

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: A37-07853

Date Received: 11/22/1988

Receipt No: C003521

Received By: CT: OWNER
CHANGE

~~COPY FOR~~
~~YOUR FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPY FOR~~
~~YOUR FILES~~

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

2. Date of Priority: NOV 25, 1980

3. Source: SPRINGS Trib. to: LOVING CREEK

4. Point of Diversion:

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

5. Description of diverting works:

FLOW FROM SPRINGS COLLECTED IN POND WITH DISCHARGE TO LOVING CK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
RECREATION STORAGE	01/01	12/31			4.50

7. Total Quantity Appropriated is:

C.F.S. (and/or) 4.50 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

RECREATION STORAGE/ POND FOR SWIMMING, FISHING, ICE SKATING

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	24	SW NE		REC S	

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:

PURSUANT TO THE APPROVAL OF TRANSFER NO. 3790 DATED DECEMBER 8 1992 THE RIGHT IS SUBJECT TO THE FOLLOWING CONDITIONS:

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

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SAID TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

APPROVAL OF SAID TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

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

STORAGE FOR RECREATION IS LIMITED TO 4.5 ACRE FEET PER ANNUM.

CONFORMED MAILING ADDRESSES DMS

CONFORMED ATTORNEY MAILING ADDRESS DMS

TRANS. 2482.

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

ORIGIONAL DECREE TO CHARLES C. SMITH IN S.C. FROST ET AL V. ALTUR US WATER CO. ET UX..

CONFORMED MAILING ADDRESSES DMS

14. Remarks: Continued

06/18/99, CHANGED OWNERSHIP: MAGUIRES SOLD THEIR SHARE TO
FERYS AND WOODS, AS PER FORM 1409(6) AND WARRANTY DEED RECEIVED
04/16/99. C.T.

15. Basis of Claim: LICENSE

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

RECEIVED
APR 16 1999
 Department of Water Resources
 Southern Region

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

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

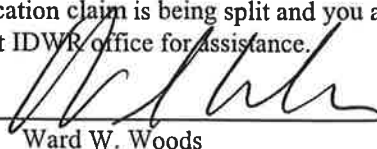
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF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

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

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

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

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

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

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

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

o/c 6/21/99 ct
 ✓ JH

RECEIVED

409719

Deed

JAN 14 1998

SPECK & AANESTAD

BLAINE CO. REQUEST

OF: *Speck & Aanestad*

'98 JAN 12 AM 11 04

MARY GREEN, CLERK

FEE \$ 2.00

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

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

(Space above line for Recorder's use)

WARRANTY DEED

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

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

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

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

"GRANTOR"

DATE: 1/3/98

Robert F. Maguire, III
ROBERT F. MAGUIRE, III

STATE OF CALIFORNIA)

County of Los Angeles)

ss.

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

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

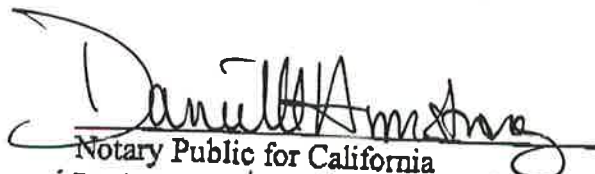

Notary Public for California
Residing at: Los Angeles, CA
Commission Expires: 1/26/01



EXHIBIT A

PARCEL I:

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

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

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

PARCEL II:

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

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

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

AND

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

RECORDING REQUEST BY

FIRST AMERICAN TITLE
INSURANCE COMPANY

WHEN RECORDED MAIL TO

NAME

MAILING
ADDRESS

CITY, STATE
ZIP CODE

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

RECEIVED

JAN 14 1998

SPECK & AANESTAD

FEE \$ 6.00
MARY GREEN, CLERK

'98 JAN 12 AM 11 03

BLAINE CO. REQUEST
OF: *Speck & Aanstad*

409718

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

QUITCLAIM DEED

(Loving Creek Ranch)

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

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

December 30th 1997

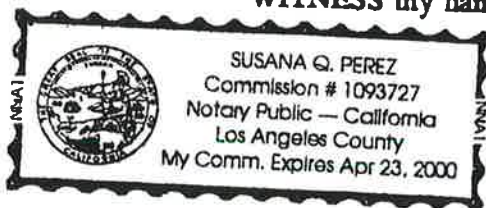

SUSAN R. MAGUIRE

STATE OF CALIFORNIA)

COUNTY OF Los Angeles) ss.

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

WITNESS my hand and official seal.



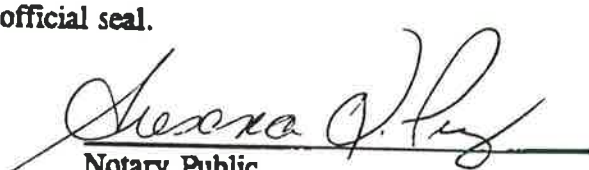

Notary Public

EXHIBIT A

LOVING CREEK RANCH

LEGAL DESCRIPTION

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

PARCEL 1:

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

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

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

PARCEL 2:

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

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

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-07853**
Date Received: 11/22/1988
Receipt No: C003521
Received By: _____

AMENDED

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

AMENDED

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

MICROFILMED

FEB 24 1993

Address: BESSEMER SECURITIES CORP.
630 FIFTH AVE.
NEW YORK NY

10111

2. Date of Priority: NOV 25, 1980

3. Source: SPRINGS Trib. to: LOVING CREEK

4. Point of Diversion:

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

5. Description of diverting works:

FLOW FROM SPRINGS COLLECTED IN POND WITH DISCHARGE TO LOVING CK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
RECREATION STORAGE	01/01	12/31			4.50

7. Total Quantity Appropriated is:

C.F.S. (and/or) 4.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

RECREATION STORAGE/ POND FOR SWIMMING, FISHING, ICE SKATING

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	24	SW	NE		REC S	

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:

PURSUANT TO THE APPROVAL OF TRANSFER NO. 3790 DATED DECEMBER 8 1992 THE RIGHT IS SUBJECT TO THE FOLLOWING CONDITIONS:

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

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

APPROVAL OF SAID TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

14. Remarks: Continued

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

STORAGE FOR RECREATION IS LIMITED TO 4.5 ACRE FEET PER ANNUM.

