

Glanbia Foods, Inc.

217835

VENDOR ID: ID1222 VENDOR NAME: IDAHO DEPT OF WATER RESOURCES C:
INVOICE NO INV DATE INVOICE AMOUNT DISC TAKEN PAYMENT AMOUNT
24366 08/26/2003 1,070.00 0.00 1,070.00
FEE FOR RICHFIELD PROJECT

770728

THE FACE OF THIS DOCUMENT HAS A VOID DESIGN BACKGROUND

glanbia  **Glanbia Foods, Inc.**
FOODS 1373 Fillmore Street
Twin Falls, ID 83301

Bank One, NA - 0710
Chicago, Illinois
PAYABLE THROUGH FIRST USA BANK, NA

6228
311

217835

Pay ONE THOUSAND SEVENTY AND 00/100

To the
order of

IDAHO DEPT OF WATER RESOURCES
1301 NORTH ORCHARD
BOISE
83720
ID

Date 08/26/2003 Amount *****1,070.00

Paul J. Hower
Syler

09334081

0311002831

02178351

THE FACE OF THIS DOCUMENT HAS A VOID DESIGN BACKGROUND

MICROFILMED

IDWR Receipt # 5026081

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER REQUESTED BY)
JAMES R. GRANT AND DEL ROY)
HANSON)
_____)

CERTIFICATE APPROVING TRANSFER

This matter having come before the Idaho Department of Water Resources (department) in the form of a request for transfer as authorized in Section 42-2504, Idaho Code, the Director of the department makes the following Findings of Fact, Conclusions of Law, Analysis and Order:

FINDINGS OF FACT

1. On November 2, 1992, James R. Grant and Del Roy Hanson (applicants) by and through their attorney asked the department to approve two (2) transfers to change the place of use of one hundred forty (140) shares of water of the Big Wood Canal Company (BWCC) pursuant to Section 42-2504, Idaho Code. James R. Grant has requested the transfer of one hundred (100) shares and Del Roy Hanson has requested the transfer of forty (40) shares. Each share of stock entitles the owner to receive 0.0125 cubic feet per second (cfs) of water available to the canal company. The total water rights proposed to be transferred as represented by the 140 shares of stock is 1.75 cfs.

2. The applicants propose to remove the shares of BWCC water from lots 2, 3, part of lots 4 & 5, SW1/4NE1/4, SE1/4NW1/4, Section 6, T6S, R16E, B.M. (Greenhorn lands), temporarily transferred to Gary McCowan and leased to the applicants, and to move the water shares to the following lands:

i) Del Roy Hanson

Tract "B" (129 acres) in the W1/2 of Section 31, T9S, R21E, B.M.

ii) James Grant

Parcel No. 1.

Part of tract "D" in Sections 5 and 6; E1/2NE1/4, NE1/4NW1/4NE1/4 Section 7; NW1/4 Section 8; all in T9S, R20E, B.M.

RECEIVED
OCT 20 1994

Parcel No. 2.

Tract "E" in Sections 5 & 8, T9S, R20E, B.M.

Parcel No. 3.

S1/2S1/2SW1/4NE1/4, N1/2SE1/4 Section 7;
NW1/4SW1/4, W1/2NE1/4SW1/4; W1/2E1/2NE1/4SW1/4
Section 8, T9S, R20E, B.M.

Parcel No. 4.

E1/2SE1/4NW1/4NE1/4, E1/2NE1/4SW1/4NE1/4 and
NE1/4SE1/4SW1/4NE1/4 Section 7, T9S, R20E, B.M.

3. On October 1, 1992, the Board of Directors of the BWCC declined to approve the transfer of the stock as proposed by the applicants even though the applicants have been leasing and using the subject water on a year-to-year basis.

4. The BWCC and the American Falls Reservoir #2 (AFRD2) are two related water delivery organizations. BWCC is a Carey Act operating company which was in existence before the construction of American Falls dam. BWCC holds the Magic reservoir storage right together with a number of other natural flow rights. AFRD2 is an irrigation district which was established as a taxing entity to contract with the U.S. Bureau of Reclamation for space in American Falls reservoir.

5. American Falls water is diverted at Milner dam and is delivered through the Milner-Gooding canal. Water is commingled with both the Big and Little Wood Rivers for delivery to lands downstream from the points where the Milner-Gooding canal intersects the Big and Little Wood Rivers. Lands lying above the Milner-Gooding canal are also in the district and receive the benefit of American Falls water by exchange for stored water from Magic reservoir rather than by direct delivery. About 40,000 acres are involved in the exchange.

CONCLUSIONS OF LAW

1. Section 42-2501, Idaho Code, provides as follows:

The owner of any lands to which a water right has been made appurtenant pursuant to the provisions or operation of the act of congress of the United States known as the Carey Act may transfer such water right, in whole or in part, to other land owned by him which can be served and irrigated by the same Carey Act irrigation system and may, by sale, or by lease for a period not exceeding one (1) year, transfer such water right or any portion thereof to another for use upon or in connection with any such other lands, in the manner or on the condition set forth in this chapter.

OCT 20 1994

2. Section 42-2503, Idaho Code, provides as follows:

Before the transfer of a water right shall take effect under this chapter a person interested therein must apply to the board of directors of the corporation operating such Carey Act irrigation system for consent to the making of the transfer, and if such consent is given a resolution showing the same and the extent or portion of the right transferred shall be adopted by said board and a copy thereof, with proper reference to the date of its passage, shall be incorporated in the instrument evidencing such transfer, and upon the recording of the instrument, as provided in section 42-2502, such transfer shall be complete.

3. Section 42-2504, Idaho Code, provides in pertinent part as follows:

If the board of directors of the corporation operating such Carey Act systems shall refuse its consent to the transfer of such water right, a written application for permission to make the same, showing the description of the land from which and of the land to which it is proposed to transfer such water right and the amount of the water right to be so transferred and the reasons for such transfer, shall be presented to the director of the department of water resources who shall promptly make an investigation of the matter and determine whether and to what extent the canal system and the other water users thereunder shall be affected or prejudiced if such transfer is allowed.

If said director of the department of water resources finds that such transfer of water right, in the manner and to the extent applied for, will not be prejudicial to said corporation or to the other water users under said irrigation system he shall issue his certificate approving the transfer ...

4. The proposed transfer of stock will not be prejudicial to the BWCC or to other water users under the irrigation system.

5. The department should issue a certificate of transfer with certain conditions approving the change in place of use of BWCC stock.

ANALYSIS

The Board of Directors of the BWCC do not oppose the proposed transfer of shares of stock but will not approve a lease for a period longer than one (1) year as provided in Section 42-2501, Idaho Code. The Board of Directors has agreed to approve the sale of its stock if the department issues a certificate approving the transfer.

RECEIVED
OCT 20 1994

ORDER

IT IS THEREFORE, hereby ORDERED that the request of the applicants proposing to change the place of use of 140 shares of the stock of the Big Wood Canal Company as described in the Findings of Fact and Conclusions of Law above, is hereby **APPROVED** subject to the following conditions:

1. The right holders are entitled to receive from the Big Wood Canal Company only the proportionate share of water which the company is entitled to receive from American Falls Reservoir District No. 2 through the Gooding Canal.

2. Approval of this transfer does not grant any right-of-way or easement for use of a delivery system owned by persons other than the share holder.

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

Signed this 16TH day of SEPTEMBER, 1994.

for 
R. KEITH HIGGINSON
Director

RECEIVED

OCT 20 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

This is to certify that: **BIG WOOD CANAL CO**
PO BOX C
SHOSHONE ID 83352

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	3000.00 CFS	301976.0 AF

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

Priority: 11/16/1905

LOCATION OF POINT(S) OF DIVERSION:

	SENE , Sec. 30, Township 02S, Range 18E
	NESE , Sec. 30, Township 02S, Range 18E
	BLAINE County
	NESE , Sec. 9, Township 03S, Range 18E
	NWSE , Sec. 15, Township 04S, Range 18E
	LINCOLN County
	SESW , Sec. 12, Township 05S, Range 15E
	NWNE , Sec. 15, Township 05S, Range 15E
	GOODING County
Injection	SWSE , Sec. 25, Township 04S, Range 19E
Rediversion	NWSE , Sec. 5, Township 05S, Range 19E
	LINCOLN County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S 18E 32	NWNE	SWNE	SENE	
	NENW	NWNW	SWNW	
	SENW	NESW	NWSW	
	NESE			
33	NWSW	SWSW		
03S 18E 21	SWNE	SENE	SENW	
	NESW	SWSW	SESW	
	NESE	NWSE	SWSE	
23	NENW	NWNW	SWNW	
	SENW	NESW	NWSW	
	SESW			
25	NENE	NWNE	SWNE	

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SENE	NESW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		28	NWNE	NENW	NWNW	
		36	NWNE	SWNE	NENW	
			SENE			
19E		7	NESE	SESE		
		8	NWSW	SWSW		
		14	SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
		15	NESW	NWSW	SWSW	
			SESW	NESE	NWSE	
			SWSE	SESE		
		18	SESE			
		20	NENW	NWNW	SWNW	
		21	NENE	NWNE	SWNE	
			SENE	NESE	NWSE	
			SWSE	SESE		
		22	NENE	NWNE	SWNE	
			SENE	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
		23	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		24	SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			SWSE	SESE		
		25	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		26	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		27	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SENE	NESW	NESE	

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NWSE	SWSE		
		28	NENE	NWNE		
		30	NENE	NWNE	SWNE	
			SENE	Lot 1 (NENW)	Lot 2 (NWNW)	
		Lot 3 (NWNW)		Lot 4 (SWNW)	Lot 7 (NESW)	
		Lot 3 (NWSW)		Lot 8 (NWSW)	Lot 9 (NWSW)	
		Lot 10 (SWSW)		Lot 11 (SWSW)	SESE	
		35	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			SESW	NESE	NWSE	
			SWSE	SESE		
		36	NWNE	SWNE	SENE	
			NWNW	NESW	NWSW	
			SESW	NESE	NWSE	
			SWSE	SESE		
20E	30	Lot 2 (SWNW)		Lot 3 (NWSW)	Lot 4 (SWSW)	
			SESW			
	31	Lot 1 (NWNW)		Lot 2 (SWNW)	NESW	
		Lot 3 (NWSW)		Lot 4 (SWSW)	SESW	
			SWSE			
04S	14E	35	SWSE			
	15E	25	SWSE	SESE		
		31	NESW	NWSW	SWSW	
			SESW			
	36		NENE	NWNE	SWNE	
			SENE	NENW	SENW	
16E	19		SENE			
	20		NWNW	SWNW		
	25		SWNE	SENE	SWNW	
			SENW	NESW	NWSW	
			SWSW	NWSE		
	26		SWNE	SENE	NESE	
	30	Lot 4 (SWSW)		SESW		
	31		NWNE	SWNE	SENE	
			NENW	NWNW	SWNW	
			SENW	NESW	Lot 4 (SWSW)	
			SESW	NESE	NWSE	
			SWSE	SESE		
	32		NWNW	NWSW	SWSW	
			SESW			
	33		SENE			
	34		SWNE	SENE	NWSE	
			SESE			
	35		SENE	NESW	NWSW	

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		36	NESE	NWSE	SESE	
			NESW	NWSW	SWSW	
			SESW			
17E	25		SWNW	NWSW		
	26		NESE			
	27		NWNW	SWNW	NWSW	
			SWSW			
	28		NENE	NWNE	SWNE	
			SENE	NESE	NWSE	
			SWSE	SESE		
	29		NENE	NWNE	NENW	
			SWNW	SENW		
	31		NENE	NWNE	SWNE	
			SENE	Lot 1 (NWNW)	SWSW	
			SESW	NWSE	SWSE	
			SESE			
	33		SWNE	SENE	NESE	
			NWSE	SESE		
	34		SWNE	SWNW	NESE	
			NWSE	SWSE	SESE	
	35		SENE	NESW	NWSW	
			SWSW	SESW	SWSE	
			SESE			
18E	1	Lot 2 (NWNE)		SENE	NESE	
				SWSE	SESE	
	11		SWNW	NESW	NWSW	
			SESW			
	12		NENE	NWNE	SENW	
			SESE			
	13		NENE			
	14		NWNE	SWNE	SENW	
			NWSE			
	20		SENE	NESE	SESE	
	28		SWSW			
	30		NWNE	SWNE	Lot 3 (NWSW)	
		Lot 4 (SWSW)				
	31	Lot 3 (NWSW)	Lot 4 (SWSW)	SESW		
	32			SWSE		
19E	1		NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
	2		NENE	NWNE	SWNE	
			SENE	NENW	SENW	
			NESW	NWSW	SWSW	

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SESW	NESE	NWSE	
			SWSE	SESE		
5			NWNW	SWNW		
6			SWNE	SENE	NENW	
			NWNW	SWNW	SENE	
			NESW	NWSW	NESE	
			NWSE	SESE		
7			NENE	NESE	NWSE	
8			NENW	NWNW	SESW	
			NESE			
9			NWNE	SWNE	SENE	
			NENW	NWNW	SWNW	
			SENE	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
10			NENE	NWNE	SWNE	
			SENE	SWNW	SENE	
			NESW	NWSW	NESE	
			NWSE	SWSE	SESE	
11			NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
12			NENE	NWNE	SWNE	
			SENE	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
13			NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
14			NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
15			SENE	NENW	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	SESE		
17			NENE	NENW	NWNW	

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW			
19			NENE	NWNE		
20			NENE	SENE	SWNW	
			NESW	NWSW	SWSW	
			SESW	NESE	NWSE	
			SWSE			
21			NENE	NWNW	SWNW	
			NWSW	SWSW	SESW	
			NESE	SWSE	SESE	
22			NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
23			NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
24			NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	SWSE	SESE	
25			NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NWSE	SWSE		
26			NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
27			NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
28			NENE	NWNE	SWNE	
			SENE	NENW	SENW	
			NESW	NWSW	SWSW	


 FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SESW	SWSE	SESE	
		29	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	NESW	NWSW	
			NESE	SESE		
		30	NENE	SENE	SWSW	
			SESW	NESE	NWSE	
			SWSE			
		31	NWNW	SWNW	SENE	
			NESW	NWSW	SWSW	
			SESW	NESE	NWSE	
			SWSE	SESE		
		32	NENE	SWNE	SENE	
			SENE	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
		33	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		34	NWNE	NENW	NWNW	
			SWNW			
		35	NENE			
		36	NWNW			
20E		6	NWNE	SWNE	NENW	
			NWNW	SWNW	SENE	
			NESW	NWSW	SWSW	
			SESW	SWSE		
		7	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NWSE			
		18	NENW	NWNW	SWNE	
			SENE	NESW	NWSW	
			SWSW	SWSE		
		19	NWNE	NENW	Lot 1(NWNW)	
			Lot 2(SWNW)	Lot 3(NWSW)		
05S	14E	1	SWNE	SENE	NESW	
			SESW	NESE	NWSE	
			SWSE			
		2	NENE	SWSW	SESW	
			SWSE			

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		3	SWSE	SESE		
		10	NENE	NWNE		
		11	NENE	NWNE	SENE	
			NENW	NWNW	SWNW	
			SENW	NESE	NWSE	
		12	NENE	NWNE	SWNE	
			SENE	NENW	SWNW	
			SENW	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
		13	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
		14	NESW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		15	SWNE	SENE	SWNW	
			SENW	NESW	NWSW	
			NESE	NWSE	SWSE	
			SESE			
		22	SESW	NESE	NWSE	
			SWSE	SESE		
		23	NENE	NWNE	SWNE	
			SENE	NENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
		24	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		25	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SENW	NESW	SWSW	
			SESW	NESE	NWSE	
			SWSE	SESE		
		26	NWNE	NENW	NWNW	
		27	NENE	NWNE		
		28	NENE	SWNE	SENE	
			NESE	NWSE		
		33	SESE			

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		34	NENE	SWNE	SENE	
			NESW	NWSW	SWSW	
			SESW	NESE	NWSE	
			SWSE	SESE		
		35	SWNE	SENE	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		36	NENE	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
15E	1		SESW	NWSE	SWSE	
	2		NESW	SESW		
	3		NESW	NWSW	SWSW	
			SWSE			
	4		SWSW	SESE		
	5		NESW	NWSW	SWSW	
			SESW	SWSE	SESE	
	6		NWNW	SWNW	SWSE	
			SESE			
	7		NENE	SWNE	SENE	
			NENW	NWNW	SWNW	
			SENE	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
	8		NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
	9		NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NWSW	
			SWSW	SESW	NESE	
			SWSE	SESE		
	10		NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	NESW	NWSW	
			SWSW	SESW	SWSE	
	11		NENE	SENE	NESW	
			NESE	NWSE	SESE	
	12		NENE	NWNE	NENW	
			NWNW	SWNW	NWSW	
			SWSW			

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		13	NWNW			
		14	NENE			
		16	NENE	NWNE	SWNE	
			SENE	NWNW	SWNW	
			SENW	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
		17	NENE	NWNE	NENW	
			NWNW	SWSW	SESW	
			SWSE	SESE		
		18	NENE	NWNE	NENW	
			NWNW	NESW	NWSW	
			SWSW	SESW		
		19	NENW	NWNW	SWNW	
			SENW	NESW	NWSW	
			SWSW	SESW		
		20	NENE	NWNE	SENE	
			NENW	NWNW	NESW	
			NWSW	SWSW	NESE	
			NWSE	SWSE	SESE	
		21	NENW	NWNW		
		26	NWSW	SWSW	SESW	
			SWSE			
		27	NESW	SWSW	SESW	
			NESE	SWSE	SESE	
		29	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NWSE			
		30	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		31	NENE	NWNE	SWNE	
			SENE	SENW	NESW	
			NWSW	SESW	SWSE	
			SESE			
		32	NWNE	SWNE	NENW	
			NWNW	SWNW	SENW	
			SWSW	NWSE	SWSE	
			SESE			

MINORITIZED
FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		33	SENE	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE		
		34	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		35	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		36	SWNE	SWNW	SENW	
			NESW	NWSW	SWSW	
			SESW	NWSE	SWSE	
16E	1		NENE	NWNE	NENW	
			NWNW	NESW	SWSE	
			SESE			
	2		NENE	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	SWSE	SESE	
	3		SWNE	SENE	SENW	
			NESW	NWSW	SWSW	
			NESE	SWSE	SESE	
	5		NESE	NWSE		
	6		NWNW	SWNW		
	7		NWNE	SWNE	NENW	
			NWNW	SWNW	SENW	
	8		NESE	NWSE		
	9		SWNE	SENW	NESW	
			NWSW	SESW	NESE	
			NWSE	SWSE	SESE	
	10		NENE	NWNE	SWNE	
			NWSW	SESE		
	11		NENW	NWNW	NESW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
	12		NENE	NWNE	SENE	
			NWNW	SWNW	NESW	
			NWSW	SWSW		
	14		NWNE	NENW	NWNW	
	15		NENE			

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		31	SWNE	SENE	NWSE	
			SESE			
		32	SWSW			
17E	1		NENE	NWNE	NENW	
			SENE	NESW	NWSW	
			SWSW	SESW	SWSE	
			SESE			
		2	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	SWSW	
			SESW	NESE	NWSE	
			SWSE	SESE		
		3	NENE	NWNE	SWNE	
			SENE	NWSE	SWSE	
		4	NENE	NWNE	SWNE	
			SENE	NWNW	SWNW	
			SENE	NESW	NWSW	
		5	NENE	NWNE	SWNE	
			SENE	NWNW		
		6	NESW	NWSW	SWSW	
			SESW	NWSE	SWSE	
		7	NENW	NWNW		
		8	NENE	NWNE	SENE	
			SENE	NESE		
		9	SWNW	NESW	NWSW	
			SESW	SESE		
		10	NENE	NWNE	SWNE	
			SENE	SWNW	SENE	
			NESW	NWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		11	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
		12	NENE	SENE	NENW	
			NWNW	SWNW	SENE	
		13	NENE	NWNE	NESW	
			SWSW	SESW		
		14	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENE	NESE	

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		15	NENE	SWNE	SENE	
			NENW	NWNW	SENW	
			NESW	NWSW	NWSE	
		29	NWSW	SWSW	SESW	
		30	SESE			
		31	NENE			
		34	SWNE			
		36	NESE	SWSE	SESE	
05S	18E	5	NWNW	SWNW		
		6	Lot 2 (NENE)	Lot 3 (NENW)	SESW	
			NESE	NWSE	SWSE	
			SESE			
		7	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		8	NWNW	SWNW	NESW	
			NWSW	SWSW		
		17	SWNW			
		18	NENW			
		31	NENE	SENE	SESW	
			NESE	NWSE	SWSE	
		32	SWSW	SESW		
		33	SENE			
		34	NWNW	SWNW	SWSW	
			SWSE	SESE		
19E		4	NWNW			
		5	NENE	NWNE	SWNE	
			NENW	NWNW	SWNW	
			SENW	NESW	NWSW	
			NWSE			
		6	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SENW	NESW	NESE	
			NWSE	SESE		
06S	14E	1	NWNE	SWNE	SENE	
			NENW	NWNW	SWNW	
			SENW	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
		2	NENE	SWNE	SENE	
			NENW	NWNW	NESW	
			NESE	NWSE	SWSE	
			SESE			

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
3		NENE		NWNE	SWNE	
		SENE		NENW	NWNW	
		SWNW		SENE	NESW	
		NWSW		SWSW	SESW	
		NESE		NWSE	SWSE	
4		NENE		NWNE	SWNE	
		SENE		NESW	SESW	
		NESE		NWSE	SWSE	
		SESE				
9		NENE		NWNE	SWNE	
		SENE		NESE	NWSE	
		SWSE		SESE		
10		NWNE		SWNE	NENW	
		NWNW		SWNW	SENE	
		NESW		NWSW	SWSW	
		SESW				
12		NWNE		NENW	NWNW	
13		SENE		NESW	SWSW	
		SESW		NESE	NWSE	
		SWSE		SESE		
14		SWSW		SESW	SWSE	
		SESE				
15		NENW		NWNW	NESW	
		SWSW		SESW	SWSE	
		SESE				
22		NENE		NWNE	SWNE	
		SENE		NENW	NWNW	
		SWNW		SENE	SWSW	
		SESW		NESE		
23		NENE		NWNE	SWNE	
		SENE		NENW	NWNW	
		SWNW		SENE	NESW	
		SWSW		SESW	NESE	
		NWSE		SWSE	SESE	
24		NENE		NWNE	SWNE	
		SENE		NENW	NWNW	
		SWNW		SENE	NESW	
		NWSW		SWSW		
26		NENE		NWNE	SWNE	
		SENE		NENW	SWNW	
		SENE				
27		NWNE		SWNE	SENE	
		NENW		NWNW	SENE	
28		SWSW		SESW		

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		33				
15E	1		NENW	NWNW		
			NENE	SWNE	SENE	
			NENW	SWNW	SENW	
			NESW	NWSW	SWSW	
			SESW	NESE	NWSE	
			SWSE	SESE		
	2		NWNE	SWNE	SENE	
			NENW	SWNW	SENW	
			NESW	NWSW	NESE	
			NWSE	SWSE	SESE	
	3		NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
	4		NENW	NWNW	SWNW	
			SENW	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
	5		NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
	6		NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	SWSE	SESE	
	7		NENE	NWNE	SWNE	
			SENE	NENW	SENW	
			NESW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
	8		NENE	NWNE	SENE	
			NENW	NWNW	SWNW	
			SENW	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
	9		NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NWSE	SWSE	SESE	
		10	NENE	SWNE	SENE	
			NENW	NWNW	SWNW	
			SENW	SWSW	NESE	
			NWSE			
		11	NENE	NWNE		
		12	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SESW	NESE	
			SWSE	SESE		
		16	NENE	NWNE	SWNE	
			NENW	SWNW	SENW	
			NESW			
		17	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		18	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		19	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			NWSW	NESE	NWSE	
		20	NENE	NWNE	SWNE	
			NENW	NWNW	SWNW	
			SENW			
16E	6		NENE	NWNE	SWNE	
			NENW	NWNW	SWNW	
			SENW			
	7	Lot 1 (NWNW)		Lot 3 (NWSW)	Lot 4 (SWSW)	
17E	1		NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW	NESW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
	2		SWSE	SESE		

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
18E	3		NENE		NWNE	NENW	
			NWNW		SWNW	SESW	
	4		NESE		SESE		
	5		NENW		NWNW		
	6	Lot 4 (NWNW)		Lot 5 (SWNW)		SESW	
		Lot 6 (NWSW)		Lot 7 (SWSW)		SESW	
			SWSE				
	7		NWNE		SWNE	NENW	
			NWNW		SWNW	SESW	
			NESW		NESE	NWSE	
			SESE				
	8		SWSW				
10			NENW		NESE	SESE	
11			SENE		NESW	SWSW	
12			SWNE		SWNW	SESW	
			NESW		NWSW	SWSW	
			SESW		NWSE		
13			NENE		NWNE	SWNE	
			SENE		NESW	SWSW	
			SESW		NESE	NWSE	
			SWSE		SESE		
14			NWNE		SWNE	SENE	
			NENW		NWNW	SWNW	
			SESW		NESW	SWSW	
			SESW		NWSE	SWSE	
15			SWNE		NESW		
17			NWNW		SESW	NESW	
			NWSE		SWSE	SESE	
18			NENE				
20			NENE				
21			NWNW		SWNW	NESW	
			NWSW		SWSW	SESW	
			SESE				
22			NENE		SWNE	SENE	
			SWSW		SESW	NESE	
			NWSE		SWSE	SESE	
23			NENE		NWNE	SWNE	
			SENE		NENW	NWNW	
			SWNW		SESW	NESW	
			NWSW		NESE	SWSE	
			SESE				
24			NENE		NWNE	SWNE	
			SENE		NENW	NWNW	
			SESW		NWSW	SWSW	
			SESW		NESE	SESE	

Minotaur
FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		25	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SENE	NESE		
		26	NWNW	SWNW	NESW	
			NWSW	SWSW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		27	NENE	NWNE	NENW	
			NWNW	SESW	NESE	
			NWSE	SWSE	SESE	
		28	NENE	NWNE	NENW	
			NWNW			
		34	NESE	SWSE	SESE	
		35	NWNE	NENW	SWNW	
			SENE	NESW	NWSW	
			SESW	NESE	NWSE	
			SWSE	SESE		
19E		2	NWSW	SWSW		
		3	NESW	SESW	NWSE	
			SWSE	SESE		
		6	Lot 13 (SWSW)			
		7	NWSE	SWSE		
		9	SENE	NENW	NWNW	
			SENE	NESE	SWSE	
			SESE			
		10	NENE	NWNE	SWNE	
			NENW	NWNW	SWNW	
			SENE	NESW	NWSW	
			SWSW	SESW		
		11	NWNE	NENW	SENE	
			SWSW	SESW	NWSE	
			SWSE	SESE		
		14	NWNE	NENW	NWNW	
			SESW	SWSE		
		15	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SENE			
		17	NWNW	SWNW	SWSE	
			SESE			
		18	NENE	SENE	Lot 3 (NWNW)	
			Lot 4 (SWNW)	Lot 5 (SWNW)	Lot 6 (SENE)	
			Lot 7 (NESW)	Lot 8 (NWSW)	Lot 9 (NWSW)	
			Lot 10 (SWSW)	Lot 11 (SWSW)	Lot 12 (SESW)	
			NESE	NWSE	SWSE	
			SESE			

FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
19		NENE		NWNE		SWNE
		SENE	Lot 2 (NWNW)		Lot 3 (NWNW)	
	Lot 4 (SWNW)		Lot 5 (SWNW)		Lot 6 (SENE)	
		NESW		NWSW		SWSW
		SESW		NESE		NWSE
		SWSE		SESE		
20		NENW		NWNW		NWSW
		SWSW		SWSE		SESE
21		NENW		NWNW		SWSW
		SESW		NESE		SWSE
		SESE				
22		NESW		NWSW		
23		NWNE		NENW		
27		SWNE		SWNW		SENE
		NESW		NWSW		SWSW
		SESW		NWSE		SWSE
		SESE				
28		NENE		NWNE		SWNE
		SENE		SWNW		SWSW
		SESW		NESE		NWSE
		SWSE		SESE		
29		NWNE		SWNE		NENW
		NWNW		SWNW		SENE
		NWSW		SESE		
30		SENE	Lot 3 (NWNW)		Lot 4 (SWNW)	
	Lot 5 (SWNW)		Lot 8 (NWSW)		Lot 9 (NWSW)	
	Lot 10 (SWSW)		Lot 11 (SWSW)		NESE	
		SESE				
31		NENE		SENE	Lot 2 (NWNW)	
	Lot 3 (NWNW)		Lot 4 (SWNW)		Lot 8 (NWSW)	
	Lot 9 (NWSW)		Lot 10 (SWSW)		Lot 11 (SWSW)	
32		NENE		NWNE		SWNE
		NENW		NWNW		SWNW
		SENE				
33		NENE		SWNE		SENE
		NENW		NWNW		SWNW
		SENE		NWSW		SWSW
34		NENE		NWNE		SWNE
		NENW		NWNW		SWNW
		SENE		NESW		NWSW
		SWSW		NWSE		
07S 18E 1	Lot 1 (NENE)		SWNE		SENE	
	NENW		SENE		NESW	

MINUTED
FEB 04 1994

TRANSFER NO. 4240
WATER RIGHT NO. 37-00867

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SESW	NWSE	SWSE	
		11	NENE			
		12	NENW	NWNW		
19E	2		SWNE	NESW	NWSW	
			SWSW	SESW		
	3		NESW	NWSW	NESE	
			NWSE	SESE		
	10		NENE			
	11		NENW	NWNW		

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than 4.0 afa per acre for the lands above.
2. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. 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.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Point of injection is from the Jim Byrns Slough into the Little Wood River.
7. Use of water under this right shall be regulated by the watermaster(s) of State Water District No. 37, Big Wood River, and Water District No. 37M, Little Wood River to irrigate 75,494 acres.
8. A measuring device and lockable controlling works of a type approved by this Department shall be maintained at the point of redirection from Little Wood River in a manner that will provide the watermaster suitable control.

