

**Application for Transfer and
associated documents
have been re-numbered
due to new Workflow Transfer
database effective
December 2012**

See new transfer 78290

RECEIVED

AUG 20 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78290
76762**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78290

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

AUG 20 2010

Name of Applicant(s) Demi Moore Phone DEPT. OF WATER RESOURCES SOUTHERN REGION

Mailing Address c/o Bessy Wong, NKSF Management, 10100 Santa Monica Blvd. #1300, Los Angeles, CA 90067 Email _____

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

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

☐ No Representative

Name of Representative Charles G. Brockway, Ph.D., P.E. Phone (208) 736-8543

Mailing Address 2016 Washington St. North #4, Twin Falls, ID 83301 Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

[Signature]
Signature of Applicant or Authorized Representative

Print Name and Title if applicable

1/290
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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 Delete nature of use.
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. Change water right record to reflect point of diversion and place of use to which the right has been delivered for many years. Delete fish propagation as a use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	<u>37-30013 or</u>	<u>1.2</u>	<u>Recreation</u>	<u>1/1</u> to <u>12/31</u>	<u>Big Wood R. / Malad R.</u>
☐ ☐	<u>37-577CH</u>	<u>1.2</u>	<u>Aesthetic</u>	<u>1/1</u> to <u>12/31</u>	<u>Big Wood R. / Malad R.</u>
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.2 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 1.2 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NE	NW	5	2N	18E	Blaine	Big Wood River	Aspen #27
			NW	NE	5	2N	18E	Blaine	Big Wood River	Aspen #27

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	18E	5		R, J	R, J														

R = Recreation, J = Aesthetic

Total Acres (for irrigation use) _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: Aspen Lakes #27 headgate, through measuring weir, via ditch to pond system on applicant's property. River channel has been shifting markedly, and a new diversion system is in the process of being constructed. New point of diversion may be across the 40 line (see attached photo).
- b. Who owns the property at the point(s) of diversion? Sharon and/or Reid Johnson
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Headgate is owned and operated by Aspen Lakes Canal Company, of which both applicant and owner of property at point of diversion are shareholders.
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: N/A

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: 37-557, 37-558, and 37-559
are irrigation rights owned by Aspen Lakes Canal Company and appurtenant to this headgate. Applicant is majority shareholder in the company.
Note: Water right is known as 37-30013 by allocations, and 37-577CH in the SRBA.

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
- | Yes | No | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: _____

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

Current Water Right No.: 37-30013

Current Owner: PETER M THOMAS TRUST
RIVER GROVE FARM

Priority Date: 3/24/1883

Origin: Water Right

Status: Active

Basis: Decreed

Source		Tributary			
BIG WOOD RIVER		MALAD RIVER			
Beneficial Use	From To	Diversion Rate	Annual Volume		
FISH PROPAGATION	1/01 to 12/31	1.2 CFS			
RECREATION	1/01 to 12/31	1.2 CFS			
AESTHETIC	1/01 to 12/31	1.2 CFS			
	Total Diversion	1.2 CFS			
Location of Point(s) of Diversion					
BIG WOOD RIVER		SE1/4SW1/4	Sec. 32,	Twp 03N,	Rge 18E B.M.
BLAINE County					
BIG WOOD RIVER		NE1/4NW1/4	Sec. 5,	Twp 02N,	Rge 18E B.M.
BLAINE County					

Place of Use

FISH PROPAGATION Within BLAINE County

T02N R18E S5	SENE	T02N R18E S5	NESE
--------------	------	--------------	------

Place of Use: RECREATION same as FISH PROPAGATION

Place of Use: AESTHETIC same as FISH PROPAGATION

Conditions of Approval:

1. T09 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.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 8 DISTRICT.
3. Diversion of water under this right is limited to 180 acre feet annually.
Total consumptive volume is limited to 150 acre feet.
Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 6/27/1925

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

Current Water Right No.: 37-577CH

Current Owner: RIVER GROVE FARM
PETER M THOMAS TRUST

Priority Date: 3/24/1883

Origin: Adjudication Recommendation

Status: Active

Basis: Decreed

Source		Tributary			
BIG WOOD RIVER		MALAD RIVER			
Beneficial Use	From To	Diversion Rate	Annual Volume		
FISH PROPAGATION	01/01 to 12/31	1.2 CFS			
RECREATION	01/01 to 12/31	1.2 CFS			
AESTHETIC	01/01 to 12/31	1.2 CFS			
	Total Diversion	1.2 CFS	180 AF		
Location of Point(s) of Diversion					
BIG WOOD RIVER		L3(NE1/4NW1/4)	Sec. 5,	Twp 02N,	Rge 18E B.M.
BLAINE County					
BIG WOOD RIVER		SE1/4SW1/4	Sec. 32,	Twp 03N,	Rge 18E B.M.
BLAINE County					
Place of Use					
<u>FISH PROPAGATION Within BLAINE County</u>					
T02N R18E S5	SENE	T02N R18E S5	NESE		

Place of Use: RECREATION same as FISH PROPAGATION

Place of Use: AESTHETIC same as FISH PROPAGATION

Conditions of Approval:

1. Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. R05 Use of water under this right will be regulated by the watermaster of State Water District No. 37.
5. Total consumptive volume is limited to 150 acre feet annually.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: _____

(cfs/ac-ft)

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

Total Acres (for irrigation use) _____

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

RECEIVED
AUG 31 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 30 2011

By _____
Clerk
Deputy Clerk

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

In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 37-00577CH
	)	(River Grove Farm / Peter Trust LP)
_____	)	

On July 13, 2011, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED August 30, 2011.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

Transfer 78290

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

In Re SRBA)
Case No. 19576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-00577CH

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 30 2011

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: RIVER GROVE FARM
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY, ID 83353

PETER TRUST LP
PO BOX 642
SUN VALLEY, ID 83353

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.20 CFS
180.00 AFY

Total consumptive volume is limited to 150 acre feet annually.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T02N R18E S05 LOT 3 (NENW) Within Blaine County
T03N R18E S32 SESW

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Fish Propagation	01-01 TO 12-31	1.20 CFS
Recreation	01-01 TO 12-31	1.20 CFS
Aesthetic	01-01 TO 12-31	1.20 CFS

PLACE OF USE:	Fish Propagation	Within Blaine County
	T02N R18E S05	SENE
	Recreation	Within Blaine County
	Same as Fish Propagation	
	Aesthetic	Within Blaine County
	Same as Fish Propagation	

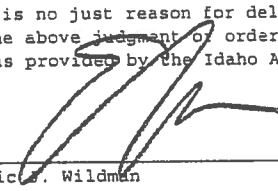
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

Transfer 78290

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric S. Wildman
Presiding Judge of the
Snake River Basin Adjudication

03/28/2011

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-577CH

NAME AND ADDRESS: RIVER GROVE FARM
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353

PETER M THOMAS TRUST
300 S 4TH ST STE 200
LAS VEGAS NV 89101

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.200 CFS
180.00 AFY

Total consumptive volume is limited to 150 acre feet annually.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T02N R18E S5 NENW Lot 3 Within BLAINE County
T03N R18E S32 SESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	1.200 CFS
RECREATION	01/01 12/31	1.200 CFS
AESTHETIC	01/01 12/31	1.200 CFS

PLACE OF USE: FISH PROPAGATION in BLAINE County

T02N R18E S05 SENE T02N R18E S05 NESE

RECREATION same as FISH PROPAGATION
AESTHETIC same as FISH PROPAGATION

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.

Failure of the right holder to comply with the conditions of ~~this~~-transfer 3776 is cause for the Director to rescind approval of the transfer.

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

Transfer 78290

03/28/2011

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-577CH

NAME AND ADDRESS: RIVER GROVE FARM
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353

PETER M THOMAS TRUST
300 S 4TH ST STE 200
LAS VEGAS NV 89101

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 1.200 CFS
180.00 AFY

Total consumptive volume is limited to 150 acre feet annually.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION: T02N R18E S5 NENW Lot 3 Within BLAINE County
T03N R18E S32 SESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	1.200 CFS
RECREATION	01/01 12/31	1.200 CFS
AESTHETIC	01/01 12/31	1.200 CFS

PLACE OF USE: FISH PROPAGATION in BLAINE County
T02N R18E S05 SENE T02N R18E S05 NESE
RECREATION same as FISH PROPAGATION
AESTHETIC same as FISH PROPAGATION

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion.

Failure of the right holder to comply with the conditions of ~~this transfer~~ 3776 is cause for the Director to rescind approval of the transfer.

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

Transfer 78290

QUITCLAIM DEED

FOR VALUE RECEIVED, Walter Bruce Willis, Grantor, does
Hereby convey, release, remise and forever quitclaim unto Demi Gene Moore,
whose address is c/o Fred Nigronks Management, Inc., 10100 Santa Monica Blvd. Los Angeles, CA 90067,
the following described premises, to-wit:

IDWR Water rights known as 37-30013 (also known as 37-577CH in the SRBA) as appurtenant to:

182 Aspen Lake Drive, Hailey, Idaho - Flying Heart Subdivision #2, Lots 34, 37, 38, 39 and AM 41

Blaine county.

Together with the appurtenances.

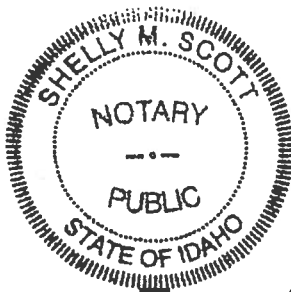
This deed is intended to convey to the Grantee all right, title, and interest of the Grantor in and to
said property, now owned or hereafter acquired.

Date July 1, 2010

Walter Bruce Willis
Signature, Grantor

STATE OF IDAHO)
) ss.
County of Blaine)

On this 1st day of July, 2010, before me, the
undersigned, a Notary Public in and for said state, personally appeared Walter Bruce Willis
known to me to be the person whose name is subscribed to the within instrument, and acknowledged to
me that he/she executed the same.



Shelly M. Scott
NOTARY PUBLIC for Idaho
Residing at: Blaine County
My Commission Expires: 11/16/2011

Transfer 78290

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS that the PETER TRUST, in consideration of the sum of TWELVE THOUSAND DOLLARS (\$12,000.00), in hand paid, by BRUCE WILLIS, the receipt of which is hereby acknowledged, have granted, bargained, sold, conveyed, transferred, and delivered and by these presents to bargain, sell, grant, convey, transfer, and deliver unto BRUCE WILLIS, those non-consumptive water rights as set forth in Right No. 37-00577AH, with all rights appurtenant thereto.

To have and to hold the same unto BRUCE WILLIS, his executors, administrators, and assigns, forever;

I do for myself, my executors, administrators, and assigns, covenant and agree to warrant exclusive right and title to said water right hereby sold unto BRUCE WILLIS, his executors, administrators, and assigns, against all and every person and persons whomsoever;

I do for myself, my executors, administrators and assigns, warrant and represent to BRUCE WILLIS that the Title conveyed is good, its transfer is rightful; and that said water has been, or shall be, delivered from any security interest or other lien or encumbrance thereon.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 6th day of December, 1991.

PETER TRUST

By: [Signature]
Notary Public

STATE OF IDAHO)

County of Blaine)

ss.

On this the 6th day of December, 1991, before me the undersigned Notary Public, personally appeared Peter Thomas, being first duly sworn and known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he/she executed the same for the purpose contained therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

[Signature]
Notary Public for Idaho

Residing at: Ketchikan, Alaska

Transfer 78290

T #4988

FILED EFFECTIVELY

2003 JUL 30 AM 8:46

ORIGINAL IN RED

ARTICLES OF INCORPORATION
OF
ASPEN LAKES CANAL COMPANY

STATE OF IDAHO

The undersigned, acting as the incorporator of a nonprofit corporation (the "Corporation") organized under and pursuant to the Idaho Nonprofit Corporation Act, Idaho Code Section 30-3-1 et seq. (the "Act"), adopts the following Articles of Incorporation (the "Articles").

ARTICLE I

NAME

The name of the Corporation is ASPEN LAKES CANAL COMPANY

ARTICLE II

NONPROFIT STATUS

The Corporation is a nonprofit corporation.

ARTICLE III

PERIOD OF DURATION

The period of duration of the Corporation is perpetual.

ARTICLE IV

REGISTERED OFFICE AND AGENT

The street address of the Corporation's initial registered office in the State of Idaho is 120 East Avenue, Ketchum, Idaho. The name of the initial registered agent of the Corporation at this office is James P. Speck.

ARTICLE V

PURPOSES

The purposes for which the Corporation is organized and will be operated are as follows:

A. To own, operate and maintain the Aspen Lakes diversion works and delivery system, Water Rights Nos. 37-557, 37-558 and 37-559 and any other water rights which might be acquired by the Corporation for the delivery to and beneficial use by the members of the Corporation, and

Transfer 78290

IDAHO SECRETARY OF STATE
07/30/2003 05:00
CK: 72545 CT: 2543 SH: 603673
90.00 = 38.00 INC NONP 2
C150222

to levy and collect from its members, in the manner prescribed by law, assessments reasonably calculated to provide for the necessary improvement, repair, and maintenance and operation of said water right delivery system.

B. To have and to exercise any and all powers, rights and privileges which a corporation organized under the Act or any amendment thereto or substitute therefor, may now or hereafter have or exercise, or which are necessary and proper to carry out the foregoing purposes. Nothing herein shall be deemed to authorize or permit the Corporation to carry on any business for profit, to exercise any power, or to do any act that a corporation formed under the Act, or any amendment thereto or substitute therefor, may not at that time lawfully carry on or do.

ARTICLE VI

LIMITATIONS

No part of the net earnings or the assets of the Corporation shall inure to the benefit of, or be distributable to, its members, directors, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article V hereof.

ARTICLE VII

MEMBERS

The Corporation shall have voting members of one class. Membership shall be appurtenant to Lots 33, 34, 37, 38, 39A, 40 and 41 of Flying Heart Ranch No. 2 Subdivision and Lot 3, Flying Heart Ranch No. 1 Subdivision (the "Lots"). Membership shall not be transferred, pledged, or alienated in any way except upon the transfer of legal and equitable title to a Lot, and then only to the transferee of such title.