15. Basis of Claim: LICENSE

MICROFILMED
FEB 24 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

MICROFILMED
FEB 24 1993

Address: BESSEMER SECURITIES CORP.
630 FIFTH AVE.
NEW YORK, NY 10111

2. Date of Priority: NOV 25, 1980

3. Source: SPRING Trib. to: LOVING CREEK

4. Point of Diversion:

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

5. Description of diverting works:

FLOW FROM SPRINGS IS COLLECTED IN PONDS THEN DIVERTED TO LOVING C

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.060		3.40
RECREATION	01/01	12/31	0.070		1.10

7. Total Quantity Appropriated is:

0.070 C.F.S. (and/or) 4.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

S/ 250 HEAD OF CATTLE, R/ SWIMMING, FISHING, ICE SKATING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	24	SW	NE		STOCK	

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: LICENSE

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 _____

MICROFILMED
FEB 24 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-07853
Date Received: 10/27/1988
Receipt No: C003521
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WARD W. WOODS
Address: LAZARD, FRERES & CO.
ONE ROCKEFELLER PLAZA
NEW YORK, NY 10020 212-373-4486
- AND/OR
- Name: PRISCILLA B. WOODS
Address: LAZARD, FRERES & CO.
ONE ROCKEFELLER PLAZA
NEW YORK, NY 10020 212-373-4486
- AND/OR
- Name: MARK T. GATES
Address: NEW YORK, NY 10020
- AND/OR
- Name: ELIZABETH W. GATES
Address: NEW YORK, NY 10020
- AND/OR
- Name: JOHN B. FERY
Address: NEW YORK, NY 10020
- AND/OR
- Name: DELORES L. FERY
Address: NEW YORK, NY 10020
- AND/OR
- Name: ROBERT F. MAGUIRE III
Address: NEW YORK, NY 10020
- AND/OR
- Name: SUSAN R. MAGUIRE
Address: NEW YORK, NY 10020
2. Date of Priority: NOV 25, 1980

A37-07853

Page 1

Date: 11/21/88

RECEIVED
FEB 24 1993

3. Source: SPRING

Trib. to: LOVING CREEK

4. Point of Diversion:

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

5. Description of diverting works:

FLOW FROM SPRINGS IS COLLECTED IN PONDS THEN DIVERTED TO LOVING C

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.060		3.40
RECREATION	01/01	12/31	0.070		1.10

7. Total Quantity Appropriated is:

0.070 C.F.S. (and/or)

4.50 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/ 250 HEAD OF CATTLE, R/ SWIMMING, FISHING, ICE SKATING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	24	SW	NE		STOCK	

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: LICENSE

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: 39356
Ident Number 431-07853
Date Received 10-27-88
Receipt Number _____

RECEIVED

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region Office

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

Phone: (212) 373-4486

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

2. Date of Priority: November 25, 1980
3. Source of water supply (a) Springs
which is tributary to (b) Loving Creek
4. a. Location of point of diversion is:

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

Additional points of diversion if any: None.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

RECORDED
FEB 24 1993

5. Description of existing diversion works: Flow from springs is collected in a pond (150' X 60' X 4'), then diverted into another pond (100' X 30' X 4'), then diverted into Loving Creek.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Stockwater	January 1	December 31	0.06 cfs/3.4 AFA
Recreation	January 1	December 31	0.07 cfs/1.1 AFA

7. Total Quantity Claimed: 0.07 cfs / 4.5 AFA

8. Total consumptive use claimed is de minimus.

9. Non-irrigation uses: Stockwater - 250 head of non-dairy cattle; recreation - swimming, fishing, ice skating.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
1S	19E	24	SW	NE	S/R	

Total number of irrigated acres: N/A

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? None.

14. Remarks:

Last Name: Woods

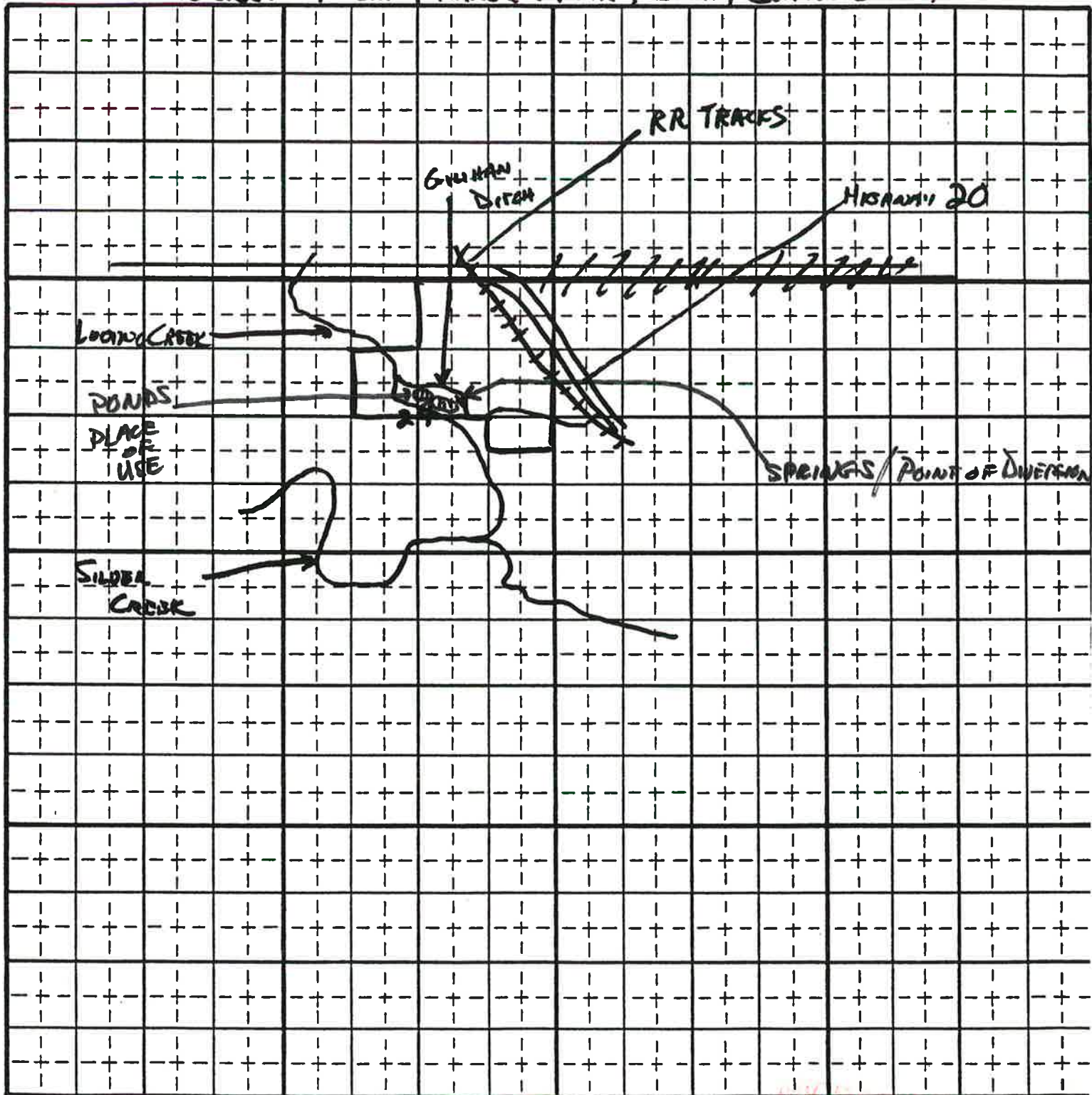
Ident No. _____

MICROFILMED
FEB 24 1993

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

Scale: 2 inches equals 1 mile

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



RECORDED
FEB 24 1993

Last Name

Woods

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim: License
IDWR Water Right Number: 37-7853
Court:
Case Number:
Decree Date:
Plaintiff v. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