Dated this

24th

day of

January

, 19

94.

J. Glen Saylor
 Chief, Water Alloc. Bureau

MICROFILMED

FEB 04 1994

APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED

MAY 01 1991

PART 1

NOV 29 1993

Department of Water Resources

Name of applicant Bry Wood Congl Co. Phone 986-2331 Department of Water Resources

Post Office address P.O. Box C, Shoshone, ID 83352

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 Reduce ditch loss for a portion of the right.

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 |
|-----------------|------------|-----------------------|------------------|---------------|
| 37-00867 Agr | 11-16-1905 | 0.225 cfs | Irrig. | 4-1 to 11-1 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 0.225 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Big ~~Little~~ Wood River tributary to Mead River
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use: *No Change from Part 2 B3*

[illegible]

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Existing check dam, pump, pipeline from Little Wood River.
Hedgate & Richfield Canal takes water from Big Wood R. to Little Wood River.

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:

If transfer is approved, land owner will divert his BWCC water & his decreed
surface rights from the same point, thus allowing more efficient use of
available water.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19____

FEB 04 1994

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 37-00867

STAGE: **DECREED**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	3000.00 CFS

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

Priority: 11/16/1905

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 30, Township 02S, Range 18E
NESE , Sec. 9, Township 03S, Range 18E
NWSE , Sec. 15, Township 04S, Range 18E
SESW , Sec. 12, Township 05S, Range 15E
NWNE , Sec. 15, Township 05S, Range 15E
BLAINE County

PLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. ACRES IRRIG. = 75,494; SEE DECREE FOR DESCRIPTION.
2. P/DS ARE IN BLAINE, LINCOLN, & GOODING COUNTIES.
3. P/DS NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

Blaine County
FEB 04 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. 37-00867 Decreed to Big Wood Canal Co.
in case of Big Wood Canal Co. vs. Chapman, ET. AL.
dated 6-27-1925 in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

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

4. Date or priority 11-16-1905

5. Water is used for the following purpose:

amount 3000 cfs for Irrig. purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3000 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: Not given in decree, Listed as claimed in SRBA.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	NE	30	25	18E	Blaine	Richfield Canal
	NE	NE	SE	9	35	18E	Lincoln	North Gooding Canal
	SE	NW	NE	25	45	19E	"	~~South Gooding Canal~~ Dietrich Canal

8. Lands irrigated or place of use: SW 1/4 SE 39 55 18E
NE 1/4 SE 25 18E Lands within Big Wood Canal Co. system
South Gooding Canal

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 75,494

9. Describe any other water rights used for the same purpose as described above

many

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 0,225 cfs for Irrig. purposes from 4-1 to 11-1
 (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
	SE	SE	NE	30	25	18E	Blaine	Richfield Canal

3. Lands irrigated or place of use: (As claimed in A37-008672)

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	
55	19E	5									24					30			54

Total acres 54**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 2999.775 cfs for Irrig. purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

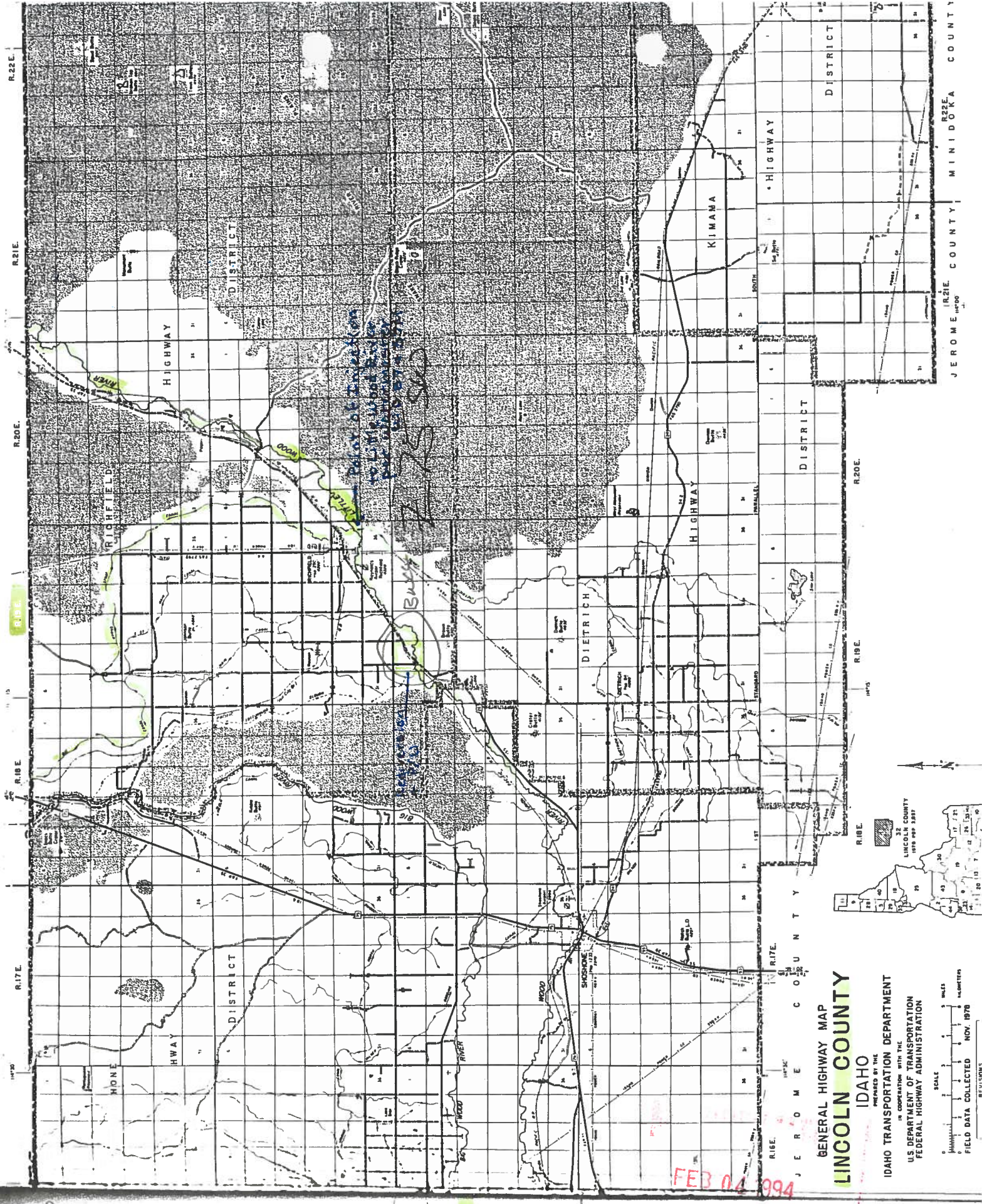
2. Point(s) of Diversion: Same

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

3. Lands irrigated or place of use: Same less above lands

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 75,440



GENERAL HIGHWAY MAP
LINCOLN COUNTY
 IDAHO
 PREPARED BY THE
 IDAHO TRANSPORTATION DEPARTMENT
 IN COOPERATION WITH THE
 U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION

SCALE
 0 1 2 3 4 5 6 7 8 9 10
 MILES
 FIELD DATA COLLECTED NOV. 1970
 BEUTLER

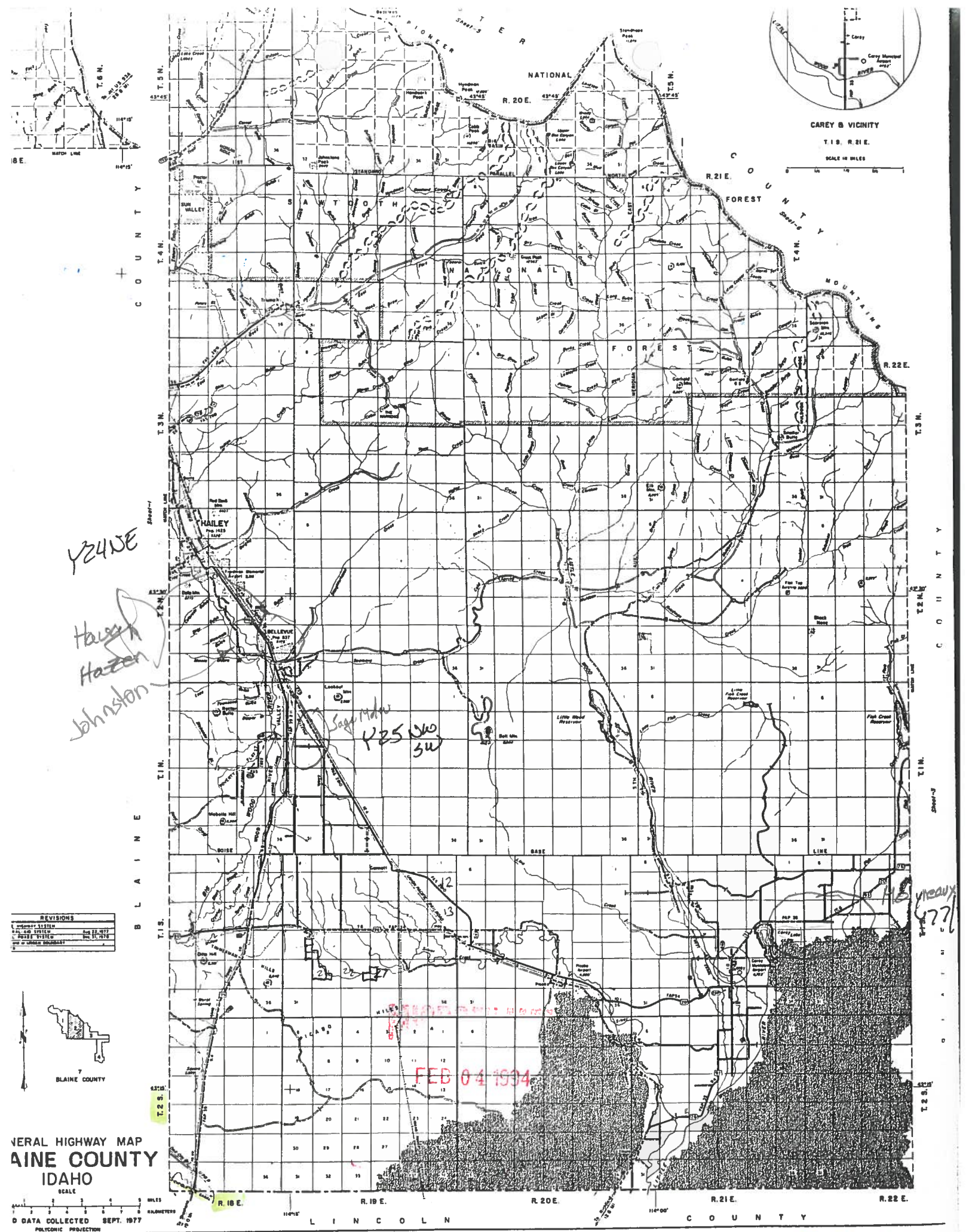
FEB 04 1994

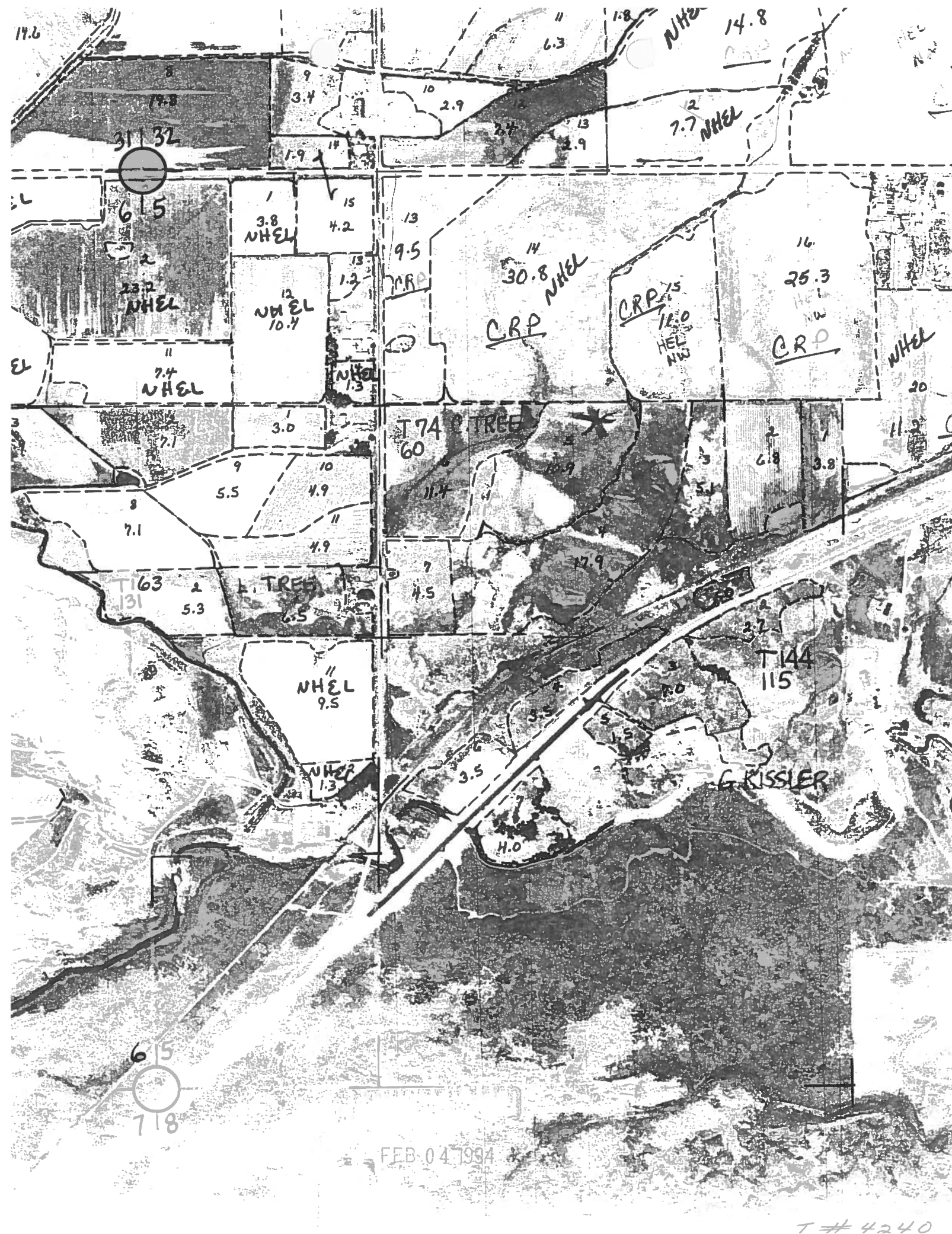
3

4

5

77 11/11

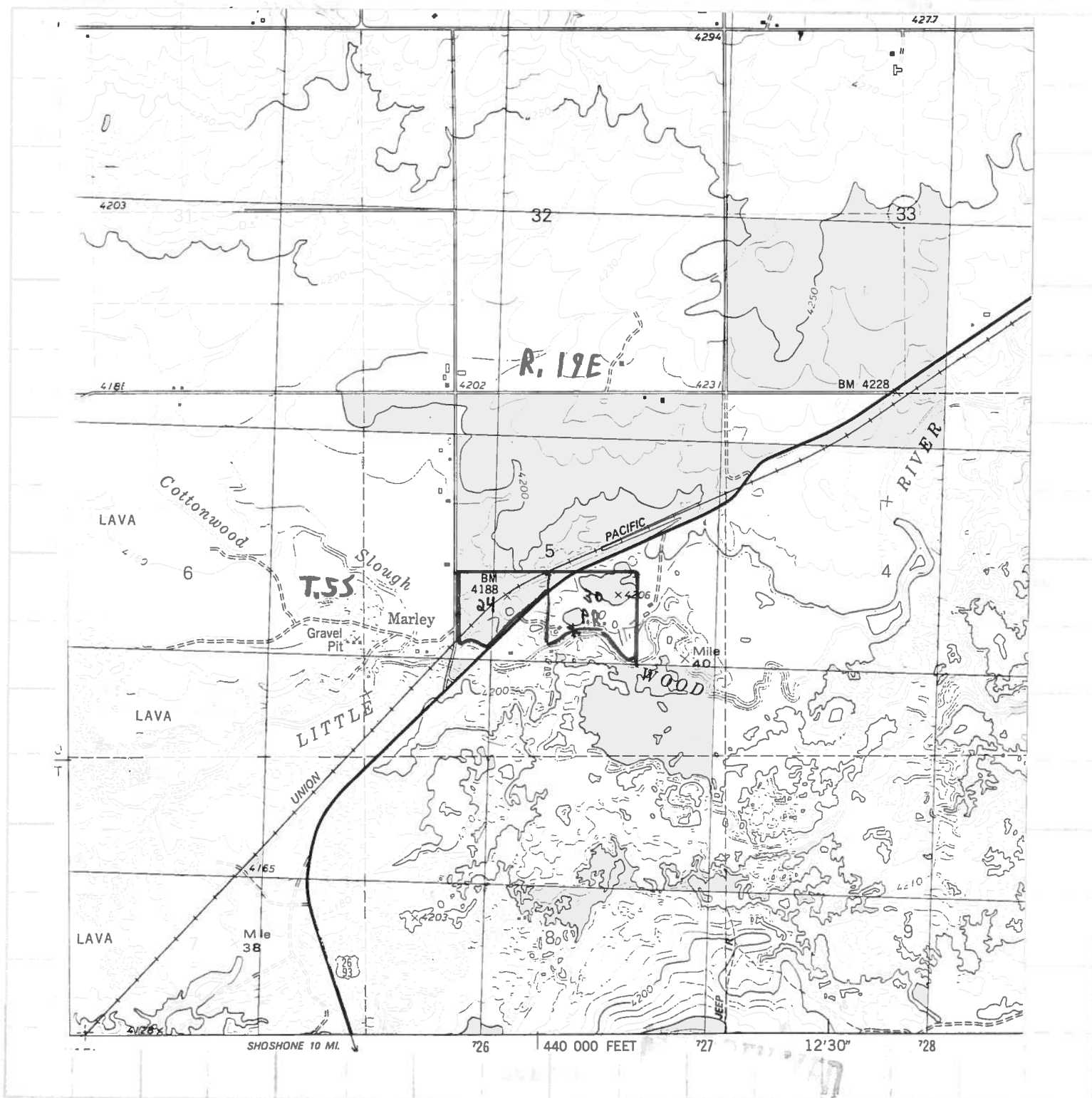




T # 4240

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.

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

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

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

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

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

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

Richard McNeils

(Signature of Applicant)

Subscribed and sworn to before me this 26th day of April, 1991.Calleen Bishop

(Notary Public)

My commission expires 12-4-94**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 3 attachmentsReceived by J F Stanton MB Date 4-29-91 Protest filed by _____Prelim. check by MTS Fee \$50.00 5013291Receipted by DJ Date 04-29-91Published in Wood River Journal Lincoln Co Journal Copies of protest forwarded by _____Pub. dates 11/3 + 11/10/93 Hearing held by _____ Date _____Watermaster recommendation requested on 10/26/93 Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

FEB 04 1994

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LINCOLN

37-6-2

BIG WOOD CANAL COMPANY
a corporation
 plaintiff

vs.

S. H. Chapman, as Watermaster of Big Wood
River, District No. 7A of the State of
Idaho,

defendants

and

B. H. BERNARD; FRED GWINN; A. A. Garlock;
J. C. Robertson; Mabel Robertson; J. W.
Robertson; Jennie Robertson; Roy Vaughn;
A. C. Thompson, H. E. Evilsizer; Helen F.
Smith; Clifford Nyemaster; W.J. Calkins
C. C. Bonichson; B. A. McCoy; Otto Fleish-
man; A. W. Daubner; Goerge Daubner; Herbert
Meyer; John Devaney; L. L. Pettijohn; C. A.
Jones; Casper Aller; and the Mutual Wood
River Water Users Association, a corporation)
Everett Daubner and Gottfred Gehrig

intervenors

2184

D E C R E E

This matter coming on regularly for trial in open Court at Shoshone, Idaho, on the 1st day of July, 1924, and subsequent days, before the Honorable Robert M. Terrell, presiding judge, without a jury, the plaintiff being represented by its attorneys, Bissell & Bird, the defendant not appearing in person or by counsel, and the intervenors appearing by their counsel Martin & Martin and Geo. Padgham; whereupon, testimony on behalf of said appearing parties was introduced and the matter was submitted to the Court upon such testimony and by written briefs of the parties thereafter filed, and the court having considered such testimony and briefs, and being fully advised in the premises, and having made its findings of fact and conclusions of law in said cause;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, That the hereinafter mentioned parties are the owners of and entitled to the use of the number of cubic feet per second of time of the waters of Big Wood and Maladé Rivers and their tributaries as indicated hereinbelow, with date of priority indicated, and for use upon the land described and indicated, to-wit:

FEB 04 1994

NAME OF OWNER

Amount of
Water

Date of
Priority

Description of Land

37 0865

Mabel L. Robertson

5.6

4-1-05

S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 3, T5
SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10 T5S-R14E.

37 0866

Jennie Robertson

3.2

4-1-05

NW $\frac{1}{4}$ Sec. 14, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$
N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 3, all in
T. 5 S., R. 14 E., B. M.

37 879

Roy Vaughn

2.4

5-1-05

SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec.
7, T. 5 S., R. 17 E., B. M.

37 0867

Big Wood Canal Company
a corporation

3000

11-16-05

(See next 6 pages)

37 870

" " " "

"

6-1-20

" " " "
for description of lands

FEB 04 1994

TOWNSHIP 2 SOUTH, RANGE 18 E., B. M.

Section:

32 NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
33 W $\frac{1}{2}$ SW $\frac{1}{4}$

TOWNSHIP 3 SOUTH, RANGE 18 E. B. M.

Section

21 S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
23 NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
25 NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
28 NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$
36 W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

TOWNSHIP 3 SOUTH, RANGE 19 E., B. M.

Section:

7 E $\frac{1}{2}$ SE $\frac{1}{4}$,
8 W $\frac{1}{2}$ SW $\frac{1}{4}$
14 S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
15 S $\frac{1}{2}$
18 SE $\frac{1}{4}$ SE $\frac{1}{4}$
20 N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{2}$ NW $\frac{1}{4}$
21 E $\frac{1}{2}$
22 NE $\frac{1}{4}$, S $\frac{1}{2}$
23 All
24 S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
25 All
26 All
27 NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
28 N $\frac{1}{2}$ NE $\frac{1}{4}$
30 NE $\frac{1}{4}$, Lot 1, Lot 2, Lot 3, Lot 4, Lot 7, Lot 8, Lot 9,
Lot 10, Lot 11, SE $\frac{1}{4}$ SE $\frac{1}{4}$
35 N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
36 NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

TOWNSHIP 3 South, Range 20 E., B. M.

Section:

30 Lot 2, Lot 3, Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$
31 Lot 1, Lot 2, Lot 3, Lot 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 4 SOUTH, RANGE 14 E. B. M.

Section:

35 SW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 4 SOUTH, RANGE 15 E. B. M.

Section:

25 S $\frac{1}{2}$ SE $\frac{1}{4}$
31 SW $\frac{1}{4}$
36 NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

TOWNSHIP 4 SOUTH, RANGE 16 E., B. M.

Section:

19 SE $\frac{1}{4}$ NE $\frac{1}{4}$
20 W $\frac{1}{2}$ NW $\frac{1}{4}$
25 S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
26 S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
30 Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$
31 W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 4, SE $\frac{1}{4}$
32 NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
33 SE $\frac{1}{4}$ NE $\frac{1}{4}$
34 S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
35 SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
36 SW $\frac{1}{4}$

RECORDED

FEB 04 1994

TOWNSHIP 4 SOUTH, RANGE 17 E. B. M.

Section:

25 SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
 26 NE $\frac{1}{4}$ SE $\frac{1}{4}$
 27 W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$
 28 E $\frac{1}{2}$
 29 N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$
 31 NE $\frac{1}{4}$, Lot 1, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 33 S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 34 SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$
 35 SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

TOWNSHIP 4 SOUTH, RANGE 18 E. B. M.

Section:

1 Lot 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
 11 SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
 12 N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 13 NE $\frac{1}{4}$ NE $\frac{1}{4}$
 14 W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
 20 SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
 28 SW $\frac{1}{4}$ SW $\frac{1}{4}$
 30 W $\frac{1}{2}$ NE $\frac{1}{4}$, Lot 3, Lot 4
 31 Lot 3, Lot 4
 32 S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 4 SOUTH, RANGE 19 E. B. M.

Section

1 E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$
 2 E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$
 5 W $\frac{1}{2}$ NW $\frac{1}{4}$
 6 S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 7 NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
 8 N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
 9 W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$
 10 E $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$
 11 All
 12 NE $\frac{1}{4}$, S $\frac{1}{2}$
 13 All
 14 All
 15 SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
 17 NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$
 19 N $\frac{1}{2}$ NE $\frac{1}{4}$
 20 E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
 21 NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
 22 All
 23 All
 24 N $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 25 N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
 26 All
 27 All
 28 NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 29 NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
 30 E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
 31 W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$
 32 NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$
 33 All
 34 NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$
 35 NE $\frac{1}{4}$ NE $\frac{1}{4}$
 36 NW $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 4 SOUTH, RANGE 20 E. B. M.