ARTICLE VIII

BOARD OF DIRECTORS

The affairs of the Corporation shall be managed by its board of directors. The number of directors serving on the board of directors shall be fixed in accordance with the bylaws of the Corporation. Other than directors constituting the initial board of directors, who are designated below, the directors shall be elected by the members of the Corporation in the manner and for the term provided in the bylaws of the Corporation. The names and mailing addresses of the four (4) persons constituting the initial board of directors are as follows:

NAME

ADDRESS

Reid Johnson

THE PLANNING GROUP
OF SCOTTSDALE, LLC
8777 N. Gainey Center Drive, Suite 265
Scottsdale, AZ 85258-2133

Orlando Ferrante

1223 Adair Street
San Marino, CA 91108

Bruce Willis

P. O. Box 3212
Hailey, ID 83333

Demi Moore

P. O. Box 2343
Hailey, ID 83333

ARTICLE IX

ASSESSMENTS

The members of the Corporation may be assessed in such amounts and on the basis provided for and described in the Bylaws of the Corporation. Such assessments shall be secured by liens in favor of the Corporation encumbering the lands to which membership is appurtenant.

ARTICLE X

DISTRIBUTION ON DISSOLUTION

Upon dissolution of the Corporation, the board of directors shall, after paying or making provision for the payment of all liabilities of the Corporation, distribute all of the assets of the Corporation consistent with the purposes of the Corporation. Any such assets not so distributed shall be distributed by the Blaine County District Court exclusively for the purposes or to such organizations as such court shall determine to be consistent with the purposes of the Corporation.

ARTICLE XI

INCORPORATOR

The name and mailing address of the incorporator is as follows:

NAME

James P. Speck

ADDRESS

PO Box 987
Ketchum, ID 83340

ARTICLE XII

BYLAWS

Provisions for the regulation of the internal affairs of the Corporation shall be set forth in the bylaws of the Corporation.

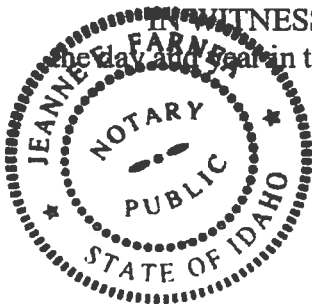
DATED this 24 day of July, 2003

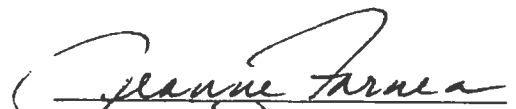

James P. Speck

STATE OF IDAHO)
) ss.
County of Blaine)

On this 24th day of July, 2003, before me, Notary Public in and for said State, personally appeared James P. Speck, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

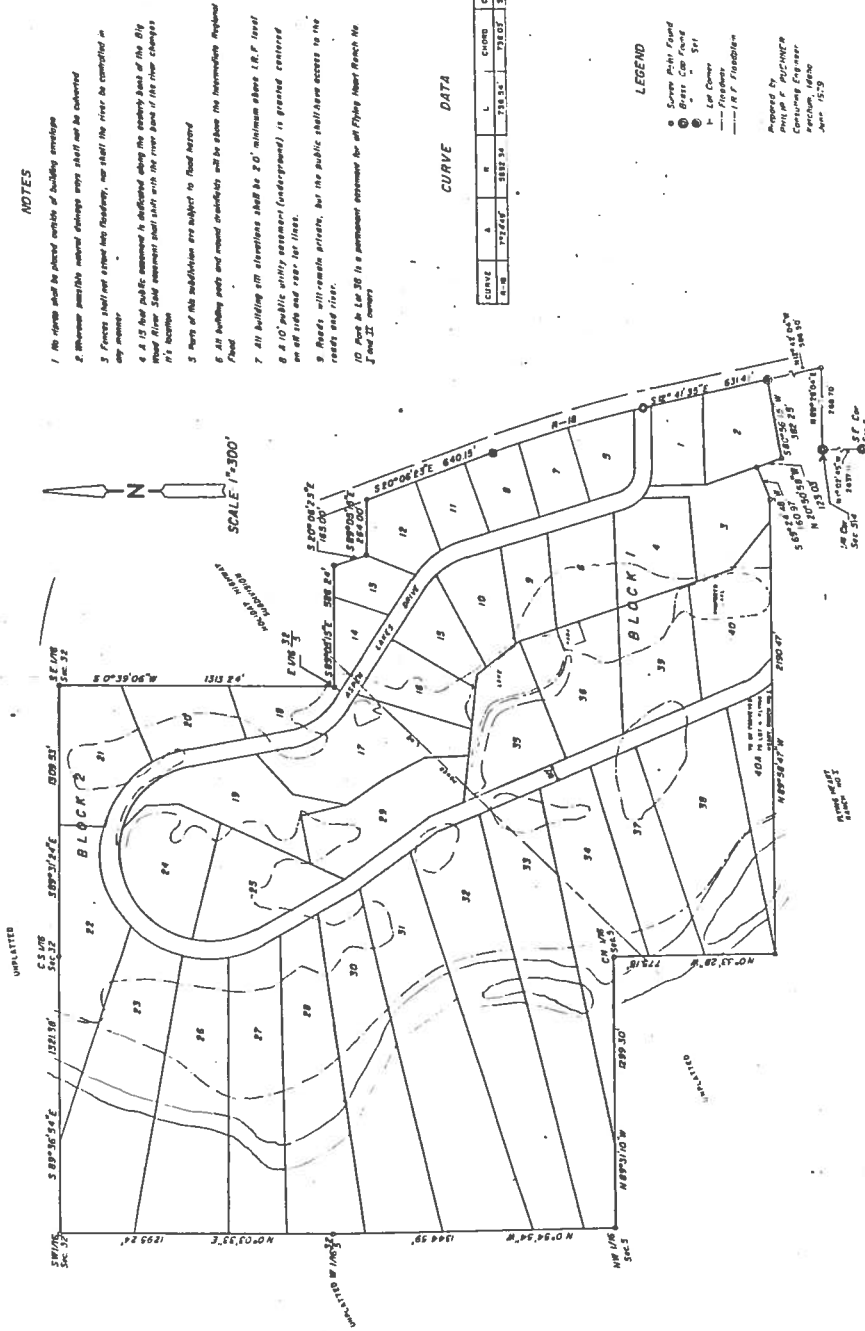



Notary Public for Idaho
Residing at: Ketchum, Idaho
Comm. Expires: 05-05-09

FLYING HEART RANCH NO. II

SECS. 48.5, T2N, R18E, & SEC. 32, T3N, R18E, B.M.

BLAINE COUNTY, IDAHO



NOTES

1. No signs shall be placed outside of building envelope.
2. Whenever possible, natural drainage ways shall not be interfered.
3. Easements shall not be placed over the drainage, nor shall the river be controlled in any manner.
4. A 10' wide public easement is indicated along the entire bank of the Big Lost River. Said easement shall start with the river bank if the river changes its location.
5. Parts of this subdivision are subject to flood hazard.
6. All building pads and road easements shall be shown on the intermediate Regional Plan.
7. All building set-backs shall be 20' minimum above L.R.P. level.
8. A 10' wide utility easement (underground) is granted centered on section and river to line.
9. Roads will remain private, but the public shall have access to the roads and river.
10. Part of Lot 36 is a permanent easement for an Flying Heart Ranch No. II and 22, corner.

CURVE DATA

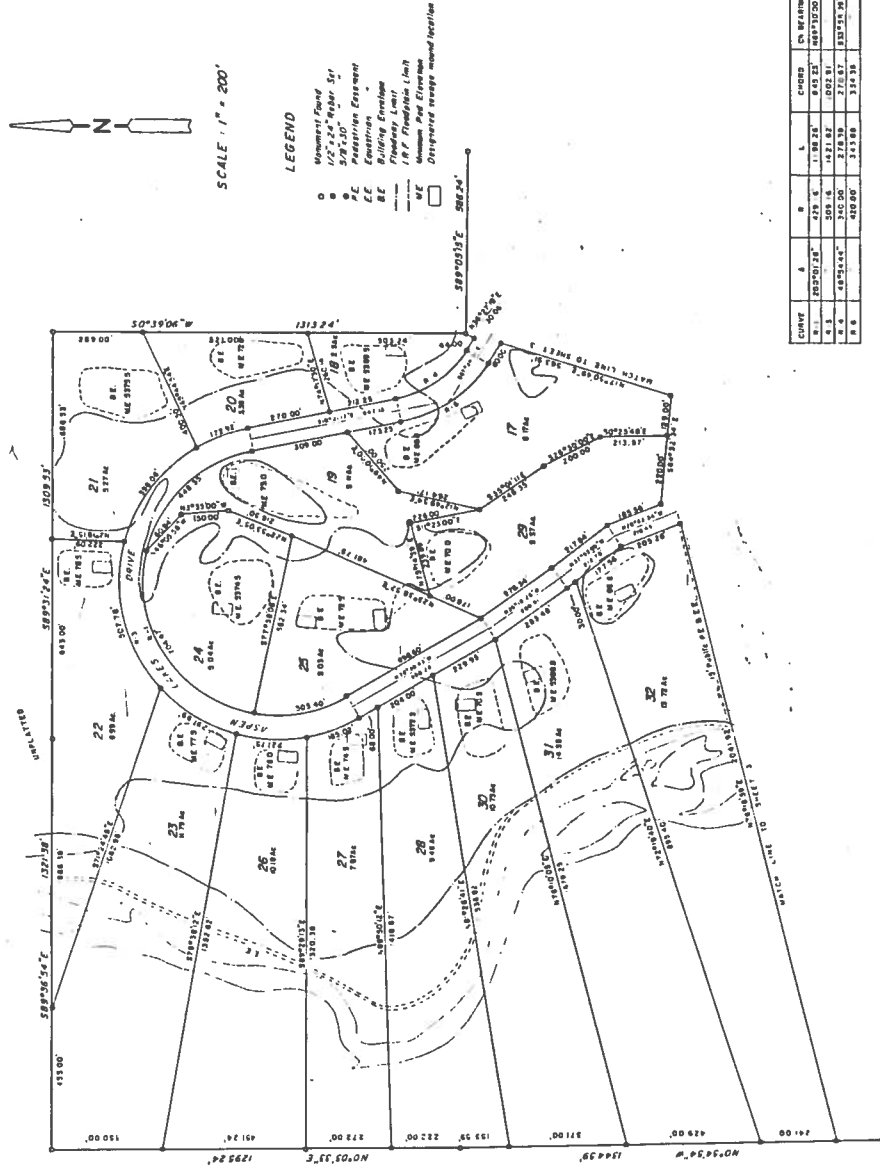
CURVE	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI	AJ	AK	AL	AM	AN	AO	AP	AQ	AR	AS	AT	AU	AV	AW	AX	AY	AZ	BA	BB	BC	BD	BE	BF	BG	BH	BI	BJ	BK	BL	BM	BN	BO	BP	BQ	BR	BS	BT	BU	BV	BW	BX	BY	BZ	CA	CB	CC	CD	CE	CF	CG	CH	CI	CJ	CK	CL	CM	CN	CO	CP	CQ	CR	CS	CT	CU	CV	CW	CX	CY	CZ	DA	DB	DC	DD	DE	DF	DG	DH	DI	DJ	DK	DL	DM	DN	DO	DP	DQ	DR	DS	DT	DU	DV	DW	DX	DY	DZ	EA	EB	EC	ED	EE	EF	EG	EH	EI	EJ	EK	EL	EM	EN	EO	EP	EQ	ER	ES	ET	EU	EV	EW	EX	EY	EZ	FA	FB	FC	FD	FE	FF	FG	FH	FI	FJ	FK	FL	FM	FN	FO	FP	FQ	FR	FS	FT	FU	FV	FW	FX	FY	FZ	GA	GB	GC	GD	GE	GF	GG	GH	GI	GJ	GK	GL	GM	GN	GO	GP	GQ	GR	GS	GT	GU	GV	GW	GX	GY	GZ	HA	HB	HC	HD	HE	HF	HG	HH	HI	HJ	HK	HL	HM	HN	HO	HP	HQ	HR	HS	HT	HU	HV	HW	HX	HY	HZ	IA	IB	IC	ID	IE	IF	IG	IH	II	IJ	IK	IL	IM	IN	IO	IP	IQ	IR	IS	IT	IU	IV	IW	IX	IY	IZ	JA	JB	JC	JD	JE	JF	JG	JH	JI	IJ	JK	KL	KM	KN	KO	KP	KQ	KR	KS	KT	KU	KV	KW	KX	KY	KZ	LA	LB	LC	LD	LE	LF	LG	LH	LI	LJ	LK	LL	LM	LN	LO	LP	LQ	LR	LS	LT	LU	LV	LW	LX	LY	LZ	MA	MB	MC	MD	ME	MF	MG	MH	MI	MJ	MK	ML	MM	MN	MO	MP	MQ	MR	MS	MT	MU	MV	MW	MX	MY	MZ	NA	NB	NC	ND	NE	NF	NG	NH	NI	NJ	NK	NL	NM	NN	NO	NP	NQ	NR	NS	NT	NU	NV	NW	NX	NY	NZ	OA	OB	OC	OD	OE	OF	OG	OH	OI	OJ	OK	OL	OM	ON	OO	OP	OQ	OR	OS	OT	OU	OV	OW	OX	OY	OZ	PA	PB	PC	PD	PE	PF	PG	PH	PI	PJ	PK	PL	PM	PN	PO	PP	PQ	PR	PS	PT	PU	PV	PW	PX	PY	PZ	QA	QB	QC	QD	QE	QF	QG	QH	QI	QJ	QK	QL	QM	QN	QO	QP	QQ	QR	QS	QT	QU	QV	QW	QX	QY	QZ	RA	RB	RC	RD	RE	RF	RG	RH	RI	RJ	RK	RL	RM	RN	RO	RP	RQ	RR	RS	RT	RU	RV	RW	RX	RY	RZ	SA	SB	SC	SD	SE	SF	SG	SH	SI	SJ	SK	SL	SM	SN	SO	SP	SQ	SR	SS	ST	SU	SV	SW	SX	SY	SZ	TA	TB	TC	TD	TE	TF	TG	TH	TI	TJ	TK	TL	TM	TN	TO	TP	TQ	TR	TS	TT	TU	TV	TW	TX	TY	TZ	UA	UB	UC	UD	UE	UF	UG	UH	UI	UJ	UK	UL	UM	UN	UO	UP	UQ	UR	US	UT	UU	UV	UW	UX	UY	UZ	VA	VB	VC	VD	VE	VF	VG	VH	VI	VJ	VK	VL	VM	VN	VO	VP	VQ	VR	VS	VT	VU	VV	VW	VX	VY	VZ	WA	WB	WC	WD	WE	WF	WG	WH	WI	WJ	WK	WL	WM	WN	WO	WP	WQ	WR	WS	WT	WU	WV	WW	WX	WY	WZ	XA	XB	XC	XD	XE	XF	YG	YH	YI	YJ	YK	YL	YM	YN	YO	YP	YQ	YR	YS	YT	YU	YV	YW	YX	YY	YZ	ZA	ZB	ZC	ZD	ZE	ZF	ZG	ZH	ZI	ZJ	ZK	ZL	ZM	ZN	ZO	ZP	ZQ	ZR	ZS	ZT	ZU	ZV	ZW	ZX	ZY	ZZ
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LEGEND

- Survey Point Found
- Survey Corner
- Survey Station
- Survey Line
- Survey Boundary
- Survey Easement
- Survey Right-of-Way
- Survey Road
- Survey Water
- Survey Building
- Survey Fence
- Survey Other

Prepared by
 Phil M. P. P. P. P. P.
 Consulting Engineer
 Blaine County, Idaho
 April 1979

FLYING HEART RANCH NO. II



COUNTY	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
1	202020.28	279.5	1.00	28	945.23	687.10	20.1	142.82	1002.81	333.55	78.1	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5
2	407544.5	242.00	2.13	88	314.35	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

CERTIFICATE OF OWNERSHIP

This is to certify that Bruce Willis is the owner of the Real Property described as follows:

All of Lots 38 and 41, Flying Heart Ranch II Subdivision Replat as recorded at the office of the Blaine County Recorder, Halsey, Idaho.