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

Signature of Claimant(s)

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

Date

10/24/88

Date

State of Idaho)

County of Blaine)

ss.

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

Notary Public

Residing at

Commission Expires

Bryan Dean Becker
Shen Valley
1/17/93

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature:

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

Date:

10/24/88

Last Name: Woods
a:\lvngck7.clm

Ident No.: _____

MICROFILMED
FEB 24 1993

09/23/2006

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

RIGHT NUMBER: 37-7853

NAME AND ADDRESS: PRISCILLA B WOODS
18433 US HWY 20
BELLEVUE ID 83313

WARD W WOODS
18433 US HWY 20`
BELLEVUE ID 83313

DELORES L FERY
18433 US HWY 20
BELLEVUE ID 83313

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

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

JOHN B FERY
18433 US HWY 20
BELLEVUE ID 83313

SOURCE: SPRINGS TRIBUTARY: LOVING CREEK

QUANTITY: 4.500 AFY

Storage for recreation is limited to 4.5 af per year.

PRIORITY DATE: 11/25/1980

POINT OF DIVERSION: T01S R19E S24 SWSWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	4.50 AFY

PLACE OF USE: RECREATION STORAGE Within BLAINE County

T01S R19E S24 SWNE

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.

09/23/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

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

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

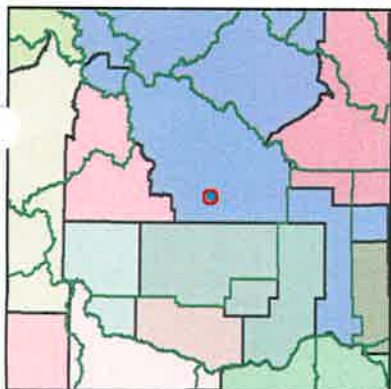
SRBA Recommendation:

37-7853

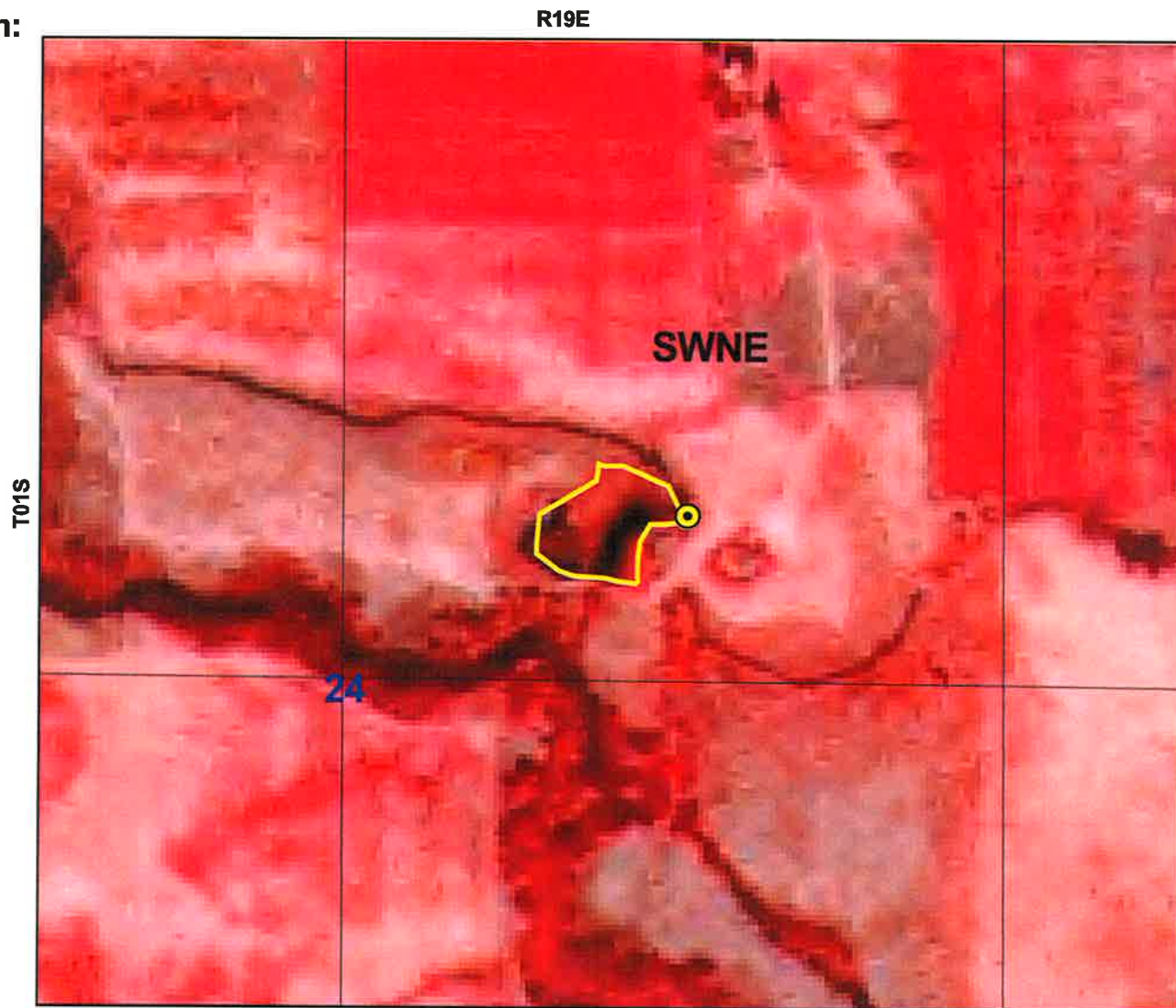
(Recreation Storage)

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 Tuesday, September 26, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

