

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84984

JUN 21 2021

MINIMUM REQUIREMENTS CHECKLIST

DEPT OF WATER RESOURCES
SOUTHERN REGION

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) MAURICE C ELLSWORTH

Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.**Yes N/A** *Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED
JUN 21 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant MAURICE C ELLSWORTH Phone (208) 284-2900

Mailing Address C/O MAURY ELLSWORTH
PO BOX 668, BOISE ID 83701 Email maurice.ellsworth@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____

Mailing Address _____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Maurice O. Ellsworth
Print Name and Title if applicable
Personal Representative

6/14/2021
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-738	No	No	Yes	No	No	No
	37-749C	No	No	Yes	No	No	No
	37-2443	No	No	Yes	No	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Updating Place of Use to match current irrigation practices on the farm.

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-738	2.000 cfs	N/A	N/A	287.5		N/A	N/A	N/A	N/A
37-749C	3.200 cfs	N/A	N/A	287.5		N/A	N/A	N/A	N/A
37-2443	2.000 cfs	N/A	N/A	287.5		N/A	N/A	N/A	N/A
COMBINED TOTALS	7.200 cfs	N/A	N/A	287.5		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 7.2 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-738

Current Water Right Owner
MAURICE C ELLSWORTH
C/O MAURY ELLSWORTH
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	2.000 CFS	
Total Diversion			2.000 CFS	

Source and Point(s) of Diversion:
FISH CREEK SENESE Sec. 33 Twp 01N Rge 22E BLAINE County

Describe the proposed diversion system
EARTHEN DIV. DAM FOR HIGH LINE CANAL TO WARM SPRINGS CANAL.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	13											24.0	35.0			36.0		95.0
01S	21E	14																5.5	5.5
01S	21E	23	2.4																2.4
01S	21E	24		34.0	30.0	40.0	35.0	40.0	5.6										184.6

POU Total Acres: 287.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-749C

Current Water Right Owner
MAURICE C ELLSWORTH
C/O MAURY ELLSWORTH
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK Tributary: LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	3.200 CFS	
Total Diversion			3.200 CFS	

Source and Point(s) of Diversion:

FISH CREEK SENESE Sec. 33 Twp 01N Rge 22E BLAINE County

Describe the proposed diversion system

EARTHEN DIV. DAM FOR HIGH LINE CANAL TO WARM SPRINGS CANAL.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	13											24.0	35.0			36.0		95.0
01S	21E	14																5.5	5.5
01S	21E	23	2.4																2.4
01S	21E	24		34.0	30.0	40.0	35.0	40.0	5.6										184.6

POU Total Acres: 287.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-2443

Current Water Right Owner
MAURICE C ELLSWORTH
C/O MAURY ELLSWORTH
PO BOX 668
BOISE, ID 83701

Priority Date: 8/29/1931

Origin: Water Right

Basis: Decreed

Status Active

Source: SPRING Tributary: SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	2.000 CFS	
Total Diversion			2.000 CFS	

Source and Point(s) of Diversion:
SPRING SESESE Sec. 14 Twp 01S Rge 21E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	13											24.0	35.0			36.0		95.0
01S	21E	14																5.5	5.5
01S	21E	23	2.4																2.4
01S	21E	24		34.0	30.0	40.0	35.0	40.0	5.6										184.6

POU Total Acres: 287.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future

Water is delivered from Fish Creek via Highline Canal

- b. Who owns the property at the point(s) of diversion

Applicant; The Nature Conservancy

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

Easement

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

No, ☒ If Yes, ☐

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Acres will no longer be irrigated.

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

☐ Yes

☐ No

☐
☐
☐
☐

☒
☒
☒
☒

undergone a period of five or more consecutive years of non-use,
currently leased to the Water Supply Bank,
currently used in a mitigation plan limiting the use of water under the right, or
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-749C

Current Water Right Owner
MAURICE C ELLSWORTH
C/O MAURY ELLSWORTH
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK Tributary: LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	3.200 CFS	
Total Diversion			3.200 CFS	

Source and Point(s) of Diversion:

FISH CREEK SENESE Sec. 33 Twp 01N Rge 22E BLAINE County

Describe the proposed diversion system

EARTHEN DIV. DAM FOR HIGH LINE CANAL TO WARM SPRINGS CANAL.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	13											30.0	35.0			40.0		105.0
01S	21E	24		36.0	16.0	28.0	40.0	39.0	23.5										182.5