IN WITNESS WHEREOF, I have hereunto set our hands this _____ day of _____, 19____.

[Signature]
BRUCE WILLIS

ACKNOWLEDGEMENT

STATE OF IDAHO } ss
COUNTY OF BLAINE }

On this _____ day of _____, 19____, before me, a Notary Public in and for said state personally appeared the above named persons and acknowledged to me that they executed the foregoing instrument as their free and voluntary act and deed.

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

[Signature]
Notary Public

SURVEYOR'S CERTIFICATE

I, Richard F. Woodhouse, a registered land surveyor in the State of Idaho do hereby certify that the AMENDED PLAT OF LOTS 38 AND 41, FLYING HEART RANCH II SUBDIVISION REPLAT is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.

[Signature]
12-22-94

COUNTY ENGINEER'S APPROVAL

I, Jim W. Koence, County Engineer for Blaine County, Idaho, have checked the foregoing plat and map and find them to be correct and have determined that they comply with the laws of the State of Idaho relating thereto.

[Signature]
County Engineer
Date 6/19/94

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

The foregoing plat was approved by the Blaine County Planning and Zoning Commission on this _____ day of _____, 19____.

[Signature]

APPROVAL OF COUNTY COMMISSIONERS

The foregoing plat was approved by the county board of commissioners on this _____ day of _____, 19____.

[Signature]
Chairman

COUNTY TREASURER'S APPROVAL

The taxes on the foregoing parcel of land have been paid to this date and this plat is hereby approved this _____ day of _____, 19____.

[Signature]
Blaine County Treasurer

COUNTY RECORDER'S CERTIFICATE

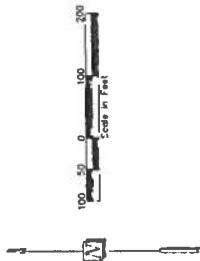
STATE OF IDAHO } ss
COUNTY OF BLAINE }

This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho on this _____ day of _____, 19____, at _____ M., and duly recorded in Plat Book _____ at page _____.

[Signature]
Ex-Officio Recorder

SANITARY RESTRICTIONS

AMENDED PLAT Lots 38 and 41 Flying Heart Ranch II Subdivision Replat Located in Section 5, T. 2 N., R. 18 E., B.M., Blaine County, Idaho 1994



LEGEND

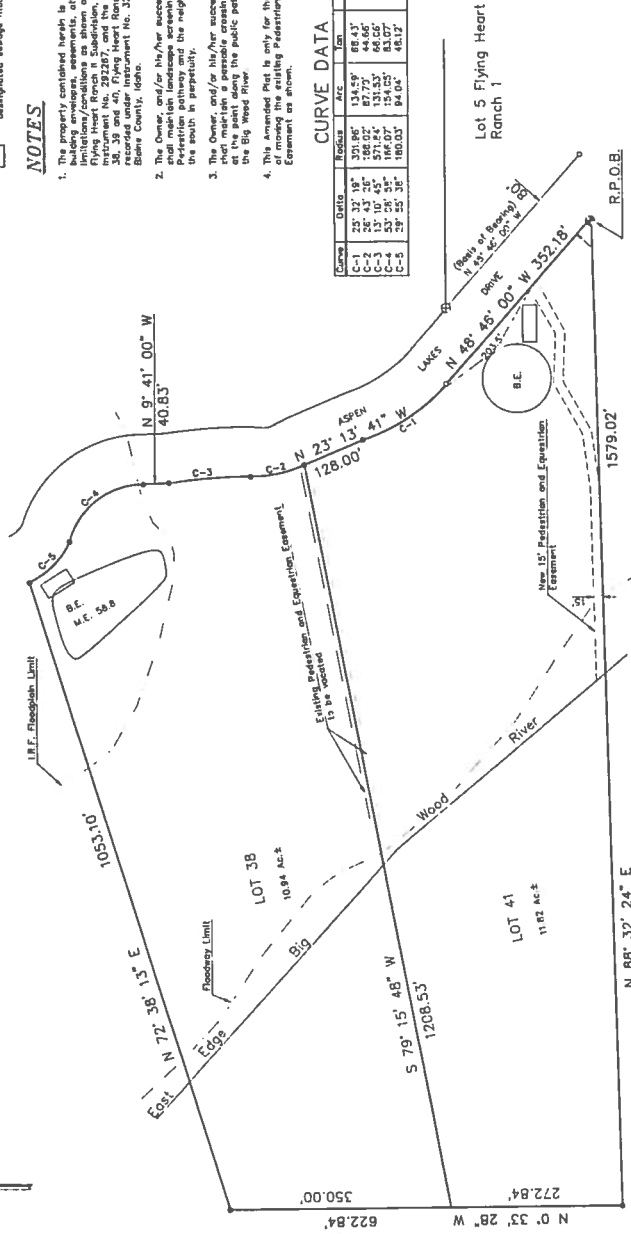
- ⊕ set datum cap
- ⊕ found datum cap
- () record date
- found 1 1/2" iron pin
- set 1 1/2" iron pin (renew)
- property boundary
- - - I.R.F. floodplain limit
- - - roadway limit
- - - building envelope
- B.E. minimum pad elevation
- designated average mound location

NOTES

- The property contained herein is subject to all water, building, and other restrictions, easements, and other restrictions/limitations/conditions as shown on the plat of Flying Heart Ranch II Subdivision, Record of Lots 37, 38, 39 and 40, Flying Heart Ranch II Subdivision, recorded under instrument No. 222287, and the Record of Lots 37, 38, 39 and 40, Flying Heart Ranch II Subdivision, recorded under instrument No. 32653, Blaine County, Idaho.
- The Owner, and/or his/her successors and assigns, shall maintain a permanent easement for the purpose of a pedestrian pathway and the neighboring property to the south in perpetuity.
- The Owner, and/or his/her successors and assigns, shall maintain a permanent easement for the purpose of a pedestrian pathway and the neighboring property to the south in perpetuity.
- This Amended Plat is only for the express purpose of moving the existing Pedestrian and Equestrian Easement as shown.

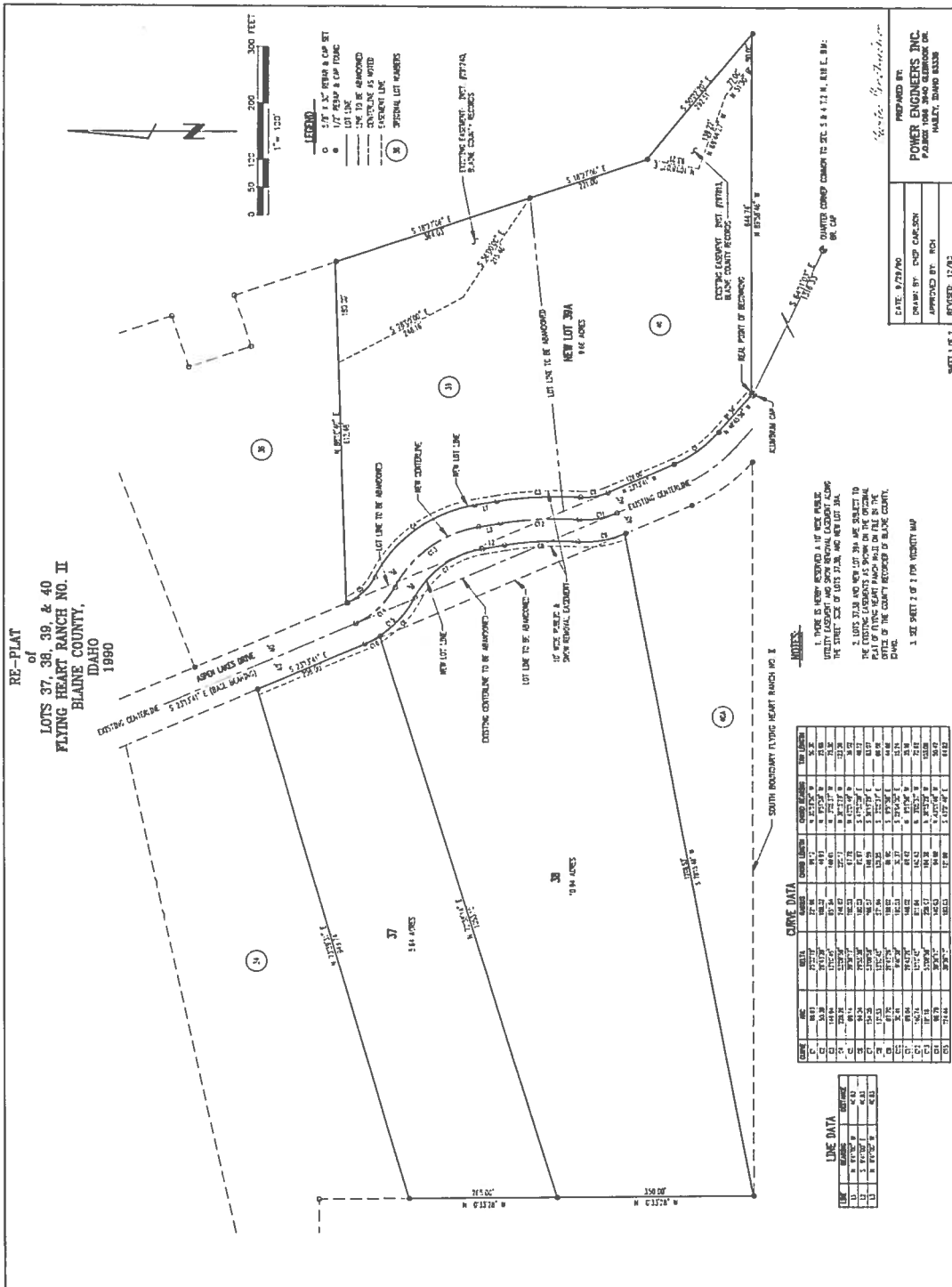
CURVE DATA

Curve	Delta	Radius	Arc	Ch. L	Ch. Bg.
C-1	22° 32' 18"	320.86'	134.59'	68.43'	133.48'
C-2	13° 10' 05"	462.42'	127.97'	64.05'	127.97'
C-3	13° 10' 05"	371.84'	123.53'	64.05'	131.12'
C-4	53° 26' 35"	166.07'	124.05'	63.07'	148.59'
C-5	29° 55' 36"	180.03'	84.04'	48.12'	92.87'
					147.3279' W



SAWTOOTH ENGINEERING
 Civil Engineers and Land Surveyors

Bozeman (208) 788-9080 Idaho



Transfer 78290

FLYING HEART RANCH NO. 2
LOT 4, FLYING HEART RANCH NO. 1 AND LOT 40A, FLYING HEART RANCH NO. 2, AMENDED

OWNER'S CERTIFICATE

ENDOWED WITH BY THESE PRESENT that APPLES LINES, a limited partnership, does hereby certify that it is the owner of certain parcels of land described as follows:

PARCEL ONE
Lot 4, Flying Heart Ranch No. 1, according to the official plat thereof on file in the office of the County Recorder, Blaine County, Idaho.

PARCEL TWO
Lot 40A, Flying Heart Ranch No. 2, according to the official plat thereof on file in the office of the County Recorder, Blaine County, Idaho.

The above described parcels contain a gross area of 11.00 acres.

It is the intention of the undersigned to and they do hereby include said land in this plat.

IN WITNESS WHEREOF, I have hereunto set my hand.

JONAS BISS, General Partner APPLES LINES, dated _____ day of _____, 1987.

RECORDING

STATE OF IDAHO)
COUNTY OF BLAINE) ss

On this _____ day of _____, 1987, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared _____, a person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

My commission expires _____
Residing at _____
Notary Public

COUNTY RECORDER'S CERTIFICATE

I hereby certify that this instrument was filed for the record at the request of _____ at _____ minutes past _____ o'clock, P.M., on _____ day of _____, 1987, and that it is a true and correct copy of the original as recorded in Book _____ of Page _____ of the _____ of Blaine County, Idaho.

Instrument No. 8794-267
Page 11

SUBMITTER'S CERTIFICATE

By: Jonas Biss

SURVEYOR'S CERTIFICATE

I, Philip F. Pugh, a duly Registered Land Surveyor in the State of Idaho, do hereby certify that I have surveyed the above described land and that the same has been definitely established and perpetuated in strict accordance with the State Survey Laws and that the same is a true and correct copy of the original as recorded in Book _____ of Page _____ of the _____ of Blaine County, Idaho, as described in the Owner's Certificate.



COUNTY SURVEYOR'S APPROVAL

This is to certify that I, Jim M. Soames, County Surveyor for Blaine County, Idaho, have checked the foregoing plat and computations for errors, the same and have determined that they comply with the laws of the State of Idaho relating thereto.



BLAINE COUNTY PLANNING AND ZONING COMMISSION'S APPROVAL

The foregoing plat was approved and accepted this _____ day of _____, 1987, by the Blaine County Planning and Zoning Commission.

By: James J. Pauling
Chairman, Commission

BLAINE COUNTY COMMISSIONER'S APPROVAL

The foregoing plat was approved and accepted this _____ day of _____, 1987, by the Blaine County Commissioners.