Section:

6 W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

NOTED

FEB 04 1994

Section:

7 $N\frac{1}{2}$, $SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$
 18 $NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$
 19 $NW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, Lot 1, Lot 2, Lot 3

TOWNSHIP 5 SOUTH, RANGE 14 E. B. M.

Section

1 $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$
 2 $NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$
 3 $S\frac{1}{2}SE\frac{1}{4}$
 10 $N\frac{1}{2}NE\frac{1}{4}$,
 11 $N\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$
 12 $E\frac{1}{2}$, $NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$
 13 $E\frac{1}{2}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}$
 14 $NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$
 15 $S\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$
 22 $SE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$
 23 $NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$
 24 All
 25 $E\frac{1}{2}$, $N\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$
 26 $NW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$
 27 $N\frac{1}{2}NE\frac{1}{4}$
 28 $NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$
 33 $SE\frac{1}{4}SE\frac{1}{4}$
 34 $NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}$
 35 $S\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}$
 36 $NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}$

TOWNSHIP 5 SOUTH, RANGE 15 E. B. M.

Section

1 $SE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$
 2 $E\frac{1}{2}SW\frac{1}{4}$
 3 $N\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$
 4 $SW\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$
 5 $SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$
 6 $W\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$
 7 $NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$, $SE\frac{1}{4}$
 8 All
 9 $N\frac{1}{2}$, $W\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$
 10 $NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$
 11 $E\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$
 12 $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$
 13 $NW\frac{1}{4}NW\frac{1}{4}$
 14 $NE\frac{1}{4}NE\frac{1}{4}$
 16 $NE\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}$
 17 $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$
 18 $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$
 19 $W\frac{1}{2}$
 20 $N\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$
 21 $N\frac{1}{2}NW\frac{1}{4}$
 26 $W\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$
 27 $NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$
 29 $N\frac{1}{2}$, $SW\frac{1}{4}$, $NW\frac{1}{4}$, $SE\frac{1}{4}$
 30 All
 31 $NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$
 32 $W\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$
 33 $SE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$
 34 All
 35 All
 36 $SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$

RECORDED

FEB 04 1994

TOWNSHIP 5 SOUTH, RANGE 16 E. B. M.

Section

- 1 $N\frac{1}{2}NE\frac{1}{4}, N\frac{1}{2}NW\frac{1}{4}, NE\frac{1}{4}SW\frac{1}{4}, S\frac{1}{2}SE\frac{1}{4},$
- 2 $E\frac{1}{2}NE\frac{1}{4}, SW\frac{1}{4}, NE\frac{1}{4}SE\frac{1}{4}, S\frac{1}{2}SE\frac{1}{4},$
- 3 $S\frac{1}{2}NE\frac{1}{4}, SE\frac{1}{4}NW\frac{1}{4}, N\frac{1}{2}SW\frac{1}{4}, SW\frac{1}{4}SW\frac{1}{4}, NE\frac{1}{4}SE\frac{1}{4}, S\frac{1}{2}SE\frac{1}{4}$
- 5 $N\frac{1}{2}SE\frac{1}{4}$
- 6 $W\frac{1}{2}NW\frac{1}{4}$
- 7 $W\frac{1}{2}NE\frac{1}{4}, NW\frac{1}{4}$
- 8 $N\frac{1}{2}SE\frac{1}{4}$
- 9 $SW\frac{1}{4}NE\frac{1}{4}, SE\frac{1}{4}NW\frac{1}{4}, N\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}SW\frac{1}{4}, SE\frac{1}{4}$
- 10 $N\frac{1}{2}NE\frac{1}{4}, SW\frac{1}{4}NE\frac{1}{4}, NW\frac{1}{4}SW\frac{1}{4}, SE\frac{1}{4}SE\frac{1}{4}$
- 11 $N\frac{1}{2}NW\frac{1}{4}, NE\frac{1}{4}SW\frac{1}{4}, S\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}$
- 12 $N\frac{1}{2}NE\frac{1}{4}, SE\frac{1}{4}NE\frac{1}{4}, W\frac{1}{2}NW\frac{1}{4}, SW\frac{1}{4}SW\frac{1}{4}, N\frac{1}{2}SW\frac{1}{4}$
- 14 $NW\frac{1}{4}NE\frac{1}{4}, N\frac{1}{2}NW\frac{1}{4}$
- 15 $NE\frac{1}{4}NE\frac{1}{4}$
- 31 $SE\frac{1}{4}NE\frac{1}{4}, SW\frac{1}{4}NE\frac{1}{4}, NW\frac{1}{4}SE\frac{1}{4}, SE\frac{1}{4}SE\frac{1}{4}$
- 32 $SW\frac{1}{4}SW\frac{1}{4}$

TOWNSHIP 5 SOUTH, RANGE 17 E. B. M.

Section:

- 1 $N\frac{1}{2}NE\frac{1}{4}, E\frac{1}{2}NW\frac{1}{4}, SW\frac{1}{4}, S\frac{1}{2}SE\frac{1}{4}$
- 2 $N\frac{1}{2}, S\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}$
- 3 $NE\frac{1}{4}, W\frac{1}{2}SE\frac{1}{4}$
- 4 $NE\frac{1}{4}, W\frac{1}{2}NW\frac{1}{4}, SE\frac{1}{4}NW\frac{1}{4}, N\frac{1}{2}SW\frac{1}{4}$
- 5 $NE\frac{1}{4}, NW\frac{1}{4}NW\frac{1}{4}$
- 6 $W\frac{1}{2}SE\frac{1}{4}, SW\frac{1}{4}$
- 7 $N\frac{1}{2}NW\frac{1}{4}$
- 8 $N\frac{1}{2}NE\frac{1}{4}, SE\frac{1}{4}NE\frac{1}{4}, SE\frac{1}{4}NW\frac{1}{4}, NE\frac{1}{4}SE\frac{1}{4}$
- 9 $SW\frac{1}{4}NW\frac{1}{4}, N\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}SW\frac{1}{4}, SE\frac{1}{4}SE\frac{1}{4}$
- 10 $E\frac{1}{2}, S\frac{1}{2}NW\frac{1}{4}, N\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}SW\frac{1}{4}$
- 11 $N\frac{1}{2}, SW\frac{1}{4}, N\frac{1}{2}SE\frac{1}{4}, SW\frac{1}{4}SE\frac{1}{4}$
- 12 $E\frac{1}{2}NE\frac{1}{4}, NW\frac{1}{4}$
- 13 $N\frac{1}{2}NE\frac{1}{4}, NE\frac{1}{4}SW\frac{1}{4}, S\frac{1}{2}SW\frac{1}{4}$
- 14 $N\frac{1}{2}, NE\frac{1}{4}SE\frac{1}{4}$
- 15 $NE\frac{1}{4}NE\frac{1}{4}, S\frac{1}{2}NE\frac{1}{4}, N\frac{1}{2}NW\frac{1}{4}, SE\frac{1}{4}NW\frac{1}{4}, N\frac{1}{2}SW\frac{1}{4}, NW\frac{1}{4}SE\frac{1}{4}$
- 29 $NW\frac{1}{4}SW\frac{1}{4}, S\frac{1}{2}SW\frac{1}{4}$
- 30 $SE\frac{1}{4}SE\frac{1}{4}$
- 31 $NE\frac{1}{4}NE\frac{1}{4}$
- 34 $SW\frac{1}{4}NE\frac{1}{4}$
- 36 $NE\frac{1}{4}SE\frac{1}{4}, S\frac{1}{2}SE\frac{1}{4}$

TOWNSHIP 5 SOUTH, RANGE 18 E. B. M.

Section

- 5 $W\frac{1}{2}NW\frac{1}{4},$
- 6 Lot 2, Lot 3, $SE\frac{1}{4}SW\frac{1}{4}, SE\frac{1}{4}$
- 7 All
- 8 $W\frac{1}{2}NW\frac{1}{4}, N\frac{1}{2}SW\frac{1}{4}, SW\frac{1}{4}SW\frac{1}{4}$
- 17 $SW\frac{1}{4}NW\frac{1}{4}$
- 18 $NE\frac{1}{4}NW\frac{1}{4}$
- 31 $E\frac{1}{2}NE\frac{1}{4}, SE\frac{1}{4}SW\frac{1}{4}, N\frac{1}{2}SE\frac{1}{4}, SW\frac{1}{4}SE\frac{1}{4}$
- 32 $S\frac{1}{2}SW\frac{1}{4}$
- 33 $SE\frac{1}{4}NE\frac{1}{4}$
- 34 $W\frac{1}{2}NW\frac{1}{4}, SW\frac{1}{4}SW\frac{1}{4}, S\frac{1}{2}SE\frac{1}{4}$

TOWNSHIP 5 SOUTH, RANGE 19 E. B. M.

Section

- 4 $NW\frac{1}{4}NW\frac{1}{4}$
- 5 $N\frac{1}{2}NE\frac{1}{4}, SW\frac{1}{4}NE\frac{1}{4}, NW\frac{1}{4}, N\frac{1}{2}SW\frac{1}{4}, NW\frac{1}{4}SE\frac{1}{4}$
- 6 $NE\frac{1}{4}, N\frac{1}{2}NW\frac{1}{4}, SE\frac{1}{4}NW\frac{1}{4}, NE\frac{1}{4}SW\frac{1}{4}, N\frac{1}{2}SE\frac{1}{4}, SE\frac{1}{4}SE\frac{1}{4}$

NOTED

FEB 04 1994

TOWNSHIP 6 SOUTH, RANGE 14 E. B. M.

Section:

- 1 $W\frac{1}{2}NE\frac{1}{4}, SE\frac{1}{2}NE\frac{1}{4}, W\frac{1}{2}, SE\frac{1}{4}$
- 2 $NE\frac{1}{2}NE\frac{1}{4}, S\frac{1}{2}NE\frac{1}{4}, N\frac{1}{2}NW\frac{1}{4}, NE\frac{1}{4}SW\frac{1}{4}, SE\frac{1}{4}$
- 3 $N\frac{1}{2}, SW\frac{1}{4}, N\frac{1}{2}SE\frac{1}{4}, SW\frac{1}{4}SE\frac{1}{4}$
- 4 $E\frac{1}{2}, E\frac{1}{2}SW\frac{1}{4}$
- 9 $E\frac{1}{2}$
- 10 $W\frac{1}{2}NE\frac{1}{4}, W\frac{1}{2}$
- 12 $NW\frac{1}{2}NE\frac{1}{4}, N\frac{1}{2}NW\frac{1}{4}$
- 13 $NE\frac{1}{4}SW\frac{1}{4}, S\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}, SE\frac{1}{2}NE\frac{1}{4}$
- 14 $S\frac{1}{2}SW\frac{1}{4}, S\frac{1}{2}SE\frac{1}{4}$
- 15 $N\frac{1}{2}NW\frac{1}{4}, NE\frac{1}{4}SW\frac{1}{4}, S\frac{1}{2}SW\frac{1}{4}, S\frac{1}{2}SE\frac{1}{4}$
- 22 $N\frac{1}{2}, S\frac{1}{2}SW\frac{1}{4}, NE\frac{1}{4}SE\frac{1}{4}$
- 23 $N\frac{1}{2}, NE\frac{1}{4}SW\frac{1}{4}, S\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}$
- 24 $N\frac{1}{2}, N\frac{1}{2}SW\frac{1}{4}, SW\frac{1}{4}SW\frac{1}{4}$
- 26 $NE\frac{1}{4}, NE\frac{1}{4}NW\frac{1}{4}, S\frac{1}{2}NW\frac{1}{4}$
- 27 $NW\frac{1}{2}NE\frac{1}{4}, S\frac{1}{2}NE\frac{1}{4}, N\frac{1}{2}NW\frac{1}{4}, SE\frac{1}{4}NW\frac{1}{4}$
- 28 $S\frac{1}{2}SW\frac{1}{4}$
- 33 $N\frac{1}{2}NW\frac{1}{4}$

TOWNSHIP 6 SOUTH, RANGE 15 E., B. M.

Section

- 1 $NE\frac{1}{2}NE\frac{1}{4}, S\frac{1}{2}NE\frac{1}{4}, NE\frac{1}{4}NW\frac{1}{4}, S\frac{1}{2}NW\frac{1}{4}, S\frac{1}{2}$
- 2 $NW\frac{1}{2}NE\frac{1}{4}, S\frac{1}{2}NE\frac{1}{4}, NE\frac{1}{4}NW\frac{1}{4}, S\frac{1}{2}NW\frac{1}{4}, N\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}$
- 3 All
- 4 $W\frac{1}{2}, SE\frac{1}{4}$
- 5 All
- 6 $N\frac{1}{2}, SW\frac{1}{4}, NE\frac{1}{4}SE\frac{1}{4}, S\frac{1}{2}SE\frac{1}{4}$
- 7 $E\frac{1}{2}, E\frac{1}{2}NW\frac{1}{4}, NE\frac{1}{4}SW\frac{1}{4}, S\frac{1}{2}SW\frac{1}{4}$
- 8 $N\frac{1}{2}NE\frac{1}{4}, SE\frac{1}{4}NE\frac{1}{4}, W\frac{1}{2}, SE\frac{1}{4}$
- 9 $N\frac{1}{2}, SW\frac{1}{4}, W\frac{1}{2}SE\frac{1}{4}, SE\frac{1}{4}SE\frac{1}{4}$
- 10 $NE\frac{1}{4}NE\frac{1}{4}, S\frac{1}{2}NE\frac{1}{4}, NW\frac{1}{4}, SW\frac{1}{4}SW\frac{1}{4}, N\frac{1}{2}SE\frac{1}{4}$
- 11 $N\frac{1}{2}NE\frac{1}{4}$
- 12 $N\frac{1}{2}, N\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}SW\frac{1}{4}, NE\frac{1}{4}SE\frac{1}{4}, S\frac{1}{2}SE\frac{1}{4}$
- 16 $N\frac{1}{2}NE\frac{1}{4}, SW\frac{1}{4}NE\frac{1}{4}, NE\frac{1}{4}NW\frac{1}{4}, S\frac{1}{2}NW\frac{1}{4}, NE\frac{1}{4}SW\frac{1}{4}$
- 17 All
- 18 All
- 19 $N\frac{1}{2}, N\frac{1}{2}SW\frac{1}{4}, N\frac{1}{2}SE\frac{1}{4}$
- 20 $N\frac{1}{2}NE\frac{1}{4}, SW\frac{1}{4}NE\frac{1}{4}, NW\frac{1}{4}$

TOWNSHIP 6 SOUTH, RANGE 16 E. B. M.

Section

- 6 $N\frac{1}{2}NE\frac{1}{4}, SW\frac{1}{4}NE\frac{1}{4}, NW\frac{1}{4}$
- 7 Lot 1, Lot 3, Lot 4

TOWNSHIP 6 SOUTH, RANGE 17 E. B. M.

Section

- 1 $N\frac{1}{2}, NE\frac{1}{4}SW\frac{1}{4}, S\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}$
- 2 $S\frac{1}{2}SE\frac{1}{4}$

TOWNSHIP 6 SOUTH, RANGE 18 E. B. M.

Section

- 3 $N\frac{1}{2}NE\frac{1}{4}, N\frac{1}{2}NW\frac{1}{4}, SW\frac{1}{4}NW\frac{1}{4}, SE\frac{1}{4}SW\frac{1}{4}$
- 4 $E\frac{1}{2}SE\frac{1}{4}$
- 5 $N\frac{1}{2}NW\frac{1}{4}$
- 6 Lot 4, Lot 5, $SE\frac{1}{4}NW\frac{1}{4}$, Lot 6, Lot 7, $SE\frac{1}{4}SW\frac{1}{4}, SW\frac{1}{4}SE\frac{1}{4}$
- 7 $W\frac{1}{2}NE\frac{1}{4}, NW\frac{1}{4}, NE\frac{1}{4}SW\frac{1}{4}, N\frac{1}{2}SE\frac{1}{4}, SE\frac{1}{4}SE\frac{1}{4}$
- 8 $SW\frac{1}{4}SW\frac{1}{4}$
- 10 $NE\frac{1}{4}NW\frac{1}{4}, E\frac{1}{2}SE\frac{1}{4}$
- 11 $SE\frac{1}{4}NE\frac{1}{4}, NE\frac{1}{4}SW\frac{1}{4}, SW\frac{1}{4}SW\frac{1}{4}$
- 12 $SW\frac{1}{4}NE\frac{1}{4}, S\frac{1}{2}NW\frac{1}{4}, SW\frac{1}{4}, NW\frac{1}{4}SE\frac{1}{4}$
- 13 $NE\frac{1}{4}, NE\frac{1}{4}SW\frac{1}{4}, S\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}$

RECORDED

FEB 04 1994

Section

14 NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
 15 SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$
 17 NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 18 NE $\frac{1}{4}$ NE $\frac{1}{4}$
 20 NE $\frac{1}{4}$ NE $\frac{1}{4}$
 21 W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 22 NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
 23 N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 24 NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
 25 NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
 26 W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$
 27 N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
 28 N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$
 34 NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 35 NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

TOWNSHIP 6 SOUTH, RANGE 19 E. B. M.

Section

2 W $\frac{1}{2}$ SW $\frac{1}{4}$
 3 E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 6 Lot 13
 7 W $\frac{1}{2}$ SE $\frac{1}{4}$
 9 SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 10 N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$
 11 NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$
 14 NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
 15 NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$
 17 W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 18 E $\frac{1}{2}$ NE $\frac{1}{4}$, Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, Lot 8, Lot 9
 Lot 10, Lot 11, Lot 12, SE $\frac{1}{4}$
 19 E $\frac{1}{2}$, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6, SW $\frac{1}{4}$
 20 N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 21 N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 22 N $\frac{1}{2}$ SW $\frac{1}{4}$
 23 NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$
 27 SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 28 E $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$
 29 W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 30 Lot 3, Lot 4, Lot 5, Lot 8, Lot 9, Lot 10, Lot 11, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
 31 E $\frac{1}{2}$ NE $\frac{1}{4}$, Lot 2, Lot 3, Lot 4, Lot 8, Lot 9, Lot 11, Lot 10
 32 N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$
 33 NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$
 34 NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 7 SOUTH, RANGE 18 E. B. M.

Section

1 Lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
 11 NE $\frac{1}{4}$ NE $\frac{1}{4}$
 12 N $\frac{1}{2}$ NW $\frac{1}{4}$

TOWNSHIP 7 SOUTH, RANGE 19 E. B. M.

Section

2 SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$
 3 N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 10 NE $\frac{1}{4}$ NE $\frac{1}{4}$
 11 N $\frac{1}{2}$ NW $\frac{1}{4}$

NOT RECORDED
 FEB 04 1904

77 0874
37 0875
37 0876

Everett F. Daubner	1.6	11-1-13	NE $\frac{1}{4}$, Sec. 22, T. 5 S., R. 14E
George E. Daubner	2.4	11-1-13	W $\frac{1}{2}$ NW $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T5S., R. 14 EBM
The Mutual Wood River Water Users Ass'n, a corporation	3.492	9-1-20	

It is further Ordered, adjudged and decreed that the rights herein adjudicated be, and they are declared to be supplimentary to that certain judgment and decree rendered and entered in the District Court of the Fourth Judicial District of Idaho, in and for the County of Lincoln, dated December 13, 1909, wherein S. C. Frost, et al were the Plaintiffs and Alturas Water Co., et al, were defendants, commonly known as the Frost decree of the Waters of Big Wood River, and said rights shall be considered as of the same force and effect as if said rights were adjudicated in said above Frost decree in accordance with Section 7036 I. C. S. The above lands being situate in the counties of Gooding, Lincoln and Blaine, State of Idaho.
No costs awarded Dated at Shoshone, Idaho, this 27 day of June, 1925

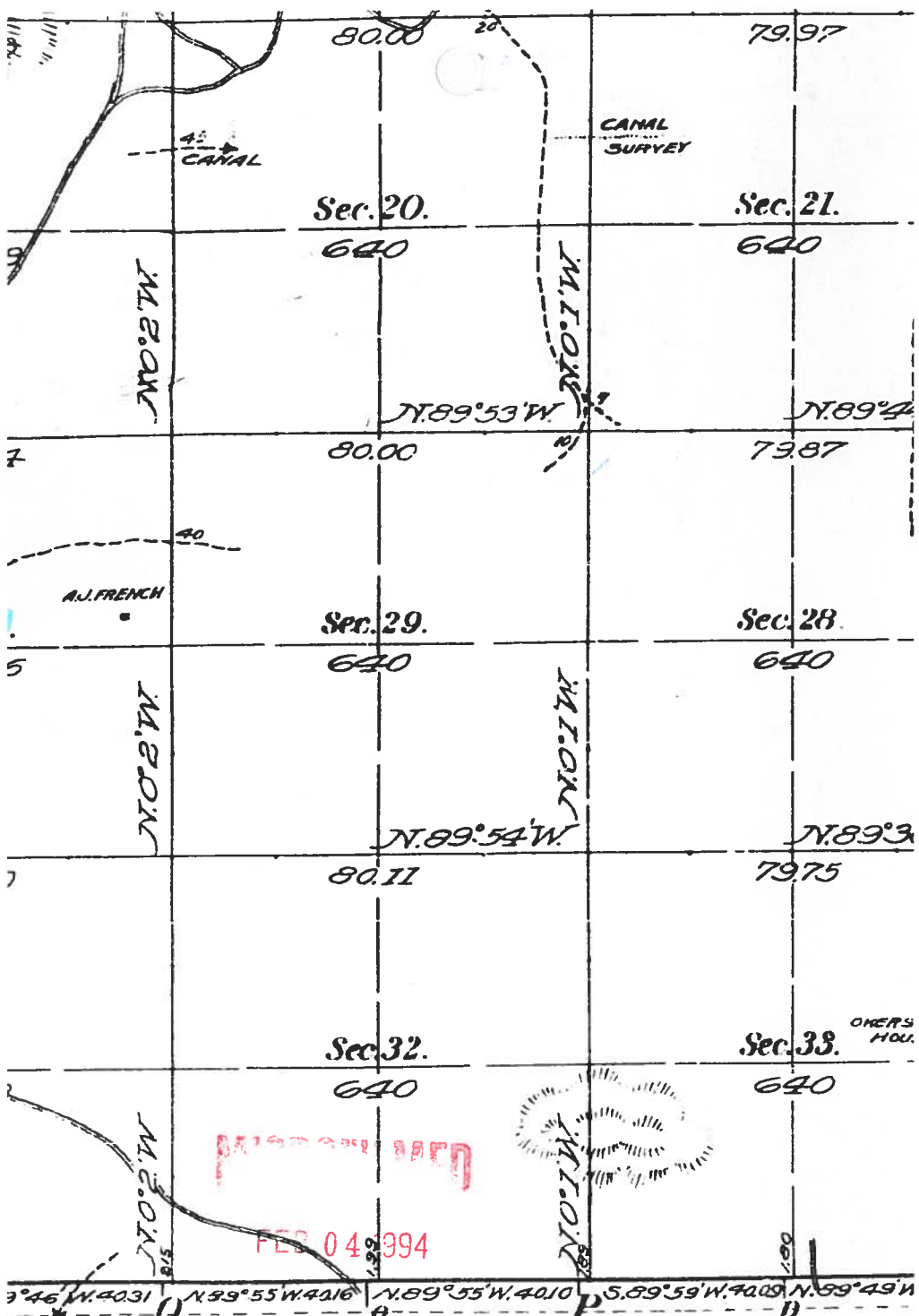
STATE OF IDAHO)	s/ ROBERT M. TERRELL
County of Lincoln) ss	District Judge

I, E. A. BOWLER, Clerk of the District Court and Ex-Officio Recorder in and for the County of Lincoln, State of Idaho, do hereby certify that the annexed is a full, true and correct copy of the original decree now on file in my office, as the same appears on the Records of said Lincoln County, State of Idaho in Book _____, at Page _____

IN TESTIMONY WHEREOF, I have set my hand and affixed my official seal this 2 day of July, A. D. 1925.