POU Total Acres: 287.5

Conditions/Remarks:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 287.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-738 & 37-2443.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. WATER IS DELIVERED THROUGH HIGHLINE CANAL.
4. 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.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-2443

Current Water Right Owner
MAURICE C ELLSWORTH
C/O MAURY ELLSWORTH
PO BOX 668
BOISE, ID 83701

Priority Date: 8/29/1931

Origin: Water Right

Basis: Decreed

Status: Active

Source: SPRING Tributary: SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	2.000 CFS	
Total Diversion			2.000 CFS	

Source and Point(s) of Diversion:

SPRING SESESE Sec. 14 Twp 01S Rge 21E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	13											30.0	35.0			40.0		105.0
01S	21E	24		36.0	16.0	28.0	40.0	39.0	23.5										182.5

POU Total Acres: 287.5

Conditions/Remarks:

- Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 287.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-738 & 37-749C.
- 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.
- WATER IS DELIVERED THROUGH HIGHLINE CANAL.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**. If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

Transfer Contains 11 pages and attachments.
 Received By Date Prelim. Check By Date
 Fee Paid \$500.00 Date 6/21/21 Received By S.G. Receipt # 5038644
 Add'l Fee Paid Date Received By Receipt #

no. 156474

Warranty Deed
CH

Condie Circle "V" Ranch
a limited partnership

yo

Maurice Ellsworth,
et al

STATE OF IDAHO
COUNTY OF BLAINE
I HEREBY CERTIFY THAT THIS INSTRUMENT
WAS FILED FOR RECORD IN MY
OFFICE AT THE REQUEST OF
Maurice Ellsworth
AT 2:15 O'CLOCK P.M.
Oct. 1 A.D. 1974
RECORDED IN BOOK CH 7 PAGE
OF Deed
Marie Jane
BY Marilyn Lancer
FEE \$ 2.00 pd.

ENTERED ☒ ENTERED ON MARGIN ☐
FILMED ☐ INDEXED 1st PARTY ☐
COMPARED ☐ INDEXED 2nd PARTY ☐

Box 614
Hailey



WE SYSTEMS MICROFILM

WARRANTY DEED

FOR VALUE RECEIVED, CONDIE CIRCLE "V" RANCH, a limited Partnership, hereinafter called Grantor, hereby grants bargains, sells and conveys unto

MAURICE ELLSWORTH and NORMA ELLSWORTH, husband and wife, *Box 614 - Hailey, Idaho*

hereinafter called Grantees, the following described premises situated in the County of Blaine, State of Idaho, to-wit:

Township 1 south, Range 21, E.B.M., Blaine County, Idaho

Section 13: S $\frac{1}{2}$ SW $\frac{1}{2}$ EXCEPT Highway right of way.
SW $\frac{1}{2}$ SE $\frac{1}{2}$ EXCEPT Highway right of way.

Section 14: SE $\frac{1}{2}$ SE $\frac{1}{2}$ EXCEPT Beginning at the Southwest corner thereof; THENCE East 40 rods; THENCE North 52 rods; THENCE West 40 rods; THENCE South 52 rods to the place of beginning.
ALSO EXCEPT Highway right of way.

Section 23: SE $\frac{1}{2}$ NE $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$, EXCEPT Beginning at the Southwest corner thereof; THENCE East 48 rods; THENCE North 20 rods; THENCE East 26 rods; THENCE N. 29° W., 70 rods to a point 40 rods West of the Northeast corner of said NE $\frac{1}{2}$ NE $\frac{1}{2}$; THENCE West 40 rods; THENCE SOUTH 80 rods to the point of beginning.

Section 24: NE $\frac{1}{2}$ SE $\frac{1}{2}$, NW $\frac{1}{2}$, NW $\frac{1}{2}$ NE $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{2}$

Township 1 South, Range 22 E.B.M., Blaine County, Idaho.

Section 19: Lots 5 and 6 and SE $\frac{1}{2}$ NW $\frac{1}{2}$

Together with the following grazing rights:

185 Spring AUMs	)	Laidlaw Park
59 Fall AUMs	)	Allotment
75 Spring AUMs	)	Wild Horse
56 Fall AUMs	)	Allotment

WE SYSTEMS MICROFILM

Transfer 84984 (3 pgs)

me,
personally

RCLE "V"
he partners
trument, and
tnership

and
icate

20, 1971

(Such Grazing rights, however, are subject to any restrictions placed thereon by any governmental agency.)

Together with 260 Inc. of Water in the Case decree and 84 Inches in Fish Creek Reservoir and 74 Inches in Little Wood River.