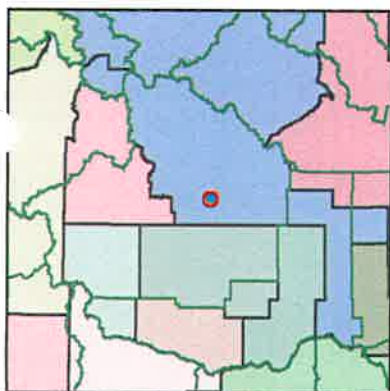
SRBA Recommendation:

37-7853

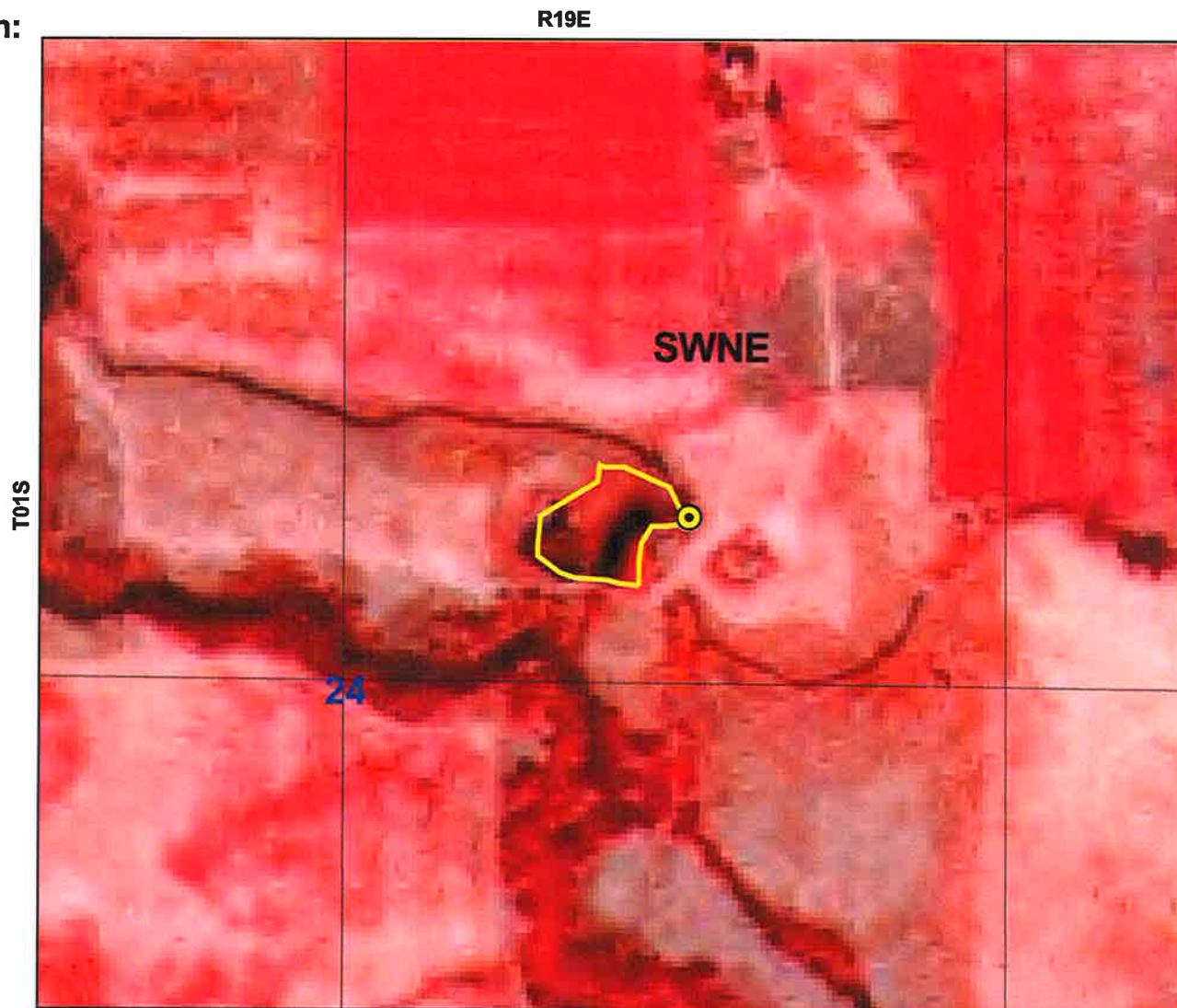
(Recreation Storage)

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 Tuesday, September 26, 2006
1987/88 Aerial Photography

AJ0749NP
No. A37-07853

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

DATE: 06/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WARD W WOODS 18433 US HWY 20 BELLEVUE ID 83313 (208) 788-4156	11/25/1980	RECREATION STORAGE	01-01 12-31		4.50 AFA
				TOTAL DIVERSION:		4.50 AFA
C	MARK T GATES BESSEMER SECURITIES CORP 630 FIFTH AVE NEW YORK NY 10111					
C	JOHN B FERY					
C	PRISCILLA B WOODS 18433 US HWY 20 BELLEVUE ID 83313 (208) 788-4156					
C	ELIZABETH W GATES BESSEMER SECURITIES CORP 630 FIFTH AVE NEW YORK NY 10111					
C	DELORES L FERY 18433 US HWY 20 BELLEVUE ID 83313 (208) 788-4156					

Water Source: SPRINGS

Tributary to: LOVING CREEK

Stage: LICENSE

Point(s) of Diversion: T01S R19E S24 SWSWNE

BLAINE County

Place of use Legal Description for: RECREATION STORAGE

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01S	19E	24	:				R															:

POU County: BLAINE

Non-Irrigation Uses: RECREATION STORAGE/ POND FOR SWIMMING, FISHING, ICE SKATING

Other Rights: NONE

Remarks: GEN PURSUANT TO THE APPROVAL OF TRANSFER NO. 3790 DATED DECEMBER 8
1992 THE RIGHT IS SUBJECT TO THE FOLLOWING CONDITIONS:
THE CHANGE AUTHORIZED BY SAID TRANSFER SHALL BE ACCOMPLISHED
WITHIN ONE (1) YEAR OF THE DATE OF APPROVAL OF SAID TRANSFER.

AJ0749NP
No. A37-07853

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

DATE: 06/21/99
PAGE: 2

Remarks:

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

APPROVAL OF SAID TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY
FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT IN THE ONGOING
SNAKE RIVER BASIN ADJUDICATION.

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

STORAGE FOR RECREATION IS LIMITED TO 4.5 ACRE FEET PER ANNUM.
CONFORMED MAILING ADDRESSES DMS
CONFORMED ATTORNEY MAILING ADDRESS DMS
TRANS. 2482.