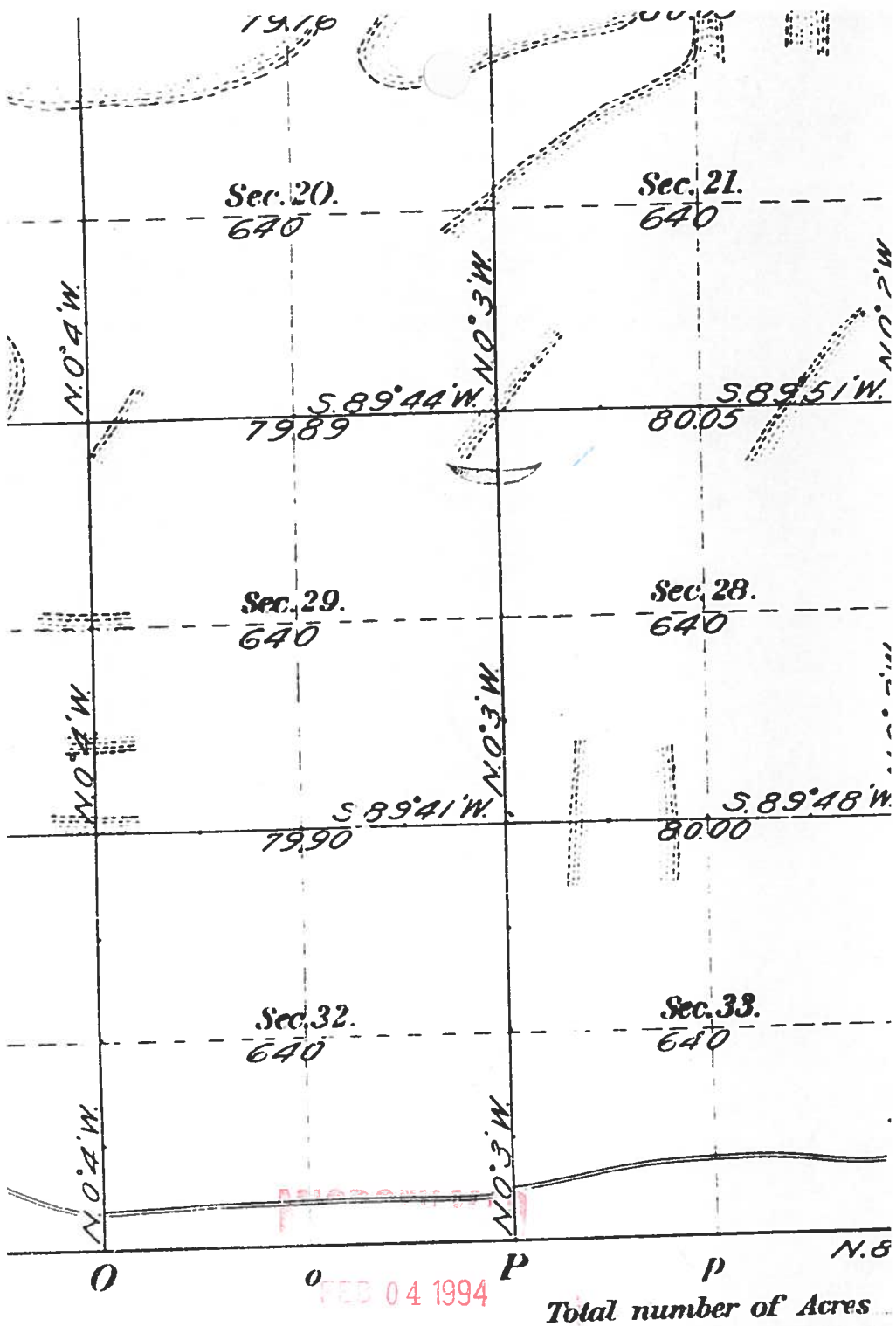
E. A. BOWLER
Clerk, Ex-Officio Recorder

FEB 04 1994

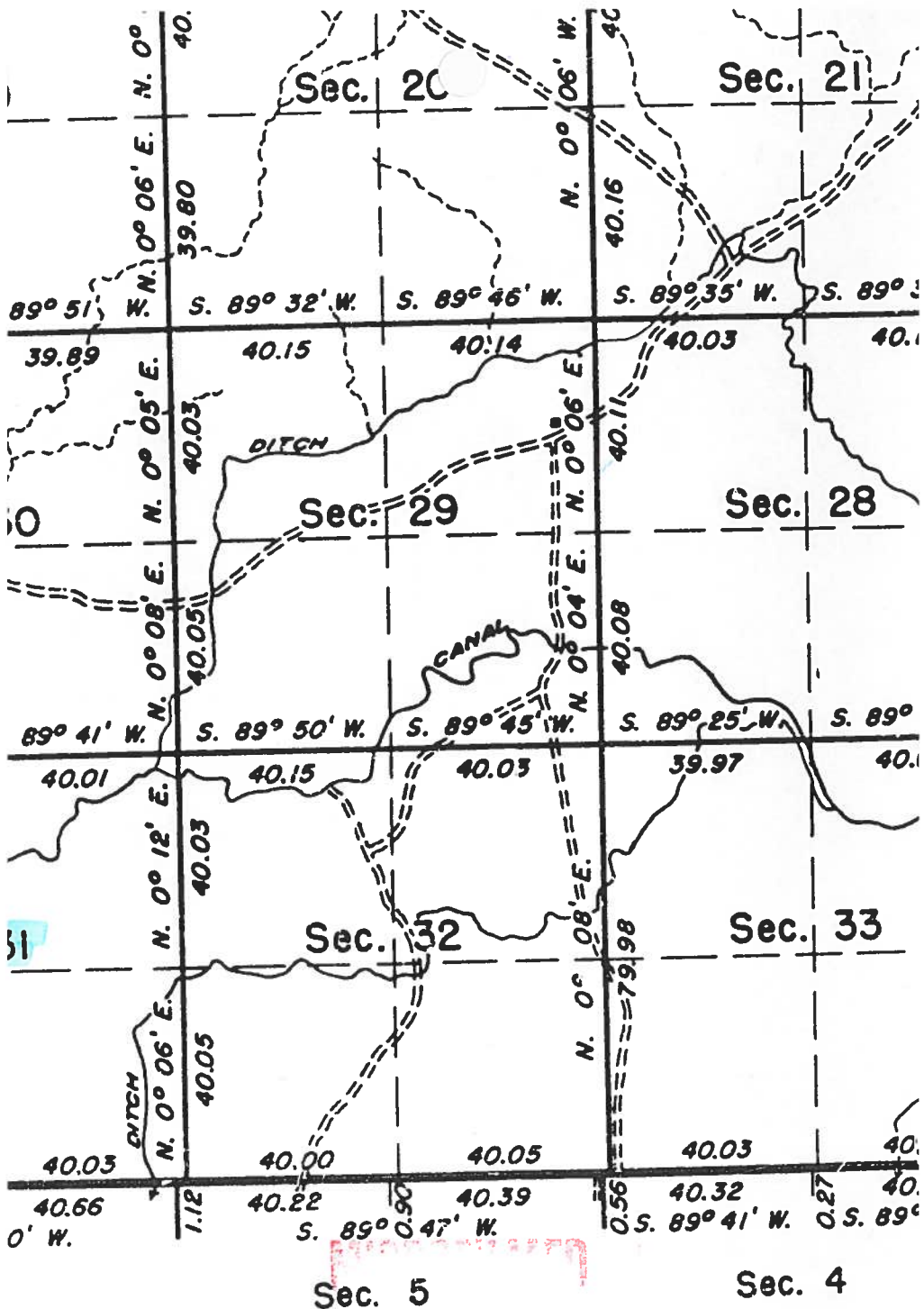


Total number of Acres

Surveyor	Date of Contract	Amount of Survey	When Surveyed
----------	------------------	------------------	---------------



	Date of Contract	Amount of Surveys	When Surveyed



Sec. 5

Sec. 4

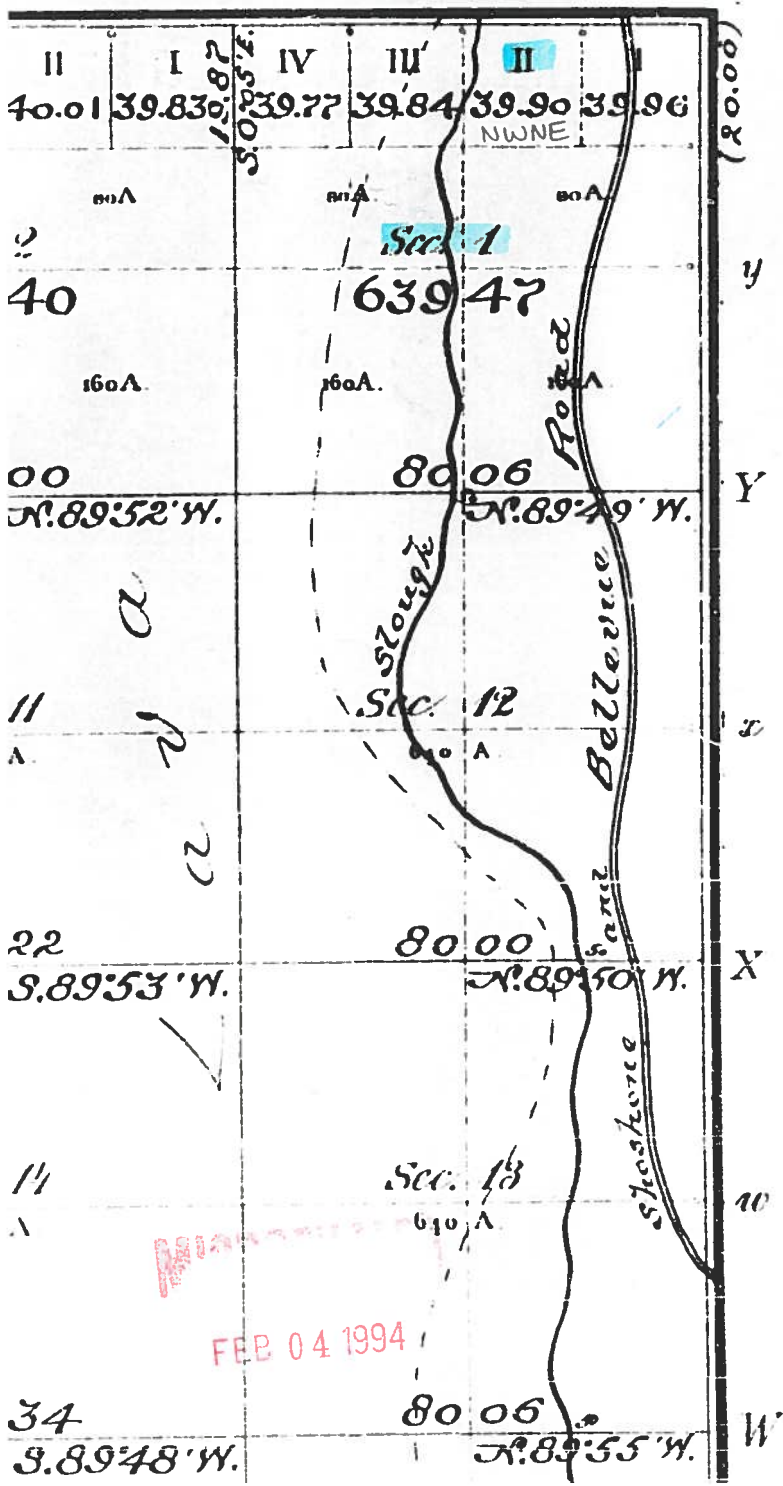
FEB 04 1994

Area resurveyed: 2

B

a

A



4S
18E

S. 89° 54' W.

N. 89° 54'

160A

Sec. 20
640 A.

Sec. 21
640 A.

160A

80 12
S. 89° 57' W.

80 26
N. 89° 4'

160A

Sec. 29
640 A.

Sec. 28
640 A.

160A

80 12
S. 89° 48' W.

80 42₄₅₀
N. 89° 4'

160A

Sec. 32
640 A.

Sec. 33
640 A.

160A

RECEIVED

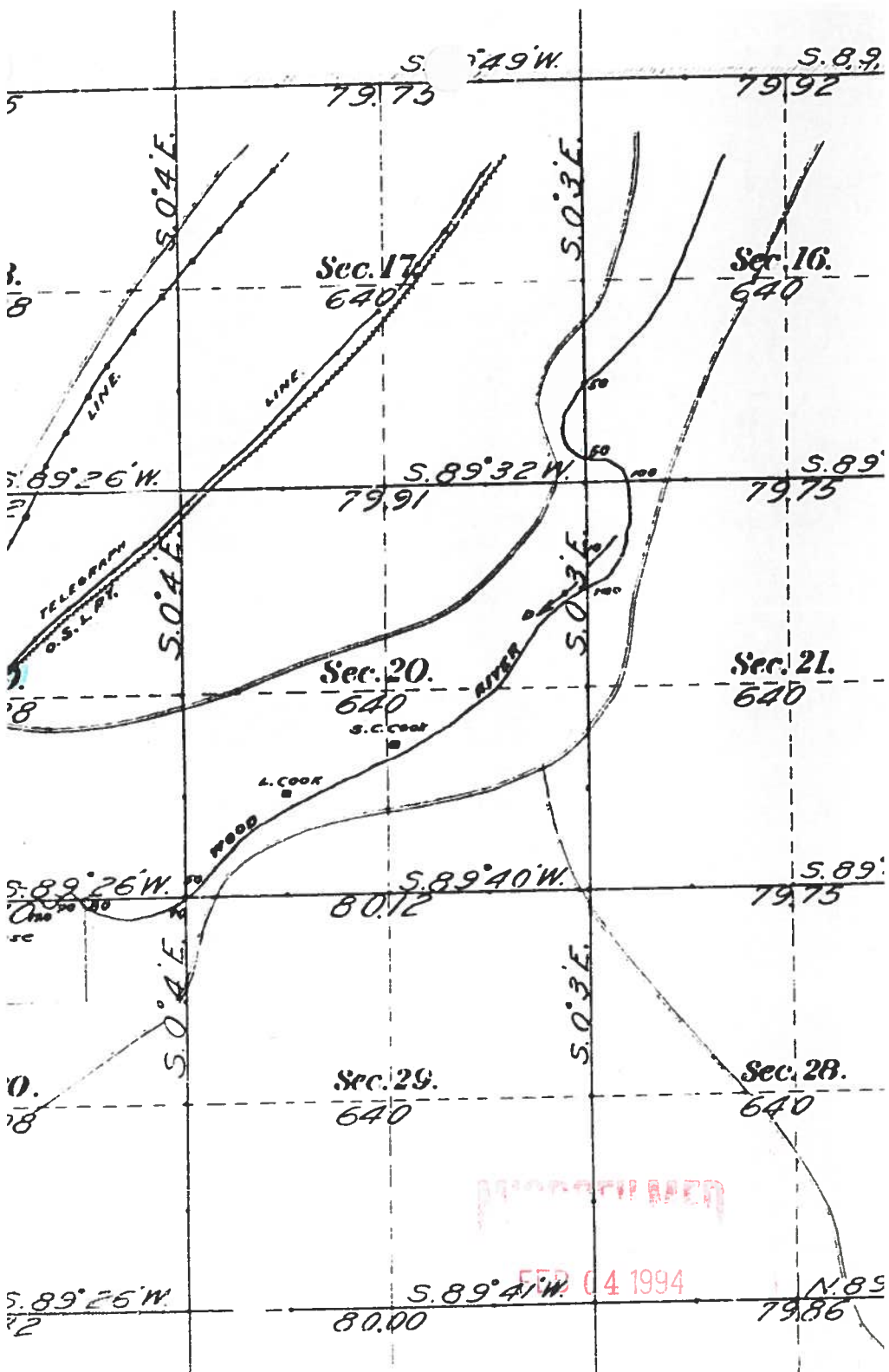
FEB 04 1994

()

o

p

p



S. 749'W.

S. 89'

79.73

79.92

S. 0.4'E.

S. 0.3'E.

Sec. 17.

640

Sec. 16.

640

LINE.

LINE.

S. 89° 26' W.

S. 89° 32' W.

S. 89'

79.91

79.75

TELEGRAPH
O.S. L.P.T.

S. 0.4'E.

S. 0.3'E.

Sec. 20.

640

Sec. 21.

640

S. C. COOK

L. COOK

WOOD

RIVER

S. 89° 26' W.

S. 89° 40' W.

S. 89'

80.12

79.75

S. 0.4'E.

S. 0.3'E.

Sec. 29.

640

Sec. 28.

640

PROBATIONER

FEB 04 1994

S. 89° 26' W.

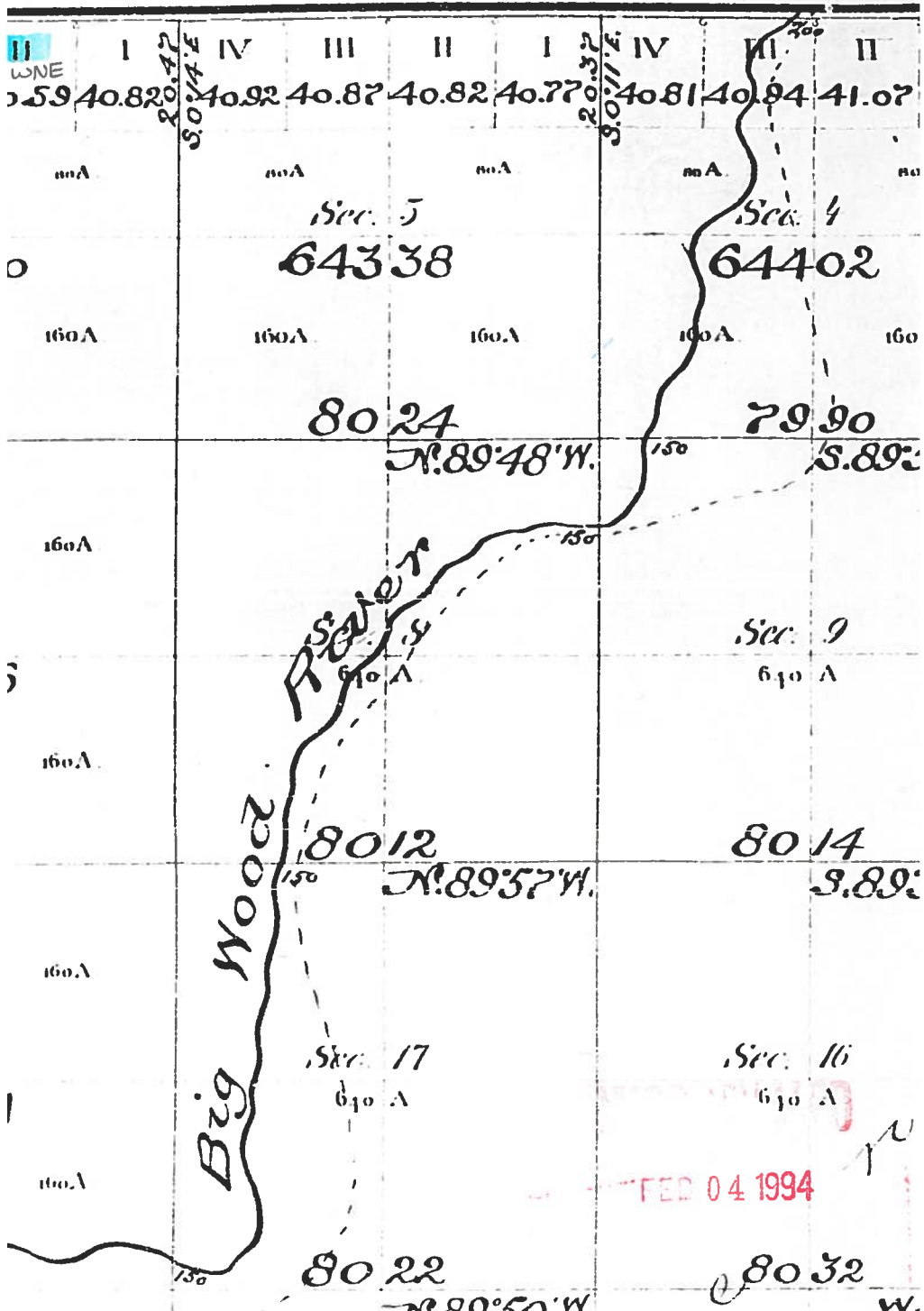
S. 89° 41' W.

N. 89'

80.00

79.86

d.



South, Range No 16 East

e E d D

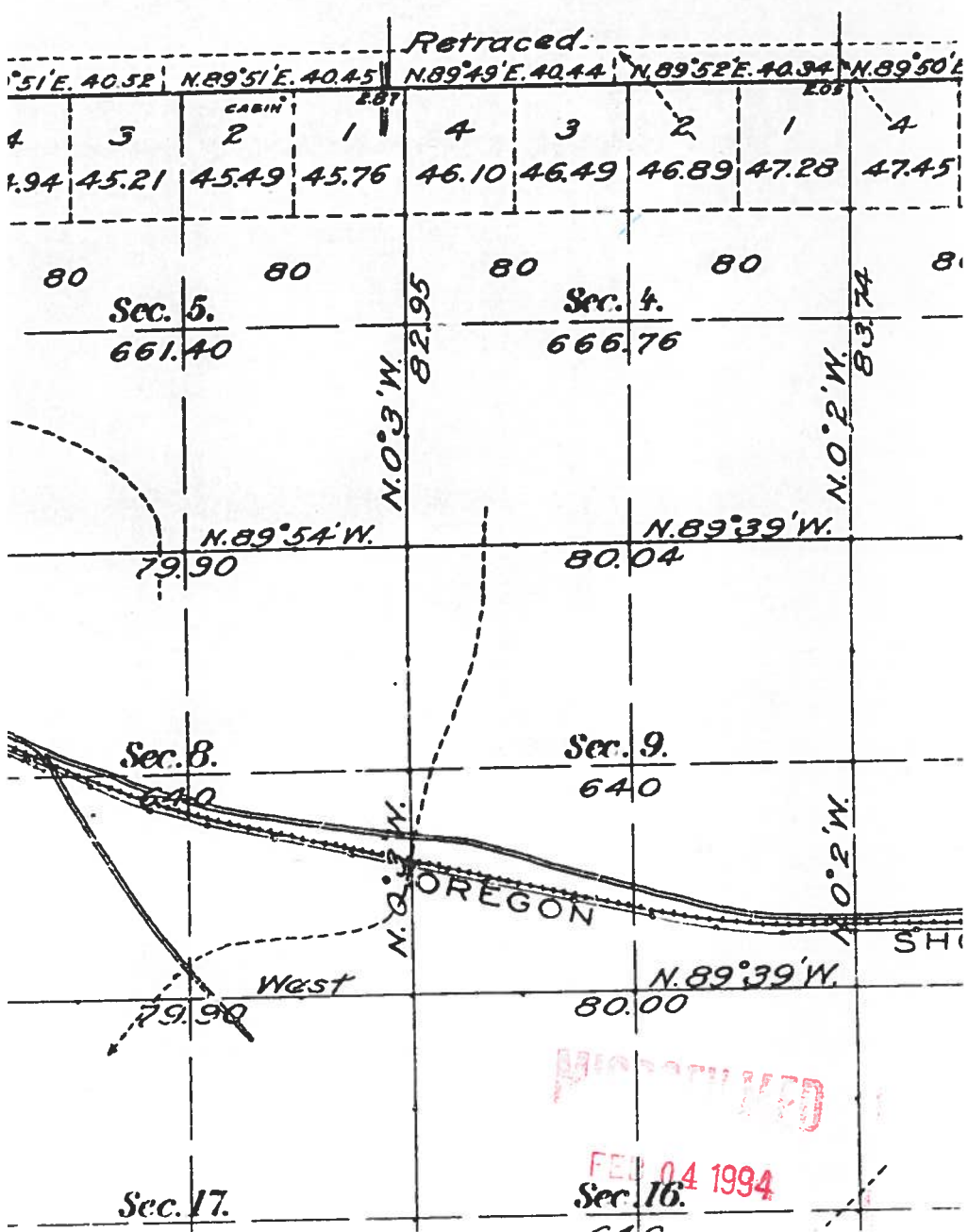
S. 89° 50' E.

4	3	2	1	4	3	2	1	4
47.51	48.19	47.89	47.57	47.23	46.84	46.46	46.07	45.67
80				80				80
Sec. 5 672.16				Sec. 4 666.60				
5.0° 2' N				5.0° 6' N				
N. 89° 52' W.				S. 89° 49' W.				
80.27				80.11				
Sec. 8 640				Sec. 9 640				
N. 0° 1' E.				N. 0° 2' E.				
N. 89° 54' W.				S. 89° 48' W.				
80.20				80.00				
Sec. 17 640				Sec. 16 640				

FEB 04 1994

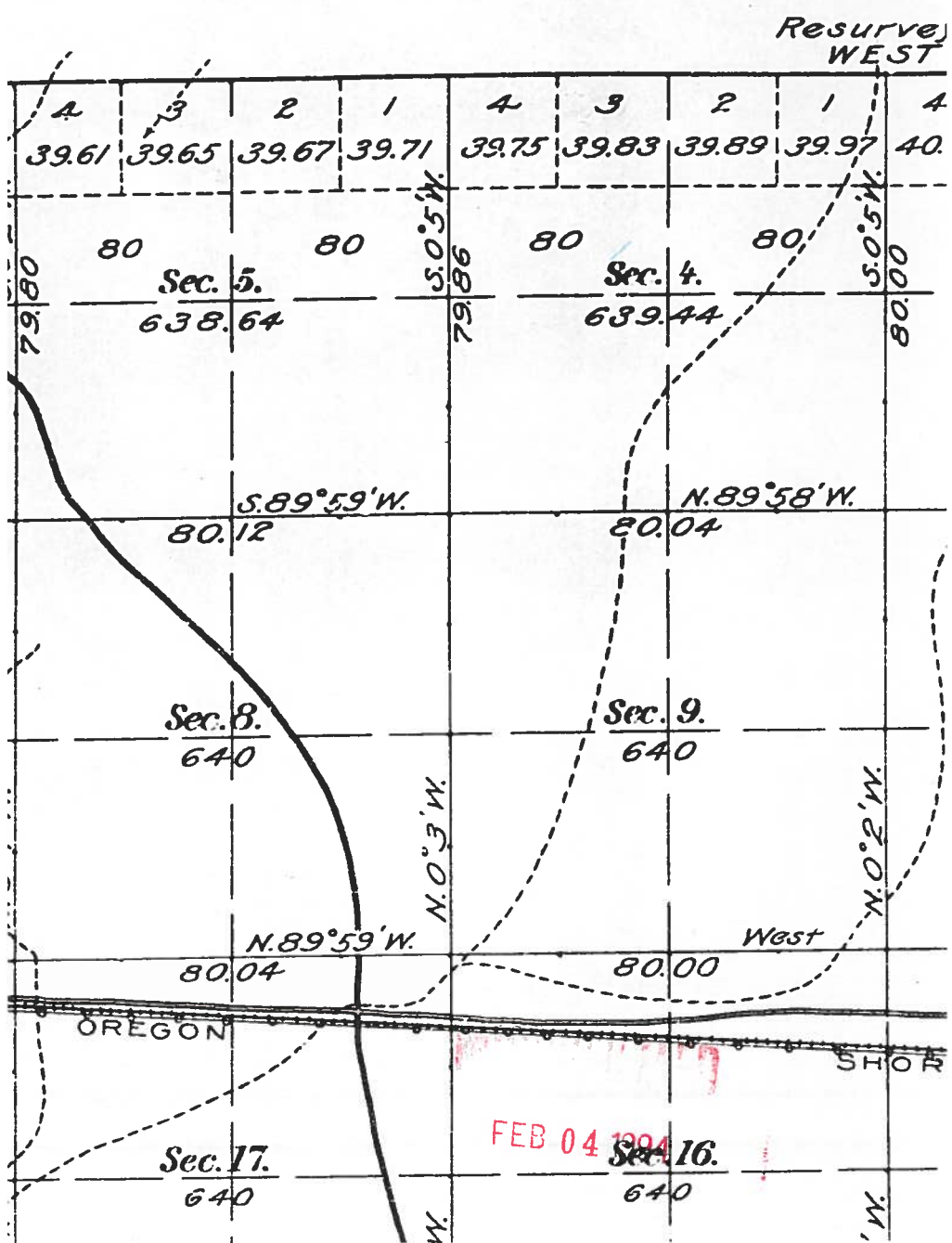
South, Range N^o 18 East

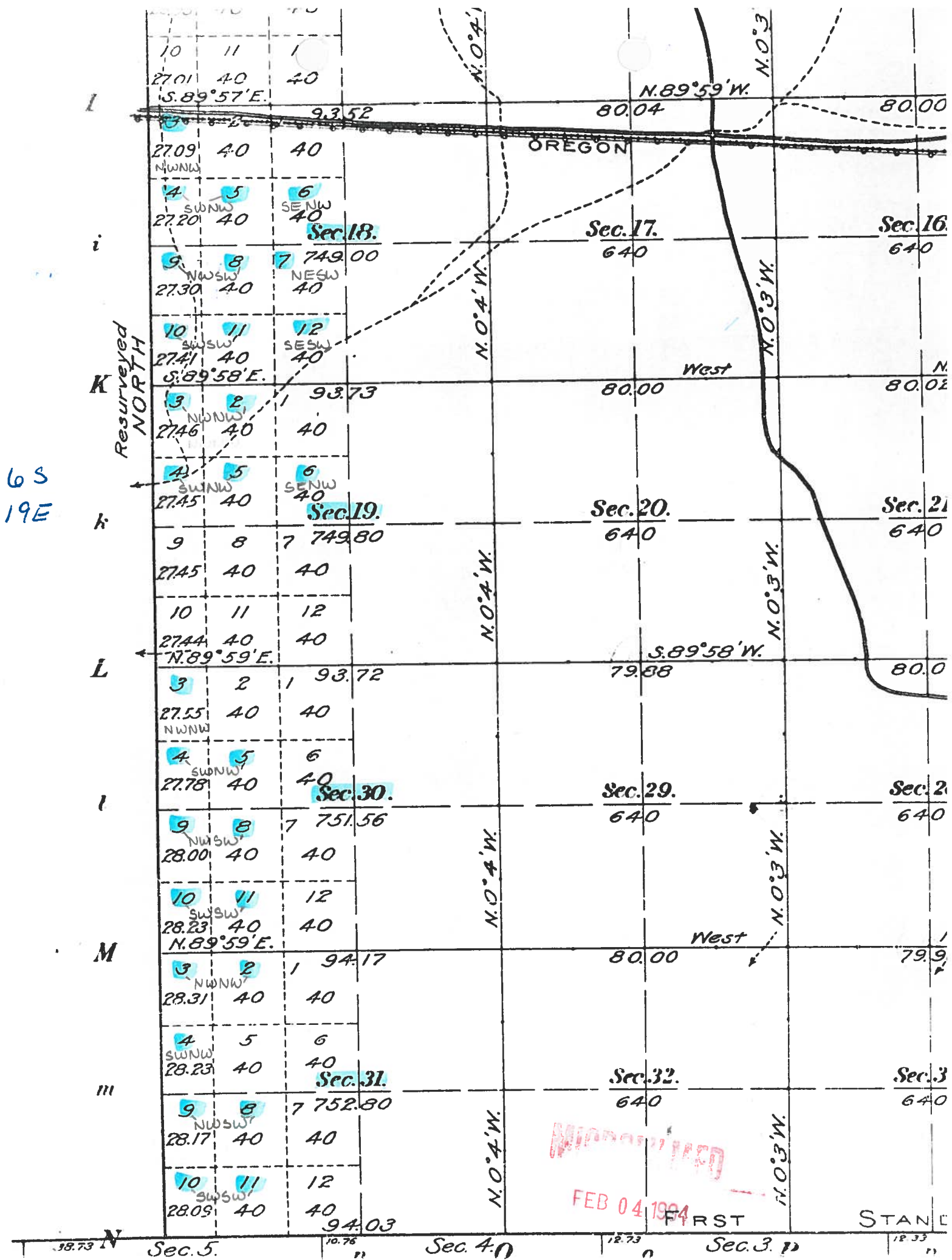
e E d D



6 South, Range N^o 19 E^e

F e E d D





LLEL

79
18E

EAST
40.05

N. 89° 51' E.
39.89

SOUTH

(20.045)

(20.045)

(10.18)

(20.07)

(20.07)

(10.19)

4

3

2

1

NENE

N. 0° 02' E.

{ Lat
Lon

20.035)

(20.035)

Sec. 1

(20.04)

(20.04)

S. 89°

59' W.