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

DATED this 17th day of March, 1971.

CONDIE CIRCLE "V" RANCH
a limited partnership

By

Lillie Condie
Lillie Condie

STATE OF IDAHO)
County of Twin Falls) ss.

On this 26th day of March, 1971, before me, the undersigned, a Notary Public in and for said State, personally appeared Lillie Condie, known to me to be one of the partners in the partnership of CONDIE CIRCLE "V" RANCH, a limited Partnership and the partner or one of the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that she executed the same in said partnership name.

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

Edward B. Smith
Notary Public for Idaho
Residence: Twin Falls, Idaho

limited
bargain

hereina
situate

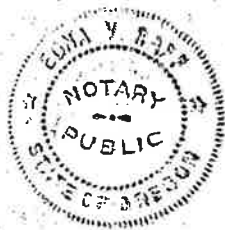
STATE OF Oregon)
County of Washington) ss.

On this 17th day of March, 1971, before me,
the undersigned, a Notary Public in and for said State, personally
appeared LILLIE CLAY, known to me
to be one of the partners in the partnership of CONDIE CIRCLE "V"
RANCH, a limited Partnership, and the partner or one of the partners
who subscribed said partnership name to the foregoing instrument, and
acknowledged to me that she executed the same in said partnership
name.

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

Edna V. Raff
Notary Public for Oregon
Residence: Halladon, Oregon

My Commission Expires Dec. 20, 1971



P A I D
JUL 15 1974
FIRST SECURITY BANK OF IDAHO
National Association
TWIN FALLS, IDAHO

enances
forever
Grantee
that th
and tha
claims

STATE
County

unders
appear
in the
and th
ship n
she ex

affixe
first



WARRANTY DEED

For Value Received

LILLIE CONDIE, a Widow

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

MAURICE C. ELLSWORTH and NORMA ELLSWORTH, husband and wife,
Box 614, Hailey, Idaho 83333

the grantees, the following described premises, in Blaine County Idaho, to-wit:

That portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$ South of Highway Right-of-way, designated on Blaine County Tax Assessor's Rolls as Tax Lots 1899 and 1900; and that portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ known as Tax Lot 1901, Section 13; that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying South of U.S. Highway No. 22, designated on Blaine County Tax Assessor's Rolls as Tax Lot 1898, Section 14; That portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ except Carey Lake Reservoir, known as Tax Lot 1211, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 23; The NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, Township 1 South, Range 21 East of the Boise Meridian, and Lots 5 and 6 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, Township 1 South, Range 22 East of the Boise Meridian, all in Blaine County, State of Idaho.

Together with the following grazing rights:

185 Spring AUMs	)	Laidlaw Park
59 Fall AUMs	)	Allotment
75 Spring AUMs	)	Wild Horse
56 Fall AUMs	)	Allotment

(Such Grazing rights, however, are subject to any restrictions placed thereon by any governmental agency.)

Together with 260 Inches of Water in the Case Decree and 84 Inches in Fish Creek Reservoir and 74 Inches in Little Wood River.

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 Grantees, that she is the owner in fee simple of said premises; that they are free from all incumbrances

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

Dated: October 3, 1974

Lillie Condie

STATE OF IDAHO, COUNTY OF TWIN FALLS

On this 3rd day of October, 1974,
before me, a notary public in and for said State, personally
appeared LILLIE CONDIE

known to me to be the person whose name IS
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Residing at Twin Falls
Comm. Expires 2/20/78

Notary Public
Idaho

STATE OF IDAHO, COUNTY OF BLAINE

I hereby certify that this instrument was filed for record at
the request of Land Title Guaranty Co

at - minutes past 3:00 o'clock m.,
this 4th day of October
1974, in my office, and duly recorded in Book
of Deeds at page

Maria June
Ex-Officio Recorder

By *Hazel Barber* Deputy.

Fees \$1.00
Mail to: Maurice C. Ellsworth
Box 614, Hailey, Idaho. 83333

INSTRUMENT No. 156534

Transfer 84984

COPY

Loren C. Ipsen, ISB No. 1767
lci@elamburke.com
ELAM & BURKE, P. A.
251 East Front Street, Suite 300
Post Office Box 1539
Boise, Idaho 83701-1539
Telephone: (208) 343-5454
Facsimile: (208) 384-5844

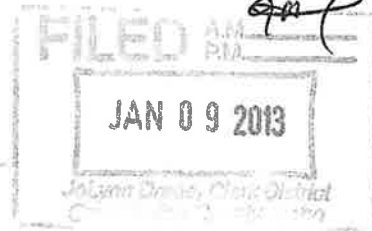
STATE OF IDAHO } ss
County of Blaine

I do hereby certify that the foregoing is a full, true and correct copy of the original thereof, on file in my office.