By: Robert Hansen

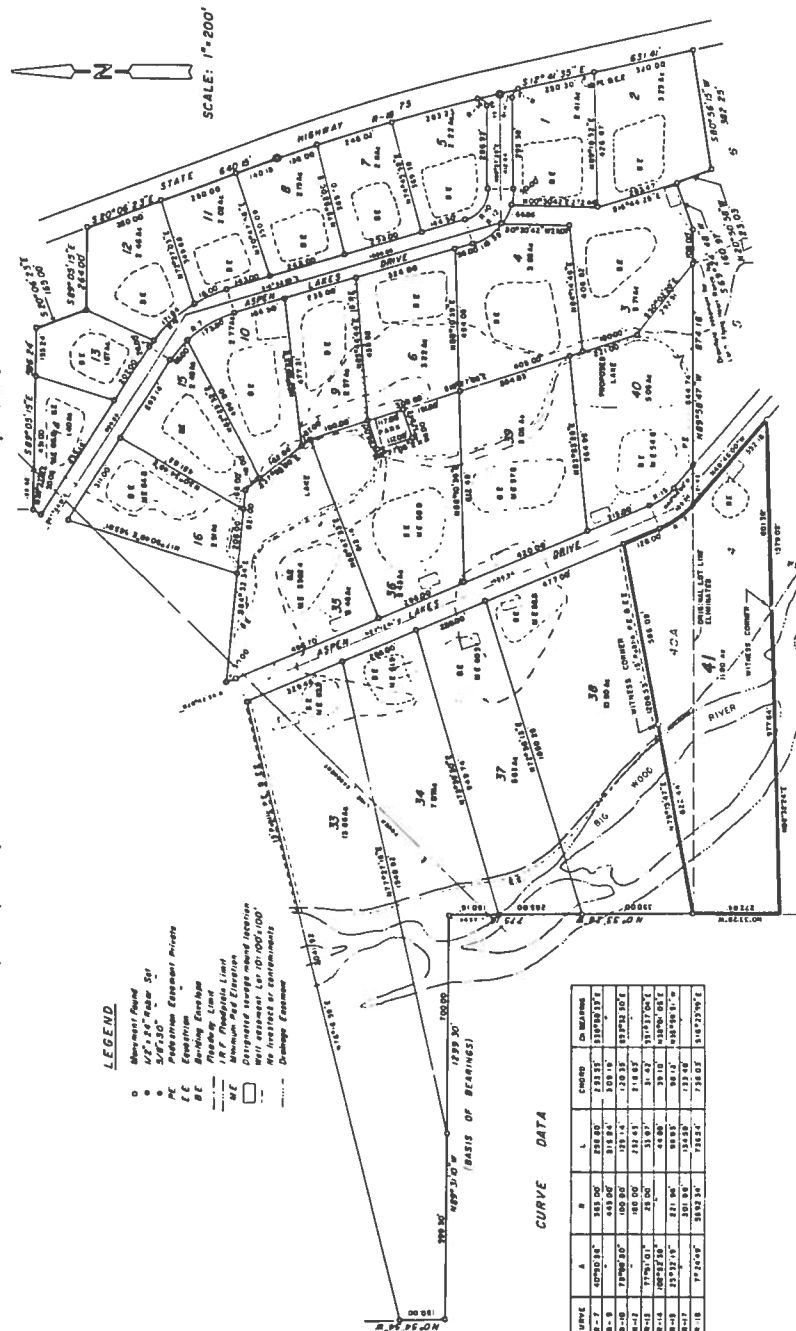
BLAINE COUNTY TREASURER'S CERTIFICATE

On this _____ day of _____, 1987, the foregoing plat was approved and accepted by the Blaine County Treasurer, Blaine County, Idaho.

By: John L. Dick

FLYING HEART RANCH NO. 2

LOT 4, FLYING HEART RANCH NO. 1 AND LOT 40A, FLYING HEART RANCH NO. 2, AMENDED
 WHEREIN LOT 4, FLYING HEART RANCH NO. 1 AND LOT 40A, FLYING HEART RANCH NO. 2
 ARE AMENDED, CREATING LOT 41, FLYING HEART RANCH NO. 2
 SEC. 5, T2N, R18E, B.M.
 BLAINE COUNTY, IDAHO



CURVE DATA

CURVE	A	B	L	CHORD	IN MILES
1	100.00	100.00	100.00	100.00	1.5625
2	100.00	100.00	100.00	100.00	1.5625
3	100.00	100.00	100.00	100.00	1.5625
4	100.00	100.00	100.00	100.00	1.5625
5	100.00	100.00	100.00	100.00	1.5625
6	100.00	100.00	100.00	100.00	1.5625
7	100.00	100.00	100.00	100.00	1.5625
8	100.00	100.00	100.00	100.00	1.5625
9	100.00	100.00	100.00	100.00	1.5625
10	100.00	100.00	100.00	100.00	1.5625
11	100.00	100.00	100.00	100.00	1.5625
12	100.00	100.00	100.00	100.00	1.5625
13	100.00	100.00	100.00	100.00	1.5625
14	100.00	100.00	100.00	100.00	1.5625
15	100.00	100.00	100.00	100.00	1.5625
16	100.00	100.00	100.00	100.00	1.5625
17	100.00	100.00	100.00	100.00	1.5625
18	100.00	100.00	100.00	100.00	1.5625

PREPARED BY:
 PUCHNER ENGINEERING
 KETCHUM, IDAHO

ENGINEER'S CERTIFICATE

I, Philip F. Puckett, a duly registered land surveyor in the State of Idaho, do hereby certify that this plan of FLYING HEART RANCH, NO. 22, is a true and accurate map of the land surveyed by me; that the location of the lots and roads has definitely been established and perpetuated in strict accordance with the State of Idaho Code relating to plats and surveys and that they are, as shown hereon, a portion of the land described in the owners' certificate.

of the lots and roads was definitely been established and perpetuated in strict accordance with the State of Idaho Code relating to plats and surveys and that they are, as shown herein, a portion of as described in the owners certificate.

This is to certify that I, Jim W. Kogee, County Engineer for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.

IN WITNESS WHEREOF, I have set my hand this 7 day of JULY, 1979

The foregoing plot of FLYING HEART RANCH NO. II was approved and accepted this 10th day of July 1937 by the Blaine Equity Planning and Zoning Commission.

Chang D. Sitt
Administrator

BLAINE COUNTY COMMISSIONER'S APPROVAL

The foregoing plat of FLYING HEART RANCH NO II was approved and accepted this 12th day of February 1928 by the Blaine County Commissioners

SANITARY RESTRICTION

RESTRICTION

COUNTY RECORDER'S CERTIFICATE

I hereby certify that this instrument was filed for record at the request of Johnnie Reed at 7:02 minutes past 9:00 o'clock A. M. this 26 day of March, 1924, A. D., in my office and only recorded in Book _____ of Page _____.

Instrument No. 197180
Fee 10 cents.

HAILEY CITY COUNCIL'S APPROVAL

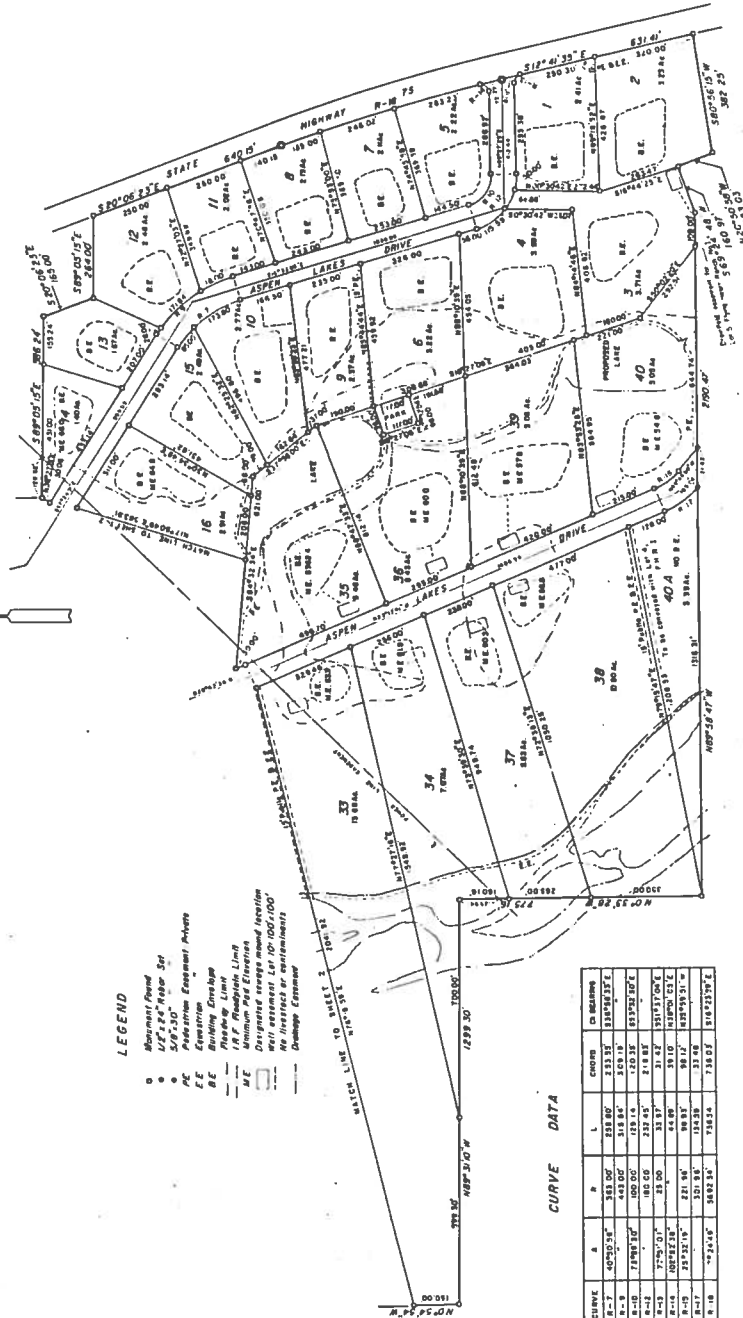
Free 12-20-04

MISSOURI COUNTY

County Recorder

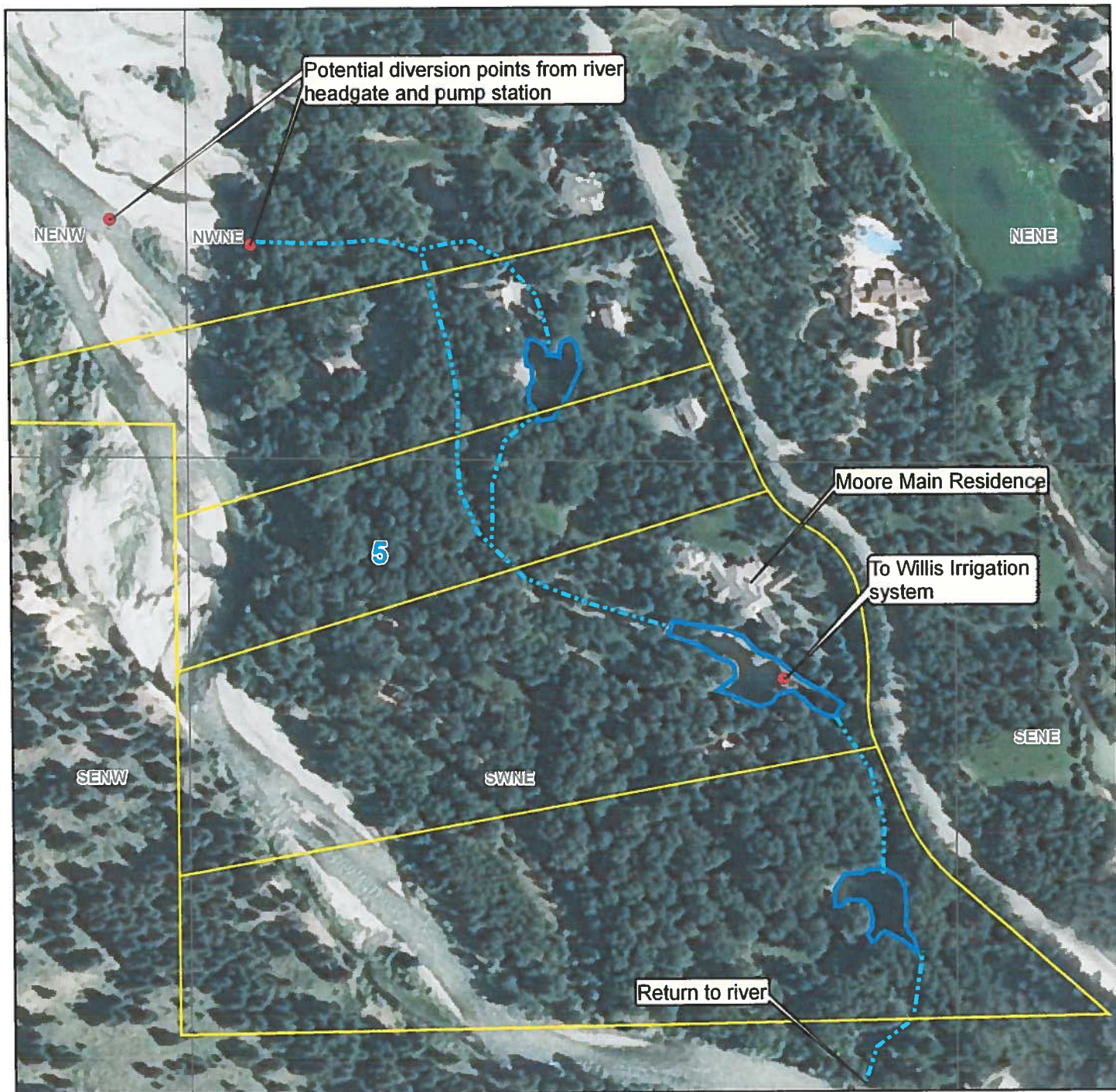
by Alfred Benker
Deputy

County Recorder
By Floyd Barker
Deputy

[illegible]

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T. 2 N., R.18 E.



FLYING HEART RANCH - MOORE, DEMI
TRANSFER 37-30013/37-577CH
NAIP 2009 AERIAL PHOTO

BROCKWAY ENGINEERING, PLLC.
ALR - JULY 19, 2010

TRANSFER 78290

SESW

SWSE 03N18E32

NENW

NWNE 02N18E5

NENW

NWNE 02N18E5

NENW

NWNE 02N18E5

NENW

NWNE 02N18E5

Aspen #27
Location ?

