

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

RECEIVED**AUG 24 2001**Department of Water Resources
Southern Region

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
<u>37-885 B</u>	<u>37-885 B</u>	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

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) William C. and Lisa Mirams
P.O. Box 961 KETCHUM, ID 83340
4. New Owner/Claimant(s) FLYING HAT RANCH - SPENCER F. ECCLES
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 30006
- City, State and ZIP Code SALT LAKE CITY, UT 84125
- New Telephone Number (801) 350-5329
5. Date you acquired the property DECEMBER 7, 2000

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)

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Instrument # 446231

HAILEY, BLAINE, IDAHO

2000-12-21 03:40:00 No. of Pages 5

Recorded for: SAWTOOTH TITLE

MARSHA RIEMANN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: WTY/CORP DEED

Order No. 27438

WARRANTY DEED

FOR VALUE RECEIVED and as relinquished property in an I.R.C. 1031 tax deferred exchange

WILLIAM C. MIRAMS and ELISABETH A. MIRAMS, CO-TRUSTEES OF THE MIRAMS FAMILY TRUST DATED MARCH 25, 1991

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

SPENCER F. ECCLES, a married man, as his sole and separate property

GRANTEE(s) whose address is: **P.O. Box 3028, Salt Lake City, UT 84110**

the following described real property in **Blaine County, Idaho**, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

LET MIRAMS
2000-12-21

Subject To. Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

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

Dated: **December 7, 2000**

William C. Mirams Co-Trustee
WILLIAM C. MIRAMS, CO-TRUSTEE

Elisabeth A. Mirams Co-Trustee
ELISABETH A. MIRAMS, CO-TRUSTEE

State of Idaho

}
}ss.
}

County of Blaine

On this 12th day of December, in the year 2000, before me, the undersigned, personally appeared **WILLIAM C. MIRAMS and ELISABETH A. MIRAMS**, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the **MIRAMS FAMILY TRUST DATED MARCH 25, 1991**, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal

Marla G. Mink
Notary Public

Commission Expires: 12/01/2006

J:\escrowformat\wd



LEGAL DESCRIPTION

Order No. 27438

~~EXHIBIT D~~

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 26: A parcel of land lying in the NW1/4SE1/4 of said Section, being more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 26; thence
N. 00° 23' 48" W., 2,641.72 feet to a brass cap marking the East quarter corner of said Section 26; thence
N. 89° 56' 02" W., 1,323.81 feet to the Northeast corner of said NW1/4SE1/4, said point being the TRUE POINT OF BEGINNING; thence
S. 00° 19' 10" E., 553.55 feet to a 5/8" rebar on the South boundary of the Idaho Consolidated Mines Company Power Canal right of way; thence
Southwesterly along right of way, S. 25° 39' 03" W., 308.65 feet to a 5/8" rebar; thence
S. 19° 16' 54" E., 177.82 feet to a 5/8" rebar; thence
S. 01° 04' 09" E., 289.17 feet; thence
S. 43° 55' 55" E., 59.68 feet to a 5/8" rebar on the South boundary of said NW1/4SE1/4; thence leaving said right of way, S. 89° 36' 23" W., along the South boundary of said NW1/4SE1/4, 165.91 feet; thence
N. 59° 10' 20" W., 213.59 feet; thence
N. 84° 05' 40" W., 947.96 feet to a point on the West line of the NW1/4SE1/4; thence
N. 00° 19' 59" W., 1,127.41 feet to a 5/8" rebar marking the center 1/4 of said Section 26; thence
S. 89° 56' 02" E., 1,323.81 feet along the North line of said NW1/4SE1/4 to the TRUE POINT OF BEGINNING.
(TL 6847)

EXCEPTING THEREFROM the right of way of the Big Wood River and any and all mineral rights.

TOGETHER WITH A 60' (SIXTY FOOT) WIDE EASEMENT GRANTED IN A DEED OF EASEMENT RECORDED MARCH 5, 1984, AS INSTRUMENT NO. 249321, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 26: COMMENCING at an iron pin marking the East one-quarter corner of said Section 26; thence
West 255.2 feet, more or less to the Southwest Boundary of State Highway No. 20, which point is the REAL POINT OF BEGINNING; thence
West 828.2 feet, more or less, along the North Boundary of the South one-half Section 26, to a five-eighths inch rebar set by Chip Carlson, L.S. in August 1977 to define the Northeast Corner of the original McNeese parcel; thence

CONTINUED
Order No. 27438

LEGAL DESCRIPTION, CONTINUED

South 27° 22' 39" W., 67.6 feet; thence
East 901.6 feet, more or less, along a line parallel with and sixty feet South of said
North Boundary of the South one-half, Section 26, to said Southwest Boundary of
State Highway No. 75; thence
North 35° 12' W., 73.4 feet along said Highway Boundary to the POINT OF
BEGINNING.

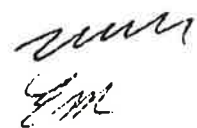
AND TOGETHER WITH A 60' (SIXTY FOOT) WIDE EASEMENT GRANTED IN A DEED OF EASEMENT
RECORDED MARCH 5, 1984, AS INSTRUMENT NO. 249322. BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 26: A strip of land, in the NE1/4SE1/4 of said Section 26, 60 feet in width, being the
Northern 60 feet of the following described parcel of land:

BEGINNING at the Northwest corner of said NE1/4SE1/4, said point lying North 89°
58 1/2' W., 1,321.1 feet from the NE corner of the NE1/4SE1/4; thence
S. 0° 30 1/2' E. along the West boundary of said NE1/4SE1/4 for 465 feet more or
less to the North boundary of the Idaho Consolidated Mines Company Power Canal
right of way; thence
in a Northeasterly direction along said right of way for 510 feet more or less to the
North boundary of said NE1/4SE1/4; thence
N. 89° 58 1/2' W., along said North boundary for 240 feet more or less to the POINT
OF BEGINNING.

TOGETHER WITH WATER RIGHTS AS DESCRIBED ON THE ATTACHED EXHIBIT "A"



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 37-100858
WATER RIGHT NO. 37-100858

MAY 11 2 1995

This is to certify that: W C MIRAMS
101 BUCKWHEAT LANE
BOX 961
KETCHUM ID 83340Department of Water Resources
Southern Region

MAY 05 1995

Department of Water Resources
Eastern District Office

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

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	0.56 CFS	98.0 AF

SOURCE

GROUNDWATER

Priority: 07/01/1883

LOCATION OF POINT(S) OF DIVERSION:NWSE , Sec. 26, Township 02N, Range 18E
BLAINE CountyPLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
02N	18E	26	NWSE 28			28
Total number of acres irrigated:						28

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

AMENDED

AMENDED

TRANSFER NO. 4480
WATER RIGHT NO. 37-00885B

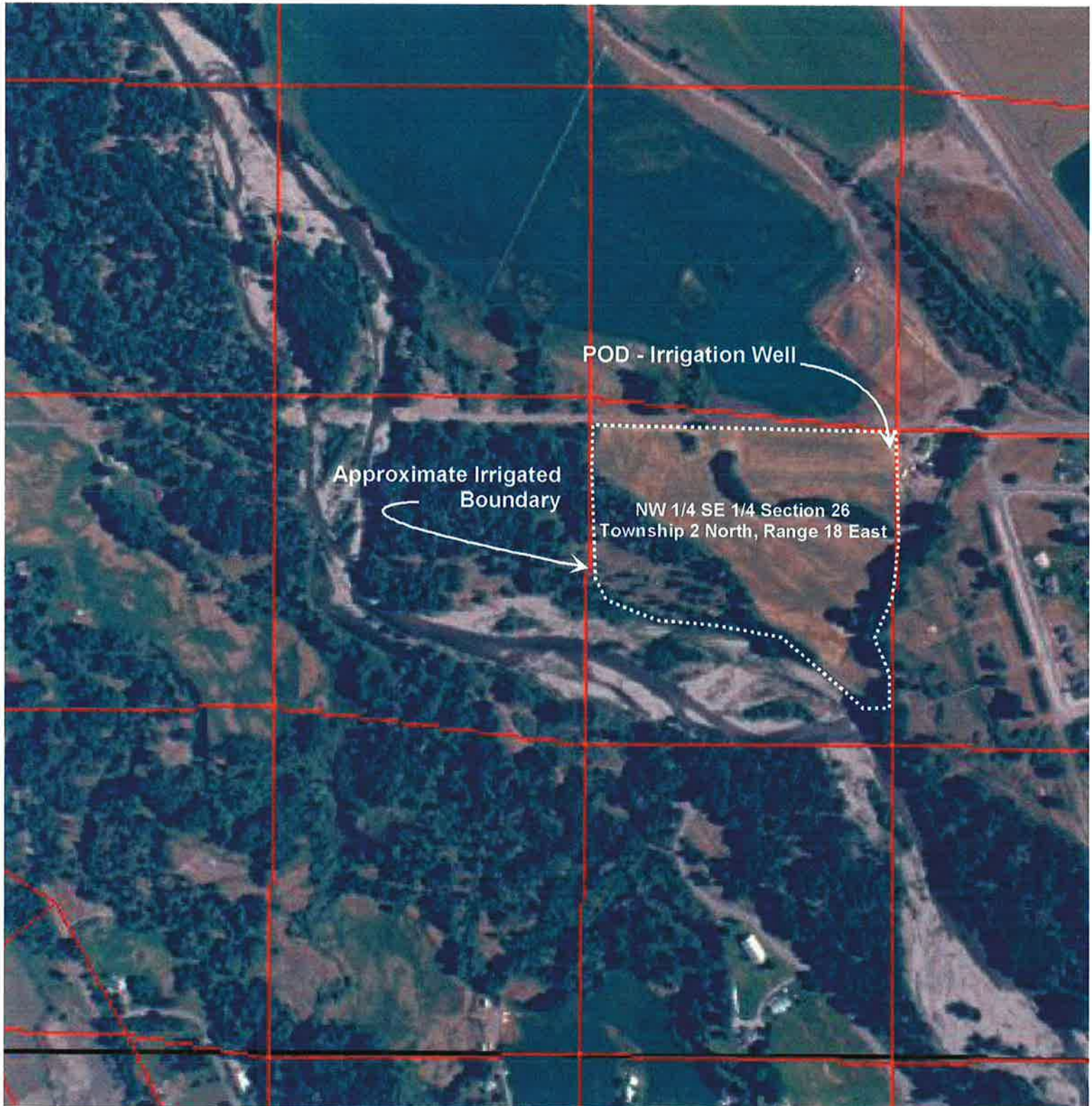
CONDITIONS/REMARKS:

6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Use of water under Right No. 37-00885B is limited to those times when water is available to fill the right at the original point of diversion from the Big Wood River within the NWSE, S26, T02N, R18E, as determined by the watermaster.
9. The portion of Right No. 37-00885B described as 0.77 cfs and 7.0 acres has been relinquished through approval of Transfer No. 4480.