RT. DECREE FROM BUTTE CR. BUT DELIVERED FROM LOVING CR.
ORIGINAL DECREE TO CHARLES C. SMITH IN S.C. FROST ET AL V. ALTUR
US WATER CO. ET UX..

CONFORMED MAILING ADDRESSES DMS

06/18/99, CHANGED OWNERSHIP: MAGUIRES SOLD THEIR SHARE TO
FERYS AND WOODS, AS PER FORM 1409(6) AND WARRANTY DEED RECEIVED
04/16/99. C.T.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 37M

Field Inspection Flag:
Presumption Flag:

Water Right Number - R37-07853

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

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

*** A - ATTORNEY ***
SPECK

JAMES P

1 - HOGUE SPECK & AANESTAD
2 - PO BOX 987
3 -
City- KETCHUM
Phone - 208-726-4421

State- ID Zip- 83340

*** C - CURRENT OWNER ***
WOODS

WARD W

1 - 18433 US HWY 20
2 -
3 -

City- BELLEVUE
Phone - 208-788-4156

State- ID Zip- 83313

WOODS

PRISCILLA B

1 - 18433 US HWY 20
2 -
3 -

City- BELLEVUE
Phone - 208-788-4156

State- ID Zip- 83313

GATES

MARK T

1 - BESSEMER SECURITIES CORP
2 - 630 FIFTH AVE
3 -

City- NEW YORK
Phone - 208-000-0000

State- NY Zip- 10111

GATES

ELIZABETH W

1 - BESSEMER SECURITIES CORP
2 - 630 FIFTH AVE
3 -

City- NEW YORK
Phone - 208-000-0000

State- NY Zip- 10111

FERY

JOHN B

1 - 18433 US HWY 20
2 -
3 -

City- BELLEVUE
Phone - 208-788-4156

State- ID Zip- 83313

FERY

DELORES L

1 - 18433 US HWY 20
2 -
3 -

City- BELLEVUE
Phone - 208-788-4156

State- ID Zip- 83313

*** O - ORIGINAL OWNER ***
MAGUIRE III

ROBERT F

1 - BESSEMER SECURITIES CORP
2 - 630 FIFTH AVE
3 -

City- NEW YORK
Phone - 208-000-0000

State- NY Zip- 10111

MAGUIRE

SUSAN R

1 - BESSEMER SECURITIES CORP
2 - 630 FIFTH AVE
3 -

City- NEW YORK
Phone - 208-000-0000

State- NY Zip- 10111

Water right number - R37-07853

Prefix Translation: RESEARCH

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/25/1980 17 SOUTHERN L - LICENSE

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SPRINGS LOVING CREEK

+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
01S 19E 24 SW SW NE (13) BLAINE

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
47 - RECREATION STORAGE 01/01 12/31 4.50

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.50 0.0

+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
01S 19E 24 SW NE 47 RECREATION STORAGE (13) BLAINE

Total Acres:

+ - - Diversion Means - FLOW FROM SPRINGS COLLECTED IN POND WITH DISCHARGE TO LOVING CK.

+ - - Non-Irrigation Use - RECREATION STORAGE/ POND FOR SWIMMING, FISHING, ICE SKATING

+ - - Other Rights for Same Use - NONE

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

GEN PURSUANT TO THE APPROVAL OF TRANSFER NO. 3790 DATED DECEMBER 8
1992 THE RIGHT IS SUBJECT TO THE FOLLOWING CONDITIONS:
THE CHANGE AUTHORIZED BY SAID TRANSFER SHALL BE ACCOMPLISHED
WITHIN ONE (1) YEAR OF THE DATE OF APPROVAL OF SAID TRANSFER.
FAILURE TO COMPLY WITH THE CONDITIONS OF SAID TRANSFER IS
CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE
APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
APPROVAL OF SAID TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY
FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT IN THE ONGOING
SNAKE RIVER BASIN ADJUDICATION.
USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 37M.
STORAGE FOR RECREATION IS LIMITED TO 4.5 ACRE FEET PER ANNUM.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

AJ0743NP
(OD-124)

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

06/21/99 08:55:33
Page 3

Water right number - R37-07853

Prefix Translation: RESEARCH

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

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -

Date: 12/14/1992 User Id: MERRITT Subject: AMENDED CLAIM
PURSUANT TO APPROVED TRANSFER NO. 3790 CLAIM AMENDED.

Date: 03/31/1995 User Id: DSMITH Subject: DATA ENTRY
CONFORMED MAILING ADDRESSES DMS

Date: 06/21/1999 User Id: CTIMM Subject: OWNERSHIP CHANGE
06/21/99 CHANGED OWNERSHIP: MAGUIRES SOLD THEIR SHARE TO
04/16/99. ALSO CHANGED ADDRESS AS PER SAME FORM. C.T.

4/3/95 CONFORMED ATTORNEY ADDRESS DMS

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

+ - - Audit Fields - - +

06/21/99 CTIMM

+ - - - - 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	- 11/22/1988	Last Amended Date	- 12/14/1992	Temporary Right	- P
		Receipt Number	- C003521	Water District	- 37M
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

August 27, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

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

Dear Claimant(s):

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

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

Sincerely,

Cheryl E. Timm
Records Clerk, SRBA

CET:cet

Enclosures

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

August 27, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

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

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

Dear Claimant(s):

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

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

Sincerely,

Cheryl E. Timm
Records Clerk, SRBA

CET:cet

Enclosures

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

August 27, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

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

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

Dear Mr. Speck:

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

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

Sincerely,

Cheryl E. Timm
Records Clerk, SRBA

CET:cet

Enclosures

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

April 14, 1999

RECEIVED

APR 16 1999

Department of Water Resources
Southern Region

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

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

Dear Allen:

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

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

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
enclosures
cc: Ward Woods



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

14-Dec-1992 15:56

James P Speck
PO Box 987
Ketchum, ID 83340

RE: Amendment of SRBA Claim A37-07853

Dear Counselor:

Pursuant to the approval of Transfer No. 3790 your client's above referenced Notice of Claim in the Snake River Basin Adjudication has been amended to conform with the transfer. Please find enclosed a printout of the way the claim record has been modified. Please look the modified record over carefully to be sure it correctly reflects your intended change. If you have questions please feel free to contact this office.

Sincerely

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

Allen Merritt, P.E.
Water Right Supervisor

Encl:

MICROFILMED
FEB 24 1993

Water Right Number - R37-07853

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

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

*** A - ATTORNEY ***
SPECK

JAMES P

1 - PO BOX 987

2 -

3 -

City- KETCHUM

State- ID Zip- 83340

Phone - 208-726-4421

*** C - CURRENT OWNER ***
WOODS

WARD W.