SESW

02N18E5

SWNE

SESW

SWNE 02N18E5

TRANSFER 78290

SESW

SWNE 02N18E5



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 31, 2013

DEMI MOORE
C/O BESSY WONG
NKSF MANAGMENT
10100 SANTA MONICA BLVD, STE 1300
LOS ANGELES, CA 90067

RE: Transfer No. 78290
Water Right No(s). 37-577CH

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS** on **2/6/2013** and **2/13/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**February 25, 2013**).

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

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

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

Sincerely,

Denise Maline
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC
C/O CHARLES G BROCKWAY
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 31, 2013 1:34 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mountain Express Cover Letter.docx; Idaho Mountain Express Ad.docx

Attached please find (1) legal notice being submitted for publication on February 6th & 13th, 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Department of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, Idaho 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

January 31, 2013

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

RE: Transfer No. 78290
Water Right No(s): 37-577CH

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 25, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78290**

DEMI MOORE, C/O BESSY WONG, NKSF MANAGEMENT, 10100 SANTA MONICA BLVD, STE 1300, LOS ANGELES, CA 90067 has filed Application No. 78290 for changes to the following water rights within BLAINE County(s): Right No(s). 37-577CH; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to change the point of diversion and place of use of a 1.2 cfs Big Wood River right to reflect the actual point of diversion and place of use locations. The right is diverted through the Aspen #27 headgate and used through an aesthetic and recreational channel on property located within the Flying Heart Subdivision approximately 1.5 miles north and 0.5 miles west of the center of Hailey.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before February 25, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 6th & 13th, 2013

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 31, 2013 4:45 PM
To: Kevin Lakey
Subject: Comment Letter for Transfer 78290
Attachments: Comment Letter to WM37 for 78290.pdf; 78290 App.pdf

Mr. Lakey,

Attached is a cover letter & recommendation form; along with a copy of an Application for Transfer currently being processed by the department. Please review the attached information and provide any necessary comments, within the next 21 days.

Please feel free to contact our office if you have an questions regarding this information.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 31, 2013

KEVIN LAKEY
WATER DISTRICT #37
107 W 1ST
SHOSHONE, ID 83352

Via E-mail

RE: Transfer No. 78290
Water Right No(s): 37-577CH

Dear Mr. Lakey:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

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

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

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: January 17, 2013
To: Transfer 78290 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to change the point of diversion and place of use of a 1.2 cfs Big Wood River right to reflect the actual point of diversion and place of use locations. The right is diverted through the Aspen #27 headgate and used through an aesthetic and recreational channel and three existing ponds on property located within the Flying Heart Subdivision approximately 1.5 miles north and 0.5 miles west of the center of Hailey.

The point of diversion and property all fall within the jurisdiction of Water District 37, so watermaster comments will be needed.

- **Authority to File:** A purchasing agreement and a quitclaim deed were submitted with the application.
- **Water Right Validity:** Right 37-577ch was decreed in the SRBA on 8/30/2011.
- **Injury to Other Water Rights:** None anticipated.
- **Enlargement of Use:** None anticipated.
- **Local Public Interest:**
No negative impact anticipated. Application will be subject to public notice.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

Water Right Number 37-577CH

- Aesthetic and recreation use is for flow through a channel including three ponds with a combined surface area of 1.2 total acres.

- Total consumptive volume is limited to 150 acre feet annually.

R05- Use of water under this right will be regulated by the watermaster of State Water District No. 37.

R43- The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

T07- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

T08- Failure of the right holder to comply with the conditions of transfer 3776 is cause for the Director to rescind approval of the transfer.

T19- Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Reeder, Jana

From: Skinner, Corey
Sent: Friday, August 27, 2010 8:26 AM
To: Reeder, Jana
Subject: FW:
Attachments: Watermaster Aspen #27.PDF

From: Charles G. Brockway [mailto:charles.g.brockway@brockwayeng.com]
Sent: Thursday, August 26, 2010 4:44 PM
To: Skinner, Corey
Subject:

Here are the watermaster records. These are total diversions to the headgate including the three irrigation rights, but you can see the non-consumptive right standing on its own as a diversion of around 1 to 1.2 cfs later in the season when the irrigation rights are cut. You can only see this in the drier years when the rights were cut. Diversions in the last two years have been low due to the shifting of the river.

Chuck

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington Street North, Suite 4
Twin Falls, Idaho 83301
(208) 736-8543
charles.g.brockway@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

WATER DISTRICT #37 & 37-M									
CANAL NAME	MAC	CANAL NUMBER	26-P	1991					
OWNER FAWN CREEK PARTNERSHIP					OWNER ASPEN LAKES BRUCE WILLIS				
DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE	DATE	DATE
1							1	1.00	1.00
2							2	1.00	1.00
3							3	1.00	1.00
4							4	1.00	1.00
5							5	1.00	1.00
6							6	1.00	1.00
7							7	1.00	1.00
8							8	1.00	1.00
9							9	1.00	1.00
10							10	1.00	1.00
11							11	1.00	1.00
12							12	1.00	1.00
13							13	1.00	1.00
14							14	1.00	1.00
15							15	1.00	1.00
16							16	1.00	1.00
17							17	1.00	1.00
18							18	1.00	1.00
19							19	1.00	1.00
20							20	1.00	1.00
21							21	1.00	1.00
22							22	1.00	1.00
23							23	1.00	1.00
24							24	1.00	1.00
25							25	1.00	1.00
26							26	1.00	1.00
27							27	1.00	1.00
28							28	1.00	1.00
29							29	1.00	1.00
30							30	1.00	1.00
31							31	1.00	1.00
TOTAL	66.30	96.07	121.50	105.38	40.98	31.56			

YEARLY C.F.S. 461.79
 YEARLY ACRE FEET 914.35212
 TOTAL NO. OF DAYS 179
 YEARLY MEAN 2.58

WATER DISTRICT #37 & 37-M									
CANAL NAME	MAC	CANAL NUMBER	26-P	1991					
OWNER FAWN CREEK PARTNERSHIP					OWNER ASPEN LAKES BRUCE WILLIS				
DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE	DATE	DATE
1							1	0.02	0.02
2							2	0.02	0.02
3							3	0.02	0.02
4							4	0.02	0.02
5							5	0.02	0.02
6							6	0.02	0.02
7							7	0.02	0.02
8							8	0.02	0.02
9							9	0.02	0.02
10							10	0.02	0.02
11							11	0.02	0.02
12							12	0.02	0.02
13							13	0.02	0.02
14							14	0.02	0.02
15							15	0.02	0.02
16							16	0.02	0.02
17							17	0.02	0.02
18							18	0.02	0.02
19							19	0.02	0.02
20							20	0.02	0.02
21							21	0.02	0.02
22							22	0.02	0.02
23							23	0.02	0.02
24							24	0.02	0.02
25							25	0.02	0.02
26							26	0.02	0.02
27							27	0.02	0.02
28							28	0.02	0.02
29							29	0.02	0.02
30							30	0.02	0.02
31							31	0.02	0.02
TOTAL	0.00	0.00	4.20	6.20	0.26	0.00			

YEARLY C.F.S. 10.66
 YEARLY ACRE FEET 21.1068
 TOTAL NO. OF DAYS 65
 YEARLY MEAN 0.16

WATER DISTRICT #37 & 37-M
CANAL NUMBER 26-P
1992

CANAL NAME	MAC	DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
OWNER FAIN CREEK PARTNERSHIP									
1		1	0.20	0.20	0.20	0.20	0.20	0.20	1
2		2	0.20	0.20	0.20	0.20	0.20	0.20	2
3		3	0.20	0.20	0.20	0.20	0.20	0.20	3
4		4	0.20	0.20	0.20	0.20	0.20	0.20	4
5		5	0.20	0.20	0.20	0.20	0.20	0.20	5
6		6	0.20	0.20	0.20	0.20	0.20	0.20	6
7		7	0.20	0.20	0.20	0.20	0.20	0.20	7
8		8	0.20	0.20	0.20	0.20	0.20	0.20	8
9		9	0.20	0.20	0.20	0.20	0.20	0.20	9
10		10	0.20	0.20	0.20	0.20	0.20	0.20	10
11		11	0.20	0.20	0.20	0.20	0.20	0.20	11
12		12	0.20	0.20	0.20	0.20	0.20	0.20	12
13		13	0.20	0.20	0.20	0.20	0.20	0.20	13
14		14	0.20	0.20	0.20	0.20	0.20	0.20	14
15		15	0.20	0.20	0.20	0.20	0.20	0.20	15
16		16	0.20	0.20	0.20	0.20	0.20	0.20	16
17		17	0.20	0.20	0.20	0.20	0.20	0.20	17
18		18	0.20	0.20	0.20	0.20	0.20	0.20	18
19		19	0.20	0.20	0.20	0.20	0.20	0.20	19
20		20	0.20	0.20	0.20	0.20	0.20	0.20	20
21		21	0.20	0.20	0.20	0.20	0.20	0.20	21
22		22	0.20	0.20	0.20	0.20	0.20	0.20	22
23		23	0.20	0.20	0.20	0.20	0.20	0.20	23
24		24	0.20	0.20	0.20	0.20	0.20	0.20	24
25		25	0.20	0.20	0.20	0.20	0.20	0.20	25
26		26	0.20	0.20	0.20	0.20	0.20	0.20	26
27		27	0.20	0.20	0.20	0.20	0.20	0.20	27
28		28	0.20	0.20	0.20	0.20	0.20	0.20	28
29		29	0.20	0.20	0.20	0.20	0.20	0.20	29
30		30	0.20	0.20	0.20	0.20	0.20	0.20	30
31		31	0.20	0.20	0.20	0.20	0.20	0.20	31
TOTAL			0.80	6.20	6.00	2.80	0.00	0.00	

YEARLY C.F.S. 15.80
YEARLY ACRE FEET 31.284
TOTAL NO. OF DAYS 79
YEARLY MEAN 0.20

1992

CANAL NAME ASPEN
CANAL NUMBER 27
NON-CONSUMPTIVE
OWNER ASPEN LAKES BRUCE WILLIS

CANAL NAME	DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	1	1.62	1.00	1.00	1.00	1.00	1.18	1
2	2	1.62	1.00	1.00	1.00	1.00	1.08	2
3	3	1.50	1.00	1.00	1.00	1.00	1.00	3
4	4	1.50	1.00	1.00	1.00	1.00	1.00	4
5	5	1.50	1.00	1.00	1.00	1.00	1.00	5
6	6	1.50	1.00	1.00	1.00	1.00	1.00	6
7	7	1.50	1.00	1.00	1.00	1.00	1.00	7
8	8	1.28	1.00	1.00	1.00	1.00	1.00	8
9	9	1.28	1.00	1.00	1.00	1.00	1.00	9
10	10	1.18	1.00	1.00	1.00	1.00	1.00	10
11	11	1.18	1.00	1.00	1.00	1.00	1.00	11
12	12	1.18	1.00	1.00	1.00	1.00	1.00	12
13	13	1.18	1.00	1.00	1.00	1.00	1.00	13
14	14	1.08	1.00	1.00	1.00	1.00	1.00	14
15	15	1.08	1.00	1.00	1.00	1.00	1.00	15
16	16	1.08	1.00	1.00	1.00	1.00	1.00	16
17	17	1.08	1.00	1.00	1.00	1.00	1.00	17
18	18	1.08	1.00	1.00	1.00	1.00	1.18	18
19	19	1.08	1.00	1.00	1.00	1.00	1.18	19
20	20	1.08	1.00	1.00	1.00	1.00	1.18	20
21	21	1.08	1.00	1.00	1.00	1.00	1.08	21
22	22	1.08	1.00	1.00	1.00	1.00	1.08	22
23	23	1.08	1.00	1.00	1.00	1.00	1.08	23
24	24	1.08	1.00	1.00	1.00	1.00	1.08	24
25	25	1.08	1.00	1.00	1.00	1.00	1.08	25
26	26	1.08	1.00	1.00	1.00	1.00	1.08	26
27	27	1.08	1.00	1.00	1.00	1.00	1.08	27
28	28	1.08	1.00	1.00	1.00	1.00	1.18	28
29	29	1.08	1.00	1.00	1.00	1.00	1.18	29
30	30	1.08	1.00	1.00	1.00	1.00	1.18	30
31	31	1.08	1.00	1.00	1.00	1.00	1.18	31
TOTAL		36.56	31.18	31.18	31.18	31.18	31.98	

YEARLY C.F.S. 378.35
YEARLY ACRE FEET 749.133
TOTAL NO. OF DAYS 183
YEARLY MEAN 2.07

WATER DISTRICT #37 & 37-M

CANAL NAME		MAC	CANAL NUMBER 26-P				1993
OWNER FAUN CREEK PARTNERSHIP							
DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1			0.20	0.20	0.20	0.20	1
2			0.20	0.20	0.20	0.20	2
3			0.20	0.20	0.20	0.20	3
4			0.20	0.20	0.20	0.20	4
5			0.20	0.20	0.20	0.20	5
6			0.20	0.20	0.20	0.20	6
7			0.20	0.20	0.20	0.20	7
8			0.20	0.20	0.20	0.20	8
9			0.20	0.20	0.20	0.20	9
10			0.20	0.20	0.20	0.20	10
11			0.20	0.20	0.20	0.20	11
12			0.20	0.20	0.20	0.20	12
13			0.20	0.20	0.20	0.20	13
14			0.20	0.20	0.20	0.20	14
15			0.20	0.20	0.20	0.20	15
16			0.20	0.20	0.20	0.20	16
17			0.20	0.20	0.20	0.20	17
18			0.20	0.20	0.20	0.20	18
19	0.20		0.20	0.20	0.20	0.20	19
20	0.20		0.20	0.20	0.20	0.20	20
21	0.20		0.20	0.20	0.20	0.20	21
22	0.20		0.20	0.20	0.20	0.20	22
23	0.20		0.20	0.20	0.20	0.20	23
24	0.20		0.20	0.20	0.20	0.20	24
25	0.20		0.20	0.20	0.20	0.20	25
26	0.20		0.20	0.20	0.20	0.20	26
27	0.20		0.20	0.20	0.20	0.20	27
28	0.20		0.20	0.20	0.20	0.20	28
29	0.20		0.20	0.20	0.20	0.20	29
30	0.20		0.20	0.20	0.20	0.20	30
31	0.20		0.20	0.20	0.20	0.20	31
TOTAL	0.00	2.60	6.00	6.20	6.20	6.00	

YEARLY C.F.S.