Dated this 28th day ofApril, 1995

[Signature]
Chief, Water Alloc. Bureau

Water Right 37-0885B
Change of Ownership Map
William C. Mirams to Flying Hat Ranch - Spencer F. Eccles
August 24, 2001 - Brockway Engineering, PLLC



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 37-885B
Date Received: 10/26/1988
Receipt No: S003837
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FLYING HAT RANCH Phone: (801)350-5329

PO BOX 30006
SALT LAKE CITY UT USA 84125

2. Date of Priority: 07/01/1883

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	26	NW SE	BLAINE	

5. Description of diverting works:

WELL, PUMP, MAINLINE AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
IRRIGATION	4/15	10/15	0.56	

7. Total Quantity Appropriated is:
0.56 C.F.S. and/or 98 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
02N	18E	26	NW	SE	IRRIGATION	28
Section Acres						28
Total Acres						28

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:

THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00885 OWNERSHIP CHANGE MADE 5/19/95 BY TLB

***** CLAIM AMENDED
PURSUANT TO APPROVED TRANSFER 4480: 1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE

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

3. A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED ON THE DIVERTING WORKS IN A MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE DIVERSION

4. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE

5. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL

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

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

8. USE OF WATER UNDER RIGHT NO. 37-00885B IS LIMITED TO THOSE TIMES WHEN WATER IS AVAILABLE TO FILL THE RIGHT AT THE ORIGINAL POINT OF DIVERSION FROM THE BIG WOOD RIVER WITHIN THE NWSE, S26, T02N, R18E, AS DETERMINED BY THE WATERMASTER

9. THE PORTION OF RIGHT NO. 37-00885B DESCRIBED AS 0.77 CFS AND 7.0 ACRES HAS BEEN RELINQUISHED THROUGH APPROVAL OF TRANSFER NO. 4480

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: **A37-00885B**
Date Received: 10/26/1988
Receipt No: S003837
Received By: _____

AMENDED

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

AMENDED

1. Name: WILLIAM C MIRAMS 208-726-4350
Address: PO BOX 961
KETCHUM ID 83340
AND/OR
Name: LISA MIRAMS 208-726-4350
Address: PO BOX 961
KETCHUM ID 83340

2. Date of Priority: JUL 1, 1883

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	26	NW	SE			BLAINE

5. Description of diverting works:
WELL, PUMP, MAINLINE AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.560		

7. Total Quantity Appropriated is:
0.560 C.F.S. (and/or) 98.00 A.F.A.

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	26	NW	SE		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	28.0
					Total Acres	28.0

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:

THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00885
OWNERSHIP CHANGE MADE 5/19/95 BY TLB.

CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4480:

1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.

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

3. A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED ON THE DIVERTING WORKS IN A MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE DIVERSION.

4. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

5. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

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

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

8. USE OF WATER UNDER RIGHT NO. 37-00885B IS LIMITED TO THOSE TIMES WHEN WATER IS AVAILABLE TO FILL THE RIGHT AT THE ORIGINAL POINT OF DIVERSION FROM THE BIG WOOD RIVER WITHIN THE NWSE, S26, T02N, R18E, AS DETERMINED BY THE WATERMASTER.

9. THE PORTION OF RIGHT NO. 37-00885B DESCRIBED AS 0.77 CFS AND 7.0 ACRES HAS BEEN RELINQUISHED THROUGH APPROVAL OF TRANSFER NO. 4480.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1920

DRAGER

Decree Plaintiff

JONES

vs

Decree Defendant

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00885B

Date Received: 10/26/1988

Receipt No: S003837

Received By: O/C HLB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM C MIRAMS 208-726-4350
Address: PO BOX 961
KETCHUM ID 83340
AND/OR
Name: LISA MIRAMS 208-726-4350
Address: PO BOX 961
KETCHUM ID 83340

2. Date of Priority: JUL 1, 1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	26	NW	SE			BLAINE

5. Description of diverting works:
DIVERSION DAM, HEADGATE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.400		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	26	NW	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
					Total Acres	40.0

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:

THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00885
OWNERSHIP CHANGE MADE 5/19/95 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1920

DRAGER

Decree Plaintiff

JONES

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: _____

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

SEP 28 1994

DATE OF CLOSING: Nov 1 1989

Department of Water Resources
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township 2 N Range 18 E
Section 26, 1/4 of NW 1/4 of SE 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

COMPLETE DESCRIPTION ON ATTACHED DEED

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A37-00885B

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

EDWARD ROBERTS DALE JR

210 MEADOWBROOK RD

HAILEY ID 83337

☐ New Owner/Claimant
(Purchaser):

WILLIAM C & LISA MIRAMS

☐ New Mailing Address:

P.O. Box 961 KETCHUM ID 83340

☐ New Telephone Number:

(208) 726-4350

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached:

DEED ATTACHED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

[Signature]

Date SEPT 27 1994

Date 9/27/94

☐ Signature of Former
Owner/Claimant(s):

[Signature]

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 5/19/95 By: [Signature]

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

NOV 28 1994

22-9558

WARRANTY DEED

SEP 28 1994

For Value Received

Department of Water Resources
Southern Region Office

EDWARD ROBERTS DALE, JR., Trustee of the DALE FAMILY TRUST DATED APRIL 29, 1988
the grantor, does hereby grant, bargain, sell and convey unto

WILLIAM C. MIRAMS and LISA MIRAMS, husband and wife
the grantees, whose current address is P.O. Box 961 Ketchum, Idaho 83340
the following described premises, in Blaine County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

312029
Sun Valley Title Co.
BLAINE CO. REQUEST
OF: Deed
89 NOV 1 PM 3 08
MARY GREEN, CLERK M.P.
FEES \$ 6.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all incumbrances

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

Dated: October 26, 1989

Edward Roberts Dale, Jr., Trustee
EDWARD ROBERTS DALE, JR., TRUSTEE

STATE OF IDAHO
COUNTY OF Blaine
On this 27th day of October, in the year 1989, before me, a Notary Public, personally appeared Edward Roberts Dale, Jr. known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity as Trustee.

Masha G. Munk
Notary Public
Residing at Bellevue, Idaho.

Commission Expires: 12-1-94

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

By _____ Ex-Officio Recorder
Deputy:

Fees \$
Mail to:

INSTRUMENT No.

Chicago Title Insurance
Company of Idaho

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: A37-00885B
Date Received: 11/16/1988
Receipt No: S003837
Received By: *SCC*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDWARD DALE 213-613-3360
Address: 21455 CALLE DEL BARCO
MALIBU, CA 90265

2. Date of Priority: JUL 01, 1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	26	NW		SE		BLAINE

5. Description of diverting works:
DIVERSION DAM, HEADGATE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.400		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	26	NW	SE		IRR	40.0
Section Acres							40.0

10. Place of Use: Continued

Total Acres 40.0

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:

THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00885

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1920

DRAGER

Decree Plaintiff

vs

JONES

Decree Defendant

MICROFILMED

MAR 01 1993

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576
Ident. Number 137-00885B
Date Received _____
Receipt Number 5003837 *see*

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

RECEIVED

OCT 26 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) EDWARD R. DALE Phone (213) 613-3360
Mailing Address 21455 CALLE DEL BARCO, MALIBU CA Zip 90265

2. Date of Priority (Only one (1) per claim) 07-01-1883

3. Source of water supply (a) BIG WOOD RIVER
which is tributary to (b) MALAD RIVER

4. a. Location of existing point of diversion is: Township 2N Range 18E Section 26,
1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of BLAINE

Additional points of diversion if any: _____

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

DRAEGER #35-A HEADGATE

MICROFILMED

MAR 01 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04-01 to 11-01 amount 1.4 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 100 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N	18E	26														40			40

Total number of acres irrigated 40

11. In which county (ies) are lands listed above as place of use located? BLAINE

12. Do you own the property listed above as place of use? Yes XXXXX No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
 _____ or None (xx)

14. Remarks:

MICROFILMED
 MAR 01 1993

Last Name DALE Ident No. A37-00885B

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree XXX 37-00885
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date 01-21-1920
Plaintiff vs Defendant DRAEGER V. JONES

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

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Amelinda Clemens Date 10/25/88
POWER OF ATTORNEY FOR DALE Date _____