1 - BESSEMER SECURITIES CORP.

2 - 630 FIFTH AVE.

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 212-373-4486

WOODS

PRISCILLA B.

1 - BESSEMER SECURITIES CORP.

2 - 630 FIFTH AVE.

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 212-373-4486

GATES

MARK T.

1 - BESSEMER SECURITIES CORP.

2 - FIFTH AVE.

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 208-000-0000

GATES

ELIZABETH W.

1 - BESSEMER SECURITIES CORP.

2 - 630 FIFTH AVE.

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 208-000-0000

FERY

JOHN B.

1 - BESSEMER SECURITIES CORP.

2 - 630 FIFTH AVE.

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 208-000-0000

FERY

DELORES L.

1 - BESSEMER SECURITIES CORP.

2 - 630 FIFTH AVE.

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 208-000-0000

MAGUIRE III

ROBERT F.

1 - BESSEMER SECURITIES CORP.

2 - 630 FIFTH AVE.

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 208-000-0000

MAGUIRE

SUSAN R.

1 - BESSEMER SECURITIES CORP.

2 - 630 FIFTH AVE.

3 -

City- NEW YORK

State- NY Zip- 10111

Phone - 208-000-0000

+ - - Priority Date - - +
11/25/1980+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

MICROFILMED
FEB 24 1993

Water right number - R37-07853

Prefix Translation: RESEARCH

+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
SPRINGS LOVING CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
01S 19E 24 SW SW NE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
47 - RECREATION STORAGE 01/01 12/31 4.50

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.50 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 19E 24 SW NE 47 RECREATION STORAGE (13) BLAINE

Total Acres:

+ - - Diversion Means - FLOW FROM SPRINGS COLLECTED IN POND WITH DISCHARGE TO LOVING CK.
+ - - Non-Irrigation Use - RECREATION STORAGE/ POND FOR SWIMMING, FISHING, ICE SKATING
+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
PURSUANT TO THE APPROVAL OF TRANSFER NO. 3790 DATED DECEMBER 8
1992 THE RIGHT IS SUBJECT TO THE FOLLOWING CONDITIONS:
THE CHANGE AUTHORIZED BY SAID TRANSFER SHALL BE ACCOMPLISHED
WITHIN ONE (1) YEAR OF THE DATE OF APPROVAL OF SAID TRANSFER.
FAILURE TO COMPLY WITH THE CONDITIONS OF SAID TRANSFER IS
CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE
APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
APPROVAL OF SAID TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY
FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT IN THE ONGOING
SNAKE RIVER BASIN ADJUDICATION.
USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 37M.
STORAGE FOR RECREATION IS LIMITED TO 4.5 ACRE FEET PER ANNUM.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

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

FEB 24 1993

UNRECORDED

Prefix Translation: RESEARCH

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ -Comments- +

Date: 12/14/1992 User Id: MERRITT Subject: AMENDED CLAIM
PURSUANT TO APPROVED TRANSFER NO. 3790 CLAIM AMENDED.

+ - - Audit Fields - - +

12/14/92 MERRITT

+ - - - - - 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	- 11/22/1988	Last Amended Date	- 12/14/1992	Temporary Right	- P
		Receipt Number	- C003521	Water District	- 37M
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

RECEIVED
FEB 24 1993

RECEIVED

NOV 19 1992

Page 1 of 6

Transfer No. 3790

STATE OF IDAHO NOV 19 1992
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 A D D

APPROVED

Name of applicant WARD W. & OR PRISCILLA WOODS (SEE ADDENDUM) Phone (208) 726-4421
Post Office address C/O JAMES P SPECK, ESQ. PO BOX 987 KETCHUM, ID 83340

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes _____

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
37-07853	11/25/1980	5.5	RECREATION STORAGE	1/1 to 12/31
				to
				to
				to
				to

2. Total amount of water being transferred _____ cubic feet per second and/or 5.5 acre-feet per annum.

3. Source of water SPRINGS tributary to LOVING CREEK

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres _____

PART 1

6. General Information:

- a. Description of diversion system _____

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

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

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-07853

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

SEE ATTACHED SHEET FOR CONDITIONS.

Witness my hand this 03 day of DECEMBER, 1992

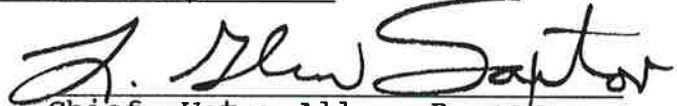
CHIEF, WATER ALLOCATION BUREAU

RECEIVED
FEB 24 1993

CONDITIONS OF APPROVAL
Transfer of Water Rights
No. 37-07853

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. 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.
3. 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.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37M.
5. Storage for recreation is limited to 4.5 acre feet per annum.

Dated this 8th day of December, 1992.


Chief, Water Alloc. Bureau

MICROFILMED
FEB 24 1993

PART 1

6. General Information:

a. Description of diversion system flow from springs collected in a single enlarged pond.b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

N/A

d. Remarks:

See Addendum

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-07853And said application is hereby APPROVED, subject to the following limitations and conditions:SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

8th

day of

December, 19 92A. Glen Saylor
Chief, Water Alloc. BureauMICROFILMED
FEB 24 1993

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-07853 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 Springs tributary to Loving Creek

4. Date or priority November 25, 1980

5. Water is used for the following purpose:

amount	<u>.06</u>	for	<u>stockwater</u>	purposes from	<u>Jan. 1</u>	to	<u>Dec. 31</u>
(cfs/ac-ft)							
amount	<u>.07</u>	for	<u>recreation</u>	purposes from	<u>Jan. 1</u>	to	<u>Dec. 31</u>
(cfs/ac-ft)							
amount		for		purposes from		to	
(cfs/ac-ft)							

6. Total amount of water under right .07 cubic feet per second and/or 4.5 acre-feet per annum.

7. Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NE	24	1S	19E	Blaine	N/A

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1S	19E	24			S/R														N/A