27.00

YEARLY ACRE FEET

53.46

TOTAL NO. OF DAYS

135

YEARLY MEAN

0.20

WATER DISTRICT #37 & 37-M

CANAL NAME		ASPEN		CANAL NUMBER		27		19	
OWNER ASPEN LAKES		BRUCE WILLIS		NON-CONSUMPTIVE					
DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DA'		
1		5.08	5.96	7.82	5.96	0.54			
2	4.10	5.08	4.10	6.86	4.26	0.54			
3	4.10	5.42	4.10	6.86	4.26	1.00			
4	4.10	5.42	4.10	6.86	4.26	1.00			
5	4.26	4.74	4.10	6.86	4.26	1.00			
6	4.26	4.74	4.10	6.86	4.26				
7	5.96	4.92	4.58	6.86	4.26				
8	5.96	4.92	4.58	6.86	4.26				
9	5.08	4.92	4.58	7.82	4.26				
10	5.08	4.92	4.58	7.82	4.26				
11	5.08	4.92	4.58	7.82	4.26				
12	4.92	2.10	4.58	7.24	4.26	0.70	1		
13	4.92	2.10	4.58	7.24	3.48	0.70	1		
14	4.74	12.04	4.26	6.86	3.48	0.70	1		
15	4.74	12.04	4.26	6.86	3.48	0.54	1		
16	4.26	12.04	4.26	6.86	3.04	0.54	1		
17	4.26	12.04	4.26	6.86	3.04	0.54	1		
18	4.58	12.04	4.26	6.86	2.76	0.54	1		
19	4.58	12.04	4.26	4.42	2.76	0.54	1		
20	4.58	12.04	4.26	4.42	2.10	0.70	2		
21	4.58	12.04	5.08	4.42	2.10	0.70	2		
22	4.58	12.04	5.08	4.42	2.10	0.70	2		
23	4.58	12.04	5.08	5.26	2.10	0.70	2		
24	4.58	6.26	5.08	5.26	0.70	0.70	2		
25	4.58	6.26	6.86	5.26	0.70	0.70	2		
26	4.26	6.26	6.86	4.92	0.70	0.70	2		
27	4.26	6.26	6.86	4.92	0.54	0.54	2		
28	5.08	6.26	7.82	4.26	0.54	0.54	2		
29	5.08	6.26	7.82	4.26	0.54	0.54	2		
30	5.08	6.26	7.82	5.96	1.08	0.54	3		
31		5.96		5.96	1.08	0.54	3		
TOTAL		136.22	229.46	152.70	191.82	83.32	17.34		

YEARLY C.F.S.

810.86

YEARLY ACRE FEET

1605.5028

TOTAL NO. OF DAYS

171

YEARLY MEAN

4.74

WATER DISTRICT #37 & 37 M

1994

CANAL NAME ASPEN CANAL NUMBER 27

OWNER ASPEN LAKES & BRUCE WILLIS

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	2.50	2.44	5.08	1.00	1.28	0.54	1
2	2.50	2.44	5.08	1.00	1.28	0.54	2
3	2.50	2.44	4.74	1.00	1.08	0.54	3
4	2.50	2.44	4.74	1.00	1.08	0.54	4
5	2.50	2.44	4.74	1.00	1.08	0.54	5
6	2.50	2.44	6.30	1.00	1.08	0.54	6
7	2.50	2.44	6.30	1.00	1.08	1.28	7
8	2.50	2.44	6.30	1.00	0.88	1.28	8
9	2.50	3.04	6.30	1.00	0.88	1.28	9
10	2.50	3.04	4.58	1.00	0.70	1.28	10
11	2.50	3.48	4.58	0.88	0.70	1.28	11
12	2.50	3.48	4.58	0.88	0.88	1.28	12
13	2.50	4.10	4.10	0.88	0.88	1.28	13
14	2.50	4.10	4.10	0.88	0.70	1.28	14
15	2.50	4.10	3.48	0.70	0.70	1.28	15
16	1.98	4.10	3.48	0.70	0.70	1.62	16
17	1.98	4.58	3.48	0.70	1.07	1.62	17
18	1.98	4.58	2.24	1.40	1.07	1.62	18
19	2.24	4.58	2.24	1.40	0.88	1.62	19
20	2.24	4.58	2.24	1.18	0.88	1.62	20
21	2.36	4.26	2.24	1.08	0.88	1.28	21
22	2.36	4.26	2.24	1.08	0.88	1.28	22
23	2.36	3.94	2.24	1.08	0.88	1.28	23
24	2.36	3.94	2.24	1.08	0.88	1.28	24
25	2.36	4.26	2.24	1.08	0.88	1.40	25
26	2.36	4.26	2.24	1.08	0.78	1.40	26
27	2.24	4.58	2.24	0.98	0.78	1.40	27
28	2.24	4.58	2.24	0.98	0.78	1.40	28
29	2.24	4.58	1.18	0.98	0.70	1.40	29
30	2.44	4.58	1.18	0.98	0.70	1.40	30
31	2.44	4.10	1.18	0.98	0.54		31
TOTAL	71.30	114.30	107.72	31.08	27.56	36.26	

YEARLY C.F.S. 388.22

YEARLY ACRE FEET 768.68

TOTAL NO. OF DAYS 183

YEARLY MEAN 2.12

WATER DISTRICT #37 & 37-M

1994

CANAL NAME MAC CANAL NUMBER 26-P

OWNER FAWN CREEK PARTNERSHIP

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	0.20	0.20	0.20	0.20	0.20	0.20	1
2	0.20	0.20	0.20	0.20	0.20	0.20	2
3	0.20	0.20	0.20	0.20	0.20	0.20	3
4	0.20	0.20	0.20	0.20	0.20	0.20	4
5	0.20	0.20	0.20	0.20	0.20	0.20	5
6	0.20	0.20	0.20	0.20	0.20	0.20	6
7	0.20	0.20	0.20	0.20	0.20	0.20	7
8	0.20	0.20	0.20	0.20	0.20	0.20	8
9	0.20	0.20	0.20	0.20	0.20	0.20	9
10	0.20	0.20	0.20	0.20	0.20	0.20	10
11	0.20	0.20	0.20	0.20	0.20	0.20	11
12	0.20	0.20	0.20	0.20	0.20	0.20	12
13	0.20	0.20	0.20	0.20	0.20	0.20	13
14	0.20	0.20	0.20	0.20	0.20	0.20	14
15	0.20	0.20	0.20	0.20	0.20	0.20	15
16	0.20	0.20	0.20	0.20	0.20	0.20	16
17	0.20	0.20	0.20	0.20	0.20	0.20	17
18	0.20	0.20	0.20	0.20	0.20	0.20	18
19	0.20	0.20	0.20	0.20	0.20	0.20	19
20	0.20	0.20	0.20	0.20	0.20	0.20	20
21	0.20	0.20	0.20	0.20	0.20	0.20	21
22	0.20	0.20	0.20	0.20	0.20	0.20	22
23	0.20	0.20	0.20	0.20	0.20	0.20	23
24	0.20	0.20	0.20	0.20	0.20	0.20	24
25	0.20	0.20	0.20	0.20	0.20	0.20	25
26	0.20	0.20	0.20	0.20	0.20	0.20	26
27	0.20	0.20	0.20	0.20	0.20	0.20	27
28	0.20	0.20	0.20	0.20	0.20	0.20	28
29	0.20	0.20	0.20	0.20	0.20	0.20	29
30	0.20	0.20	0.20	0.20	0.20	0.20	30
31	0.20	0.20	0.20	0.20	0.20	0.20	31
TOTAL	1.80	6.20	6.00	6.20	3.20	0.00	

YEARLY C.F.S. 23.40

YEARLY ACRE FEET 46.332

TOTAL NO. OF DAYS 117

YEARLY MEAN 0.20

WATER DISTRICT #37 & 37-M

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CANAL NAME	ASPEN	CANAL NUMBER	27	1995
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OWNER ASPEN LAKES %BRUCE WILLIS

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DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
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1		3.58	2.10	4.76	4.26		1
2		3.58	2.36	4.76	2.36		2
3		5.96	2.36	4.76	2.36		3
4		5.96	2.36	4.76	2.36		4
5		5.96	2.36	4.76	2.36		5
6		5.96	2.36	4.76	2.36		6
7		5.96	2.36	2.10	2.24		7
8		6.32	2.36	2.10	2.24		8
9		6.32	2.10	2.10	2.24		9
10	1.48	6.32	2.10	3.20	2.24		10
11	1.48	6.32	2.10	3.20	2.10		11
12	1.48	6.32	2.36	3.20	2.10		12
13	1.48	6.32	2.36	3.20	2.10		13
14	1.48	6.32	2.76	3.04			14
15	1.48	5.96	2.76	3.04		4.10	15
16	1.48	5.96	2.76	3.04		4.10	16
17	2.10	5.60	2.76	3.04		4.10	17
18	2.10	5.60	2.76	3.04		4.10	18
19	4.10	3.58	2.76	5.96		4.10	19
20	4.10	3.58	2.76	5.96		4.10	20
21	3.58	3.58	2.76	6.14		4.10	21
22	3.58	3.58	2.76	6.14		4.10	22
23	3.58	3.58	4.76	5.60		4.10	23
24	4.74	3.58	4.76	5.60		4.10	24
25	4.74	3.58	4.76	5.60		4.10	25
26	3.58	3.20	4.76	5.08		4.10	26
27	3.58	3.20	4.76	5.08		3.48	27
28	3.58	3.20	4.76	5.08		3.48	28
29	3.58	3.20	4.76	5.08		3.48	29
30	3.58	3.20	4.76	5.08		3.48	30
31		2.10		4.26			31

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TOTAL	60.88	147.48	92.56	133.52	31.32	63.12	
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YEARLY C.F.S. 528.88

YEARLY ACRE FEET 1047.18

TOTAL NO. OF DAYS 142

YEARLY MEAN 3.72

WATER DISTRICT #37 & 37-M

=====							
CANAL NAME	ASPEN			CANAL NUMBER 27		1996	
=====							
OWNER ASPEN LAKES %BRUCE WILLIS				NON-CONSUMPTIVE			
=====							
DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
=====							
1	1.20	6.50	2.76	3.20	1.50		1
2	1.20	6.50	2.76	3.20	1.50		2
3	1.20	7.54	2.90	3.20	1.50		3
4	1.20	7.54	2.90	3.20	1.50		4
5	1.20	7.54	3.48	3.48			5
6	1.20	7.54	3.48	3.48			6
7	1.20	7.54	3.48	3.48			7
8	1.96	7.54	3.48	3.48			8
9	1.96	7.54	3.48	3.48			9
10	1.96	7.54	4.26	3.20			10
11	1.96	7.54	4.26	3.20			11
12	1.96	7.54	4.26	2.76			12
13	1.96	7.06	4.26	2.76			13
14	1.96	7.06	4.26	2.76			14
15	6.32	7.82	4.26	2.10			15
16	6.32	7.82	4.26	2.10			16
17	6.32	6.68	3.78	2.10			17
18	6.32	6.68	3.78	2.10			18
19	6.32	6.68	3.78	2.10			19
20	6.32	5.82	3.78	2.10			20
21	6.32	5.82	3.78				21
22	5.78	3.20	3.78				22
23	5.78	3.20	3.78				23
24	5.78	3.48	3.78				24
25	5.78	3.48	3.78				25
26	6.32	3.48	3.78				26
27	6.32	3.48	3.78				27
28	6.32	3.48	3.48				28
29	6.32	3.20	3.48	1.98			29
30	6.32	3.20	3.48	1.98			30
31		2.76		1.50			31
=====							
TOTAL	121.08	182.80	110.56	62.94	6.00	0.00	
=====							
YEARLY C.F.S.			483.38				
YEARLY ACRE FEET			957.09				
TOTAL NO. OF DAYS			118				
YEARLY MEAN			4.10				

WATER DISTRICT 37 & 37M

CANAL NAME		ASPEN		CANAL NO.		27 1997	
OWNER BRUCE WILLIS							
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		10.28	1.74	15.58	5.96	2.90	1
2		9.86	2.32	13.20	5.96	2.90	2
3		9.86	2.32	13.20	5.96	2.90	3
4		9.86	2.32	13.20	5.26	2.90	4
5		9.86	2.32	13.20	5.26	2.90	5
6		9.86	2.32	13.20	5.08	2.90	6
7	5.96		2.32	13.20	5.08	2.90	7
8	5.96		2.32	13.20	4.58	2.90	8
9	5.96		2.32	12.04	4.58	2.90	9
10	5.96		2.32	12.04	4.58	2.34	10
11	5.96		2.32	10.50	5.42	2.34	11
12	5.96	12.96	2.32	10.50	5.42	4.26	12
13	5.96	12.96		10.50	5.08	4.26	13
14	5.96	12.96		9.44	5.08	4.26	14
15	5.96	12.96		9.44	4.74	4.26	15
16	6.32	9.86		8.82	4.74	4.26	16
17	6.32	9.86		8.82	4.74	3.94	17
18	6.50	9.86	3.20	8.42	4.26	3.94	18
19	6.50	9.86	3.20	8.42	4.26	3.64	19
20	6.50	9.86	3.20	8.42	3.94	3.64	20
21	6.86	8.82	3.20	7.82	3.94	3.64	21
22	6.86	8.82	3.20	7.82	3.94	3.64	22
23	6.86		4.58	7.24	3.94	3.64	23
24	6.86		4.58	7.24	3.94	3.48	24
25	5.96		4.26	6.86	4.10	0.48	25
26	5.96		4.26	6.86	4.10	3.48	26
27	5.96		16.84	6.86	4.10	3.48	27
28	6.86	1.40	16.84	6.32	4.10	3.48	28
29	6.86	1.40	16.84	6.32	4.10	3.20	29
30	10.28	1.74	15.58	7.06	4.10	3.20	30
31		1.74		7.06	4.10		31
TOTAL	155.10	184.64	127.04	302.80	144.44	98.96	