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

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 25 day of OCTOBER 19 88

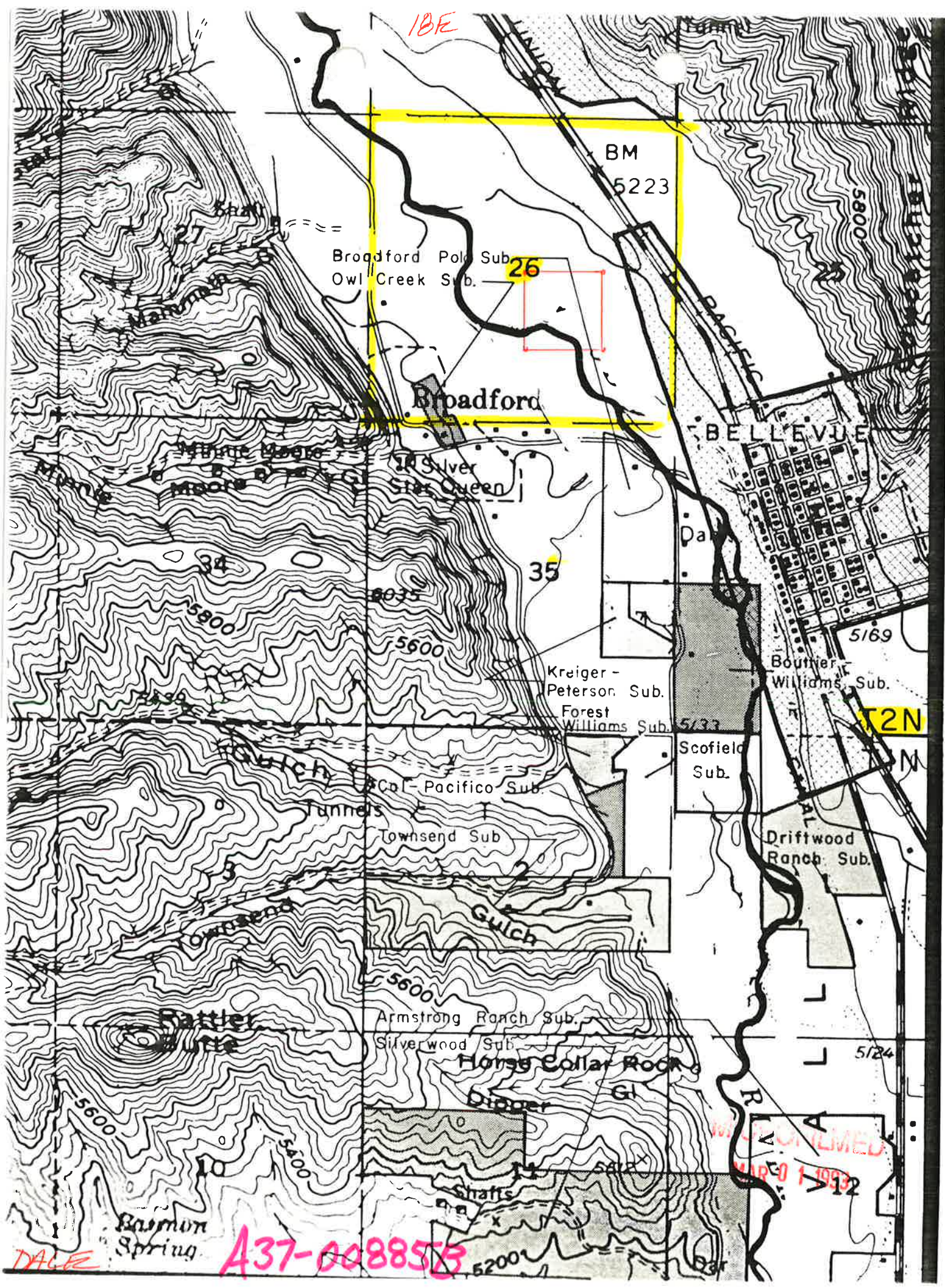
SEAL Notary Public Deborah Wilson
Residing at SUN VALLEY, IDAHO
My Commission Expires MARCH 23, 1994
Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, GARY D. SLETTE will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature G. Slette
Address P.O. BOX 1906, TWIN FALLS ID 83303-1906
Date 10-26-88

MICROFILMED
MAR 01 1993

Last Name DALE Ident. Number A37-00885B



18E

BM
5223

Broadford Pole Sub.
Owl Creek Sub.

26

Bradford

BELLEVUE

Silver Queen

35

Kreiger-Peterson Sub.

Forest Williams Sub.

Schofield Sub.

Boutier Williams Sub.

Driftwood Ranch Sub.

Townsend Sub.

Armstrong Ranch Sub.

Silverwood Sub.

Horse Collar Rock

Bigger

Shaffs

Baum Spring

A37-008853

DALE

WILSON
MAY 1 1993

09/14/2006

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

RIGHT NUMBER: 37-885B

NAME AND ADDRESS: ECCLES FLYING HAT RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84110

SOURCE: GROUND WATER

TRIBUTARY:

Use of water under Right No. 37-885B is limited to those times when water is available to fill the right at the original point of diversion from the Big Wood River within the NWSE, S26, T02N, R18E, as determined by the watermaster.

QUANTITY: 0.560 CFS
98.000 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 07/01/1883

POINT OF DIVERSION: T02N R18E S26 NWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	0.560 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T02N R18E S26 NWSE 28.00

28 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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.

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

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The portion of Right No. 37-885B described as 0.77 cfs and 7.0 acres has been relinquished through approval of Transfer No. 4480.

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



Idaho Department of Water Resources

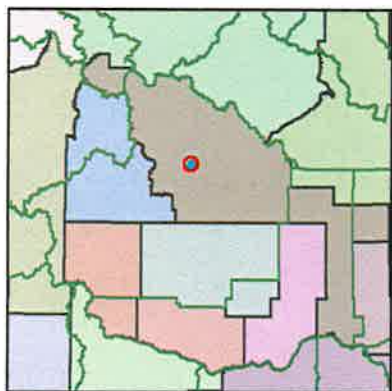
SRBA Recommendation:

37-885B

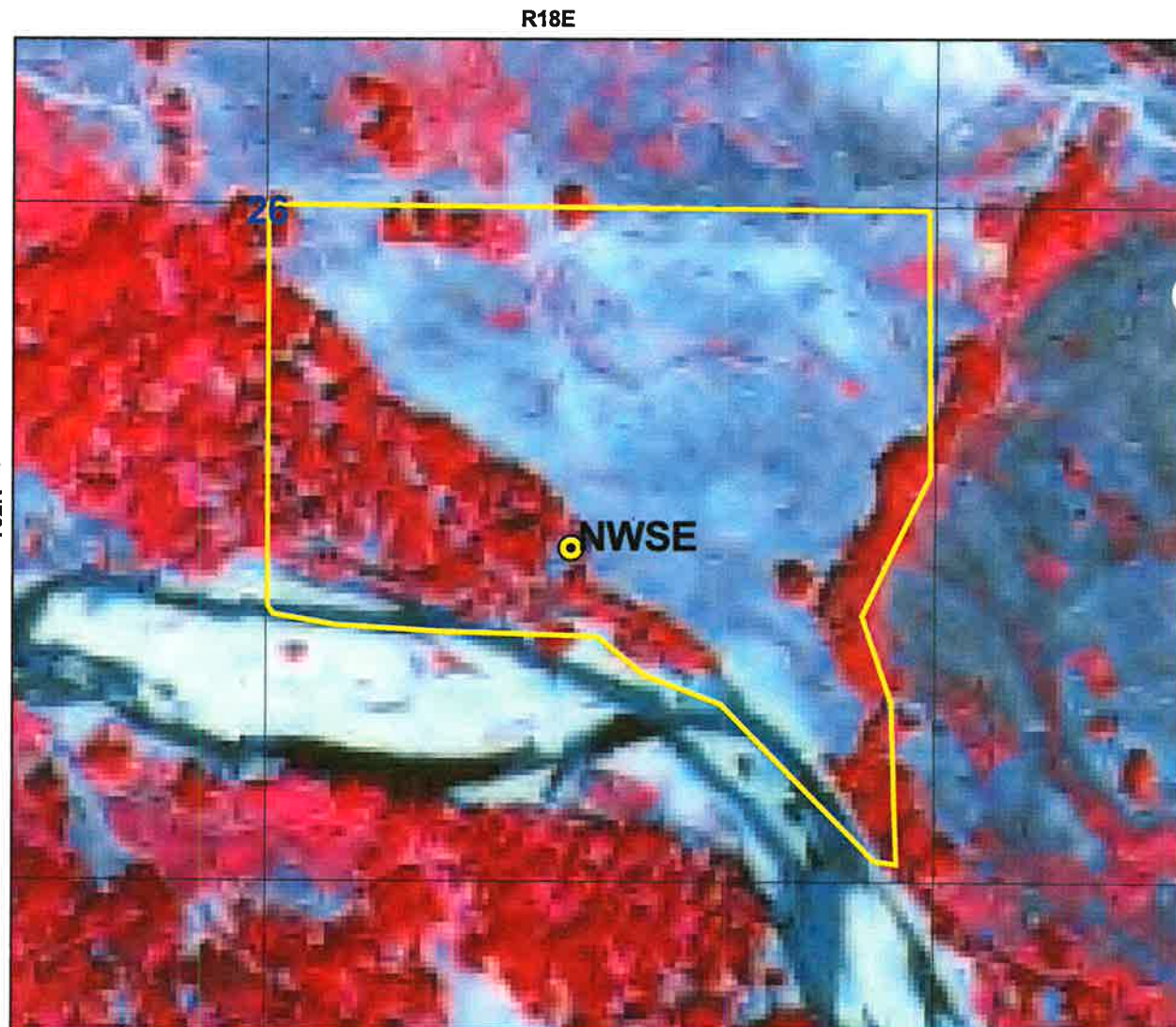
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by E. NORQUES
On Thursday, September 14, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