IN WITNESS THEREOF, I have hereunto set my hand and affixed by official seal this 9 day of Jan-2013

JOLYNN DRAGE
Clerk District Court

Deputy



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

IN THE MATTER OF THE ESTATE OF
MAURICE C. ELLSWORTH,
Deceased.

Case No. CN-2013-17
LETTERS TESTAMENTARY
(I.C. § 15-3-702)

1. Maurice O. Ellsworth was duly appointed and qualified as general personal representative of the estate of the above-named decedent by the Court with all authority pertaining thereto.
2. Administration of the estate is unsupervised.
3. These Letters are issued to evidence the appointment, qualification, and authority of said personal representative.

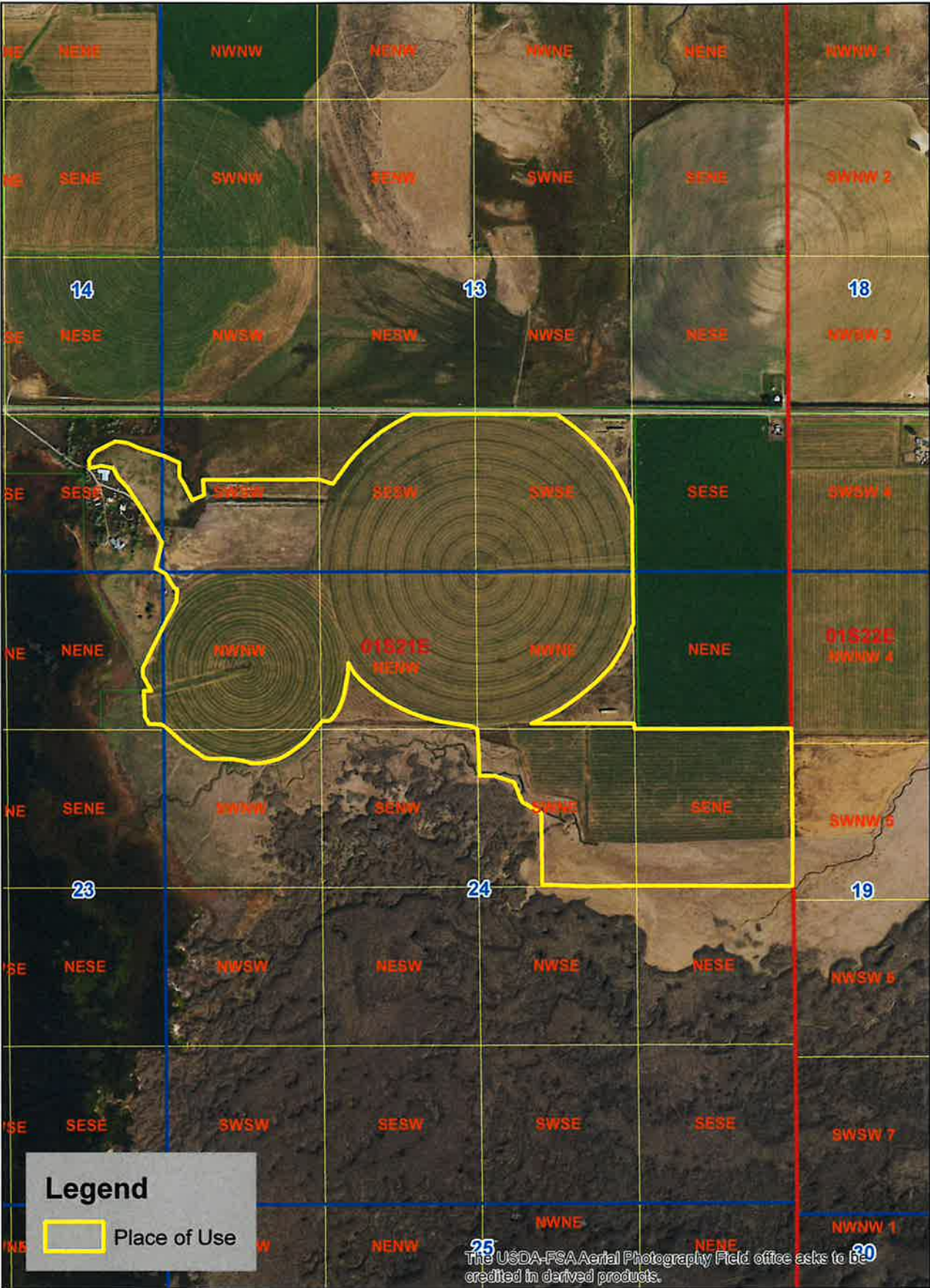
WITNESS, my signature and the seal of this Court, this 8 day of January,