N. 0°

(19.955)

20.03

N. 0° 03' E.

N. 89° 52' W.

N. 89° 48' W.

(20.02)

(20.02)

20.02

20.02

20.11

20.055

NORTH

02' E.

20.11

EB 04 1994

20.055

20.04

20.04

Sec. 12

20.02

20.02



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 27, 1994

Ling, Nielsen & Robinson
615 H Street
P O Box 396
Rupert, Idaho 83350

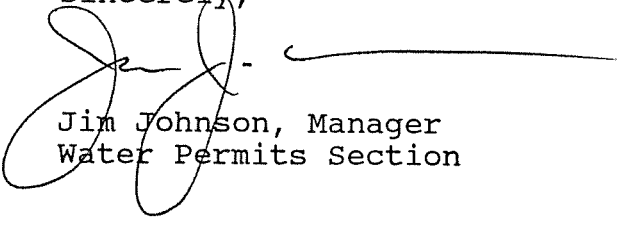
Re: James Grant and Roy Hanson
Application to Transfer Big Wood Canal Co. Shares

Dear Roger;

Enclosed is a Certificate Approving Transfer for James Grant and Roy Hansen. I believe you and Glen Saxton have worked on this in the past.

If there is anything else that needs to be done or if you have any questions, please let me know.

Sincerely,



Jim Johnson, Manager
Water Permits Section

RECEIVED

OCT 20 1994

MEMORANDUM

To: Jim Johnson
From: L. Glen Saxton *LS*
RE: ATTACHED "CERTIFICATE APPROVING TRANSFER"
Date: September 16, 1994

The attached request to "transfer" some shares of stock of the Big Wood Canal Company has been pending in department files for about two (2) years.

Obviously this type of transfer is not the usual kind we deal with. Hence, the real problem at this point is how to file or identify this change of canal company shares so it can be located if necessary in department files in future years.

There likely will be very very few of these, so perhaps it is not necessary to find it in the future. One possibility is simply to file the certificate in the water right file without trying to further identify the change with a unique number.

We have not yet sent out the signed approval. Since it has been hanging around for so long, I would like to get this out. Please return this one to me for mailing.

Any ideas on identification?

RECEIVED

OCT 20 1994

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/27/94
PAGE: 9

Priority Date: 11/16/1905
Proof Made Date:
Exam Sent to S.O.:

Field Exam Fee:

SKAGGS Subject: ADDITIONAL INFORMATION FROM THE DECREE
en identified in the Findings of Facts
North Gooding diversion dams,
diversion dams located in Blaine,
s.
y-acre tracts, 86,400 acres, in which
and put to beneficial use.

SKAGGS Subject: TRANSFER NO. 4240
nally filed showing a split of a small
67 with a separate point of diversion.
reflecting a new diversion point to
ection and redirection point on the
ht No. 37-00867, reflecting no splits.
required at the point of diversion or
the Little Wood River because the
devices are already in place.

JJOHNSON Subject: TRANSFER NO. 4446
of stock owned by the Big Wood Canal
ce related to this transaction is in

roving Transfer on 09-16-94.

SKAGGS	01/18/94	SKAGGS	01/18/94	SKAGGS
SKAGGS	01/19/94	SKAGGS	01/19/94	SKAGGS
SKAGGS	01/21/94	SKAGGS	01/21/94	SKAGGS
SKAGGS	01/21/94	SKAGGS	09/26/94	JJOHNSON

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/27/94
PAGE: 1

PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
11/16/1905	IRRIGATION	04-01 10-31	3000.00 CFS	301976.00 AFA
TOTAL DIVERSION:			3000.00 CFS	301976.00 AFA

Tributary to: MALAD RIVER

Stage: DECREED

S30	SENE	NESE	BLAINE County
S09	NESE		LINCOLN County
S15	NWSE		LINCOLN County
S12	SESW		GOODING County
S15	NWNE		GOODING County
S25	SWSE		LINCOLN County
S05	NWSE		LINCOLN County

ION

NW			SW				SE				SUM
NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
I	I	I	I	I	I	I	I	I	I	I	I
		I	I	I	I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I	I	I	I
I			I			I	I	I	I	I	I
		I					I			I	I
				I	I		I			I	I
			I	I	I	I	I	I	I	I	I
I	I									I	I
							I	I	I	I	I
I	I	I	I	I	I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I	I	I	I
I	I	I	I	I	I	I	I	I	I	I	I
02-I	04-I		07-I	03-I	10-I					I	I
03-I				09-I	11-I						I
I	I	I	I	I	I	I	I	I	I	I	I
I			I	I		I	I	I	I	I	I
	02-I			03-I	04-I	I					I
01-I	02-I		I	03-I	04-I	I			I		I
									I		I
			I	I	I	I					I

DATE: 09/27/94
PAGE: 2

[illegible]

DATE: 09/27/94
PAGE: 3

ON	NW						SW						SE						SUM							
	NWNW		SWNW		SENW		:	NESW		NWSW		SWSW		SESW		:	NESE			NWSE		SWSE		SESE		:
	Lt	Ac	Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		Lt	Ac		Lt	Ac	Lt	Ac	Lt	Ac	
	I		I		I		:	I		I		I		I		:	I		I		I		I		:	
	I		I		I		:	I		I		I		I		:	I		I		I		I		:	
	I		I		I		:	I		I		I		I		:	I				I		I		:	
	I		I		I		:	I		I		I		I		:			I		I				:	
	I		I		I		:	I		I		I		I		:	I		I		I		I		:	
	I		I		I		:	I		I		I		I		:			I		I		I		:	
	I				I		:	I		I		I		I		:	I				I		I		:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I						:									:									:	
	I																									

[illegible]

DATE: 09/27/94
PAGE: 4

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/27/94
PAGE: 5

ON

NW						SW				SE				SUM
NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
I				I	I	I	I			I	I			
I														
		I		I	I		I		I			I		
	I	I		I	I		I		I	I	I	I		
I	I	I		I	I	I	I		I	I	I			
I	I	I				I	I							
I	I	I		I					I					
I		I		I	I					I				
					I	I	I							
												I		

ON

NW						SW				SE				SUM
NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
										I		I		
I	I						I		I	I	I	I		
I	I	I		I	I	I	I		I	I	I	I		
	I													
							I		I	I	I			
						I	I							
I	I					I					I	I		
I														
I	I	I		I	I				I	I				
I	I			I	I	I	I		I	I	I	I		
I	I	I		I	I	I	I		I	I	I	I		
									I	I	I	I		
I	I	I		I	I	I	I							
I						I	I		I	I	I	I		
						I	I				I	I		
I	I	I				I	I		I					

DATE: 09/27/94
PAGE: 6

[illegible]

DATE: 09/27/94
PAGE: 7

Source:	37-00058	37-00059B	37-00059D	37-00059F	37-00059G
-00045 37-00046					
-00084B 37-00084C	37-00084D	37-00086	37-00087	37-00101	37-00110
-00122B 37-00123A	37-00123B	37-00124	37-00126	37-00129	37-00130
-00140 37-00160	37-00161	37-00162	37-00163	37-00164	37-00165
-00169 37-00170	37-00173	37-00174A	37-00175	37-00179	37-00190

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/27/94
PAGE: 8

=====
sion and Source:

00246	37-00247	37-00248	37-00256	37-00259	37-00261	37-00275
00280	37-00285	37-00287B	37-00288	37-00293	37-00294	37-00295
00382	37-00383	37-00384	37-00385	37-00386	37-00427	37-00430
00499A	37-00500	37-00504	37-00505A	37-00505B	37-00506	37-00516
00543	37-00544	37-00551	37-00552	37-00576	37-00586	37-00587
00599	37-00600A	37-00600B	37-00607E	37-00607F	37-00608C	37-00615
00642	37-00647	37-00652	37-00660	37-00661	37-00669B	37-00671
00675A	37-00675B	37-00690	37-00710	37-00711	37-00866	37-00869
02433	37-02436					

s) of use:

00079	37-00152	37-00177N	37-00193A	37-00194	37-00262	37-00271A
00375A	37-00423	37-00424	37-00662	37-00672	37-00709A	37-00867Z2
00979	37-00985	37-00992	37-02043A	37-02043B	37-02069	37-02090
02392	37-02517	37-02544B	37-02558	37-02654	37-02667	37-02679
04064	37-04075	37-04089	37-04095	37-04097	37-04118	37-04263
04391	37-07005	37-07047	37-07063	37-07089	37-07107	37-07149
07197	37-07199	37-07231	37-07232	37-07242	37-07250	37-07252
07264	37-07278	37-07313	37-07314	37-07331	37-07380A	37-07380B
07465A	37-07484	37-07488	37-07504	37-07538	37-07597	37-07617
07692	37-07716	37-07726	37-07757	37-07772	37-08063	37-08078
08342	37-08375	37-08380	37-08401	37-08679	37-08705	37-08707
08734	37-08735	37-08736	37-08742	37-08769	37-08786	37-08788
08797	37-08803	T37-00177M	T37-00374A	T37-02043C	T37-02043D	T37-07047

ined with all other rights shall provide no
acre for the lands above.

nsfer in no way grants any right-of-way or
a delivery system owned by person(s) other

d by this transfer shall be accomplished
of the date of this approval.

nsfer does not preclude the opportunity for
ty of the water right(s) in the ongoing
judication.

th the conditions of this transfer is cause
issue an order to show cause why the approval
ld not be rescinded.

the Jim Byrns Slough into the Little

able controlling works of a type
shall be maintained at the point of
d River in a manner that will provide
ntrol.

it shall be regulated by the
er District No. 37, Big Wood River,
Little Wood River to irrigate

Glen

MEMORANDUM

To: Norm Young *NY*
From: L. Glen Saxton *GS*
RE: TRANSFER OF BIG WOOD CANAL COMPANY STOCK
Date: December 14, 1993

The attached certificate for transfer is ready for approval and signature.

If you will recall, this is an unusual transfer process which was started over a year ago. Our action has been reviewed by S. Region and Phil Rassier.

The biggest problem with this type of transfer is where to file the certificate for future reference. I guess it should go into the Big Wood Canal Company water right file.

NOTED

OCT 20 1994

LING, NIELSEN & ROBINSON

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
BRENT C. TINGEY

ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

December 9, 1993

RECEIVED
DEC 13 1993
Department of Water Resources

L. Glen Saxton, Chief
Water Allocation Bureau
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RE: James Grant and Del Roy Hanson
Application to Transfer Big Wood Canal Co.
Shares

Dear Glen:

I have reviewed the draft of the certificate approving transfer above referred to. The draft correctly spells the names of each of the applicants. The only changes that I suggest be made are on page 1, as shown by the copy enclosed with the changes made. Mr. Grant is seeking the transfer of 100 shares and Mr. Hanson the transfer of 40 shares. As the shares were temporarily transferred to Gary McCowan so that the transfer could be approved by the Bankruptcy Court as a result of the bankruptcy proceedings of Greenhorn, I have suggested that certain language be added to paragraph 2 to recognize that temporary transfer pending approval by the Department. The balance of the draft certificate appears to be correct in all respects.

Very truly yours,

Roger D. Ling
Roger D. Ling

RDL:dmw
Enclosure

RECEIVED

OCT 20 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

DRAFT

IN THE MATTER OF APPLICATION)
 FOR TRANSFER REQUESTED BY)
 JAMES R. GRANT AND DEL ROY)
 HANSON)

CERTIFICATE APPROVING TRANSFER

DRAFT

This matter having come before the Idaho Department of Water Resources (department) in the form of a request for transfer as authorized in Section 42-2504, Idaho Code, the Director of the department makes the following Findings of Fact, Conclusions of Law, Analysis and Order:

FINDINGS OF FACT

1. On November 2, 1992, James R. Grant and Del Roy Hanson (applicants) by and through their attorney asked the department to approve two (2) transfers to change the place of use of one hundred forty (140) shares of water of the Big Wood Canal Company (BWCC) pursuant to Section 42-2504, Idaho Code. James R. Grant has requested the transfer of ~~forty (40)~~ ^{one hundred (100)} shares and Del Roy Hanson has requested the transfer of ~~one hundred (100)~~ ^{one hundred (100)} shares. Each share of stock entitles the owner to receive 0.0125 cubic feet per second (cfs) of water available to the canal company. The total water rights proposed to be transferred as represented by the 140 shares of stock is 1.75 cfs.

2. The applicants propose to remove the shares of BWCC water from lots 2, 3, part of lots 4 & 5, SW1/4NE1/4, SE1/4NW1/4, Section 6, T6S, R16E, B.M. (Greenhorn lands) and to move the water shares to the following lands:

i) Del Roy Hanson

Tract "B" (129 acres) in the W1/2 of Section 31, T9S, R21E, B.M.

ii) James Grant

Parcel No. 1.

Part of tract "D" in Sections 5 and 6; E1/2NE1/4, NE1/4NW1/4NE1/4 Section 7; NW1/4 Section 8, all in T9S, R20E, B.M.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 18, 1993

Roger D. Ling
Ling, Nielsen & Robinson
615 "H" Street
P.O. Box 396
Rupert, ID 83350

RE: JAMES GRANT AND DEL ROY HANSON APPLICATION TO TRANSFER BIG
WOOD CANAL CO. SHARES

Dear Roger:

Enclosed is a draft certificate approving the above referenced application for transfer. Since this matter has been pending for over a year, I would appreciate your review of the draft certificate. This process is unusual and I would like to issue the certificate properly the first time.

Please advise me if changes are needed but also if the draft is OK. One item needed is the spelling of Hanson. In some of the correspondence it is spelled Hanson and in other correspondence it is spelled Hansen. Thanks.

Sincerely,

A handwritten signature in cursive script that reads "L. Glen Saxton".

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

MAILED 179

OCT 20 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

DRAFT

DRAFT

IN THE MATTER OF APPLICATION)
 FOR TRANSFER REQUESTED BY)
 JAMES R. GRANT AND DEL ROY)
 HANSON)

CERTIFICATE APPROVING TRANSFER

This matter having come before the Idaho Department of Water Resources (department) in the form of a request for transfer as authorized in Section 42-2504, Idaho Code, the Director of the department makes the following Findings of Fact, Conclusions of Law, Analysis and Order:

FINDINGS OF FACT

1. On November 2, 1992, James R. Grant and Del Roy Hanson (applicants) by and through their attorney asked the department to approve two (2) transfers to change the place of use of one hundred forty (140) shares of water of the Big Wood Canal Company (BWCC) pursuant to Section 42-2504, Idaho Code. James R. Grant has requested the transfer of forty (40) shares and Del Roy Hanson has requested the transfer of one hundred (100) shares. Each share of stock entitles the owner to receive 0.0125 cubic feet per second (cfs) of water available to the canal company. The total water rights proposed to be transferred as represented by the 140 shares of stock is 1.75 cfs.

2. The applicants propose to remove the shares of BWCC water from lots 2, 3, part of lots 4 & 5, SW1/4NE1/4, SE1/4NW1/4, Section 6, T6S, R16E, B.M. (Greenhorn lands) and to move the water shares to the following lands:

i) Del Roy Hanson

Tract "B" (129 acres) in the W1/2 of Section 31, T9S, R21E, B.M.

ii) James Grant

Parcel No. 1.

Part of tract "D" in Sections 5 and 6; E1/2NE1/4, NE1/4NW1/4NE1/4 Section 7; NW1/4 Section 8; all in T9S, R20E, B.M.

MICROFILMED

OCT 20 1994

DRAFT

Parcel No. 2.

Tract "E" in Sections 5 & 8, T9S, R20E, B.M.

Parcel No. 3.

S1/2S1/2SW1/4NE1/4, N1/2SE1/4 Section 7;
NW1/4SW1/4, W1/2NE1/4SW1/4; W1/2E1/2NE1/4SW1/4
Section 8, T9S, R20E, B.M.

Parcel No. 4.

E1/2SE1/4NW1/4NE1/4, E1/2NE1/4SW1/4NE1/4 and
NE1/4SE1/4SW1/4NE1/4 Section 7, T9S, R20E, B.M.

3. On October 1, 1992, the Board of Directors of the BWCC declined to approve the transfer of the stock as proposed by the applicants even though the applicants have been leasing and using the subject water on a year-to-year basis.

4. The BWCC and the American Falls Reservoir #2 (AFRD2) are two related water delivery organizations. BWCC is a Carey Act operating company which was in existence before the construction of American Falls dam. BWCC holds the Magic reservoir storage right together with a number of other natural flow rights. AFRD2 is an irrigation district which was established as a taxing entity to contract with the U.S. Bureau of Reclamation for space in American Falls reservoir.

5. American Falls water is diverted at Milner dam and is delivered through the Milner-Gooding canal. Water is commingled with both the Big and Little Wood Rivers for delivery to lands downstream from the points where the Milner-Gooding canal intersects the Big and Little Wood Rivers. Lands lying above the Milner-Gooding canal are also in the district and receive the benefit of American Falls water by exchange for stored water from Magic reservoir rather than by direct delivery. About 40,000 acres are involved in the exchange.

CONCLUSIONS OF LAW

1. Section 42-2501, Idaho Code, provides as follows:

The owner of any lands to which a water right has been made appurtenant pursuant to the provisions or operation of the act of congress of the United States known as the Carey Act may transfer such water right, in whole or in part, to other land owned by him which can be served and irrigated by the same Carey Act irrigation system and may, by sale, or by lease for a period not exceeding one (1) year, transfer such water right or any portion thereof to another for use upon or in connection with any such other lands, in the manner or on the condition set forth in this chapter.

DRAFT

2. Section 42-2503, Idaho Code, provides as follows:

Before the transfer of a water right shall take effect under this chapter a person interested therein must apply to the board of directors of the corporation operating such Carey Act irrigation system for consent to the making of the transfer, and if such consent is given a resolution showing the same and the extent or portion of the right transferred shall be adopted by said board and a copy thereof, with proper reference to the date of its passage, shall be incorporated in the instrument evidencing such transfer, and upon the recording of the instrument, as provided in section 42-2502, such transfer shall be complete.

3. Section 42-2504, Idaho Code, provides in pertinent part as follows:

If the board of directors of the corporation operating such Carey Act systems shall refuse its consent to the transfer of such water right, a written application for permission to make the same, showing the description of the land from which and of the land to which it is proposed to transfer such water right and the amount of the water right to be so transferred and the reasons for such transfer, shall be presented to the director of the department of water resources who shall promptly make an investigation of the matter and determine whether and to what extent the canal system and the other water users thereunder shall be affected or prejudiced if such transfer is allowed.

If said director of the department of water resources finds that such transfer of water right, in the manner and to the extent applied for, will not be prejudicial to said corporation or to the other water users under said irrigation system he shall issue his certificate approving the transfer ...

4. The proposed transfer of stock will not be prejudicial to the BWCC or to other water users under the irrigation system.

5. The department should issue a certificate of transfer with certain conditions approving the change in place of use of BWCC stock.

ANALYSIS

The Board of Directors of the BWCC do not oppose the proposed transfer of shares of stock but will not approve a lease for a period longer than one (1) year as provided in Section 42-2501, Idaho Code. The Board of Directors has agreed to approve the sale of its stock if the department issues a certificate approving the transfer.

RECEIVED
OCT 20 1994

ORDER

IT IS THEREFORE, hereby ORDERED that the request of the applicants proposing to change the place of use of 140 shares of the stock of the Big Wood Canal Company as described in the Findings of Fact and Conclusions of Law above, is hereby APPROVED subject to the following conditions:

1. The right holders are entitled to receive from the Big Wood Canal Company only the proportionate share of water which the company is entitled to receive from American Falls Reservoir District No. 2 through the Gooding Canal.

2. Approval of this transfer does not grant any right-of-way or easement for use of a delivery system owned by persons other than the share holder.

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

Signed this _____ day of _____, 1993.

R. KEITH HIGGINSON
Director

DRAFT

RECEIVED
OCT 20 1994

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
BRENT C. TINGEY

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

November 17, 1993

RECEIVED

NOV 18 1993

Department of Water Resources

L. Glen Saxton, Chief
Water Allocation Bureau
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RE: James Grant and Del Roy Hansen
Application to Transfer Big Wood Canal Co. Shares

Dear Glen:

Del Roy Hansen seeks to transfer 40 shares of Big Wood Canal Company for use on Tract B in Section 31, Township 9 South, Range 21 East of the Boise Meridian, Jerome County, Idaho, as shown by the official government plat thereof now on file in the Office of the County Recorder of the County of Jerome, State of Idaho. This government tract consists of 129 acres and is located in the West Half of said Section 31.

The application of James Grant for the transfer of 100 shares of Big Wood Canal Company is for use on the lands described in our letter of October 30, 1992, and an additional 12.5 acres described in the Warranty Deed enclosed, conveying the property from Karl L. Black and Bonnie B. Black to James R. Grant and Kathryn R. Grant, husband and wife.

This 12.5 acres was inadvertently omitted from the previous descriptions. I am also enclosing a copy of the Title Insurance Policy showing the descriptions that were contained in the application of October 30, 1992. As you can see, some of these descriptions are for very small acreages, specifically the land in Section 7. In Parcel No. 1, 80 acres and 10 acres respectively, are described. In Parcel No. 3, 10 acres and 80 acres are described respectively in Section 7, and 80 acres, 20 acres and 10 acres are described, respectively, in Section 8. It therefore appears that the legal descriptions contained in the application were correct, except

MAILED
OCT 20 1994

L. Glen Saxton, Chief
Page 2
November 17, 1993

for the 12.5 acres that were omitted. I have to admit that these legal descriptions were unusual but apparently accurate.

Very truly yours,



Roger D. Ling

RDL:dmw
Enclosures

RECEIVED
OCT 20 1994

Lawyers Title Insurance Corporation

A Stock Company
Home Office ~ Richmond, Virginia
STANDARD COVERAGE POLICY

SCHEDULE A

J-2767

AMOUNT

\$50,000.00

EFFECTIVE DATE

March 24, 1972

At: 8:00 A. M.

INSURED

JAMES R. GRANT

1. The title to the fee simple estate or interest in the land described below is at the date hereof vested in:
James R. Grant
2. The land referred to in this policy is described as follows:

Parcel No. 1:

TOWNSHIP 9 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Sections 5 and 6: Tract "D", EXCEPT the following described tract:

Commencing at the Southwest corner of Section 5, the
true point of beginning;
Thence N 0° 04' West, 701.00 feet, along the West line
of said Section 5;
Thence N 88° 04' East, 275.54 feet;
Thence S 29° 00' East, 611.89 feet;
Thence S 54° 46' West, 300.60 feet, to a point on the
South line of said Section 5;
Thence S 89° 42' West, 325.60 feet along the South line
of said Section 5 to the true point of beginning.

Section 7: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 8: NW $\frac{1}{4}$;

Parcel No. 2:

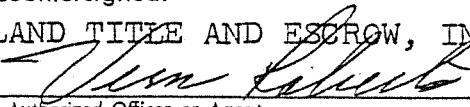
TOWNSHIP 9 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Sections 5 and 8: Tract "E"

C o n t i n u e d

Countersigned:

LAND TITLE AND ESCROW, INC.


Authorized Officer or Agent

Issued at: Jerome, Idaho

Page 1 of Sched. A-Pol No.

S 751869

ORIGINAL

OCT 20 1994

Lawyers Title Insurance Corporation

A Stock Company
Home Office - Richmond, Virginia

SCHEDULE A cont'd.

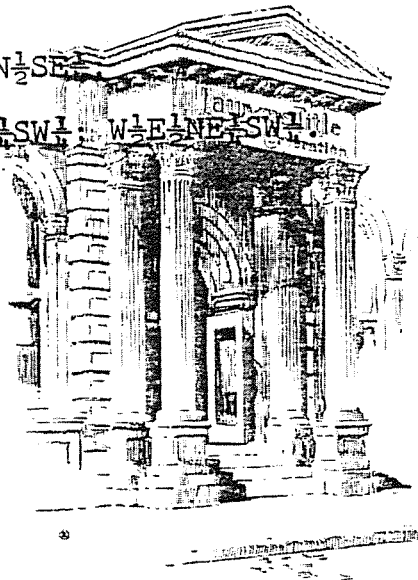
(Description continued)

Parcel No. 3:

TOWNSHIP 9 SOUTH, RANGE 20, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 7: $S\frac{1}{2}S\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$; $N\frac{1}{2}SE\frac{1}{4}$

Section 8: $NW\frac{1}{4}SW\frac{1}{4}$; $W\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$; $W\frac{1}{2}E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$



MURPHY & CO

OCT 20 1994

WARRANTY DEED

For Value Received KARL L. BLACK AND BONNIE B. BLACK, HUSBAND
AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto

JAMES R. GRANT AND KATHRYN R. GRANT, HUSBAND AND WIFE
WHOSE ADDRESS IS EDEN, IDAHO 83325

the grantee, the following described premises, in JEROME County Idaho, to wit:

TOWNSHIP 9 SOUTH, RANGE 20 EAST, BOISE MERIDIAN

SECTION 7: $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$

(5)

(5)

(2 1/2)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
THEIR heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that THEY ARE the owners in fee simple of said premises; that they are free
from all incumbrances

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

Dated: MAY 31, 1978

Karl L. Black

Bonnie B. Black

STATE OF IDAHO, COUNTY OF

On this 1st day of June, 1978,
before me, a notary public in and for said State, personally
appeared

KARL L. BLACK AND BONNIE
B. BLACK

known to me to be the persons whose names ARE
subscribed to the within instrument, and acknowledged to
me that THEY executed the same.

Eileen L. Lannon

Notary Public

Residing at TWIN FALLS, Idaho
Comm. Expires 10/4/78

STATE OF IDAHO, COUNTY OF Jerome 353

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

at 40 minutes past 2 o'clock p.m.,
this 7 day of June,
1978, in my office, and duly recorded in Book 200
of Deeds at page 868

Virginia Ricketts

Ex-Officio Recorder

By Eileen L. Lannon

Fees \$ 1.00
Mail to: above

Deputy.