Total acres N/A

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion: _____

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

3. Lands irrigated or place of use: _____

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

Total acres _____

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

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

2. Point(s) of Diversion: _____

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

3. Lands irrigated or place of use: _____

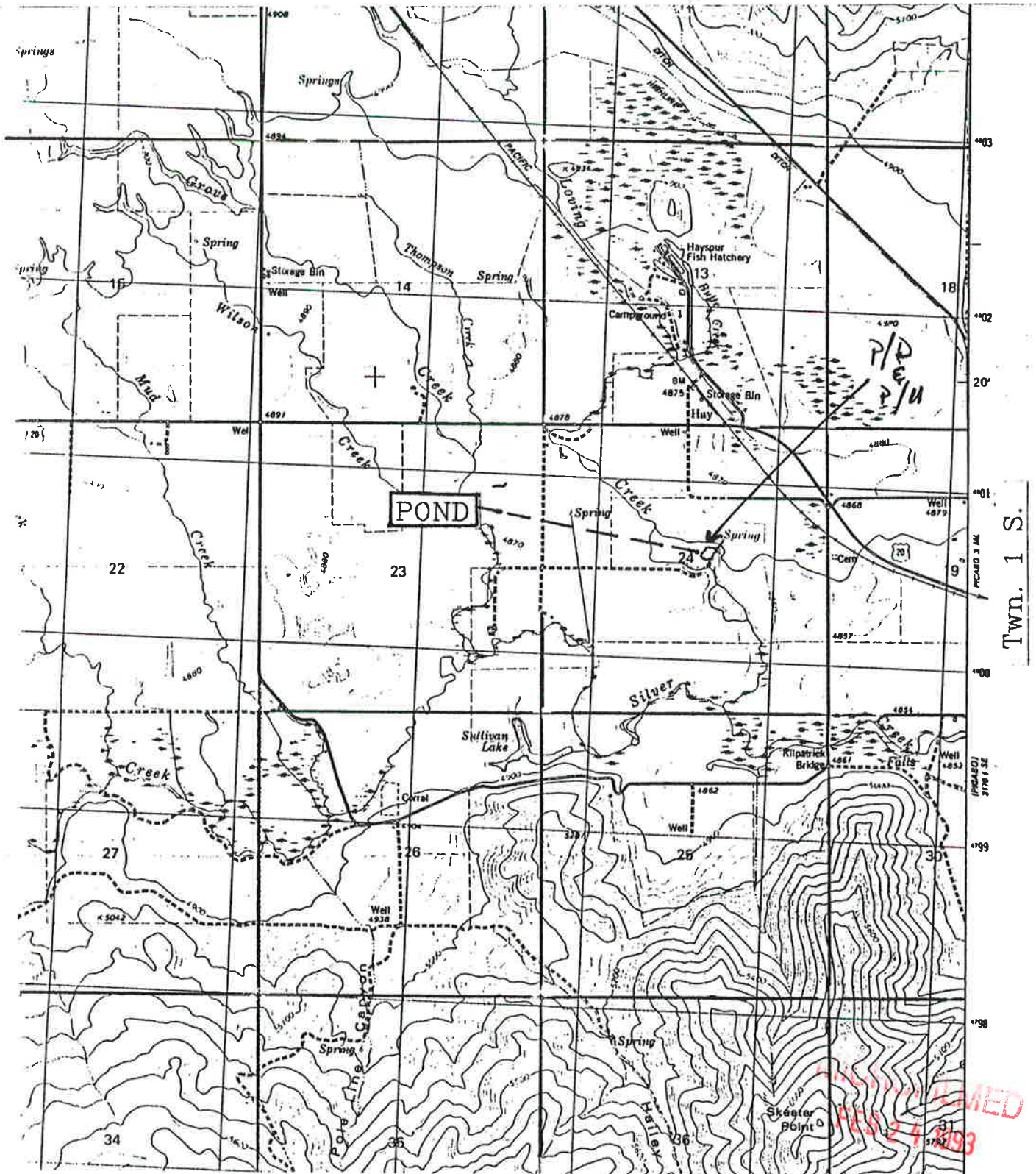
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

NOT RECORDED
FEB 24 1993

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

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



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

Rng. 19 E.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Storage for irrigation</u>	<u>5.5 AF</u>	<u>24/365</u>	<u>Jan. 1 to Dec. 31</u>
				<u>to</u>

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

"Return" flow to Loving Creek remains the same.

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

None anticipated

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 28th day of November, 1990.

Ward R. Woods, by James R. Speck, Esq.
(Signature of Applicant)

John R. Kathan
(Notary Public)

My commission expires 1/13/95

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachmentsReceived by JRP Date 11-29-90 No CheckPrelim. check by J.P. Stanton Fee 30.00 5012880Receipted by JRP Date 12/7/90Published in Wood River JournalPub. dates 1/2 & 1/9/91Watermaster recommendation requested on 12/31/90rec'd. 1/3/91

Copy of transfer sent to lien holder _____

Protest filed by Big Wood Canal Co.

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denialby JRP

MICROFILMED
FEB 24 1993

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0753
August 4, 1989

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

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

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

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

Dear Loren:

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

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

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

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

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

Sincerely yours,

HOGUE, SPECK & AANESTAD

Jim
James P. Speck

JPS/rlk

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

RECORDED
FEB 24 1993

L-37-7853

Comments: ~~30.00~~ + 70¢ for 0.7 cfs. ~~130.00~~ FEB 24 1988

RECEIVED

OCT 27 1988

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

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

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

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

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

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

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

SPECIAL POWER OF ATTORNEY - 1

MICROFILMED
FEB 24 1993

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

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

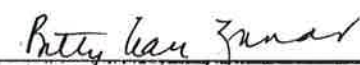
IN WITNESS WHEREOF, I have executed this Special Power of Attorney this _____ day of _____, 1988.


WARD W. WOODS

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

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

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


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

SPPWRATY.MIS

5 Peter Cooper Rd
N.Y., NY 10010

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

SPECIAL POWER OF ATTORNEY - 2

RECORDED
FEB 24 1993

RECEIVED

NOV 19 1992

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3790

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant WARD W. &/OR PRISCILLA WOODS (SEE ADDENDUM) Phone (208) 726-4421
Post Office address C/O JAMES P SPECK, ESQ. PO BOX 987 KETCHUM, ID 83340

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes _____

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

37-07853 11/25/1980 5.5 RECREATION STORAGE 1/1 to 12/31

_____ to _____

_____ to _____

_____ to _____

2. Total amount of water being transferred _____ cubic feet per second and/or 5.5 acre-feet per annum.3. Source of water SPRINGS tributary to LOVING CREEK

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	24	1S	19E	BLAINE	

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	
1S	19E	24			X														

MICROFILMED
OCT 25 1994

Total acres

PART 1**6. General Information:**a. Description of diversion system _____

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

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

_____d. Remarks:

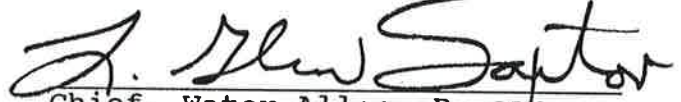
_____**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**This is to certify that I have examined Application for Transfer of Water Rights No. 37-07853And said application is hereby APPROVED, subject to the following limitations and conditions:SEE ATTACHED SHEET FOR CONDITIONS.