YEARLY C F S 1013
 YEARLY ACRE FEET 2006
 TOTAL NO OF DAYS 162
 YEARLY MEAN 6

WATER DISTRICT 37 & 37M

CANAL NAME		ASPEN		CANAL NO.		27 1998	
OWNER BRUCE WILLIS							
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		6.50	4.74	2.76	2.10	3.20	1
2		6.50	4.74	2.76	2.10	2.78	2
3		6.50	5.42	3.48	2.24	2.78	3
4		7.24	5.42	3.48	2.24	2.78	4
5		7.24	5.08	3.48	5.08	2.78	5
6		7.54	5.08	2.10	5.08	2.78	6
7		7.54	5.08	2.10	4.92	2.78	7
8		7.54	5.60	1.74	4.92	2.78	8
9		7.54	5.60	1.74	4.92	3.10	9
10		7.54	4.26	1.74	4.92	3.10	10
11		7.82	4.26	1.74	4.92	3.36	11
12		7.82	4.74	1.74	4.58	3.36	12
13		6.86	4.74	1.74	4.58	3.36	13
14		6.86	4.74	1.74	4.58	1.98	14
15		6.50	5.08	1.74	4.58	1.98	15
16		6.50	5.08	1.74	4.58	2.10	16
17		6.50	5.08	1.74	3.78	2.10	17
18		5.96	5.08	1.74	3.78	1.98	18
19		5.96	5.08	1.74	3.64	1.98	19
20		5.60	5.08	2.10	3.64	1.98	20
21		5.60	5.08	2.10	3.58	1.98	21
22		6.96	2.10	2.76	3.58	1.98	22
23		6.96	2.10	2.76	3.58	1.98	23
24		6.96	2.76	2.76	3.58	1.98	24
25		5.26	2.76	2.76	3.58	1.98	25
26		5.26	3.48	2.76	3.34	1.98	26
27		5.96	3.48	2.50	3.34	1.98	27
28		5.96	3.48	2.50	3.34	1.98	28
29	7.54	5.08	2.10	2.24	3.34	1.98	29
30	7.54	5.08	2.10	2.24	3.31	1.74	30
31		5.08		2.10	3.10		31
TOTAL	15.08	202.22	129.42	70.62	118.85	72.60	

YEARLY C F S 609
 YEARLY ACRE FEET 1205
 TOTAL NO OF DAYS 155
 YEARLY MEAN 4

WATER DISTRICT 37 & 37M

CANAL NAME		ASPEN		CANAL NO.		27 1999	
OWNER		BRUCE WILLIS					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		5.60	2.1	5.08	3.34	2.10	1
2	2.52	5.60	5.78	5.08	3.20	2.10	2
3	2.52	5.78	5.78	5.08	3.20	2.10	3
4	2.52	5.78	5.96	5.08	3.20	2.10	4
5	2.52	5.42	5.96	5.08	3.20	2.10	5
6	2.52	5.42	5.96	5.08	2.90	1.96	6
7	2.52	6.32	5.26	4.74	2.90	1.96	7
8	2.52	6.32	5.26	4.74	2.90	1.96	8
9	2.52	6.32	4.92	4.42	2.40	1.96	9
10	2.52	5.96	4.92	4.42	2.40	1.96	10
11	2.52	5.94	4.10	4.42	2.36	1.96	11
12	2.52	5.96	4.10	4.26	2.36	1.96	12
13	2.52	5.96	4.10	4.26	2.10	1.96	13
14	2.52	5.42	4.42	4.10	2.10	1.96	14
15	2.52	5.42	4.42	4.10	2.10	1.96	15
16	3.04	5.42	4.74	3.78	2.10	1.96	16
17	3.04	4.06	4.74	3.78	2.10	2.36	17
18	3.04	4.06	4.58	3.78	1.74	2.36	18
19	3.48	5.60	4.58	3.48	1.74	2.36	19
20	3.48	5.60	4.58	3.48	1.74	2.36	20
21	4.26	6.36	4.42	2.34	1.74	2.36	21
22	4.26	6.36	4.42	2.34	1.74	2.36	22
23	3.94	6.36	5.08	3.48	1.74	2.36	23
24	3.94	5.78	5.08	3.48	1.74	2.24	24
25	3.94	5.78	4.74	3.48	1.74	2.24	25
26	5.60	4.06	4.74	3.34	1.74	2.24	26
27	5.60	4.06	4.74	3.34	1.74	2.36	27
28	5.60	1.96	4.42	3.34	1.74	2.36	28
29	5.60	1.96	4.42	3.34	1.74	2.36	29
30	5.60	1.96	5.08	3.34	2.10	2.36	30
31		2.10		3.34	2.10		31
TOTAL	99.70	158.70	143.40	123.40	69.94	64.74	

YEARLY C F S 660
 YEARLY ACRE FEET 1307
 TOTAL NO OF DAYS 182
 YEARLY MEAN 4

WATER DISTRICT 37 & 37M

CANAL NAME		ASPEN		CANAL NO. 27			2000
OWNER		BRUCE WILLIS					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		3.20	5.08	3.20	1.00	1.00	1
2		3.20	4.92	2.90	1.00	1.00	2
3	2.76	5.96	4.92	2.90	1.00	1.00	3
4	2.76	5.96	4.92	2.90	1.00	1.00	4
5	2.76	5.96	7.06	2.76	1.00	1.00	5
6	2.76	5.96	7.06	2.76	1.00	1.00	6
7	2.76	5.78	7.06	2.62	1.00	1.00	7
8	2.76	5.78	7.06	2.60	1.00	1.00	8
9	2.76	5.78	6.86	2.62	1.00	1.00	9
10	2.76	5.08	6.86	2.50	1.00	1.00	10
11	2.76	5.08	6.86	2.50	1.00	1.00	11
12	3.48	4.74	5.78	2.50	1.00	1.00	12
13	3.48	4.74	5.78	2.50	1.00	1.00	13
14	2.50	4.74	5.42	2.26	1.00	1.00	14
15	2.50	4.26	5.42	2.26	1.00	1.00	15
16	2.50	4.26	5.60	2.26	1.00	1.00	16
17	2.50	5.08	5.60	2.20	1.00	1.00	17
18	2.50	5.08	5.60	2.20	1.00	1.00	18
19	2.76	5.08	4.10	2.20	1.00	1.00	19
20	2.76	5.08	4.10	2.20	1.00	1.00	20
21	2.76	5.08	3.94	1.62	1.00	1.00	21
22	2.76	5.42	3.94	1.62	1.00	1.00	22
23	2.76	5.42	3.78	1.62	1.00	1.00	23
24	2.78	5.42	3.78	1.20	1.00	1.00	24
25	2.78	5.42	3.78	1.20	1.00	1.00	25
26	2.76	5.78	3.48	1.00	1.00	1.00	26
27	2.76	5.78	3.48	1.00	1.00	1.00	27
28	3.20	5.78	3.33	1.00	1.00	1.00	28
29	3.20	5.42	3.33	1.00	1.00	1.00	29
30	3.20	5.42	3.20	1.00	1.00	1.00	30
31		5.08		1.00	1.00		31
TOTAL	78.78	160.82	152.10	64.10	31.00	30.00	

YEARLY C F S	517
YEARLY ACRE FEET	1023
TOTAL NO OF DAYS	181
YEARLY MEAN	3

WATER DISTRICT 37 & 37M

CANAL NAME		ASPEN		CANAL NO. 27		2001	
OWNER	BRUCE WILLIS						
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		2.50	4.1	2.24	0.84		1
2	2.90	2.50	4.10	2.10	0.84		2
3	2.90	2.50	3.64	2.10	0.70		3
4	2.76	2.36	3.64	1.86	0.70		4
5	2.76	2.36	3.64	1.86	0.70		5
6	2.76	2.36	3.34	1.74	0.70		6
7	2.76	2.50	3.34	1.74	0.70		7
8	2.76	2.50	3.04	1.74	0.70		8
9	2.76	2.90	3.04	1.74	0.70		9
10	2.76	2.90	3.04	1.74	0.70		10
11	2.26	3.20	3.94	1.98	0.70		11
12	2.26	3.20	3.94	1.98	0.70		12
13	2.36	3.20	3.64	1.86	1.28		13
14	2.36	3.48	3.64	1.86	1.28		14
15	2.36	3.48	3.34	1.86	1.28		15
16	1.40	3.64	3.34	1.74	1.28		16
17	1.40	3.64	3.34	1.74	1.28		17
18	2.76	3.48	3.20	1.74	1.28		18
19	2.76	3.48	3.20	1.74	1.28		19
20	3.04	3.48	3.20	1.62	1.08		20
21	3.04	3.34	3.20	1.62	1.08		21
22	3.04	3.34	3.20	1.62	1.08		22
23	3.04	3.40	3.20	0.98	1.08		23
24	3.04	3.40	3.20	0.98			24
25	3.04	4.74	2.76	0.98			25
26	3.04	4.74	2.76	0.98			26
27	2.24	4.74	2.50	0.88			27
28	2.24	4.42	2.50	0.88			28
29	2.24	4.42	2.24	0.88			29
30	2.50	4.10	2.24	0.88			30
31		4.10		0.88			31
TOTAL	75.54	104.40	97.50	48.54	21.96	0.00	

YEARLY C F S	348
YEARLY ACRE FEET	689
TOTAL NO OF DAYS	144
YEARLY MEAN	2

WATER DISTRICT 37 & 37M

WATER DISTRICT 37 & 37M							
CANAL NAME		ASPEN		CANAL NO. 27			2002
OWNER	BRUCE WILLIS						
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		3.34	3.64	1.98			1
2		3.34	3.64	1.98			2
3		3.48	3.34	1.98		1.08	3
4		3.48	3.34	1.98		1.08	4
5	3.48	3.48	3.34	1.86		1.08	5
6	3.48	3.78	3.34	1.86		1.08	6
7	3.48	3.78	3.64	1.86		1.08	7
8	3.48	3.48	3.64			1.08	8
9	3.48	3.48	3.64			1.08	9
10	3.48	3.64	2.52			1.08	10
11	3.48	3.64	2.52			1.08	11
12	2.36	3.64	1.86	1.86		1.08	12
13	2.36	3.48	1.86	1.86		1.08	13
14	2.36	3.48	1.98	1.86		1.08	14
15	2.90	3.78	1.98	1.86		1.08	15
16	2.90	3.78	1.98	1.86		1.08	16
17	2.62	3.78	2.62	1.28		1.08	17
18	2.62	3.78	2.62	1.28		1.08	18
19	2.24	3.78	4.26	1.28		1.08	19
20	2.24	4.26	4.26	1.28		1.08	20
21	2.24	4.26	3.48			1.08	21
22	2.10	3.64	3.48			1.08	22
23	2.10	3.64	3.48			1.08	23
24	2.36	3.48	3.78			1.08	24
25	2.36	3.48	3.78			1.08	25
26	2.50	3.48	3.64			1.08	26
27	2.50	3.48	3.64			1.08	27
28	2.50	3.48	3.48			1.08	28
29	2.36	3.78	3.48			1.08	29
30	2.36	3.78	3.48			1.08	30
31		3.64					31
TOTAL	70.34	112.82	95.74	27.92	0.00	31.32	

YEARLY C F S 338
 YEARLY ACRE FEET 670
 TOTAL NO OF DAYS 132
 YEARLY MEAN 3

WATER DISTRICT 37 & 37M

CANAL NAME		ASPEN		CANAL NO. 27			2003
OWNER	BRUCE WILLIS						
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		2.24	4.1	1.74			1
2	2.79	2.10	3.20	2.10			2
3	2.79	2.10	3.20	2.10			3
4	2.79	2.10	3.48	2.10			4
5	2.79	2.24	3.48	2.10			5
6	2.79	2.24	3.48	2.10			6
7	1.74	2.10	3.48	1.86			7
8	1.74	2.10	3.48	1.86			8
9	1.50	2.10	3.48				9
10	1.50	2.10	3.48				10
11	2.12	2.10	3.48				11
12	2.12	2.10	3.48				12
13	2.12	2.10	2.50				13
14	2.56	2.36	2.50				14
15	2.56	2.36	2.50				15
16	2.56	2.62	2.36				16
17	2.56	2.62	2.36				17
18	1.18	2.62	1.62				18
19	1.18	1.80	1.62				19
20	1.18	1.80	1.62				20
21	1.08	1.80	1.62				21
22	1.08	1.80	1.62				22
23	2.36	3.48	1.62				23
24	2.36	3.48	1.62				24
25	2.62	3.48	1.62				25
26	2.62	3.78	1.62				26
27	2.36	3.78	1.74				27
28	2.36	4.26	1.74				28
29	2.36	4.26	1.74				29
30	2.24	4.10	1.74				30
31		4.10					31
TOTAL	62.01	82.22	75.58	15.96	0.00	0.00	

YEARLY C F S	236
YEARLY ACRE FEET	467
TOTAL NO OF DAYS	98
YEARLY MEAN	2

WATER DISTRICT 37 & 37M

WATER DISTRICT 37 & 37M							
CANAL NAME		ASPEN		CANAL NO. 27			2004
OWNER		BRUCE WILLIS					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		3.46	4.32		6.25	4.32	1
2	3.46	3.46	4.32	3.46	6.25	4.32	2
3	3.46	3.46	4.32	3.46	6.25	4.32	3
4	3.46	3.46	4.32	3.46	6.25	4.32	4
5	3.46	3.46	4.32	3.46	6.25	4.32	5
6	3.46	3.46	4.32	3.46	5.25	4.32	6
7	3.46	2.68	5.25	3.46	5.25	4.32	7
8	3.46	2.68	5.25	3.46	5.25	4.32	8
9	3.46	2.68	5.25	3.46	5.25	4.32	9
10	3.46	2.68	5.25	3.46	5.25	3.46	10
11	3.46	2.68	5.25	3.46	5.25	3.46	11
12	3.46	2.68	5.25	3.46	5.25	3.46	12
13	3.46	2.68	5.25	3.46	5.25	3.46	13
14	3.46	2.68	5.25	3.46	5.25	3.46	14
15	3.46	2.68	5.25	3.46	5.25	3.46	15
16	3.46	2.68	5.25	3.46	4.32	3.46	16
17	3.46	2.68	5.25	3.46	4.32	3.46	17
18	3.46	2.68	5.25	3.46	4.32	3.46	18
19	3.46	2.68	5.25	3.46	4.32	3.46	19
20	3.46	2.68	5.25	3.46	4.32	2.53	20
21	3.46	2.68	5.25	3.46	4.32	2.53	21
22	3.46	2.68	5.25	3.46	4.32	2.53	22
23	3.46	2.68	5.25	3.46	4.32	2.53	23
24	3.46	4.32	5.25	3.46	4.32	2.53	24
25	3.46	4.32	5.25	3.46	4.32	2.53	25
26	3.46	4.32	5.25	6.25	4.32	2.53	26
27	3.46	4.32	5.25	6.25	4.32	2.31	27
28	3.46	4.32	5.25	6.25	4.32	2.31	28
29	3.46	4.32	5.25	6.25	4.32	2.31	29
30	3.46	4.32	5.25	6.25	4.32		30
31		4.32		6.25	4.32		31
TOTAL	100.34	100.88	151.92	120.54	152.87	98.12	