OCT 20 1994

FILMED ☒
DIRECT ☒
REVERSE ☒



JAMES GRANT
PROPERTY

LING, NIELSEN & ROBINSON

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
BRENT C. TINGEY

ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

November 9, 1993

RECEIVED

NOV 12 1993

Department of Water Resources

L. Glen Saxton, Chief
Water Allocation Bureau
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RE: James Grant and Del Roy Hanson
Application to Transfer Big Wood Canal Co. Shares

Dear Glen:

The application of James R. Grant for the transfer of 100 shares and the application of Del Roy Hanson for the transfer of 40 shares of the capital stock of Big Wood Canal Company was originally from Greenhorn Farms, a partnership. Greenhorn Farms, which was in bankruptcy, was in the process of transferring 379.42 shares in the canal company to various waterusers. Because of the bankruptcy proceedings, it was necessary that the sale and transfer of these shares proceed in an orderly fashion. I have enclosed a copy of the legal description of all of the lands owned by Greenhorn Farms. Unfortunately, I do not have a copy of all stock certificates held by Greenhorn Farms in which the lands to which the shares were appurtenant were described. However, I do have a copy of Stock Certificate No. 10724 for 140 shares. These shares, which are the subject shares that we sought to have transferred to Grant and Hanson were appurtenant to the following lands, to-wit:

Lots 2 and 3, a portion of Lots 4 and 5,
and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the
NW $\frac{1}{4}$, all in Section 6, Township 6 South,
Range 16 East of the Boise Meridian,
Gooding County, Idaho.

You will note that these lands are described on page 4 of the land list of Greenhorn Farms.

Because of the necessity to complete the transaction with Greenhorn Farms, the 140 shares were transferred to Gary McCowan. The McCowan lands to which the shares were appurtenant were described as follows, to-wit:

OCT 20 1994

L. Glen Saxton, Chief
Page 2
November 9, 1993

Township 6 South, Range 18 East of the
Boise Meridian, Lincoln County, Idaho

Section 14: $W\frac{1}{2}$ of the $NW\frac{1}{4}$, excepting
therefrom that portion deeded for Highway
No. 24 and the Oregon Shortline Railroad
right-of-way.

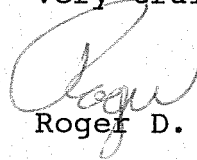
Section 16: $SE\frac{1}{4}$, $N\frac{1}{2}$ of the $SW\frac{1}{4}$, and that
part of the $N\frac{1}{2}$ of Section 16 lying South
of the railroad, subject to the right-of-
way in Section 16, and excepting
therefrom that portion of the $N\frac{1}{2}$ lying
between the railroad right-of-way and
State Highway No. 24.

Section 21: $E\frac{1}{2}$ of the $NE\frac{1}{4}$

Section 22: $N\frac{1}{2}$, $N\frac{1}{2}$ of the $SE\frac{1}{4}$, $NW\frac{1}{4}$ of
the $SW\frac{1}{4}$

The transfer to Gary McCowan was approved by the
Board of Directors of Big Wood Canal Company. There is an
agreement between McCowan and Hanson and Grant that upon
approval of the transfer to the Hanson and Grant properties,
the shares will be transferred by McCowan to Grant and Hanson.
The water has continued to be used pursuant to a lease on the
lands of Grant and Hanson, pending a formal transfer of the
shares to them.

Very truly yours,



Roger D. Ling

RDL:dmw
Enclosures

RECEIVED
OCT 20 1994

EXHIBIT "A"

All that certain real property located in Gooding County, Idaho, more particularly described as follows:

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 35: SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying South of the center line of Little Wood River;

Section 36: S $\frac{1}{4}$ S $\frac{1}{4}$;

EXCEPTING THEREFROM that portion deeded to the Gooding Highway District for highway purposes by Deed recorded November 30, 1915 in Book 1 Page 526 as Instrument Number 5711, Gooding County records.

TOWNSHIP 5 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: Lot 4; SE $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;

EXCEPTING THEREFROM that portion deeded to the Gooding Highway District for highway purposes by Right-of-Way Deed recorded January 17, 1931 in Book 22 Page 606 as Instrument Number 51781, Gooding County records.

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 1: Lots 1, 2, 3 and 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$;

MAILED
OCT 20 1994

SE1/4NW1/4 and S1/4NE1/4, EXCEPTING THEREFROM the following described parcel of land:

Commencing at the West quarter corner of Section 1;
Thence South 89°51'33" East, 1315.50 feet along the
Southerly boundary of the SW1/4NW1/4 to the
Southeast corner of the SW1/4NW1/4;
Thence South 89°51'33" East along the Southerly
boundary of the SE1/4NW1/4, 41.79 feet to THE TRUE
POINT OF BEGINNING;

Thence North 220.00 feet;
Thence South 89°51'33" East, 400.00 feet;
Thence North 72°52'10" East, 433.48 feet;
Thence North 70°09'32" East, 499.08 feet;
Thence North 38°56'06" East, 631.96 feet to a point
20 feet Southerly of a twelve inch steel irrigation
pipeline;

Thence approximately parallel and twenty feet
Southerly with said irrigation line the
following courses:

North 89°39'17" East, 361.77 feet;
South 82°53'31" East, 209.23 feet;
North 81°52'46" East, 264.49 feet;
South 75°46'25" East, 127.08 feet;
South 82°27'32" East, 867.59 feet;
South 89°09'07" East, 355.42 feet;
North 85°47'50" East, 54.00 feet to the

Easterly boundary of Section 1;

Thence South 884.52 feet along said boundary to the
East quarter corner of Section 1;

Thence North 89°51'33" West, 3904.58 feet along the
Southerly boundary of N1/4, Section 1 to THE TRUE
POINT OF BEGINNING.

SUBJECT to a 25.00 feet in width county road right
of way along the Southerly boundary and a 20.00
feet in width easement for an irrigation pipeline
described as follows:

Beginning at the West quarter corner of Section 1;
Thence South 89°51'33" East, 1357.29 feet along the
Southerly boundary of the NW1/4;

Thence North 35.00 feet to the centerline of a
20.00 feet in width irrigation pipeline easement

RECEIVED
OCT 20 1994

and THE TRUE POINT OF BEGINNING;
Thence South 89°51'33" East, 237.00 feet along said
centerline;
Thence North 0°47'18" West, 185.00 feet along said
center to the Northerly boundary of afore
described parcel of land.

TOGETHER WITH an easement for access purposes being
10.00 feet wide described as follows:

Beginning at the West quarter corner of Section 1;
Thence South 89°51'33" East, 1357.29 feet along the
Southerly boundary of N½ Section 1 to THE TRUE
POINT OF BEGINNING;

Thence North 220.00 feet;
Thence South 89°51'33" East, 400.00 feet;
Thence North 72°52'10" East, 433.48 feet;
Thence North 70°09'32" East, 499.08 feet;
Thence North 19°50'28" West, 10.00 feet;
Thence South 70°09'32" West, 499.08 feet;
Thence South 72°52'10" West, 431.45 feet;
Thence North 89°51'33" West, 408.54 feet;
Thence South 230.00 feet;
Thence South 89°51'33" East, 10.00 feet to THE TRUE
POINT OF BEGINNING.

Section 2: Lots 1, 2, S½NE½ all lying South and East of Little
Wood River;

EXCEPTING THEREFROM that portion deeded to the
Gooding Highway District for highway purposes by
Deed recorded November 30, 1915 in Book 1 Page 526
as Instrument Number 5711, Gooding County records.

Section 12: E½NE½, EXCEPT for tract of land deeded to State of
Idaho for highway purposes as set forth in Deed
dated May 6, 1965, recorded June 24, 1965 as
Microfilmed Instrument Number 15175, records of
Gooding County, described as follows:

A parcel of land being on the Southerly side of the
centerline of U. S. Highway No. 20-26, Project
No. F-2351(3) Highway Survey as shown on the
plans thereof, now on file in the office of the

-continued-

RECORDED
OCT 20 1994

Department of Highway of the State of Idaho, and being a portion of the NE¼NE¼ of said Section 12;

Beginning at the Northwest corner of the NE¼NE¼ of said Section 12, which bears South 0°54'54" West, 27.94 feet from Station 377+83.27 of said U.S. Highway No. 20-26, Project No. F-2351(3) Highway Survey;

Thence South 0°23'54" West along the West line of said NE¼NE¼, 32.06 feet to point in a line parallel with and 60.00 feet Southerly from the centerline and bears South 0°54'54" West from Station 377+83.58 of said Highway Survey;

Thence along said parallel line as follows: South 89°05'06" East, 609.61 feet to a point opposite Station 383+93.19 of said Highway Survey, Northeasterly along a 5789.58 foot radius curve left (the long chord of which bears North 88°06'41" East, 566.37 feet) an arc length of 566.62 feet to a point in the North line of said Section 12 and bears South 4°41'33" East from Station 389+53.94 of said Highway Survey;

Thence North 89°22'19" West along said North line, 1185.0 feet, more or less, to THE PLACE OF BEGINNING.

TOWNSHIP 6 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 6: Lots 2, 3, 4, 5, and 6; SE¼NW¼; SW¼NE¼; NE¼SW¼; NW¼SE¼, EXCEPTING the following:

(a) Right-of-way granted to Idaho Irrigation Company, Limited, as set forth in Deed dated July 24, 1911, recorded July 27, 1911 in Book 20 Page 250, records of Gooding County, Idaho, for irrigation ditch commonly known as the "Koets Ditch";

(b) Right-of-way for South Gooding Main Canal as conveyed in Deed recorded July 27, 1911 in Book 20 Page 250, records of Gooding County, Idaho;

-continued-

RECORDED
OCT 20 1994

(c) 150 foot strip for South Gooding Main Canal,
across the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;

EXCEPTING THEREFROM that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$
deeded to the State of Idaho for highway purposes
by Warranty Deed recorded November 26, 1976 as
Instrument Number 62111, Gooding County records.

Section 6:

That part of Lot 7 lying South of Highway 20-26
Project No. F-2351(3), EXCEPT for a tract of land
deeded to the State of Idaho for highway purposes
as set forth in Deed, dated May 6, 1965, recorded
June 24, 1965 as Microfilmed Instrument Number
15175, records of Gooding County, described as
follows:

A parcel of land being on both sides of the cen-
terline of said U.S. Highway No. 20-26, Project
No. F-2351(3) Highway Survey and being a portion
of Government Lot 7 of said Section 6;
Commencing at the Southwest corner of Government
Lot 7 of said Section 6;

Thence North 0°21'54" East along the West line of
said Government Lot 7, 270.0 feet, more or less,
to a point in a line parallel with and 60.0 feet
Southeasterly from the centerline and bears
South 6°06'43" East from Station 390+95.89 of
said U.S. Highway No. 20-26, Project No.
F-2351(3) Highway Survey and being THE REAL
POINT OF BEGINNING;

Thence along said parallel line as follows:
Northeasterly along a 5789.58 foot radius curve
left (the long chord of which bears North
80°41'19" East, 647.86 feet) an arc length of
648.19 feet to a point opposite Station
397+37.36 of said Highway Survey, North
77°28'24" East, 715.68 feet to a point in the
East line of said Government Lot 7 and bears
South 12°31'36" East from Station 404+53.04 of
said Highway Survey;

Thence Northerly along said East line, 123.67 feet
to a point in a line parallel with and 60.0 feet

-continued-

OCT 20 1994

Northwesterly from the centerline and bears North $12^{\circ}31'36''$ West from Station 404+82.96 of said Highway Survey;
Thence along said last parallel line as follows:
South $77^{\circ}28'24''$ West, 745.60 feet to a point opposite Station 397+37.36 of said highway Survey, Westerly along a 5669.58 foot radius curve right (the long chord of which bears South $80^{\circ}36'14''$ West, 620.82 feet) and arc length of 621.15 feet to a point in the West line of said Government Lot 7 and bears North $6^{\circ}14'58''$ West from Station 391+09.64 of said Highway Survey;
Thence South $0^{\circ}21'54''$ West along said West line, 121.0 feet, more or less, to THE REAL POINT OF BEGINNING.

EXCEPTING THEREFROM that certain strip of land located North of the East-West boundary line between Lots 6 and 7 of Section 6, Township 6 South, Range 16, East Boise Meridian and located South of the meandering irrigation canal located in Lot 6 of Section 6, Township 6 South, Range 16, East Boise Meridian, which strip of land contains approximately 5 acres more or less.

Section 7: Lots 1 and 2;

TOGETHER WITH ALL TENEMENTS, HEREDITAMENTS AND APPURTENANCES THEREUNTO BELONGING OR IN ANYWISE APPERTAINING, AND THE RENTS, ISSUES AND PROFITS THEREOF AND ALSO STATE OF IDAHO WATER LICENSES NOS. 37-7260, 37-7380 AND 37-7252, 551.02 SHARES OF THE BIG WOOD CANAL COMPANY WATER STOCK, 68.40 SHARES OF THE SUPPLEMENTAL RIVER WATER, BIG WOOD DECREED WATER PRIORITY DATES APRIL 1, 1883, MAY 15, 1884 AND MAY 10, 1906, AND 20 SHARES IN THE AMERICAN FALLS RESERVOIR DISTRICT NO. 2.

RECORDED

OCT 20 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 28, 1993

Roger D. Ling
Ling, Nielsen & Robinson
615 "H" Street
P.O. Box 396
Rupert, ID 83350

RE: TRANSFER OF BIG WOOD CANAL COMPANY SHARES TO HANSEN AND GRANT

Dear Mr. Ling:

This letter is a follow-up to our telephone conversation on October 20, 1993 in connection with the above referenced matter.

As I described to you, the department has completed its legal review of the matter and is willing to issue a certificate approving the proposed transfer. Section 42-2504, Idaho Code, however is quite specific relative to how the department approves such a transfer. In order to comply with the code section, the approval has to show the description of the land from which and to which the water will be transferred. The legal descriptions provided in the past which describe the land from which the water would be removed are not clear and do not appear to be complete.

Upon your submittal of the information, the departemnt will further consider the matter. If you have questions, please feel free to call me at 327-7955.

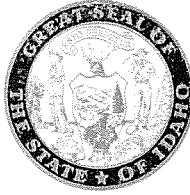
Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Loren Holmes

RECEIVED

OCT 20 1994



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

BOISE 83720

LARRY ECHOHAWK
ATTORNEY GENERAL

DEPARTMENT OF WATER RESOURCES
STATEHOUSE, BOISE, IDAHO 83720-9000
TELEPHONE: (208) 327-7920

MEMORANDUM

TO: L. Glen Saxton, Chief, Water Allocation Bureau
Loren Holmes, Southern Region Manager

FROM: Phillip J. Rassier, Deputy Attorney General

RE: Requests to Transfer Big Wood Canal Company Shares by Del
Roy Hansen and James R. Grant Under I.C. § 42-2504

DATE: October 8, 1993

This matter involves two requests for the transfer of the place of use of the right to the use of water represented by shares of stock in the Big Wood Canal Company. The James R. Grant transfer request involves forty (40) shares and the Del Roy Hansen request involves one hundred (100) shares. Each share of stock entitles the owner to receive 0.0125 cfs of water from the water supply available to the canal company. The total water rights proposed to be transferred, as represented by the 140 shares of stock, is 1.75 cfs.

The Big Wood Canal Company is a Carey Act operating company. The transfer of Carey Act water rights within the area that can be served by the irrigation system of the operating company is governed by chapter 25, title 42, Idaho Code. Section 42-2503 requires the consent of the board of directors of the operating company for the transfer to become effective. If the board of directors refuses to give its consent, application for approval of the transfer may be made to the director of the Department of Water Resources under I.C. § 42-2504. If application is made to the director, the statute provides that the director:

shall promptly make an investigation of the matter and determine whether and to what extent the canal system and the other water users thereunder shall be affected or prejudiced if such transfer is allowed.

If said director of the department of water resources finds that such transfer of water right, in the manner and to the extent applied for, will not be prejudicial to said corporation or to the other water users under said

10-10-93

OCT 20 1994

Memorandum
October 8, 1993
Page 2

irrigation system he shall issue his certificate approving the transfer

In the present case, the information provided indicates that the Board of Directors of the Big Wood Canal Company denied the Hansen and Grant transfer requests because of the Board's reading that I.C. § 42-2501 does not authorize the Board to approve the transfer of shares "to a system outside of the Carey Act land served by the Big Wood Canal Company." Water to serve the requested share transfers could be delivered only by the American Falls Reservoir District No. 2 from the upper end of the Milner-Gooding Canal. The language in I.C. § 42-2501 provides that water rights appurtenant to Carey Act lands may be transferred under the statute to lands "which can be served and irrigated by the same Carey Act irrigation system."

In this instance, the area potentially served by the Big Wood "irrigation system" appears to be expanded under the provisions of the joint use and operating agreement dated June 1, 1962, between the United States, American Falls Reservoir District No. 2 and Big Wood Canal Company. The 1962 agreement superseded the agreement of May 1, 1928, as amended, between the same parties. Roger Ling, attorney for Messrs. Hansen and Grant, has provided the Department with a copy of the 1962 contract.

Mr. Ling in his letter of January 29, 1993, asserts that under paragraph 8(a)(i) of the 1962 Contract, the district agrees to deliver available water as required by the company. Mr. Ling also maintains that under paragraph 8(b) of the contract the canal company is required to deliver water to new lands not served by the district. The lands proposed to be irrigated using the transferred shares are not served by the district.

Mr. Ling's interpretation of the provisions of the 1962 contract appears reasonable. The October 6, 1992 letter from Craig D. Hobdey, attorney for the Big Wood Canal Company, does not indicate that the Board of Directors of the canal company considered the extent to which the provisions of the 1962 contract increased the land area that can be served by the canal company irrigation system as a result of entering into the joint use and operating agreement with the United States and American Falls Reservoir District NO. 2. It may be appropriate to request the Board of Directors to revisit its earlier decision on denial of the transfer request so that the Board has an opportunity to consider the request in light of the provisions of the 1962 joint use and operating agreement.

If the Board of Directors is not asked to revisit its earlier decision, or if it declines to do so, the Department should proceed

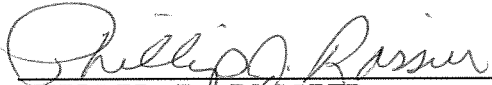
RECEIVED

OCT 20 1994

Memorandum
October 8, 1993
Page 3

to act upon the transfer request in accordance with the provisions of I.C. § 42-2504. Under the standard provided in the statute, the Director should approve the transfer if it will not be prejudicial to the canal company or to the other share holders of the company.

Please let me know if you require any further assistance in this matter.


PHILLIP J. RASSIER

RECEIVED

OCT 20 1994

Contingent on Appropriations or Allotment of Funds

17. The expenditure of any money or the performance of any work by the United States herein provided for, which may require appropriations of money by the Congress or the allotment of Federal funds, shall be contingent on such appropriations or allotments being made. The failure of the Congress to appropriate funds, or the failure of any allotment of funds, shall not, however, relieve the District or the Company from any obligations theretofore accrued under this contract, nor give the District or the Company the right to terminate this contract as to any of its executory features. No liability shall accrue against the United States in case such funds are not so appropriated or allotted.

Assignments Prohibited;
Successors and Assigns Obligated

18. The provisions of this contract shall apply to and bind the successors and assigns of the parties hereto, but no assignment or transfer of this contract, or any part thereof, or interest therein, shall be valid until approved by the Secretary.

Officials Not to Benefit

19. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this contract or to any benefit that may arise herefrom, but this restriction shall not be construed to extend to this contract if made with a corporation or company for its general benefit.

OCT 20 1994

IN WITNESS WHEREOF, the parties hereto have signed their names as
of the day and year first above written.

THE UNITED STATES OF AMERICA

By /s/ Norman H. Moore
Acting Regional Director, Region 1
Bureau of Reclamation
P. O. Box 8008, Boise, Idaho

(SEAL)

Attest:

/s/ Lurlene Eastabrooks
Secretary

AMERICAN FALLS RESERVOIR DISTRICT NO. 2

By /s/ Orvil Nielson
President of its Board of Directors

(SEAL)

Attest:

/s/ Dorothy Silva
Secretary

BIG WOOD CANAL COMPANY

By /s/ Willard Nelson
President of its Board of Directors

OCT 20 1994

MEMORANDUM

DATE: 07-Jan-1993

FROM: Loren Holmes *LH*

TO: GLen Saxton

SUBJECT: Review of request to transfer water under 42-2504

BACKGROUND

The Big Wood Canal Co. (BWCC) and American Falls Reservoir #2 (AFRD2) are two related water delivery organizations operating out of the same office and with the same staff. Each organization has a board of directors, but about 3/4 of the membership of each board is the same.

BWCC is a Carey Act operating company which was in existence before the construction of American Falls reservoir. BWCC holds the Magic reservoir storage right and a number of natural flow rights in both the Big and Little Wood Rivers. Delivery of these waters to shareholders is on the basis of 1/80 cfs per share. Operation and maintenance (O&M) assessments are based on share ownership.

AFRD2 is an irrigation district which was established as a taxing entity to contract with the Bureau of Reclamation for space in American Falls reservoir. The district has allocated 397,000 acre-feet of storage in American Falls reservoir. District O&M assessments are based on acreage.

American Falls water is delivered to the BWCC canal system from Milner dam through the Milner-Gooding canal. Water is commingled with both of the Wood Rivers for delivery to lands downstream from the points where the Milner-Gooding canal intersects the Wood rivers. Lands lying above the Milner-Gooding canal are also in the district and receive the benefit of American Falls water by exchange for stored water from Magic reservoir rather than direct delivery. About 40,000 acres are involved in the exchange. AFRD2 also services some lands which are not within the BWCC service area.

BWCC has filed a number of claims in the SRBA evidencing its rights in the Wood river system. Claim A01-00006 is filed in the name of AFRD2 based on its American Falls storage. The land list in claim A01-00006 is based on an inventory of lands subject to assessment by the district.

RECEIVED

OCT 20 1994

ANALYSIS

In terms of physical delivery of American Falls water, the proposal to transfer water from the Greenhorn lands to the Grant and Hanson lands represents no operational problem. Both lands are servicable by the existing system and are within the operational boundaries of AFRD2.

Problems arise when stock in BWCC is used as an instrument to accomplish the transfer. Assuming BWCC stock represents a business arrangement which obligates the stockholder to pay O&M assessments and BWCC to supply water to his lands through its works from supplies in which it holds rights, the proposal doesn't appear to be workable. BWCC works cannot physically deliver water from the Wood river system to the Grant/Hanson lands.

BWCC Actually holds no water right in American Falls. The American Falls right is held by AFRD2.

The Greenhorn lands are not completely described in either of Roger Ling's letters. I checked with his office and confirmed that the lands are in Section 6, T6S R16E.

Examination of SRBA claims indicates that AFRD2 services only 56 acres in the S1/2 of Section 6 while all the lands Greenhorn proposes to remove American Falls water from are in the N1/2 of the section.

CONCLUSION

It appears that this proposal to transfer water is being made in the wrong forum. If the change were proposed as a change of lands within AFRD2, under Title 43, chapters 10 and 11, it probably be accomplished.

Any amended proposal will need to address the discrepancy in the original place of use.

RECEIVED
OCT 20 1994

MEMORANDUM

DATE: 07-Jan-1993

FROM: Loren Holmes *LH*

TO: GLen Saxton

SUBJECT: Review of request to transfer water under 42-2504

BACKGROUND

The Big Wood Canal Co. (BWCC) and American Falls Reservoir #2 (AFRD2) are two related water delivery organizations operating out of the same office and with the same staff. Each organization has a board of directors, but about 3/4 of the membership of each board is the same.

BWCC is a Carey Act operating company which was in existence before the construction of American Falls reservoir. BWCC holds the Magic reservoir storage right and a number of natural flow rights in both the Big and Little Wood Rivers. Delivery of these waters to shareholders is on the basis of 1/80 cfs per share. Operation and maintenance (O&M) assessments are based on share ownership.

AFRD2 is an irrigation district which was established as a taxing entity to contract with the Bureau of Reclamation for space in American Falls reservoir. The district has allocated 397,000 acre-feet of storage in American Falls reservoir. District O&M assessments are based on acreage.

American Falls water is delivered to the BWCC canal system from Milner dam through the Milner-Gooding canal. Water is commingled with both of the Wood Rivers for delivery to lands downstream from the points where the Milner-Gooding canal intersects the Wood rivers. Lands lying above the Milner-Gooding canal are also in the district and receive the benefit of American Falls water by exchange for stored water from Magic reservoir rather than direct delivery. About 40,000 acres are involved in the exchange. AFRD2 also services some lands which are not within the BWCC service area.

BWCC has filed a number of claims in the SRBA evidencing its rights in the Wood river system. Claim A01-00006 is filed in the name of AFRD2 based on its American Falls storage. The land list in claim A01-00006 is based on an inventory of lands subject to assessment by the district.

PROCESSED

OCT 20 1994

ANALYSIS

In terms of physical delivery of American Falls water, the proposal to transfer water from the Greenhorn lands to the Grant and Hanson lands represents no operational problem. Both lands are servicable by the existing system and are within the operational boundaries of AFRD2.

Problems arise when stock in BWCC is used as an instrument to accomplish the transfer. Assuming BWCC stock represents a business arrangement which obligates the stockholder to pay O&M assessments and BWCC to supply water to his lands through its works from supplies in which it holds rights, the proposal doesn't appear to be workable. BWCC works cannot physically deliver water from the Wood river system to the Grant/Hanson lands.

BWCC Actually holds no water right in American Falls. The American Falls right is held by AFRD2.

The Greenhorn lands are not completely described in either of Roger Ling's letters. I checked with his office and confirmed that the lands are in Section 6, T6S R16E.

Examination of SRBA claims indicates that AFRD2 services only 56 acres in the S1/2 of Section 6 while all the lands Greenhorn proposes to remove American Falls water from are in the N1/2 of the section.

CONCLUSION

It appears that this proposal to transfer water is being made in the wrong forum. If the change were proposed as a change of lands within AFRD2, under Title 43, chapters 10 and 11, it probably be accomplished.

Any amended proposal will need to address the discrepancy in the original place of use.

*inclusion
of exclusion
of land
from District*

RECEIVED

OCT 20 1994

MEMORANDUM

*Resent
12-18-92*

To: Loren Holmes
From: L. Glen Saxton *LS*
RE: REQUEST TO TRANSFER WATER RIGHT - SECTION 42-2504, I.C.
Date: November 27, 1992

Attached is a series of letters associated with the proposed transfer of shares of stock of the Big Wood Canal Company. The request to make this transfer is the first one I have ever dealt with since the authority is in the above referenced Carey Act statute.

According to Phil Rassier, the department probably is obliged to investigate the proposed transfer as stated in the statute. I believe at this point, part of the investigation, should be your review of the attached letters and your response in connection with the proposed transfer. Although I am not familiar with the physical configurations of the delivery systems, it appears that if rental of this right has been on-going on a year-to-year basis, there appears to be no reason to not make it permanent. Such an approval would need to be conditioned, of course, that the transfer does not authorize the use of diversion works or conveyance works without the approval of the owner of those works.

You may want to contact the Big Wood Canal Company Board of Directors to confirm some of the statements in the attached letters before the department takes an action.

Please review this matter, and send me a memo of your findings and recommendations including any suggested conditions of approval if we approve the proposed transfer.