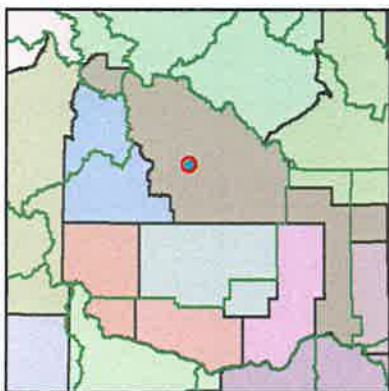
SRBA Recommendation:

37-885B

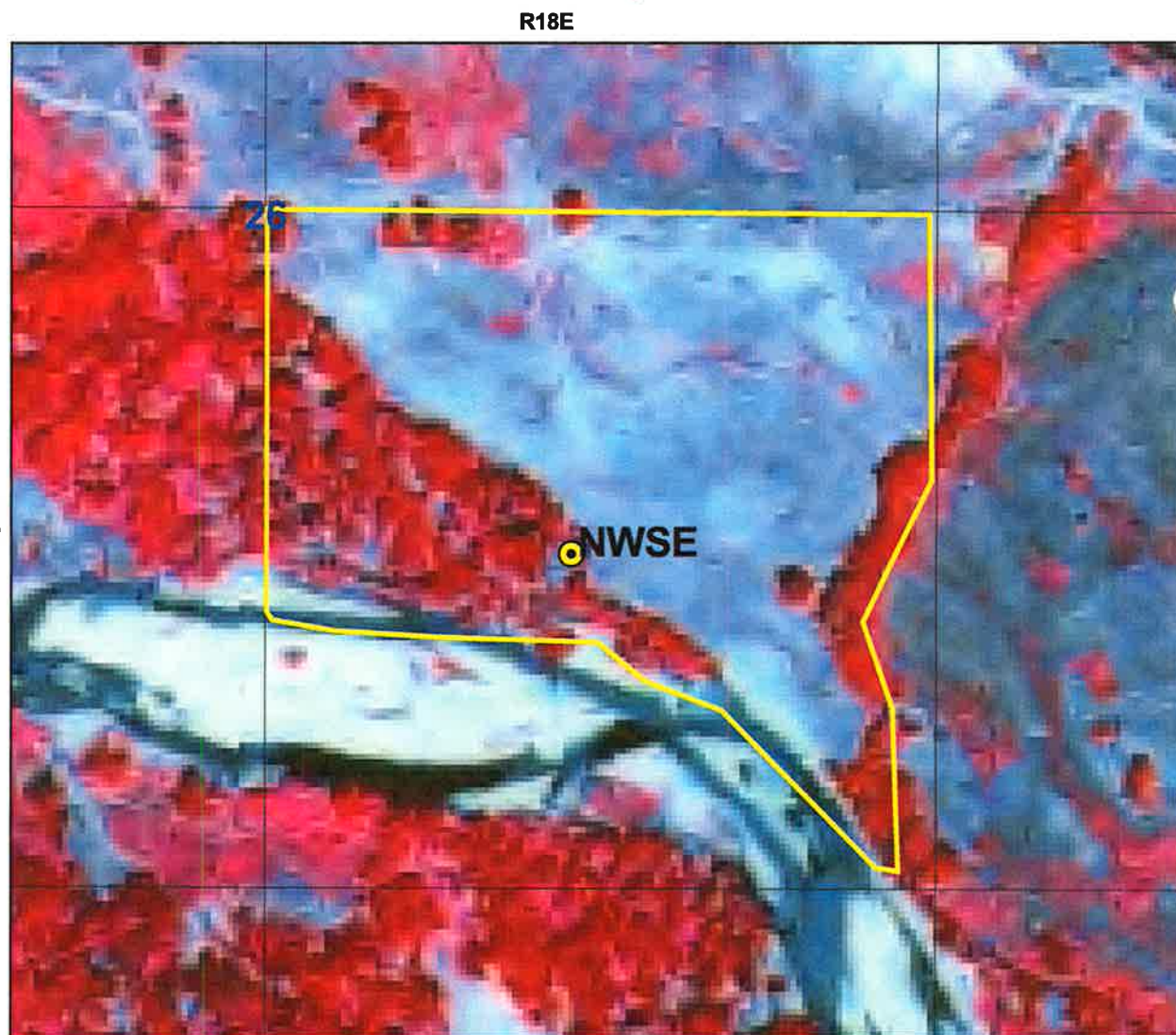
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by E. NORQUES
On Thursday, September 14, 2006
1987/88 Aerial Photography



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

August 24, 2001

Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RECEIVED

AUG 24 2001

Department of Water Resources
Southern Region

Re: Water Right 37-0885B Change of Ownership

To Whom It May Concern:

Enclosed you will find the change of ownership form for WR 37-0885B. The change of ownership will name Spencer F. Eccles - Flying Hat Ranch as the new owner under this right and adjudication claim. Enclosed is the supporting documentation which should allow you to process this request. Please contact our office if you have any comment or concerns with this request. Thank you and have a nice day.

Sincerely,

Jeffrey S. Rau, P.E.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 736-3037

September 22, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

WILLIAM C AND LISA MIRAMS
PO BOX 961
KETCHUM ID 83340

RE: Amendment of SRBA Claim A37-00885B

Dear Claimant:

Pursuant to the approval of Transfer No. 4480, the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been amended to conform with the transfer. Please find enclosed a printout of the way your claim records have been modified. Please check these modified records over carefully to verify they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Encl:

NOV 28 1995

Southern AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 4480
WATER RIGHT NO. 37-00885B

RECEIVED

MAY 10 1995

Department of Water Resources
Southern Region

This is to certify that: W C MIRAMS
101 BUCKWHEAT LANE
BOX 961
KETCHUM ID 83340

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.56 CFS	98.0 AF

SOURCE

GROUNDWATER

Priority: 07/01/1883

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 26, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 18E 26	NWSE 28			28
Total number of acres irrigated:				28

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- * 2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

NOV 28 1996

AMENDED

AMENDED

TRANSFER NO. 4480
WATER RIGHT NO. 37-00885B

CONDITIONS/REMARKS:

6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. Use of water under Right No. 37-00885B is limited to those times when water is available to fill the right at the original point of diversion from the Big Wood River within the NWSE, S26, T02N, R18E, as determined by the watermaster.
- * 9. The portion of Right No. 37-00885B described as 0.77 cfs and 7.0 acres has been relinquished through approval of Transfer No. 4480.

Dated this 28th day of April, 1995.

J. Glen Saylor
Chief, Water Alloc. Bureau

NOV 28 1996

Southern AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4480
WATER RIGHT NO. 37-00885B

This is to certify that: **W C MIRAMS**
101 BUCKWHEAT LANE
BOX 961
KETCHUM ID 83340

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.28 CFS	46.9 AF

SOURCE

GROUNDWATER

Priority: 07/01/1883

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 26, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	18E	26	NWSE	14.0		14.0
Total number of acres irrigated:						14.0

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

NOV 28 1998

TRANSFER NO. 4480
WATER RIGHT NO. 37-00885B

CONDITIONS/REMARKS:

5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. Use of water under Right No. 37-00885B is limited to those times when water is available to fill the right at the original point of diversion from the Big Wood River within the NWSE, S26, T02N, R18E, as determined by the watermaster.
- * 9. The portion of Right No. 37-00885B described as 1.05 cfs and 21.0 acres has been relinquished through approval of Transfer No. 4480.

Dated this 20th day of March, 1995

J. Shw Saylor
Chief, Water Alloc. Bureau

NOV 28 1996

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4480

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

15 6 11 V

SEP 8 0 1994

Name of applicant W. C. Mirams Phone 726-3063
Post Office address 101 Buckwheat Lane, Box 961; Ketchum, ID 83340
Department of Water Resources
Southern Region Office

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Change diversion to a well
2. Describe the reason for the proposed changes See Memo labeled "Attachment A"

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-00885B</u>	<u>7-1-1883</u>	<u>0.70 cfs.</u>	<u>Irrigation</u>	<u>4-15</u> to <u>10-15</u>
				to
				to
				to

2. Total amount of water being transferred 0.70 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Big Wood River tributary to Malad River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>NE</u>	<u>NW</u>	<u>SE</u>	<u>26</u>	<u>2N</u>	<u>18E</u>	<u>Blaine</u>	<u>New well</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	26														35			35
															</				

NOV 28 1996

Total acres 35

PART 1

6. General Information:

a. Description of diversion system Well, pump, mainline and sprinkler system

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

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

N/A

d. Remarks:

I recognize the place of use is less than 35 acres and needs to be determined. I also realize that a diversion greater than one inch per acre is not needed.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

NOV 28 1996

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 37-00885 Decreed to John A. Drager
 in case of Drager vs. Jones
 dated 1-21-1920 in Blaine county of Idaho.

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

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

4. Date or priority 7-P-1883

5. Water is used for the following purpose:

amount 1.40 for Irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.40 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	26	2N	18E	Blaine	Drager #35-A Headgate

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	26														X			

Total acres _____

9. Describe any other water rights used for the same purpose as described above A37-00885B

NOV 28 1956

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe Purchased property in 1989 - diversion works is not serviceable.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount * 0.70 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: SAME * of the 1.32 cfs I own. The other 0.62 cfs will no longer be used. As 10-17-14

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	25	2N	18E	Blaine	Dryer #35-A Headgate-actual location

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	26														35			35

Total acres 35

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

1. amount 0.08 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	26	2N	18E	Blaine	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	26														X			

Total acres 28
 NOV 28 1996



NOV 28 1956

T # 448

718 17' 30" 720 430000 FEET 722 114° 15'



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

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

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

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

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

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

Subscribed and sworn to before me this 29th day of September, 19 94.