YEARLY C F S 725
 YEARLY ACRE FEET 1435
 TOTAL NO OF DAYS 180
 YEARLY MEAN 4

WATER DISTRICT 37 & 37M

CANAL NAME		ASPEN		CANAL NO. 27			2005
OWNER BRUCE WILLIS							
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		3.46	4.32	4.32	3.46	2.53	1
2	3.46	3.46	4.32	4.32	3.46	2.53	2
3	3.46	3.46	4.32	4.32	3.46	2.53	3
4	3.46	3.46	4.32	4.32	3.46	2.53	4
5	3.46	3.46	4.32	4.32	3.46	2.53	5
6	3.46	3.46	5.25	4.32	3.46	2.53	6
7	3.46	3.46	4.32	4.32	3.46	2.53	7
8	3.46	3.46	4.32	4.32	3.46	2.53	8
9	3.46	3.46	4.32	4.32	3.46	2.53	9
10	3.46	3.46	4.32	4.32	3.46	2.53	10
11	3.46	4.32	4.32	4.32	3.46	2.53	11
12	3.46	4.32	4.32	4.32	3.46	2.53	12
13	3.46	4.32	4.32	4.32	3.46	2.53	13
14	3.46	4.32	4.32	4.32	3.46	2.53	14
15	3.46	4.32	4.32	4.32	2.53	2.53	15
16	3.46	5.25	4.32	4.32	2.53	2.53	16
17	3.46	5.25	4.32	4.32	2.53	2.53	17
18	3.46	5.25	4.32	4.32	2.53	2.53	18
19	3.46	4.32	4.32	4.32	2.53	2.53	19
20	3.46	4.32	5.25	4.32	2.53	2.53	20
21	3.46	4.32	5.25	5.25	2.53	4.32	21
22	3.46	4.32	5.25	5.25	2.53	4.32	22
23	3.46	4.32	5.25	5.25	2.53	4.32	23
24	3.46	4.32	4.32	5.25	2.53	4.32	24
25	3.46	4.32	4.32	5.25	2.53	4.32	25
26	3.46	4.32	4.32	3.46	2.53	4.32	26
27	3.46	4.32	4.32	3.46	2.53	4.32	27
28	3.46	4.32	4.32	3.46	2.53	4.32	28
29	3.46	4.32	4.32	3.46	2.53	4.32	29
30	3.46	4.32	4.32	3.46	2.53		30
31		4.32		3.46	2.53		31
TOTAL	100.34	128.11	134.25	129.09	91.45	89.48	

YEARLY C F S	673
YEARLY ACRE FEET	1332
TOTAL NO OF DAYS	181
YEARLY MEAN	4

WATER DISTRICT 37 & 37M

CANAL NAME		ASPEN		CANAL NO. 27			2006
OWNER		BRUCE WILLIS					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		4.32		4.32	3.46	2.10	1
2		4.32		4.32	3.46	2.10	2
3		4.32		4.32	3.46	2.10	3
4		4.32		4.32	3.46	2.10	4
5		4.32		4.32	3.46	2.10	5
6		5.25		4.32	3.46	2.10	6
7		5.25		4.32	3.46	2.10	7
8		5.25		4.32	3.46	2.10	8
9		5.25		4.32	3.46	2.10	9
10		5.25		4.32	3.46	2.10	10
11		5.25		4.32	3.46	2.10	11
12		4.32	3.46	4.32	3.46	2.10	12
13		4.32	3.46	4.32	3.46	2.10	13
14		4.32	3.46	4.32	3.46	2.10	14
15			3.46	4.32	2.53	2.10	15
16			3.46	4.32	2.53	2.10	16
17			3.46	4.32	2.53	2.10	17
18			3.46	4.32	2.53	2.10	18
19			3.46	4.32	2.53	2.10	19
20			3.46	4.32	2.53	2.10	20
21			3.46	5.25	2.53	2.10	21
22			3.46	5.25	2.53	2.10	22
23			3.46	5.25	2.53	2.10	23
24			3.46	5.25	2.53	2.10	24
25			2.53	5.25	2.53	2.10	25
26			2.53	3.46	2.10	2.10	26
27			2.53	3.46	2.10	2.10	27
28			2.53	3.46	2.10	2.10	28
29			2.53	3.46	2.10	2.10	29
30			2.53	3.46	2.10	2.10	30
31				3.46	2.10		31
TOTAL	0.00	66.06	60.16	129.09	88.87	63.00	

YEARLY C F S	407
YEARLY ACRE FEET	806
TOTAL NO OF DAYS	125
YEARLY MEAN	3

WATER DISTRICT 37 & 37M

CANAL NAME		ASPEN		CANAL NO. 27			2007
OWNER		BRUCE WILLIS					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1	2.53	2.53	2.53	2.53	2.53	2.53	1
2	2.53	2.53	2.53	2.53	2.53	2.53	2
3	2.53	2.53	2.53	2.53	2.53	2.53	3
4	2.53	2.53	2.53	2.53	2.53	2.53	4
5	2.53	2.53	2.53	2.53	2.53	2.53	5
6	2.53	2.53	2.53	2.53	2.53	2.53	6
7	2.53	2.53	2.53	2.53	2.53	2.53	7
8	2.53	2.53	2.53	2.53	2.53	2.53	8
9	2.53	2.53	2.53	2.53	2.53	2.53	9
10	2.53	2.53	2.53	2.53	2.53	2.53	10
11	2.53	2.53	2.53	2.53	2.53	2.53	11
12	2.53	2.53	2.53	2.53	2.53	2.53	12
13	2.53	2.53	2.53	2.53	2.53	2.53	13
14	2.53	2.53	2.53	2.53	2.53	2.53	14
15	2.53	2.53	2.53	2.53	2.53	2.53	15
16	2.53	2.53	2.53	2.53	2.53	2.53	16
17	2.53	2.53	2.53	2.53	2.53	2.53	17
18	2.53	2.53	2.53	2.53	2.53	2.53	18
19	2.53	2.53	2.53	2.53	2.53	2.53	19
20	2.53	2.53	2.53	2.53	2.53	2.53	20
21	2.53	2.53	2.53	2.53	2.53	2.53	21
22	2.53	2.53	2.53	2.53	2.53	2.53	22
23	2.53	2.53	2.53	2.53	2.53	2.53	23
24	2.53	2.53	2.53	2.53	2.53	2.53	24
25	2.53	2.53	2.53	2.53	2.53	2.53	25
26	2.53	2.53	2.53	2.53	2.53	2.53	26
27	2.53	2.53	2.53	2.53	2.53	2.53	27
28	2.53	2.53	2.53	2.53	2.53	2.53	28
29	2.53	2.53	2.53	2.53	2.53	2.53	29
30	2.53	2.53	2.53	2.53	2.53	2.53	30
31		2.53		2.53	2.53		31
TOTAL	75.90	78.43	75.90	75.90	78.43	75.90	

YEARLY C F S 460
 YEARLY ACRE FEET 912
 TOTAL NO OF DAYS 183
 YEARLY MEAN 3

WATER DISTRICT 37 & 37M

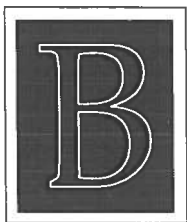
WATER DISTRICT 37 & 37M							
CANAL NAME		ASPEN		CANAL NO. 27			2008
OWNER		REID JOHNSON					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		0.50	0.50	0.50			1
2	0.50	0.50	0.50	0.50			2
3	0.50	0.50	0.50	0.50			3
4	0.50	0.50	0.50	0.50			4
5	0.50	0.50	0.50	0.50			5
6	0.50	0.50	0.50	0.50			6
7	0.50	0.50	0.50	0.50			7
8	0.50	0.50	0.50	0.50			8
9	0.50	0.50	0.50	0.50			9
10	0.50	0.50	0.50	0.50			10
11	0.50	0.50	0.50	0.50			11
12	0.50	0.50	0.50	0.50			12
13	0.50	0.50	0.50	0.50			13
14	0.50	0.50	0.50	0.50			14
15	0.50	0.50	0.50	0.50			15
16	0.50	0.50	0.50	0.50			16
17	0.50	0.50	0.50	0.50			17
18	0.50	0.50	0.50	0.50			18
19	0.50	0.50	0.50	0.50			19
20	0.50	0.50	0.50	0.50			20
21	0.50	0.50	0.50	0.50			21
22	0.50	0.50	0.50	0.50			22
23	0.50	0.50	0.50	0.50			23
24	0.50	0.50	0.50	0.50			24
25	0.50	0.50	0.50	0.15			25
26	0.50	0.50	0.50	0.15			26
27	0.50	0.50	0.50	0.15			27
28	0.50	0.50	0.50	0.15			28
29	0.50	0.50	0.50	0.15			29
30	0.50	0.50	0.50	0.15			30
31				0.15			31
TOTAL	14.50	15.00	15.00	12.55	0.00	0.00	

YEARLY C F S 57
 YEARLY ACRE FEET 113
 TOTAL NO OF DAYS 120
 YEARLY MEAN 0

WATER DISTRICT 37 & 37M

WATER DISTRICT 37 & 37M							
CANAL NAME		ASPEN LAKES		CANAL NO. 27			2009
OWNER	ASPEN LAKES Canal Co.						
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1	1.02	1.46	0.82	0.63	0.47	0.00	1
2	1.02	1.46	0.82	0.63	0.47	0.00	2
3	1.02	1.46	0.82	0.63	0.47	0.00	3
4	1.02	1.46	0.82	0.63	0.47	0.00	4
5	1.02	1.35	0.82	0.63	0.47	0.00	5
6	1.02	1.35	0.82	0.55	0.47	0.00	6
7	1.02	1.35	0.82	0.55	0.47	0.00	7
8	1.02	1.29	0.82	0.55	0.47	0.00	8
9	1.02	1.29	0.82	0.47	0.55	0.00	9
10	1.02	0.92	0.82	0.47	0.55	0.00	10
11	1.12	0.92	0.82	0.47	0.55	0.00	11
12	1.12	0.77	0.82	0.47	0.55	0.00	12
13	1.12	0.77	0.82	0.47	0.55	0.00	13
14	1.12	0.77	0.87	0.47	0.55	0.00	14
15	1.12	0.77	0.87	0.47	0.55	0.00	15
16	1.12	0.77	0.87	0.47	0.55	0.00	16
17	1.12	0.77	0.87	0.47	0.47	0.00	17
18	1.23	0.77	0.87	0.47	0.47	0.00	18
19	1.23	0.77	0.87	0.47	0.47	0.00	19
20	1.23	0.77	0.87	0.47	0.47	0.00	20
21	1.23	0.92	0.87	0.47	0.47	0.00	21
22	1.23	0.92	0.87	0.55	0.47	0.00	22
23	1.35	0.92	0.87	0.55	0.47	0.00	23
24	1.35	0.92	0.87	0.55	0.47	0.00	24
25	1.35	0.92	0.87	0.55	0.00	0.00	25
26	1.35	0.92	0.87	0.55	0.00	0.00	26
27	1.35	0.92	0.72	0.55	0.00	0.00	27
28	1.35	0.92	0.72	0.55	0.00	0.00	28
29	1.35	0.92	0.72	0.55	0.00	0.00	29
30	1.35	0.92	0.72	0.55	0.00	0.00	30
31		0.92		0.55	0.00		31
TOTAL	34.99	31.36	24.85	15.78	11.92	0.00	

YEARLY C F S 119
 YEARLY ACRE FEET 235
 TOTAL NO OF DAYS 183
 YEARLY MEAN 1



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

August 20, 2010

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

RECEIVED

AUG 20 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: Transfer Application 37-30013 / 37-577CH
Project No. 599-01-2002

Dear Allen:

Enclosed please find an application for transfer of water right 37-30013. This right is known as 37-577CH in the SRBA but has also been known at various times as 37-577G, 37-577AH, and 37-577BT. The right allows 1.2 cfs from the Big Wood River for recreation, aesthetics, and fish propagation uses. The application seeks to codify usage which has been occurring for many years under this right, including moving the place of use to the correct location, and deleting a point of diversion which was never developed. The transfer is now possible since ownership has been properly conveyed by quitclaim deed.

The subject water right was purchased in 1991 by Bruce Willis and the right began to be used on Lots 34, 37, 38, and 41 through the Aspen #27 headgate. The enclosed bill of sale confirms the sale to Mr. Willis. The enclosed quitclaim deed executed July 1, 2010 conveyed the right to Demi Moore, the current owner of the property and applicant for the present transfer. A more thorough history of this right can be provided if needed.

The right has been delivered since the early 1990s to the Aspen #27 headgate and utilized for recreation and aesthetic purposes within a pond system on Lots 34, 37, 38, and 41 of Flying Heart Subdivision No. 2. This pond system is lined and has been operational since approximately 1992. The headgate through which the water is diverted is owned and operated by the Aspen Lakes Canal Company, a mutual irrigation company which owns and delivers irrigation water rights 37-557, 37-558, and 37-559 through the headgate for the benefit of the shareholders. The headgate is situated on land owned by one of the shareholders in the company. The enclosed articles of incorporation identify the shareholders. By way of explanation, please note that Lot 40A, FHR #2 and Lot 4, FHR #1 were combined via plat amendment in 1988, creating Lot 41 (see attached plat maps and amendments). The applicant therefore appears to have a controlling 4/7 share in the company.

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

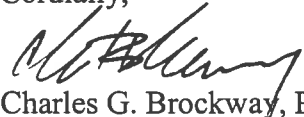
208•736•8543

FAX: 736•8506

Furthermore, the aesthetic water right has been delivered to the headgate since the early 1990s with full knowledge and acquiescence of the other members of the company, as evidenced by the attached diversion records from Water District 37. In addition, the Aspen #27 point of diversion is listed on the water right as currently recorded. Therefore, there should be no issue regarding authority to divert from this location.

The transfer application fee of \$290.00 as required for a diversion rate of 1.2 cfs is enclosed with this letter.

Cordially,



Charles G. Brockway, P.E.

Enc. Application for Transfer
 Sale Agreement – Peter Trust to Willis
 Quitclaim Deed – Willis to Moore
 Articles of Incorporation – Aspen Lakes Canal Company
 FHR plat maps and amendments – original to present

Cc: Ned Williamson, Atty. for applicant
 James P. Speck, Atty. for Aspen Lakes CC