RECEIVED

OCT 20 1994

LING, NIELSEN & ROBINSON

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
DONALD R. WORKMAN
BRENT C. TINGEY

ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

November 24, 1992

RECEIVED

NOV 25 1992

Department of Water Resources

L. Glen Saxton, Chief
Water Allocation Bureau
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RE: James Grant and Del Roy Hanson
Application to Transfer Water Right

Dear Mr. Saxton:

This will clarify the position of our clients, James Grant and Del Roy Hanson, regarding their recently submitted application for permission to transfer water rights.

On October 1, 1992, Mr. Roger Ling met with the Board of Directors of the Big Wood Canal Company. The purpose of that meeting was to propose a transfer of stock in Big Wood Canal Company from Greenhorn Farms, to James Grant and Del Roy Hanson. The decision of the Board of Directors regarding that proposed transfer was expressed in the October 2, 1992 letter from Craig D. Hobdey, attorney for the Canal Company, to Mr. Ling. A copy of that letter is attached. The position of the Board of Directors was reiterated in the October 6, 1992 letter from Mr. Hobdey to Mr. D. Blair Clark, attorney for Greenhorn Farms. A copy of that letter is also attached. As those attached letters indicate, the Board of Directors of the Canal Company decided at their October 1, 1992 meeting to allow the Department of Water Resources to investigate the proposed transfer. If the transfer is approved by the Department, the Board of Directors will also approve.

For the past several years, Mr. Grant and Mr. Hanson have been leasing the subject water on a year-to-year lease basis. Our clients simply desire to cause the permanent transfer of that water by purchasing, and not leasing, the water.

Mr. Grant has owned twenty (20) shares of Big Wood Canal Company stock since 1984, as evidenced by the attached stock certificate photocopy. Mr. Grant is presently applying that

MISSING
OCT 20 1994

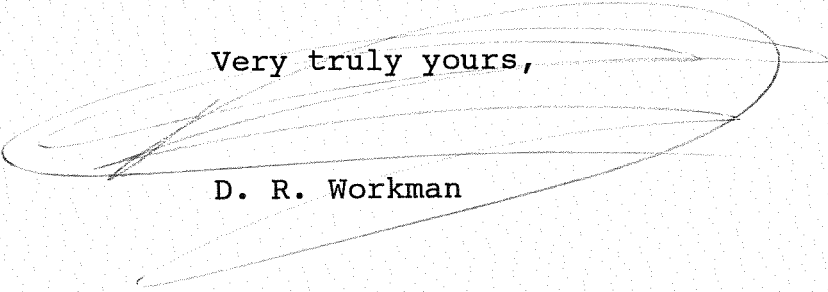
L. Glen Saxton
November 24, 1992
Page 2

water to the same tract that is the subject of his application.

Our clients understand the applied for water will be delivered at the upper end of the Gooding Canal. That is the same point of diversion which is presently utilized by our clients for the water received pursuant to their year to year leases. Our clients will waive any right to water from the Magic Reservoir-Big Wood River System as those waters cannot be delivered to our clients' land. Our clients understand they will be entitled to receive from the Big Wood Canal Company only the proportionate share of water which the Canal Company is entitled to receive from American Fall Reservoir District No. 2 through the Gooding Canal.

Thank you for the opportunity to address the concerns expressed in your letter of November 18, 1992. Please do not hesitate to contact the undersigned should you have further questions.

Very truly yours,



D. R. Workman

DRW:slg
Enc.
pc: James Grant
Del Roy Hanson

RECEIVED
OCT 20 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 18, 1992

D. R. Workman
Ling, Nielsen & Robinson
615 "H" Street
Rupert, ID 83350

RE: REQUEST TO TRANSFER WATER RIGHT - SECTION 42-2504, I.C.

Dear Mr. Workman:

The department has reviewed your letter dated October 30, 1992 in which you ask the department to investigate a proposed "transfer" of shares of stock of the Big Wood Canal Company pursuant to provisions of Section 42-2504, Idaho Code.

While provisions of Section 42-2504, Idaho Code, appear to be "active", the code section was an interim provision effective during the period a Carey Act sponsor was contractually obligated to the state of Idaho (Department of Water Resources) for certain performance under terms of the Carey Act. Upon completion of contract obligations to the state, the waterusers within a Carey Act project typically formed "self-governing" entities such as a company and adopted by-laws for administration of water use within project boundaries. At that point, the department's role as provided in the Carey Act statutes ceased.

Operative sections of the Idaho Code in connection with transfers are sections 42-108 and 42-222, which provide procedural and evaluation criteria in the department's consideration of transfers. Hence the department declines the request to intervene in the request to change the place of use of shares of Big Wood Canal Company stock which change has been denied by the Directors of the Big Wood Canal Company.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region



OCT 20 1994

MEMORANDUM

TO: Glen Saxton
FROM: Phil Rassier PJZ
RE: Request to Transfer Water Right - I.C. § 42-2504
DATE: November 17, 1992

I have reviewed Mr. Workman's letter of October 30, 1992 asking the Director of the Department of Water Resources to investigate and act upon an application to transfer the place of use of a water right represented by shares of stock in the Big Wood Canal Company, a Carey Act operating company, pursuant to I.C. § 42-2504. I have reviewed the state Carey Act statutes and cases cited in the annotations following the statutes. Although apparently not used in recent memory, I have found nothing that supersedes or invalidates the provisions of I.C. § 42-2504.

Section 42-2504 provides an informal method of appeal to the director of the department in cases where the board of directors of a Carey Act operating company has refused to approve a transfer in the place of use of a water right within the service area of the company. It is my understanding that such a transfer does not require the approval of the department under § 42-108 and § 42-222 unless the right were to be transferred beyond the service area of the company.

As long as the statute remains in effect, it appears that the department has a statutory duty to conduct an investigation of the proposed transfer and to "determine whether and to what extent the canal system and the other water users thereunder shall be affected or prejudiced if such transfer is allowed." If the director finds that the transfer "will not be prejudicial to said corporation or to the other water users under said irrigation system" he shall approve the transfer.

After the director's approval or denial of the transfer, any person or the board of directors of the operating company may request a hearing before the director pursuant to I.C. § 42-1701A(3). Judicial review is available from the director's final decision issued after the hearing in accordance with I.C. § 42-1701A(4).

I'll be happy to discuss this further with you if necessary.

OCT 20 1994

LING, NIELSEN & ROBINSON

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
DONALD R. WORKMAN
BRENT C. TINGEY

ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

November 3, 1992

RECEIVED

NOV 04 1992

Department of Water Resources

R. Keith Higginson, Director
Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

RE: Application for Permission to Transfer Water Right
and Request for Investigation, Idaho Code 42-2504

Dear Mr. Higginson:

This office has been retained by Del Roy E. Hanson to make this application for permission to transfer water rights from lands owned by Greenhorn Farms, a partnership consisting of James Arkoosh, Joe Arkoosh and George Arkoosh, to lands owned by Del Roy E. Hanson, all located in Jerome and Gooding Counties, Idaho. In support of this application, and pursuant to Idaho Code 42-2504, the following information is provided:

1. The legal description of the land from which it is proposed to transfer the water right is:

TOWNSHIP 6 SOUTH, RANGE 16 EAST OF THE
BOISE MERIDIAN, GOODING COUNTY, IDAHO

Lots 2, 3, Part of Lots 4 & 5, Southwest
Quarter Northeast Quarter Southeast Quar-
ter Northwest Quarter (Lots 2, 3 Pt. Lots
4 & 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$).

2. The legal description of the land to which it is proposed to transfer the water right is:

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 31: Tract "B"

3. The amount of the water right to be transferred is represented by Forty (40) shares of the capital stock of Big Wood Canal Company, 112 South Apple, Shoshone, Idaho. Each share entitles the owner thereof to receive one-eightieth of

RECEIVED

OCT 20 1994

INCORPORATED UNDER THE LAWS OF THE STATE OF IDAHO

Number --10076---

-20.00- Shares

Big Wood Canal Company

Capital Stock \$150,000.00

This is to Certify, That ~~James R. Grant~~ and ~~Kathryn R. Grant~~ is the owner of
-20.00- Shares of the Capital Stock of the Big Wood Canal Company, transferable on the books of the
Company by endorsement hereon,

Each share entitles the owner thereof to receive one-eighth of a cubic foot of water per second of time for the irri-
gation of and domestic uses on the following described land: ~~E 1/2 SE 1/4 NW 1/4 NE 1/4, E 1/2 NE 1/4 SW 1/4 NE 1/4, NE 1/4 SE 1/4 SW 1/4 NE 1/4~~

Section ~~-7-~~, Township ~~-9-~~, South of Range ~~-20-~~, East, B.M., in the County of ~~JEROME~~
and State of Idaho, and this certificate also entitles the owner to a proportionate interest in the dam, canal, reservoir, water
rights and all other rights, and franchises of this Company, based upon the number of shares finally sold, in accordance with
the contract between the Idaho Irrigation Company, Limited, and the State of Idaho, dated August 21st, 1907, as amended.

IN WITNESS WHEREOF, The Big Wood Canal Company, has caused this Certificate
to be sealed with its Corporate Seal and signed by its duly authorized officers this
12th day of ~~March~~, 19~~84~~

Big Wood Canal Company

By *[Signature]* President.

Attest: *[Signature]* Secretary.

LING, NIELSEN & ROBINSON

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
DONALD R. WORKMAN
BRENT C. TINGEY

ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

October 30, 1992

RECEIVED

NOV 02 1992

Department of Water Resources

R. Keith Higginson, Director
Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

RE: Application for Permission to Transfer Water Right
and Request for Investigation, Idaho Code 42-2504

Dear Mr. Higginson:

This office has been retained by James R. Grant to make this application for permission to transfer water rights from lands owned by Greenhorn Farms, a partnership consisting of James Arkoosh, Joe Arkoosh and George Arkoosh, to lands owned by James R. Grant, all located in Jerome and Gooding Counties, Idaho. In support of this application, and pursuant to Idaho Code 42-2504, the following information is provided:

1. The legal description of the land from which it is proposed to transfer the water right is:

TOWNSHIP 6 SOUTH, RANGE 16 EAST OF THE
BOISE MERIDIAN, GOODING COUNTY, IDAHO

Lots 2, 3, Part of Lots 4 & 5, Southwest
Quarter Northeast Quarter Southeast Quar-
ter Northwest Quarter (Lots 2, 3 Pt. Lots
4 & 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$). *Section 6*

2. The legal description of the land to which it is proposed to transfer the water right is:

Parcel No. 1

TOWNSHIP 9 SOUTH, RANGE 20 EAST OF THE
BOISE MERIDIAN, JEROME COUNTY, IDAHO

Sections 5 and 6: Tract "D", EXCEPT the
following described tract: Commencing at
the Southwest corner of Section 5, the
true point of beginning;

MISSOURI

OCT 20 1994

R. Keith Higginson
October 30, 1992
Page 2

Thence N 0°04' West, 701.00 feet, along
the West line of said Section 5;
Thence N 88° 04' East, 275.54 feet;
Thence S 29° 00' East, 611.89 feet;
Thence S 54° 46' West, 300.60 feet, to a
point on the South line of said Section
5;
Thence S 89° 42' West, 325.60 feet along
the South line of said Section 5 to the
true point of beginning.

Section 7: $E\frac{1}{2}NE\frac{1}{4}$; $NE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$
Section 8: $NW\frac{1}{4}$.

Parcel No. 2

TOWNSHIP 9 SOUTH, RANGE 20 EAST OF THE
BOISE MERIDIAN, JEROME COUNTY, IDAHO

Sections 5 & 8: Tract "E".

Parcel No. 3

TOWNSHIP 9 SOUTH, RANGE 20 EAST OF THE
BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 7: $S\frac{1}{2}S\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$; $N\frac{1}{2}SE\frac{1}{4}$;
Section 8: $NW\frac{1}{4}SW\frac{1}{4}$; $W\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$; $W\frac{1}{2}E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$.

3. The amount of the water right to be transferred is represented by One Hundred (100) shares of the capital stock of Big Wood Canal Company, 112 South Apple, Shoshone, Idaho. Each share entitles the owner thereof to receive one-eightieth of a cubic foot of water per second. Applicant has agreed that he will be entitled to receive from Big Wood Canal Company only the proportionate share of water allocated to said shares which the Canal Company is entitled to receive from American Falls Reservoir District No. 2 through the Gooding Canal.

RECEIVED
OCT 20 1994

R. Keith Higginson
October 30, 1992
Page 3

4. The reason for such proposed transfer is the land to which the water right is to be transferred has insufficient water supplies. The land from which the water right is to be transferred has supplemental, excess water.

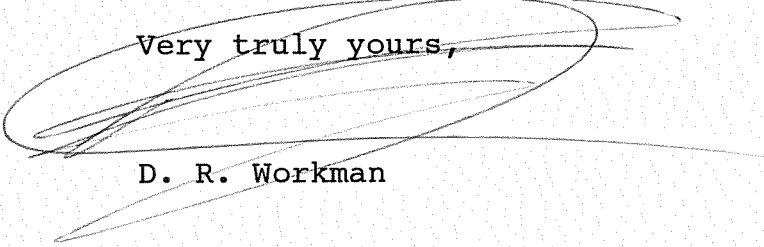
5. That Big Wood Canal Company presently receives the water to be transferred through the Gooding Canal from the Snake River to lands served by the system of the Canal Company.

6. That applicant presently holds shares of stock of Big Wood Canal Company which are appurtenant to a portion of applicant's lands above-described and the water rights sought to be transferred will be delivered at the same point of diversion, which is at the upper end of the said Gooding Canal.

During its regular meeting of October 1, 1992 the Board of Directors of the Big Wood Canal Company, a Carey Act operating company, declined to approve the transfer of the water rights as herein described. The refusal of the Board of Directors to approve the requested transfer necessitates this application. Please investigate this proposed transfer. If your investigation indicates that this transfer will not be prejudicial to the Big Wood Canal Company, or with the water users within that district, please issue your certificate approving the transfer.

Thank you.

Very truly yours,


D. R. Workman

DRW:slg
pc: James R. Grant
Big Wood Canal Company


OCT 20 1994

LAW OFFICES
HOBDEY & HOBDEY
125 FIFTH AVENUE WEST
P.O. BOX 176
GOODING, IDAHO 83330

CECIL D. HOBDEY
CRAIG D. HOBDEY

COPY

TELEPHONE
(208) 934-4429

October 6, 1992

D. Blair Clark
Attorney at Law
P.O. Box 2773
Boise, Idaho 83701

RE: TRANSFER OF WATER BY GREENHORN FARMS, INC.

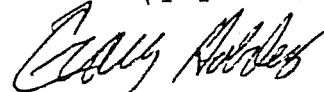
Dear Blair:

The Board of Directors of Big Wood Canal Company were merely following Idaho Code §42-2501 by not allowing the transfer of Greenhorn shares to a system outside of the Carey Act land served by the Big Wood Canal Company. The water would have to be delivered by American Falls Reservoir District No. 2 to an area that is completely out of the old Big Wood system. It would in fact be impossible for the water users in the Hunt area to receive water from the Big Wood system, therefore, the Board did not authorize a transfer.

There has been an ongoing year to year lease of the water which the Board has authorized but to authorize a permanent transfer would, I feel, be beyond the Board's authority.

Roger Ling made a presentation to the Board on behalf of his clients, the intended purchasers of the water, and the Board's decision was to allow the Director of Department of Water Resources to investigate and if he ordered the transfer the Board would naturally approve the same. Along those same lines, if the Bankruptcy Judge ordered the Big Wood Canal Company Board of Directors to authorize a transfer they would be obligated to do so. However, since the Big Wood Canal Company Board of Directors were not a party to the action they were therefore not under the jurisdiction of the Bankruptcy Court. I cannot see the Board abdicating their responsibility to the shareholders.

Sincerely yours,



Craig D. Hobdey

CDH:bj
pc: Roger D. Ling
Jerry Nance w/enc.
Richard Oneida w/enc.

RECEIVED

OCT 7 1992

LING, NIELSEN
& ROBINSON

MAILED 77

OCT 20 1994

LAW OFFICES
HOBDEY & HOBDEY
125 FIFTH AVENUE WEST
P.O. BOX 176
GOODING, IDAHO 83330

CECIL D. HOBDEY
CRAIG D. HOBDEY

TELEPHONE
(208) 934-4429

October 2, 1992

Roger D. Ling
Attorney at Law
P.O. Box 396
Rupert, Idaho 83350

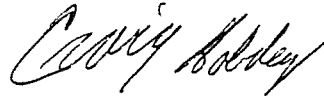
RE: WATER TRANSFER FROM BIG WOOD CANAL COMPANY
TO FARMS IN THE HUNT AREA

Dear Roger:

The Board of Directors of Big Wood Canal Company feels that it would not be in the interest of the system to allow the transfer to the Hunt area to your clients. The Board does not have a problem with a year to year leasing but a permanent transfer seems to fly in the face of Idaho Code §42-2501 and the By-Laws.

Essentially, the Board is passing the buck to the Department of Water Resources and if the Director mandates the transfer the Board will probably not object further.

Sincerely yours,



Craig D. Hobdey

CDH:bj

pc: Jerry Nance
Richard Oneida

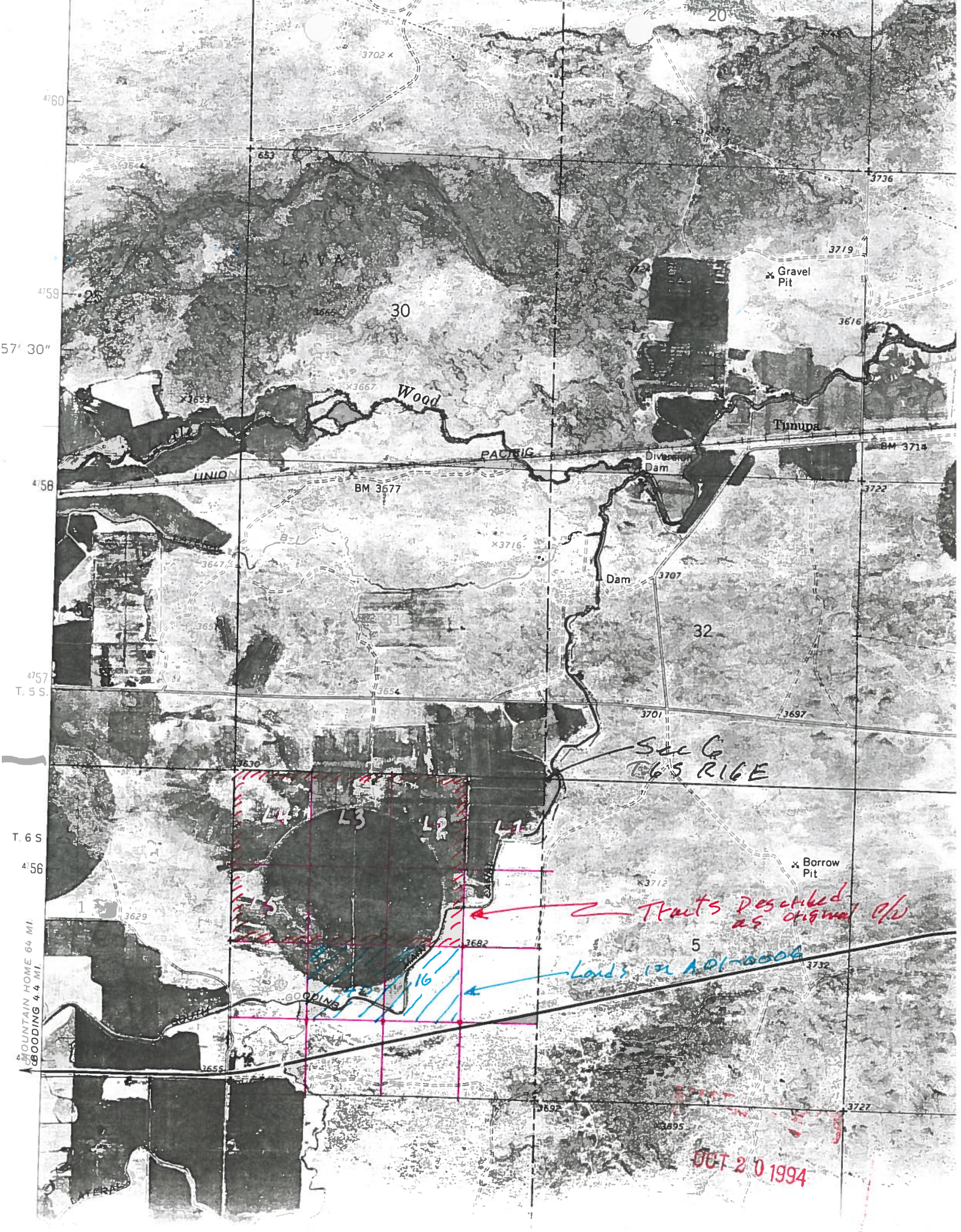
RECEIVED

OCT 5 1992

LING, NIELSEN
& ROBINSON

RECEIVED

OCT 20 1994

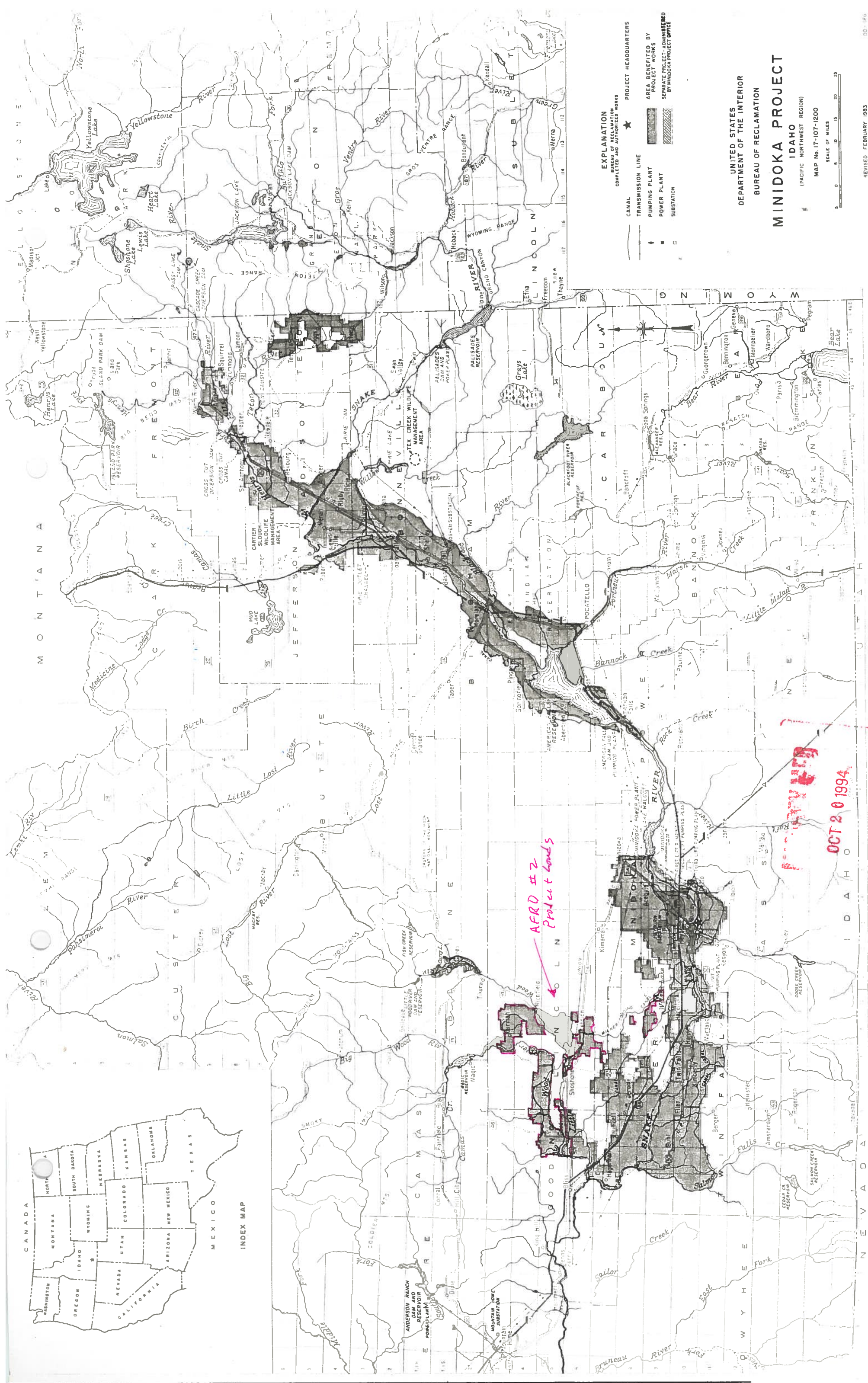


Sec G
T6 S R16 E

Tracts described
as original P/W

Lands in ADI-0006

OCT 20 1994



EXPLANATION

BUREAU OF RECLAMATION
COMPLETED AND AUTHORIZED WORKS

★ PROJECT HEADQUARTERS

— CANAL

— TRANSMISSION LINE

■ PUMPING PLANT

■ POWER PLANT

■ SUBSTATION

■ AREA BENEFITED BY PROJECT WORKS

■ SEPARATE PROJECT-ADMINISTERED BY MINIDOKA PROJECT OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

MINIDOKA PROJECT

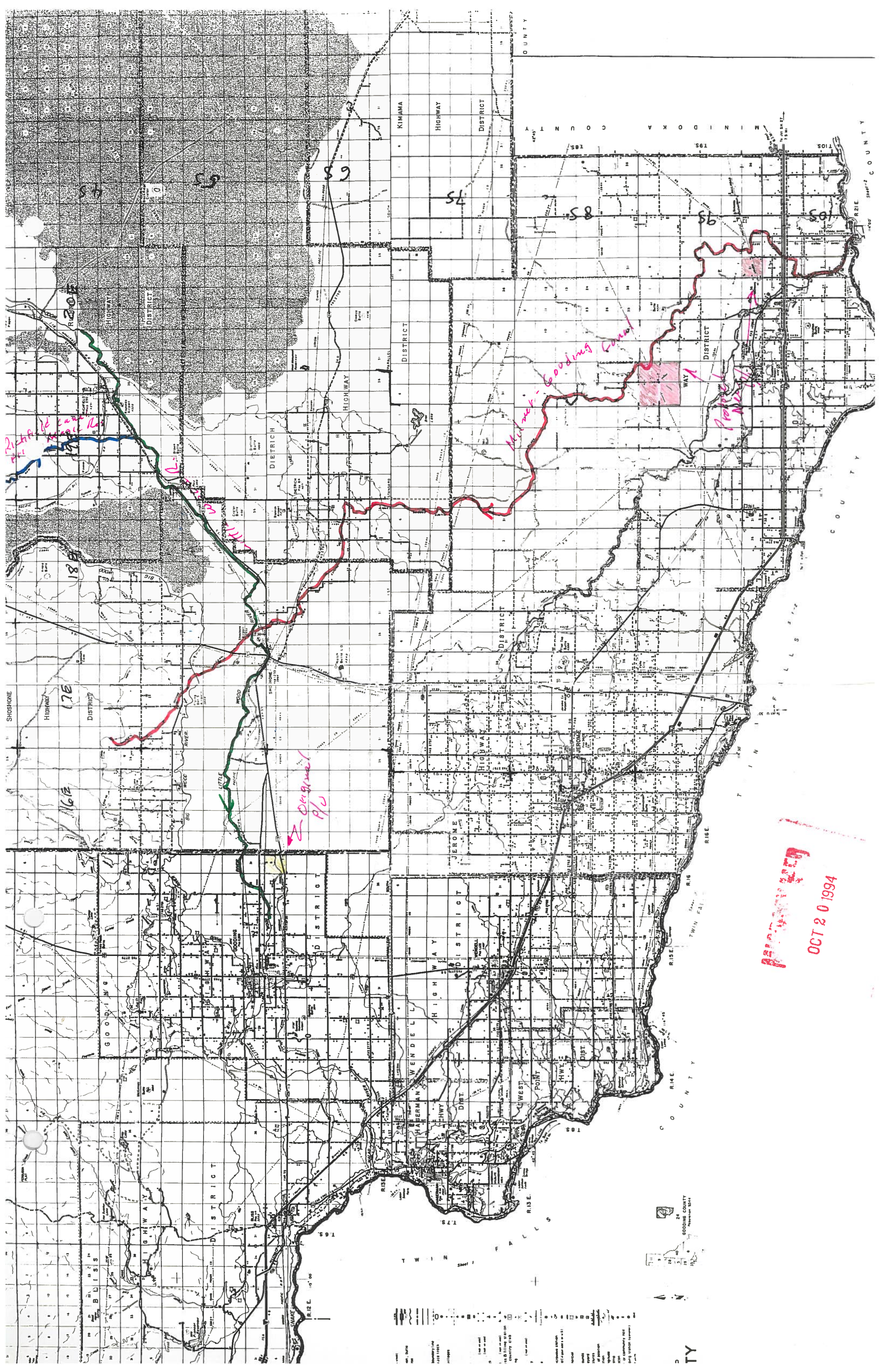
IDAHO
(PACIFIC NORTHWEST REGION)

MAP No. 17-107-1200

SCALE OF MILES
0 5 10 15 20 25

AFRD #2
Protect Lands

OCT 20 1994



RECEIVED
OCT 20 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 25, 1994

BIG WOOD CANAL CO
PO BOX C
SHOSHONE ID 83352

RE: Transfer of Water Right No. 37-00867

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4240). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

FEB 04 1994

TRANSFER REVIEW SHEET

Transfer # 4240

Date Reviewed 01-11-94 CB

Right(s) 37-00867

B: Change P/D © Add P/D D: Change P/U E: Change Nature of Use
F: Change Period of Use G: Other H: Change P/D & Add P/D
I: Change P/D & P/U J: Add P/D & Change P/U

Proof of Ownership NA

Transfer ✓ All of Right _____ Portion of Right (Part B _____)

Resulting Split(s) NONE

Check Transfer Against Right

C/4.0

- (1) ✓ Priority (2) ✓ Use (3) _____ Season (4) ✓ Rate (5) _____ Volume
(6) ✓ Source (7) _____ P/D (8) ✓ P/U (9) ✓ Proof/Owner (10) ✓ Map
(11) ³⁷37M Water District (12) NONE Pertinent Conditions (13) NO Expansion

③ Standard Season 4-1 to 10-31

⑤ Decree describes P/U fully - almost entirely located within the 4.0 afa area $75,494 \times 4.0 = 301,976 < Var$

⑦ Add P/D + R/D

Discussion with Lee Peterson, Watermaster of WD 37+37M, concluded a measuring device/lockable controlling works is needed at the point of Rediversion from Little Wood River for Watermaster control.