(Signature of Applicant)

[Signature]

(Notary Public)

My commission expires

8-11-99**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 3 attachmentsReceived by MTS Date 10-3-94Protest filed by NonePrelim. check by J F Stanton Fee \$100 5017437Receipted by MTS Date 10-3-94Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 11/23 + 11/30/94

Hearing held by _____ Date _____

Watermaster recommendation requested on 11/9/94Recommended for ☐ approval ☒ denial_____ rec'd. 11/29/94by Adm

Copy of transfer sent to lien holder _____

NOV 28 1996

"Attachment A"

W. C. MIRAMS
101 BUCKWHEAT LN BOX 981
KETCHUM IDAHO 83340

SEP 15 1994

SEP 30 1994

TO: Mel Sholte
Department of Water Resources, State of Idaho

Department of Water Resources
Southern Region Office

RE: Water Right No. 37-00885

Water right No. 37-0885 is for 67.7 miners inches of surface water from the Big Wood River with a priority right dated July 1, 1883, and is appurtenant to approximately 35 acres described as the NW 1/4 of the SE 1/4 of Section 26, Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho, and on Blaine County Tax Assessors roles as Tax Lot 6381.

The current point of diversion and headgate for this right is located approximately 200 yards northwest of the property at the end of a culvert through a gravel dike on the eastern edge of the floodway of the Big Wood river (see photos).

It is impractical to use surface water to which I am entitled under the existing rights to irrigate this property for the following reasons:

1. Delivering the water through ditches to adequately irrigate a crop of grain or alfalfa would be too labor intensive in relation to expected crop yeild to make it economically feasible, either on a short or long term basis.
2. Delivering the water through the main ditches north of the property then through the ditches on the non-farmable portions of the property (see air photo) would be very wasteful depleting up to half of the allotted water before it even gets to the fields to be irrigated.
3. The headgate is at least 2 feet above the water level of the river as measured at high water in May 1994. In the enclosed photos taken August 1994 the bottom of the diversion pipe is over four feet above the water level. A dam would have to be built in the floodway to get the water up to the headgate, and as the river changes, the dam would have to be continually changed and rebuilt. From a conservationist and ecological standpoint this would be detrimental, and this area is very sensitive to those issues.

For those reasons I would like to transfer the point of diversion to a well site located on the subject property so I can install a well and a sprinkler irrigation system.

NOV 28 1994

T # 445

NOV 28 1936 T # 448

37-00885B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Carter
Southern AJ

TRANSFER OF WATER RIGHT

TEMPORARY TRANSFER NO. 4371
WATER RIGHT NO. 37-00885

This is to certify that: **WILLIAM C MIRAMS**
PO BOX 961
KETCHUM ID 83340

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.40 CFS	280.0 AF

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

Priority: 07/01/1883

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 36, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	18E	24	NWNE	40		40
Total number of acres irrigated:						40

CONDITIONS/REMARKS:

1. This approval expires November 1, 1994 and thereafter the right reverts to the use existing prior to the temporary change.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

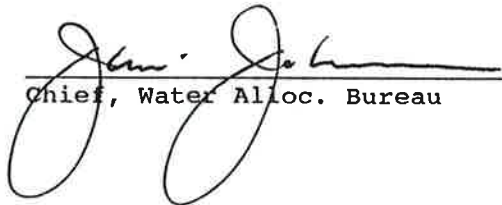
NOV 28 1996

TEMPORARY TRANSFER NO. 4371
WATER RIGHT NO. 37-00885

6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

CONDITIONS/REMARKS:

Dated this 27TH day of June, 1984.

for 
Chief, Water Alloc. Bureau

INTER-DEPARTMENT MEMO

TO: W. C. Mirams Transfer App.

SUBJECT: Staff Analysis

FROM: Jim Stanton

DATE: 10-17-94

Steve Clelland of the SRBA staff visited this property in 1990, concluding that no land in the NW/SE Sec. 26 was being irrigated. The 1987 NAPP photo shows no irrigation, as does Landsatt data from 1986. Recent watermaster records show no delivery of this right to the applicant. Based on this data, I do not plan to visit this property. Evidence strongly shows that any water rights appurtenant to the Mirams property have been lost thru non-use under Sec. 42-222B Idaho Code. Transfer should be denied. Resumption in the use of this right could take water away from later priorities such as storage in Magic Reservoir. Property is in the Big Wood River GWMA. Old headgate is in the SE/NW, not NW/SE Sec. 26 as shown in existing records.

() For your information

signature

() Response required

T #4480

INTER-DEPARTMENT MEMO

TO: File Trans #4480

SUBJECT: None - Use

FROM: Adm

DATE: 12/22/94

Phone conversation with Mrs. Peterson @ Dist 37 Office. She looked back in her records 25 yrs back to 1986 and the water has not been used. Records further back were destroyed in fire. Our office had some older records but I couldn't find where water had been delivered to 35-A (Droger) headgate.

This supports Stanton 10/17/94 memo.

() For your information

signature

() Response required

RECEIVED

MAR 09 1995

Department of Water Resources
Southern Region

MEMORANDUM

TO: J. Johnson

FROM: D. Shaff 

DATE: March 7, 1995

RE: 37-00885B (Trans. 4480) Mirams

The following points are in response to your questions and review of the application as you requested. Thank you for the opportunity to review the draft product and talk with you about it.

1. Stanton's report of his findings from investigating the applicant's property and the appurtenant water right is sufficient for IDWR adjudication purposes. As we discussed today, I question the level of accuracy conveyed by describing the number of irrigated acres to the tenths of an acre when the technique and the materials (maps) he described using have an inherent level of accuracy of greater than 0.1 acre. I would suggest approving a place of use of 14 acres.

2. My assessment of the Attorney's General checklist for review of potential "takings" leads me to conclude no legal staff review is necessary. My response to the checklist questions is attached for the record.

3. I believe the draft conditions and remarks would adequately express the recommendation IDWR adjudication staff would make for the corresponding claimed water right. However, I have two points of exception: 1) I am not convinced the applicant relinquished or abandoned any part of the water right appurtenant to the property, although he did state the water right that exists may be less than the extent described on the application. I agree the amounts lost should be affirmatively stated rather than leaving the extra amounts hanging in the air. I would propose calling "a spade a spade" and describing the lost amounts as forfeited. 2) The overlap review did not reveal any other water right existing or claimed appurtenant to the property. I would suggest deleting condition R30 denoting the right is (or may be) combined with other water rights and may not exceed .02 cfs per acre and 3.5 afa per acre. In a recommendation to the court of this water right claim today, the adjudication staff would not put this condition in the description of the water right.

NOV 28 1996

Attorney's General Checklist Criteria
Idaho Regulatory Taking Act
Transfer 4480 - 37-00885B

Don Shaff
March 7, 1995

Although a question may be answered affirmatively, it does not mean that there has a "taking." Rather, it means there could be a constitutional issue and the agency staff should carefully review the proposed action with legal counsel.

1. Does the Regulation or Action Result in a Permanent or Temporary Physical Occupation of Private Property?

No.

2. Does the Regulation or Action Require a Property Owner to Dedicate a Portion of Property or to Grant an Easement?

No; the answer might be titled toward the affirmative if a part of the water right was for mitigating flows in the Big Wood River.

3. Does the Regulation Deprive the Owner of All Economically Viable Uses of the Property?

No; the property will continue as the applicant has proposed to have the same use that existed before the transfer request was made.

4. Does the Regulation Have a Significant Impact on the Landowner's Economic Interest?

No.

5. Does the Regulation Deny a Fundamental Attribute of Ownership?

No; the owner will have no less than has existed for many years.

6. Does the Regulation Serve the Same Purpose that Would be Served by Directly Prohibiting the Use or Action; and Does the Condition Imposed Substantially Advance that Purpose?

No; not applicable.

NOV 28 1996

MEMORANDUM

Date: February 13, 1995
From: Jim Johnson
To: Don Shaff
Subject: Follow up on Transfer Review conversation

=====

Attached is the transfer application I talked to you about today.

Here is a summary of concerns;

1. Is the recommendation by Jim Stanton of acres irrigated sufficient for SRBA to recommend as verification of the SRBA claim filed?

2. Alan Merritt recommended review by legal staff for "takings" analysis. Should this be done before the transfer is approved?

3. Are there other conditions that SRBA staff would recommend before the transfer is approved?

Please review and when you return this for final processing I will incorporate SRBA recommendations. We will resolve any questions before the transfer is approved.

NOV 28 1996

FROM: Allen Merritt

DATE: January 19, 1995

TO: TRANSFER # 4480

SUBJECT: Re-evaluation of Recommendation

Initially this transfer was forwarded to the State Office with my recommendation that it be disallowed based on the evidence that the right had not been used for many years. (See Stanton 10/17/94 memo and my 12/22/94 memo). The State Office reviewed the records and found that an extension of time to avoid forfeiture was granted in 1990 and that a temporary transfer was granted in 6/22/94. In light of the recent temporary transfer I have re-evaluated my recommendation and asked Jim Stanton to determine the largest possible beneficial use which may have been made at the original place of use. As Jim's 1/18/95 memo indicates the extent of beneficial supported by photos is 13.4 acres.

I recommend that transfer # 4480 be approved with the following limits or conditions:

Use is under control of Watermaster and is regulated as a Big Wood River right although transfer allows diversion from a well.

Control works acceptable to watermaster be provided at the well head.

- Right is limited for irrigation of no more than 13.4 acres.

- Diversion rate from well shall not exceed 0.27 cfs.

- The remainder of this right (1.32 - 0.27) 1.05 cfs is lost due to this transfer or shall be provided for mitigation/recharge.

- This right is subject to SRBA review.

- This approval be reviewed by legal for "takings" analysis.