_____Witness my hand this 8th day of DECEMBER, 1992.
CHIEF, WATER ALLOCATION BUREAU**MICROFILMED**
JUL 22 1994

CONDITIONS OF APPROVAL
Transfer of Water Rights
No. 37-07853

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. 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.
3. 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.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37M.
5. Storage for recreation is limited to 4.5 acre feet per annum.

Dated this 8th day of December, 1992.


Chief, Water Alloc. Bureau

MICROFILMED
OCT 25 1994

PART 1

6. General Information:

a. Description of diversion system flow from springs collected in a single enlarged pond.b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

N/A

d. Remarks:

See Addendum

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-07853And said application is hereby APPROVED, subject to the following limitations and conditions:SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

8th

day of

December, 19 92J. Glen Saylor
Chief, Water Alloc. BureauMICROFILMED
OCT 25 1994

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. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-07853 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 Springs tributary to Loving Creek

4. Date or priority November 25, 1980

5. Water is used for the following purpose:

amount	<u>.06</u>	for	<u>stockwater</u>	purposes from	<u>Jan. 1</u>	to	<u>Dec. 31</u>
(cfs/ac-ft)							
amount	<u>.07</u>	for	<u>recreation</u>	purposes from	<u>Jan. 1</u>	to	<u>Dec. 31</u>
(cfs/ac-ft)							
amount		for		purposes from		to	
(cfs/ac-ft)							

6. Total amount of water under right .07 cubic feet per second and/or 4.5 acre-feet per annum.

7. Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NE	24	1S	19E	Blaine	N/A

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1S	19E	24			S/R														N/A

Total acres _____
MICROFILMED
OCT 25 1994

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion: _____

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion: _____

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

3. Lands irrigated or place of use:

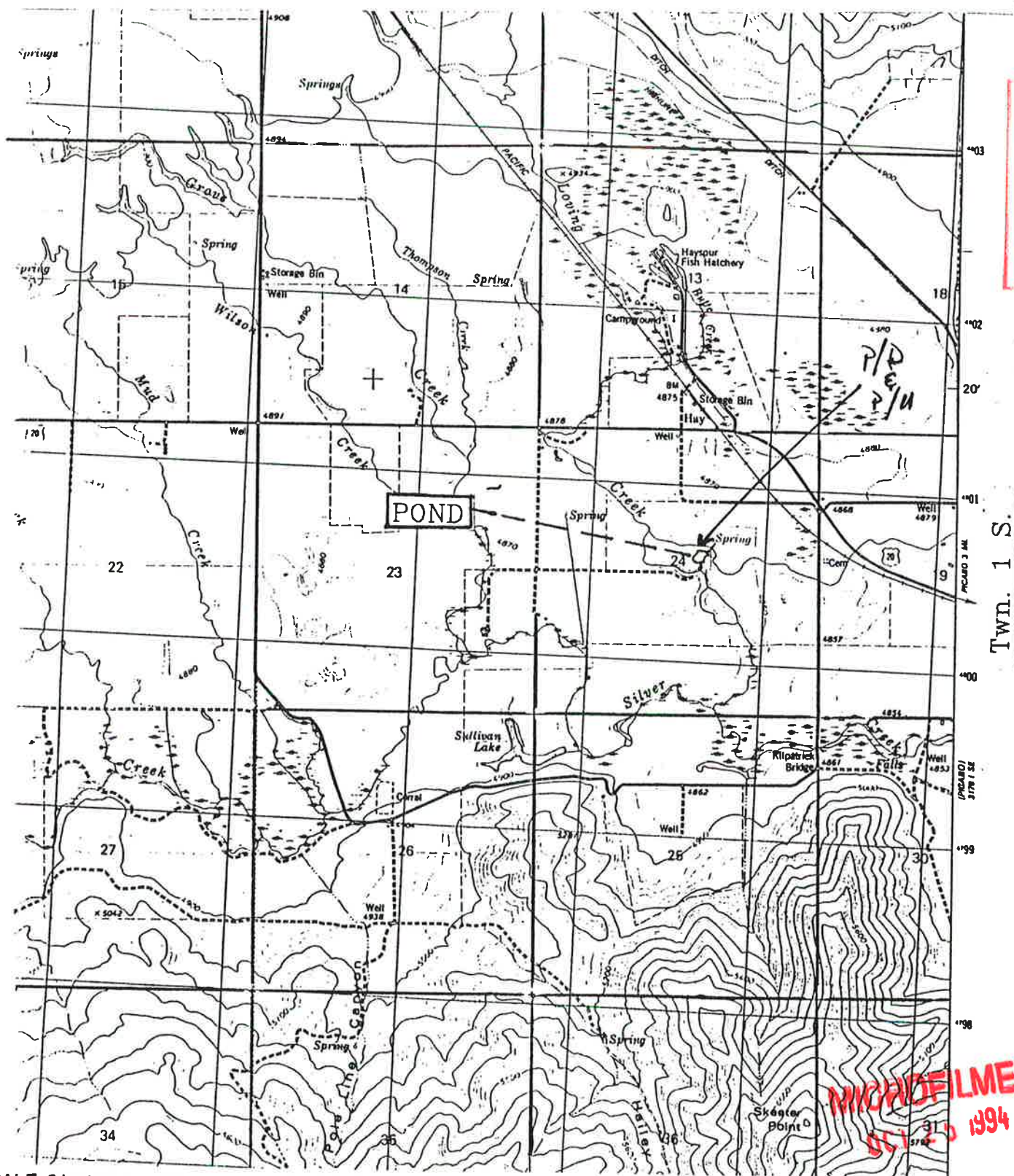
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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OCT 25 1994

Total acres _____

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

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



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

Rng. 19 E.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Storage for irrigation</u>	<u>5.5 AF</u>	<u>24/365</u>	<u>Jan. 1 to Dec. 31</u>
				<u>to</u>

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

"Return" flow to Loving Creek remains the same.

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

None anticipated

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 28th day of November, 1990

(Signature of Applicant)

(Notary Public)

My commission expires 1/13/95

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachmentsReceived by WJ Date 11-29-90 No clockPrelim. check by J. Stanton Fee 30.00 5012880Received by DRJ Date 12/7/90Published in Wood River JournalPub. dates 1/2 & 1/9/91Watermaster recommendation requested on 12/21/90rec'd. 1/2/91Protest filed by Big Wood Canal Co.

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denialby SA

Copy of transfer sent to lien holder _____

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