Transfer Remarks R43/① P/R from LWR R04/37+37M

Conditions R26, T04, T07, T09, T08

Database/Processing Notes T file - 3 Parts 20/21/22

Clear Original when approved & drop T's

Database updated 01-25-94 CB

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/24/94
PAGE: 1

PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
11/16/1905	IRRIGATION	04-01 10-31	3000.00 CFS	301976.00 AFA
TOTAL DIVERSION:			3000.00 CFS	301976.00 AFA

Tributary to: MALAD RIVER

Stage: DECREED

0	SENE	NESE	Blaine	~~LINCOLN~~ County	} Printin Error Database Correc
9	NESE		Lincoln	~~LINCOLN~~ County	
5	NWSE		Lincoln	~~GOODING~~ County	
2	SESW			GOODING County	
5	NWNE		Gooding	~~LINCOLN~~ County	
5	SWSE			LINCOLN County	
5	NWSE			LINCOLN County	

NW				SW				SE				SUM
WNW	SWNW	SENW		NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
I	I	I		I	I			I				
		I		I	I		I	I	I	I		
I	I	I		I	I		I	I	I	I	I	
I				I				I	I	I	I	
		I										
					I	I		I			I	
						I	I	I	I	I	I	
				I	I	I	I	I	I	I	I	
											I	
I	I							I	I	I	I	
				I	I	I	I	I	I	I	I	
I	I	I		I	I	I	I	I	I	I	I	
I	I	I		I	I	I	I	I	I	I	I	
I		I		I				I	I	I		
-I	04-I			07-I	03-I	10-I					I	
-I					09-I	11-I						
I	I	I		I			I	I	I	I	I	
I				I	I		I	I	I	I	I	
	02-I				03-I	04-I	I					
-I	02-I			I	03-I	04-I	I			I		
										I		
										I	I	
				I	I	I	I					

DATE: 01/24/94
PAGE: 2

[illegible]

DATE: 01/24/94
PAGE: 3

NW						SW								SE											
WNW		SNNW		SENW		:	NESW		NNSW		SSSW		SESW		:	NESE		NNSE		SSSE		SESE		:	SUM
Ac	Lt	Ac	Lt	Ac		:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
I		I		I	:	I		I		I		I		:	I		I		I		I		:		
I		I		I	:	I		I		I		I		:	I		I		I		I		:		
I		I		I	:	I		I		I		I		:	I				I		I		:		
I		I		I	:	I		I		I		I		:			I		I				:		
I		I		I	:	I		I		I		I		:	I		I		I		I		:		
I		I		I	:	I		I		I		I		:	I		I		I		I		:		
I				I	:	I		I		I		I		:					I		I		:		
		I			:			I				I		:		I					I		:		
I		I		I	:	I		I		I		I		:	I		I		I		I		:		
				I	:	I		I		I		I		:	I		I		I		I		:		
I		I		I	:	I		I		I		I		:	I		I		I		I		:		
I		I			:									:									:		
					:									:									:		
I					:									:									:		
I		I		I	:	I		I		I		I		:							I		:		
I		I		I	:	I		I		I		I		:			I						:		

[illegible]

DATE: 01/24/94
PAGE: 4

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/24/94
PAGE: 5

NW					SW					SE					SUM
WNW	SWNW	SENW			NESW	NWSW	SWSW	SESW			NESE	NWSE	SWSE	SESE	
Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
I					I	I	I	I				I	I		
I															
				I							I				
		I			I	I		I						I	
		I		I	I	I		I			I	I	I	I	
I		I		I	I	I		I			I	I	I		
I		I													
I					I		I	I							
I		I		I	I	I					I				
I				I			I	I				I			
														I	

NW					SW					SE					SUM
WNW	SWNW	SENW			NESW	NWSW	SWSW	SESW			NESE	NWSE	SWSE	SESE	
Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
											I		I	I	
I		I													
								I			I	I	I	I	
I		I		I	I	I		I			I	I	I	I	
I		I			I	I									
								I			I	I	I		
								I							
I		I					I						I	I	
I															
I		I		I	I	I					I	I		I	
I		I		I	I	I		I			I	I	I	I	
I		I		I	I	I		I			I	I	I	I	
I		I		I	I	I		I							
I															
I					I		I	I					I	I	
I		I		I			I	I			I				

DATE: 01/24/94
PAGE: 6

[illegible]

DAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/24/94
PAGE: 7

NW					SW								SE								SUM
NW	SWNW	SENW	:		NESW	NWSW	SWSW	SESW	:		NESE	NWSE	SWSE	SESE	:						
Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
I					:					I		I		I		I		:			
I					:													:			
		I		I	:	I		I		I		I		I		I		:			
					:			I										:			
					:	I				I				I		I		:			
					:			13-I										:			
					:													:			
I				I	:							I		I		I		:			
I		I		I	:	I		I		I								:			
				I	:					I				I				:			
I				I	:													:			
I		I			:													:			
I	04-I		06-I		:	07-I	08-I	10-I	12-I	:	I		I		I		I	:			
	05-I				:		09-I	11-I		:								:			
I	04-I		06-I		:	I		I		I	:	I		I		I		:			
I	05-I				:					:								:			
I					:			I		I	:				I		I	:			
I					:				I		I	:	I		I		I	:			
					:	I		I			:							:			
		I		I	:	I			I		I	:		I		I		:			
		I			:				I		I	:	I		I		I	:			
I		I		I	:			I			:							:			
I	04-I				:			I			:							:			
I	05-I				:		08-I	10-I			:	I						:			
	04-I				:		09-I	11-I			:							:			
					:		08-I	10-I			:							:			
					:		09-I	11-I			:							:			
I		I		I	:						:							:			
I		I		I	:			I		I	:							:			
I		I		I	:		I		I		:			I		I		:			
					:		I			I	:							:			
					:						:							:			
					:		I		I		I	:						:			
					:		I				:	I		I				:			
					:						:							:			
I					:						:							:			
					:		I		I		I	:						:			
					:		I				:	I					I	:			
					:						:							:			
I					:						:							:			

and with all other rights shall provide no
more for the lands above.
nor in no way grants any right-of-way or
delivery system owned by person(s) other
than this transfer shall be accomplished

DAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/24/94
PAGE: 8

=====

he date of this approval.
r does not preclude the opportunity for
f the water right(s) in the ongoing
cation.
he conditions of this transfer is cause
ie an order to show cause why the approval
ot be rescinded.

Jim Byrns Slough into the Little

controlling works of a type
ill be maintained at the point of
ver in a manner that will provide
l.
hall be regulated by the
istrict No. 37, Big Wood River,
tle Wood River to irrigate

Priority Date: 11/16/1905
Proof Made Date:
Exam Sent to S.O.:

Field Exam Fee:

GGS Subject: ADDITIONAL INFORMATION FROM THE DECREE
identified in the Findings of Facts
with Gooding diversion dams,
ersion dams located in Blaine,

re tracts, 86,400 acres, in which
l put to beneficial use.

GGS Subject: TRANSFER NO. 4240
y filed showing a split of a small
with a separate point of diversion.
ecting a new diversion point to
on and rediversion point on the
lo. 37-00867, reflecting no splits.
ired at the point of diversion or

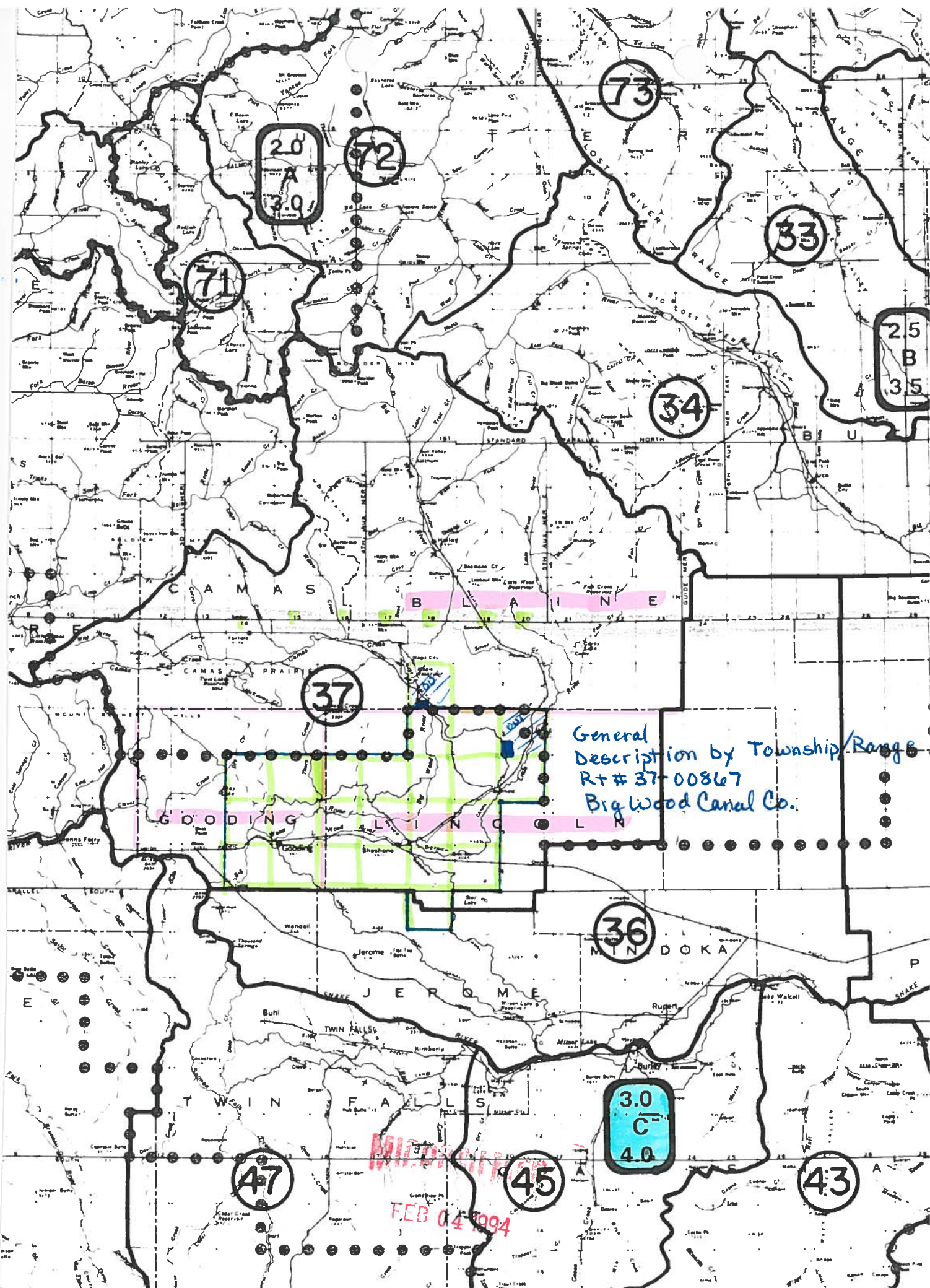
DAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/24/94
PAGE: 9

=====

GGS Subject: TRANSFER NO. 4240
Little Wood River because the
ces are already in place.

GS	01/18/94	SKAGGS	01/18/94	SKAGGS
GS	01/19/94	SKAGGS	01/19/94	SKAGGS
GS	01/20/94	SKAGGS	01/21/94	SKAGGS
GS	01/21/94	SKAGGS	01/21/94	SKAGGS



General
Description by Township/Range
Rt # 37-00867
Big Wood Canal Co.

FEB 04 1994

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
NO. 4249

NOV 23 1993

Department of Water Resources
Southern Region Office

RECOMMENDATION OF WATERMASTER

I, Lee R. Peterson, watermaster of Big Wood, Little Wood, Rivers & Silver Creek
of Water District No. 37 537M, County of Lincoln, Gooding, Blaine State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for
Big Wood Canal Co., and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer of Water Right and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: None Conditions have all been met.

OR

B. I do not endorse approval of the above numbered Application for Transfer of Water Right as re-
quested for the following reasons:

Dated at Shoshone, Idaho, this 29th day of October, 1993.


(signature)

Please use reverse side if needed.

RECEIVED

FEB 04 1994

IDAVIT of PUBLICATION

RECEIVED

NOV 15 1993

} ss. Department of Water Resources
Southern Region Office

ay of Nov, in the year 1993, before me a Notary Public
sonally appeared **DANIEL J. GORHAM**, known
me to be the person whose name is subscribed to be the within
being by me first duly sworn, declared that the statements therein
knowned to me that he executed the same. As the publisher of
Journal, he/she attests that said newspaper has been continu-
interruptedly published for a period of seventy-eight consecu-
to the first publication of the annexed notice, and is a newspaper
lish legal notices as provided by act of the 1919 session of the
ie State of Idaho, known as House Bill 145; that the annexed
was published once each week for 2 consecutive issues in
r proper and not in a supplement; that the date of the first
aid advertisement was on the 3 day of Nov, 1993, and
ast publication was on the 10 day of Nov, 1993.

Daniel J. Gorham
worn to before me this 10th day of Nov, 1993.

Shirley McKee
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

icas per Line _____
ines in Notice _____
nsertions 2

____ Lines tabular at _____ 6¢/ Pica
____ Lines straight at 27.00 5¢/ Pica
____ Subsequent lines at 24.30 4¢/ Pica
ST + 5.00 \$56.30

Errors noted MB 11-22-93

FEB 04 1994

COPY OF NOTICE
(Paste Here)

Notice of Proposed change
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Dept of Water Resources
BILL TO

Proposed change of water right

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS
Notice is hereby given that BIG WOOD CANAL CO. of Shoshone, ID has applied to the Department of Water Resources for changes to point of diversion from a surface water source and further classified as Transfer # 4240.

Water Right No. 37-00867 authorizes diversion of water from the Big Wood River tributary to Malad River within S30, T02S, R18E (Blaine County); S9, T03S, R18E (Lincoln County); S25, T04S, R19E (Lincoln County); S29, T05S, R16E (Lincoln County) S18, T02S, R18E (Lincoln County).

TO BE CHANGED AS FOLLOWS
A portion (0.225 cfs) of the water right -37-00867B) will be diverted from the Big Wood River within NUSE SS, T05S, R19E (Re-diversion from Little Wood River), Lincoln County; SESENE, S30, T02S, R18E (Richfield Canal), Blaine County with no change to acres irrigated.

This change will enable a land owner to divert his Big Wood Canal Company water and his decreed surface rights from the same point of diversion thus allowing more efficient use of available water.

Any protest against approval of the above proposal must be filed with the applicant and with the Director, Department of Water Resources, 222 Shoshone St. E. Twin Falls, ID 83301 on or before November 22, 1993.

R. Keith Higginson, Director

Publish: Wood River Journal—
November 3 & 10, 1993.

8915

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Lincoln } ss.

NOV 12 1993

Department of Water Resources
Southern Region Office

Patty Nance

being first duly sworn, deposes and says that she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 3 day of November, 1993,

and the date of the last publication was on the 10 day of November, 1993.

Patty Nance

Subscribed and sworn to before me this 10th day of November, 1993.

(SEAL)

Norma Doe

NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X's

Lines tabular at _____ 6¢/Pica

572 Lines straight at \$28.60 5¢/Pica

Subsequent lines at 23.28 4¢/Pica

TOTAL COST \$50.88

COPY OF NOTICE

(Paste Here)

Notice of Proposed Change in Water Rights

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that BIG WOOD CANAL CO. of Shoshone, ID has applied to the Department of Water Resources for changes to point of diversion from a surface water source and further classified as Transfer # 4240.

Water Right No. 37-00867 authorizes diversion of water from the Big Wood River tributary to Malad River within S30, T02S, R18E (Blaine County); S9, T03S, R18E (Lincoln County); S25, T04S, R19E (Lincoln County); S29, T05S, R18E (Lincoln County); S18, T02S, R18E (Lincoln County).

TO BE CHANGED AS FOLLOWS

A portion (0.225 cfs) of the water right (37-00867B) will be diverted from the Big Wood River within NWSE, S5, T05S, R19E (Re-diversion from Little Wood River), Lincoln County; SESENE, S30, T02S, R18E (Richfield Canal), Blaine County with no change to acres irrigated.

This change will enable a land owner to divert his Big Wood Canal Company water and his decreed surface rights from the same point of diversion thus allowing more efficient use of available water.

Any protest against approval of the above proposal must be filed with the applicant and with the Director, Department of Water Resources, 222 Shoshone St. E., Twin Falls ID 83301 on or before November 22, 1993.

R. Keith Higginson, Director

OK
MB
11-22-93

RECEIVED

FEB 04 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

26-Oct-1993

R. KEITH HIGGINSON
Director

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

** 11-22-93
Camera ready not
used as submitted.*

FEB 04 1994

NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

Notice is hereby given that BIG WOOD CANAL CO. of Shoshone, ID has applied to the Department of Water Resources for changes to point of diversion from a surface water source and further classified as Transfer # 4240.

Water Right No. 37-00867 authorizes diversion of water from the Big Wood River tributary to Malad River within S30, T02S, R18E (Blaine County); S9, T03S, R18E (Lincoln County); S25, T04S, R19E (Lincoln County); S29, T05S, R16E (Lincoln County); S18, T02S, R18E (Lincoln County).

TO BE CHANGED AS FOLLOWS

A portion (0.225 cfs) of the water right (37-00867B) will be diverted from the Big Wood River within NWSE, S5, T05S, R19E (Re-diversion from Little Wood River), Lincoln County; SESENE, S30, T02S, R18E (Richfield Canal), Blaine County with no change to acres irrigated.

This change will enable a land owner to divert his Big Wood Canal Company water and his decreed surface rights from the same point of diversion thus allowing more efficient use of available water.

Any protest against approval of the above proposal must be filed with the applicant and with the Director, Department of Water Resources, 222 Shoshone St. E., Twin Falls ID 83301 on or before November 22, 1993.

R. Keith Higginson, Director

Published in Lincoln County Journal & Wood River Journal on 11/3 & 11/10/93.

RECEIVED

FEB 04 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

26-Oct-1993

R. KEITH HIGGINSON
Director

LINCOLN COUNTY JOURNAL
PO BOX 468
JEROME ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

RECORDED

OCT 04 1994

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that BIG WOOD CANAL CO. of Shoshone, ID has applied to the Department of Water Resources for changes to point of diversion from a surface water source and further classified as **Transfer # 4240**.

Water Right No. 37-00867 authorizes diversion of water from the Big Wood River tributary to Malad River within S30, T02S, R18E (Blaine County); S9, T03S, R18E (Lincoln County); S25, T04S, R19E (Lincoln County); S29, T05S, R16E (Lincoln County); S18, T02S, R18E (Lincoln County).

TO BE CHANGED AS FOLLOWS

A portion (0.225 cfs) of the water right (37-00867B) will be diverted from the Big Wood River within NWSE, S5, T05S, R19E (Re-diversion from Little Wood River), Lincoln County; SESENE, S30, T02S, R18E (Richfield Canal), Blaine County with no change to acres irrigated.

This change will enable a land owner to divert his Big Wood Canal Company water and his decreed surface rights from the same point of diversion thus allowing more efficient use of available water.

Any protest against approval of the above proposal must be filed with the applicant and with the Director, Department of Water Resources, 222 Shoshone St. E., Twin Falls ID 83301 on or before November 22, 1993.

R. Keith Higginson, Director

Published in Lincoln County Journal & Wood River Journal on 11/3 & 11/10/93.

RECEIVED

FEB 04 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

26-Oct-1993

R. KEITH HIGGINSON
Director

RICHARD ONEIDA MGR
BIG WOOD CANAL CO
PO BOX C
SHOSHONE ID 83352

Re: Application for Transfer No. 4240 (37-00867B)

Dear Mr. Oneida:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the Wood River Journal and Lincoln County Journal for 11/3 and 11/10/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mel Schulte
Water Right Agent

MS:MB

FEB 04 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

26-Oct-1993

R. KEITH HIGGINSON
Director

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Application for Transfer of Water Right No. 37-00867B,
(T# 4240, Big Wood Canal Co.)

Dear Mr. Peteson:

Enclosed is a copy of an Application for Transfer of a Water Right within your District, and Watermaster's Recommendation Form.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return it to this office.

Processing of the application can be completed in 20 days, therefore, your prompt response to this request will be appreciated.

If you have any questions about the application, please contact this office or the applicant.

Very truly yours,

Mel Schulte
Water Right Agent

MS:MB

Enclosures

RECEIVED

FEB 04 1994

MEMORANDUM

DATE: 16-Sep-1993

FROM: Loren Holmes *LH*

TO: Big Wood Canal Co. Transfer file

SUBJECT: Processing of transfer

I discovered this transfer application in my hold basket. I was initially puzzled as to why a transfer was required to make this change in the company's method of delivery. This right is one of 130 water rights held by BWCC and delivered through its system. The BWCC delivery system incorporates parts of the Little Wood River and Big Wood River to convey commingled Magic storage with natural flows.

The capability exist to deliver water via the Richfield canal and Jim Byrns Slough to the Little Wood River upstream from the proposed new point of re-diversion on the Little Wood River.

The only apparent new feature in the transfer application is the proposed re-diversion on the Little Wood River for Gary Kissler, the stockholder.

When processing is complete, the transfer should clarify that the right is still held by BWCC, and the watermaster is making delivery to BWCC, not Kissler at this point.

Minneapolis

FEB 04 1994

T# 42:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Richard Oneida, Manager
Big Wood Canal Co.
P. O. Box C
Shoshone, ID
83352

April 25, 1991

RE: Application for Transfer of Water Right 37-00867

Dear Mr. Oneida;

Per our conversation of yesterday, we are returning the above-referenced transfer application to you. Your money order for \$50. is also enclosed. I have prepared a new transfer application to accomplish the requested point-of-diversion change. If the transfer is satisfactory, it should be signed before a notary before being returned to this office for processing. If the transfer is not satisfactory as prepared, a blank transfer form is included for your use.

Sincerely,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

RECORDED

FEB 04 1994

T # 4240

37-00867 - Big Wood Canal Co.

P/D: 25, 18E, S18, NENE

25, 18E, S30, SESENE.

35, 18E, S9, NENESE.

45, 19E, S25, SENWNE.

55, 16E, S29, SWSESE

P/A: Numerous.

Div. Rate: 3000 cfs.

37-00867A - Big Wood Canal Co.

P/D: Same as above.

P/A: Same as above

Div. Rate: 2,999.775 cfs.

37-00867B - Big Wood Canal Co.

P/D:- 25, 18E, S30, SESENE.

* Rediversion P/D: 55, 19E, S5, NWSE.

Div. Rate: .225 cfs.

* Show in "remarks" only as a rediversion point from Little Wood River

RECORDED

FEB 04 1994

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/27/91
PAGE: 1

PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
11/16/1905	IRRIGATION	00-00 00-00	3000.00 CFS	
TOTAL DIVERSION:			3000.00 CFS	

Tributary to: MALAD RIVER

Stage: DECREED

R18E	S30	NE SE
R18E	S09	NE SE
R18E	S15	NW SE
R15E	S12	SE SW
	S15	NW NE

version and Source:

37-00045	37-00046	37-00058	37-00059B	37-00059D	37-00059E	37-00059F
37-00084C	37-00084D	37-00086	37-00087	37-00101	37-00110	37-00119
37-00123A	37-00123B	37-00124	37-00126	37-00129	37-00130	37-00131
37-00160	37-00161	37-00162	37-00163	37-00164	37-00165	37-00166
37-00170	37-00173	37-00174A	37-00175	37-00179	37-00190	37-00192
37-00247	37-00248	37-00256	37-00259	37-00261	37-00275	37-00277
37-00285	37-00287B	37-00288	37-00293	37-00294	37-00295	37-00299
37-00383	37-00384	37-00385	37-00386	37-00427	37-00430	37-00431
37-00500	37-00504	37-00505A	37-00505B	37-00506	37-00516	37-00517
37-00544	37-00551	37-00552	37-00576	37-00586	37-00587	37-00588
37-00600A	37-00600B	37-00607E	37-00607F	37-00608C	37-00615	37-00623
37-00647	37-00652	37-00660	37-00661	37-00669B	37-00671	37-00672
37-00675B	37-00690	37-00710	37-00711	37-00866	37-00869	37-00870
37-02436	T37-00059G	T37-00059H	T37-00059L	T37-00867		

DE DECREE FOR DESCRIPTION.

OLN, & GOODING COUNTIES.

BUT DETERMINED FROM WATERMASTER.

Priority Date: 11/16/1905

Proof Made Date:

Exam Sent to S.O.:

Field Exam Fee:

ERT

MICROFILMED

FEB 04 1994