NOV 28 1995

Water Right Number - R37-00885B

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
MIRAMS

WILLIAM C

1 - PO BOX 961
2 -
3 -

City- KETCHUM
Phone - 208-726-4350
1 - PO BOX 961

State- ID Zip- 83340

MIRAMS

LISA

2 -
3 -
City- KETCHUM
Phone - 208-726-4350

State- ID Zip- 83340

*** O - ORIGINAL OWNER ***
DALE

EDWARD

1 - 21455 CALLE DEL BARCO
2 -
3 -
City- MALIBU
Phone - 213-613-3360

State- CA Zip- 90265

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/01/1883 ERROR IN REGION D - DECREED

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
02N 18E 26 NW SE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.400

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.400 100.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 18E 26 NW SE 40.0 01 IRRIGATION (13) BLAINE

Total Acres: 40.0

+ - - Diversion Means - DIVERSION DAM, HEADGATE, DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

NOV 28 1996

Water right number - R37-00885B

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +
OWNERSHIP CHANGE MADE 5/19/95 BY TLB. DALE-FORMER OWNER,
MIRAMS-NEW OWNER. WARRANTY DEED INCLUDED.

+ - - - - Old Water Right Numbers - - - - - +
A3700885

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
DRAGER JONES 00/00/0000

+ - - - - Comments - - - - - +
Date: 01/23/1992 User Id: GIVENS Subject:
Date: 01/23/1992 User Id: GIVENS Subject:
Date: 05/19/1995 User Id: TBACKLUN Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE MADE 5/19/95 BY TLB. DALE-FORMER OWNER, MIRAMS-NEW OWNER. WARRANTY DEED INCLUDED.

+ - - Audit Fields - - +
05/19/95 TBACKLUN

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- F000000	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

NOV 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 19, 1995

WILLIAM & LISA MIRAMS
PO BOX 961
KETCHUM, ID 83340

RE: SRBA CLAIM A37-00885B

DEAR CLAIMANTS:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM, WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS THE ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

NOV 28 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

24-Jan-1992 08:45

GARY D. SLETTE
ROSHOLT ROBERTSON TUCKER
P.O. BOX 1906
TWIN FALLS ID 83303-1906

RE: AMENDMENT OF NOTICE OF APPEARANCE - ADJUDICATION CLAIMS:
A37-00885B, A37-08252 - EDWARD DALE

Dear Mr. Slette:

This letter is in response to your request that your law firm of Rosholt, Robertson & Tucker be removed as acting attorneys on behalf of Edward Dale's adjudication claims. I checked our computer system to see Mr. Dale's claims and found, a copy enclosed, that he had four claims but only on the above-listed numbers, were you signed as the attorney.

Enclosed please find proofs of the adjudication claims showing the claimant as the sole individual whose name is subscribed. Should you have any questions, please call me at 736-3033.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosure

MICROFILMED

MAR 01 1993

RECEIVED

JAN 23 1992

Department of Water Resources
Southern Region Office

December 10, 1991

Attention: Judy Givens
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Amendment of Notice of Appearance

Dear Mrs. Givens:

This will serve as notice to remove the law firm of Rosholt, Robertson & Tucker as acting attorneys on behalf of the undersigned claimant, and that all notices required by law hereafter to be mailed by the director to the undersigned should be mailed to the address of 210 Meadowbrook Rd, Hailey, 83333

DATED this 20 day of Jan, 1992.



Gary D. Slette
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 1906
Twin Falls, ID 83303-1906



EDWARD DALE, Claimant

STATE OF IDAHO)
) ss.
County of Blaine)

On this 20 day of January, 1992, before me, a Notary Public, in and for said County and State, personally appeared EDWARD DALE, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

MICROFILMED

MAR 01 1993

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

Betty K. Anderson
NOTARY PUBLIC FOR IDAHO
Residing at: KETCHUM
My commission expires: 9/1/95

16461

MICROFILMED
MAR 01 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/28/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-00885B

LAST: DALE FIRST: EDWARD
ADDRESS: 21455 CALLE DEL BARCO
CITY: MALIBU STATE: CA ZIP: 90265
PHONE NUMBER: 213-613-3360

OWNER CODE: C

FIELD EXAM REQUIRED? FIELD
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE EXAMINER
Y

CLAIM REMARKS: THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00885

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: (____) ____-____
DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)
ACCOMPANIED BY: _____ PHONE NUMBER: (____) ____-____
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
OCT 26 1994

A. AJ CLAIM: # A37-00885B PRIORITY DATE: 07-01-1883 STAGE: D
B. WR RECORD: # 37-00885 PRIORITY DATE: 07-01-1883 STAGE: D

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
07-01-1883

REVIEWED BY _____ DATE _____

=====

MICROFILMED
OCT 4 6 1984

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-00885B	02N	18E	26		NW	SE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-00885	02N	18E	26		NW	SE		BLAINE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

37-00033

NONE NONE

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

MICROFILMED
OCT 26 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

REVIEWED BY: _____

DATE: _____

MICROFILMED
OCT 26 1994

A. ROOT WATER RIGHT NUMBERS: A37-00885A
A37-00885B
R37-00885A
R37-00885B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	18E	26	NW	SE	DALE , EDWARD	A37-00885B /40.0	-	/			
					HAZEN , RICHARD	R37-00005 / 2.0	-	/			
					HAZEN , MAXINE	A37-00005 / 2.0	-	/			
					DALE , EDWARD	R37-00885B /40.0	-	/			
					DRAGER , JOHN A.						
										37-00885	/
TOTAL ACRES						A37-00885B	40.00				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

MICROFILMED
OCT 26 1994

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A37-00885B IRRIGATION	FROM 04-01 TO 11-01	1.400 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.400 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
37-00885 IRRIGATION	FROM TO	1.400 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.400 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(____) N(____)

RECOMMEND TO WR STANDARDS OR OTHER? Y(____) N(____) Explain in remarks, below.

REMARKS:

MICROFILMED
OCT 26 1994

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.400 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-00885B	BIG WOOD RIVER	DALE , EDWARD	1.400	0.035		
R37-00005	BIG WOOD RIVER	HAZEN , RICHARD	3.000	0.040		
A37-00005	BIG WOOD RIVER	HAZEN , MAXINE	3.000	0.040		
R37-00885B	BIG WOOD RIVER	DALE , EDWARD	1.400	0.035		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

MICROFILMED
OCT 26 1994

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(____) N(____)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(____) N(____) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 100.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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OCT 26 1994

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE 1.400 EXAMINER	DATABASE EXAMINER	DATABASE 100.0 EXAMINER
TOTAL FOR THIS RIGHT		1.400		100.0

REVIEWED BY: _____

DATE: _____

MICROFILMED
OCT 26 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-00885

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.400	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A37-00885A	0.046	R37-00885A	0.046	-	
-	A37-00885B	1.400	R37-00885B	1.400	-	
A37-00885	R37-00885A	0.046	R37-00885A	0.046	37-00885	1.400
A37-00885	R37-00885B	1.400	R37-00885B	1.400	37-00885	1.400
TOTAL CFS		2.892		2.892		1.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

MICROFILMED
OCT 4 6 1994

MICROFILMED

OCT 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/28/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-00885B

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED
OCT 26 1994

INTER-DEPARTMENT MEMO

TO: File A37-00885B

SUBJECT: _____

FROM: Adm

DATE: 12/22/94

Transfer # 4480 filed by Mirams with
deed from Edward Dele to Mirams

Transfer #4480 is being recommended to be
disallowed since water not been used. (See file)

() For your information

() Response required

Adm
signature

NOV 28 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A37-00885BFIELD REPORT LOG

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
PRIORITY DATE	N		SCC 3-5-90	
POINT OF DIV.	(YES)	location? call WM.	SCC 5-16-90	
SOURCE	N			
PLACE OF USE	(YES) ✓	VERIFY Not IRRIGATED	SCC 6-14-90	
DIV. AMOUNT	N			
CONSUMPTIVE USE	N			
USES	N		SCC 3-5-90	
PERIOD OF USE	N		SCC 3-5-90	
BASIS OF CLAIM	N		SCC 5-16-90	

REMARKS:

MICROFILMED
MAR 01 1993

GENERAL INFORMATION

Claim number: A37-00885B

LAST: DALE FIRST: EDWARD

ADDRESS: 21455 CALLE DEL BARCO

CITY: MALIBU

STATE: CA ZIP: 90265 PHONE: (213) 613-3360

OWNER CODE: C OWNER CONNECTOR: _____

LAST: _____ FIRST: _____

ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____ PHONE: (____) ____-____

OWNER CODE: _____

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER (____) ____-____

DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE? Y(____) N(____), TIME: _____

ACCOMPANIED BY: _____ PHONE NUMBER (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

MICROFILMED

MAR 01 1993

CLAIM NUMBER: A37 - 0088513

MAR 01 1995

A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>26</u>	—	<u>NW</u>	<u>SE</u>	—	<u>13</u>

SOURCE: BIG WOOD RIVER TRIB: MALAD RIVER

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>26</u>	—	<u>NW</u>	<u>SE</u>	—	<u>13</u>

SOURCE: BIG WOOD RIVER TRIB: MALAD RIVER

C. REVIEW - FIELD EXAM NEEDED? Y(☒) N(☐)

		ATTACHED	OR	SEE FILE
VERIFIED	() TOPO MAP/ORTHO-PQ	YES(☒)	NO()	_____
WITH:	() ASCS MAP	YES()	NO()	_____
	() WATERMASTER RECORDS	YES()	NO()	_____
	() FIELD EXAM	YES()	NO()	_____
	() OTHER _____	YES()	NO()	_____

REMARKS: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>2N</u>	<u>18E</u>	<u>26</u>	<u>—</u>	<u>NW</u>	<u>SE</u>	—	<u>13</u>
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—

SOURCE: B.W. R. TRIB: MALAD R.