2013

R. Todd Daniel
MAGISTRATE

LETTERS TESTAMENTARY - 1

Attachment 7A(1): Proposed POU



Attachment 7A(2): Proposed POU & PODs



Legend

- Proposed POU
- Current POU

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 1, 2021

ELLSWORTH ENTERPRISES
MAURICE C ELLSWORTH, C/O MAURY ELLSWORTH
PO BOX 668
BOISE, ID 83701-0668

RE: Transfer No. 84970
Water Right No(s). 37-1181, 37-2031, 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767,
37-769, 37-770C, 37-771

RE: Transfer No. 84984
Water Right No(s). 37-2443, 37-738, 37-749C

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS on 7/7/2021 and 7/14/2021**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **July 26, 2021**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 1, 2021

WATER DISTRICT 37N
BRYAN WOOD
PO BOX 15
CAREY ID 83320-0015

RE: Transfer No(s). 84970 & 84984 (Ellsworth)

Dear Bryan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 1, 2021

WATER DISTRICT 37U
JERRY WEAVER
PO BOX 186
CAREY ID 83320-0186

RE: Transfer No(s). 84970 & 84984 (Ellsworth)

Dear Jerry:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, July 1, 2021 11:20 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.docx

Attached please find **(1)** legal notice being submitted for publication on July 7th & 14th, 2021. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



Brad Little
Governor

State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Gary Spackman
Director

July 1, 2021

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Transfer No. 84970

Water Right No(s). 37-1181, 37-2031, 37-733, 37-735, 37-737A, 37-752, 37-756,
37-767, 37-769, 37-770C, 37-771

RE: Transfer No. 84984

Water Right No(s). 37-2443, 37-738, 37-749C

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before July 26, 2021. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84970**

ELLSWORTH ENTERPRISES, PO BOX 668, BOISE, ID 83701-0668 has filed Application No. 84970 for changes to the following water rights within BLAINE County(s): Right No(s). 37-1181, 37-2031, 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres in the place of use (POU) for 10 Fish Creek irrigation water rights and 1 Road Canyon irrigation water right. All eleven rights when combined are limited to the irrigation of 663.5 acres. All water rights when combined can provide a diversion rate of up to 11.82 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 2.2 to 4.0 miles north and 1.1 to 2.7 miles east of the intersection of Hwy 26 and Hwy 93 in Carey.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84984**

MAURICE C ELLSWORTH, C/O MAURY ELLSWORTH, PO BOX 668, BOISE, ID 83701-0668 has filed Application No. 84984 for changes to the following water rights within BLAINE County(s): Right No(s). 37-2443, 37-738, 37-749C. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres in the place of use (POU) for 2 Fish Creek irrigation water rights and 1 spring irrigation water right. All three rights when combined are limited to the irrigation of 287.5 acres. All water rights when combined can provide a diversion rate of up to 7.2 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 1.5 to 2.3 miles north and 1.4 to 2.5 miles east of the intersection of Hwy 26 and Hwy 93 in Carey.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **July 26, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on July 7th & 14th, 2021

MEMORANDUM

Date: June 22, 2021
To: Transfer 84984
From: Bill Mills
Re: Transfer Proposal

Application proposes rearranging acres in the place of use (POU) for 2 Fish Creek irrigation water rights and 1 spring irrigation water right. All three rights when combined are limited to the irrigation of 287.5 acres. All water rights when combined can provide a diversion rate of up to 7.2 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 1.5 to 2.3 miles north and 1.4 to 2.5 miles east of the intersection of Hwy 26 and Hwy 93 in Carey.

The two Fish Creek water rights are administered by Water District 37U – Fish Creek and the spring water right is administered by Water District 37N – Upper Little Wood River. Watermaster comments will be solicited.

MEMORANDUM

Date: June 22, 2021
To: Transfer 84984 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #84984 are based on the percentage of each water right in the transfer application that could be moved to the proposed new acres. The analysis of the three water rights indicated that a total of 0.864 cfs could be moved to new ground, resulting in a fee of \$500.00 (Receipt No. S038644).