stamp the copy of the Notice and return it to me in the postage prepaid self-addressed envelope provided for that purpose. Kindly call me right away if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS/jef

Enclosure

cc: T. Praggastis w/encl.

F:\WPDATA\JIM\VALLEY CLUB\WATER RIGHTS\Merritt.09-09.wpd

Water Right Number - 37-00657 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HIBBARD

GARY J.

1 - P.O. BOX 414

2 -

3 -

City- SHOSHONE

State- ID Zip- 83352

Phone -

HIBBARD

DONNA

1 - P.O. BOX 414

2 -

3 -

City- SHOSHONE

State- ID Zip- 83352

Phone -

*** O - ORIGINAL OWNER ***
TROEGER

ANNA B.

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1881 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
03N	18E	20	SW NW			(13) BLAINE	
			SE SW			(13) BLAINE	
		29	NW SE	R		(13) BLAINE	

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	3.200	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
3.200

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	18E	29	SW NE		40.0	01	IRRIGATION	(13) BLAINE
03N	18E	29	SE NE		40.0	01	IRRIGATION	(13) BLAINE
03N	18E	29	SE NW		40.0	01	IRRIGATION	(13) BLAINE
03N	18E	29	NE SW		40.0	01	IRRIGATION	(13) BLAINE
03N	18E	29	SE SW		40.0	01	IRRIGATION	(13) BLAINE
03N	18E	29	NE SE		40.0	01	IRRIGATION	(13) BLAINE
03N	18E	29	NW SE		40.0	01	IRRIGATION	(13) BLAINE

Total Acres: 280.0

FEB 23 1993

MICROFILMED

Prefix Translation: WATER RIGHT

+ - - Other Rights for Same Use -

```
+ ----- Old Water Right Numbers -----  
No Old Water Right Numbers found.
```

+ - - - Decree Plaintiff - - - +	+ - - - Decree Defendant - - - +	+ - Decree Date - +
S. C. FROST, ET. AL.	ALTURAS WATER COMPANY, ET. AL.	12/13/1909

-----Comments-----
No Comments Found

+ - - Audit Fields - 12/09/85 05/28/88 CONVERT

+ Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 12/09/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 12/13/1909	Presumption Flag	-		

MICROFILMED
 FEB 23 1993