REVIEWED BY su DATE 5-16-90

RECORDED

MAR 01 1993

PAGE 5.

PLACE OF USE REVIEW SHEET (IRRIGATION)

CLAIM # A37-00885 B

FIELD EXAM REQUIRED: Y(X) N()

PRESUMPTION FLAG: Y(X) N()

ROOT WATER RIGHT NUMBERS 37-00885

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
<u>ZN 18E 26 NW SE A37-00885B / 40</u>		<u>— — — — — / — — — — —</u>	<u>0</u>		
<u>— — — — — / 2</u>		<u>— — — — — / — — — — —</u>			
<u>— — — — — / —</u>		<u>— — — — — / — — — — —</u>			
<u>— — — — — / —</u>		<u>— — — — — / — — — — —</u>			
<u>— — — — — / —</u>		<u>— — — — — / — — — — —</u>			
<u>— — — — — / —</u>		<u>— — — — — / — — — — —</u>			
<u>— — — — — / —</u>		<u>— — — — — / — — — — —</u>			
<u>— — — — — / —</u>		<u>— — — — — / — — — — —</u>			
TOTAL ACRES	<u>40</u>				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

REMARKS: Verify Acres?

REVIEWED BY See

DATE 5-16-90

MICROFILMED
MAR 01 1993

A. S.R.B.A CLAIMED USES:

	PURPOSES	MONTH/DAY	RATE	
FOR	<u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>1.4</u>	CFS
FOR		FROM <u>-</u> TO <u>-</u>		CFS
FOR		FROM <u>-</u> TO <u>-</u>		CFS

B. I.D.W.R. RECORDED USES:

	PURPOSES	MONTH/DAY	RATE	
FOR	<u>IRRIGATION</u>	FROM <u>-</u> TO <u>-</u>	<u>1.4</u>	CFS
FOR		FROM <u>-</u> TO <u>-</u>		CFS
FOR		FROM <u>-</u> TO <u>-</u>		CFS

PRESUMPTION FLAG: D

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON?

Y(~~X~~) N(-)

RECOMMENDED AS CLAIMED?

Y(~~X~~) N(-)

RECOMMEND TO IDWR STANDARDS OR OTHER?

Y(-) N(~~X~~)

REMARKS:

RECOMMENDED USES:

	PURPOSES	MONTH/DAY	RATE	
FOR	<u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>1.354</u>	CFS
FOR		FROM <u>-</u> TO <u>-</u>		CFS
FOR		FROM <u>-</u> TO <u>-</u>		CFS

REVIEWED BY

SCC

DATE

3-5-90

NOT RECORDED

MAR 01 1993

PAGE 7.
DIVERSION AMOUNT REVIEW SHEET

CLAIM # A37-00885B

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

SRBA CLAIMED RATE: 1.4 CFS IDWR ROOT RIGHT RATE: 1.4 CFS
IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required.

IS FLOW MEASUREMENT REQUIRED?

Y(☐) N(☒)

per
wm.

B. FLOW MEASUREMENTS

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) If YES complete overlap review.

OTHER RIGHTS LISTED IN CLAIM: _____

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES 40 X 0.02 CFS/ACRE = 0.80 CFS.
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE?

Y(☒) N(☐)

IF YES EXCESSIVE WATER USE FORM FILED AND ATTACHED? Y(☐) N(☒)

2. ANNUAL IRRIGATION CONSUMPTIVE USE & FIELD HEADGATE DIVERSION VOLUME.

ACRES 40 X CONSUMPTIVE RATE FOR AREA 2.5 A.F./ACRE =

TOTAL CONSUMPTIVE USE 100 ACRE FEET/ANNUM

ACRES _____ X FIELD APPLIC. RATE FOR AREA _____ A.F./ACRE =

TOTAL FIELD APPLIC. _____ ACRE FEET/ANNUM

E. RATE/VOLUME CALCULATIONS: (OTHER USES)

CONTACT OWNER? Y(☐) N(☐) SEE ATTACHED SHEET? Y(☐) N(☐)

RECOMMENDED DIVERSION RATE: 1.354 CFS

= (67.7")

RECOMMENDED CONSUMPTIVE USE: 100 AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: _____ AF/ANNUM

REVIEWED BY Scr

DATE 5-16-90

MAR 01 1993

BASIS OF CLAIM ISSUES REVIEW SHEET

CLAIM # A37-00885B

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
EXCESSIVE AMOUNT _____	()	()

THIS SRBA CLAIM CFS/ACRE

0.035

OTHER SRBA CLAIMS CFS/ACRE

_____-_____-_____-

_____-_____-_____-

_____-_____-_____-

**Excessive water use form filed and ATTACHED? Y(E) N(E)

B. SPLIT WATER RIGHT REVIEW

ROOT RIGHT # <u>37-00885</u>	SPLITS # <u>A37-00885A</u>	<u>0.046</u> CFS
<u>1.4</u> CFS	# <u>-00885B</u>	<u>1.400</u> CFS
	# _____	_____ CFS
	# _____	_____ CFS
	# _____	_____ CFS
TOTAL CFS		<u>1.446</u>

**Do the sum of the parts equal the whole?

Y() N(X)**IF NO is the written review sheet ATTACHED? →Y() N(X)

REMARKS: THIS CLAIM EXCEEDS AMT. HISTORICALLY

DELIVERED VIA W.M. (1.354 cfs = 67.7")

=====

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MICROFILMED

MAR 01 1993

ADDITIONAL ACREAGE FORM

Claim number: A37 - 0088SB

[illegible]

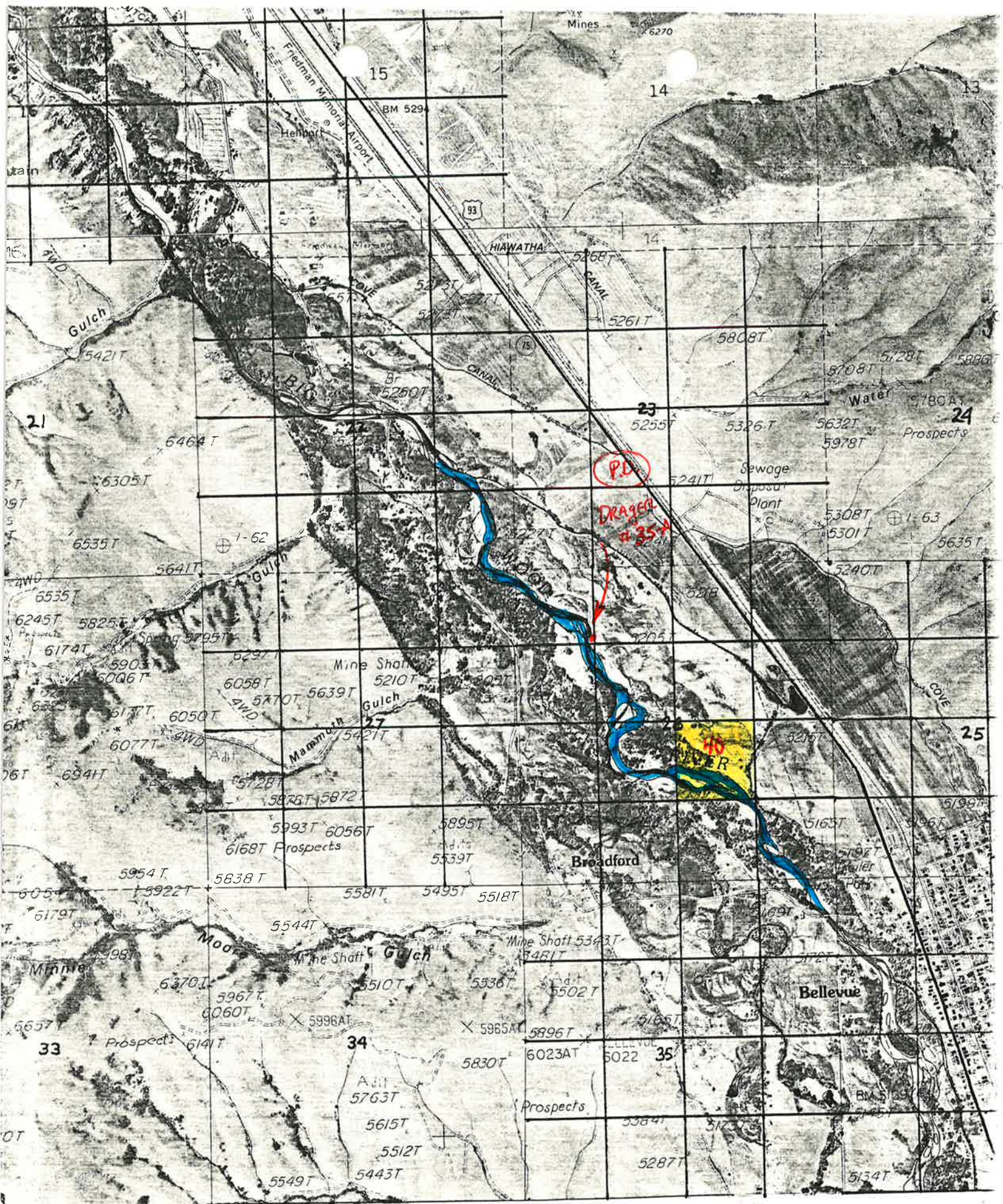
TOTAL NUMBER OF ACRES 40

REMARKS:

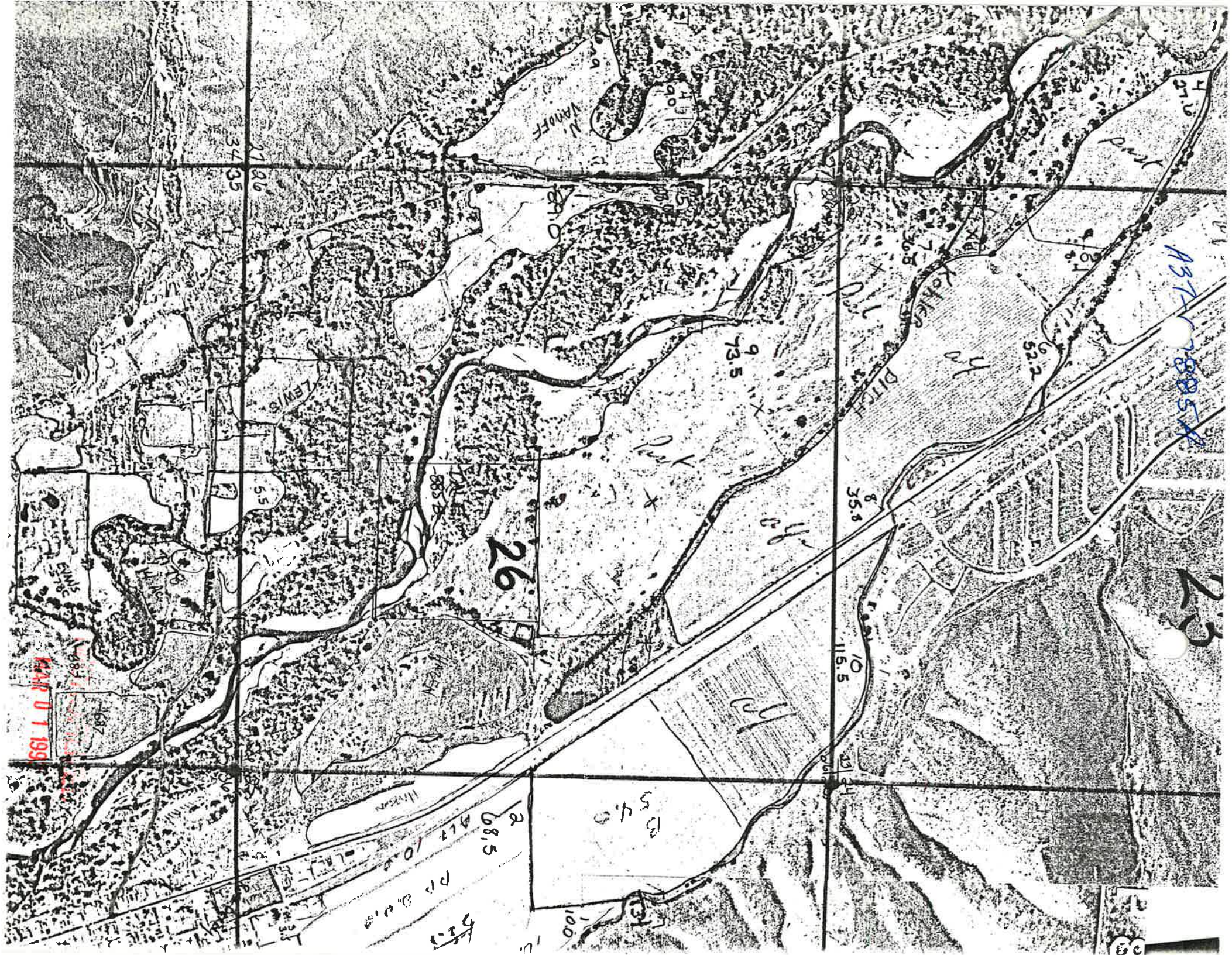
REVIEWED BY

DATE _____

MICROFILMED
MAR 01 1993



MICROFILMED
MAR 01 1993



04/23/88

DIVER NO	DIST.	R PRIOR.	OWNER	ST.ID.	ORIG DECREE TO	PRIORITY DATE	INCHES	BWCC	BELOW #10CUT	ABOVE 10	OTHER
70	F 26-A		SPRING CREEK RANCH	37-0139	LAURA CHANEY	06-01-1883	150.00				
0	X 26-C		BIG WOOD RIVER	37-0029	MARY E. ANGEL	06-01-1883	6.00				
			6.00" LOSS TO BWR BY TRANSFER								
45	E 27-B1		DAN MANNING	37-0235	PETER FOSTER	06-15-1883	50.00				
45	E 27-B		GLEN MARSHALL	37-0235	PETER FOSTER	06-15-1883	50.00				
62	E 27-A		WOOD RIVER RANCHES	37-0065	WILLIAM BLACK	06-15-1883	385.00				
61	E 28-A2		E. HADLEY STUART	37-0067	WILLIAM BLACK	06-26-1883	165.00				
61	E 28-A3		E. HADLEY STUART	37-0068	WILLIAM BLACK	06-26-1883	80.00				
62	E 28-A1		WOOD RIVER RANCHES	37-0067	WILLIAM BLACK	06-26-1883	135.00				
20	D 29-A		ELIZABETH COOK	37-0496	THOMAS MIZER	07-01-1883	2.50				
20	D 29-A1		ROBERT BRENNAN	37-0496	THOMAS MIZER	07-01-1883	197.50				
35-A	E 29-B		EDWARD R. DALE	37-0885	JOHN DRAGER	07-01-1883	67.70				
35-A	E 29-B1		GREGORY A. MOORE	37-0885	JOHN DRAGER	07-01-1883	2.30				
02	D 30-A		SUN VALLEY, INC	37-0416	HORACE C. LEWIS	10-05-1883	325.00				
02	D 30-A1		SUN VALLEY INC.	37-0417	HORACE C. LEWIS	10-05-1883	200.00				
37	E 31-A		LEROY LEWIS	37-0311	CHARLES HIGGINSON	04-03-1884	90.00				
38	F 32-A		SPRING CREEK RANCH	37-0187	I. R. CHANEY	05-01-1884	80.00				
39	E 33-A3		BILL EVANS	37-0578	ELIZABETH ROBERTS	05-02-1884	5.00				
39	E 33-A1		JOHN BORTON	37-0578	ELIZABETH ROBERTS	05-02-1884	12.00				

MICROFILMED
 MAR 01 1993

(1.354 of 5)

WATER DIST. 37 WOOD RIVER ABOVE MAGIC -- PRIORITY BOOK as of:

04/23/88

DIVER NO	DIST.	R PRIOR.	OWNER	ST.ID.	ORIG DECREE TO	PRIORITY DATE	INCHES	BWCC	BELOW #10CUT	ABOVE 10	OTHER
39	E 33-A2		JOYCE PEARSON	37-0578	ELIZABETH ROBERTS	05-02-1884	35.00				
50	E 33-B		JOHN BROWN INC.	37-0203	HENRY ELLIOTT	05-02-1884	320.00				
27	D 34-A		ASPEN LAKES %JOHN BIGG	37-0557	ROSA L. PURDUM	05-15-1884	50.00				

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-00885B	02N	18E	26		NW	SE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
37-00033

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-00885	02N	18E	26		NW	SE		BLAINE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

37-00033

NONE NONE

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
			Y	
			N	

REMARKS:

MAR 01 1993

UNPROCESSED

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

REVIEWED BY: _____ DATE: _____

MICROFILMED
MAR 01 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

03/05/90 14:15:03
Page 1

Water Right Number - 37-00885

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

DRAGER

JOHN A.

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - +
07/01/1883

+ - - Region - - - +
17

+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

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

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

+ - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

02N 18E 26 NW SE (13) BLAINE

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

01 - IRRIGATION

1.400

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.400

+ - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

02N 18E 26 NW SE 01 IRRIGATION (13) BLAINE

Total Acres:

+ - - Diversion Means - DRAGER #35-A HEADGATE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - - +
AC. IRRIG. NOT SPECIFIED. FARM = 40 AC.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

+ - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - Decree Plaintiff - - - +
DRAGER

+ - - Decree Defendant - - - +
JONES

+ - Decree Date - +
01/21/1920

MICROFILMED
MAR 01 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

03/05/90 14:15:03
Page 2

Water right number - 37-00885

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields -

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

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 00/00/0000
Decree Date - 01/21/1920

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 05/21/1986
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District - 37
Transfer/Amended -

MICROFILMED
MAR 01 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - A37-00885B

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

DALE

EDWARD

1 - 21455 CALLE DEL BARCO

2 -

3 -

City- MALIBU

State- CA Zip- 90265

Phone - 213-613-3360

+ - - Priority Date - - +

07/01/1883

+ - - - Region - - - +

+ - - - Stage - - - +

D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +

BIG WOOD RIVER

+ - - - - Tributary - - - - - +

MALAD RIVER

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County (Blank if no Index Code)
-----	-----	-----	-------	-----	------	---------------------------------

02N	18E	26	NW SE			(13) BLAINE
-----	-----	----	-------	--	--	-------------

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	----------------	------------------

01 - IRRIGATION		04/01	11/01	1.400	
-----------------	--	-------	-------	-------	--

+ - Total Div. Rate - + + - Total Div. Volume - +

1.400

+ - Total Consumptive Use - + + - KW Usage - +

100.0

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

02N	18E	26	NW SE		40.0	01	IRRIGATION	(13) BLAINE
-----	-----	----	-------	--	------	----	------------	-------------

Total Acres: 40.0

+ - - Diversion Means - DIVERSION DAM, HEADGATE, DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00885

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

DRAGER

+ - - - - Decree Defendant - - - +

JONES

+ - Decree Date - +

01/21/1920

MICROFILMED
MAR 01 1993

RECORDED
MAR 11 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - A37-00885B

Adj. flag translation: Adjudication Temporary Work Area

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/26/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S003837	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR		

UNRECORDED
MAR 01 1993