

Transfer No. 72552

Name of Applicant Alex Cherian Phone 208-120-2400
208-588-2424
 Post Office address PO Box 720, Ketchikan ID 83340

RECEIVED
DEC 27 2005

- Department of Water Resources
Eastern Region

2. Describe the reason for the proposed changes Better control of water,

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
34-269D	06/30/1897	0.230 cfs	Irrigation	5/01 to 10/15
				to
				to
				to

2. Total amount of water being transferred 0.37.23 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Big Lost River tributary to Sinks

[illegible][illegible]

Total Acres _____

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Page 2 of 6Transfer No. 72552**PART 1****6. General Information:**a. Description of diversion system Ditch for flood irrigationb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:

No change

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-269D

PART 2

WATER RIGHT NUMBER: 34-269D

Owner Type Name and Address

Current Owner ALEXANDER CHERIAN, PO BOX 720, KETCHUM, ID 83340 (208)726-1042

Priority Date: 06/30/1897

Basis: Decreed

Status: Active

SourceTributary

BIG LOST RIVER

SINKS

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

5/01 to 10/15

0.230 CFS

Total Diversion: 0.230 CFSLocation of Point(s) of Diversion

BIG LOST RIVER L4 (NW1/4NW1/4) Sec. 5, Twp 08N, Rge 22E, B.M. CUSTER County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N 22E 5					6.5	5.5											12.0
					L 3	L 4											

Total Acres: 12

Conditions of Approval:

- PROPERTY IS ALSO KNOWN AS LOTS 2, 3 AND 4 WINTERHAVEN SUBDIVISION.
- DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES WHEN WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY OF THIS RIGHT AT THE ORIGINAL POINT OF DIVERSION IN T07N, R24E, S18, SESWNE.
- 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.
- USE OF THIS RIGHT WITH RIGHT NO. 34-02456D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.
- S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
- USE OF THIS RIGHT WITH RIGHT NO. 34-02456D IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.37 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 42 AF.
- PURSUANT TO A CALL IN TIMES OF SCARCITY, THIS RIGHT IS JUNIOR TO ALL OTHER RIGHTS DIVERTED ABOVE MACKAY RESERVOIR WITH A PRIORITY DATE BEFORE JULY 21, 1997.

Remarks:Comments:

1. DCARLSON 11/4/1997 COPIED FROM REMARKS USE OF THIS RIGHT WITH RIGHT 34-02456C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.31 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 25.0 AF, & TO THE IRRIGATION OF A COMBINED TOTAL OF 10.0 AC IN A SINGLE IRRIGATION SEASON. WATER DELIVERED THROUGH THE STREETER DITCH. 0.04 CFS OF RIGHT NO. 34-02456C IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 34-02456C.

Dates and Other Information:

Decreed Date: 1/29/2002

State or Federal: S

Water District Number: 34

Civil Case Number: 39576

Judicial District: FIFTH

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.37	42	12

Combined Water Rights: 34-269D, 34-2456D

Water Supply Bank:

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

Current Water Right No. 34-269D

Documentation of Ownership of the Current Place of Use: _____

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? No

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer.

No Change = better use of water

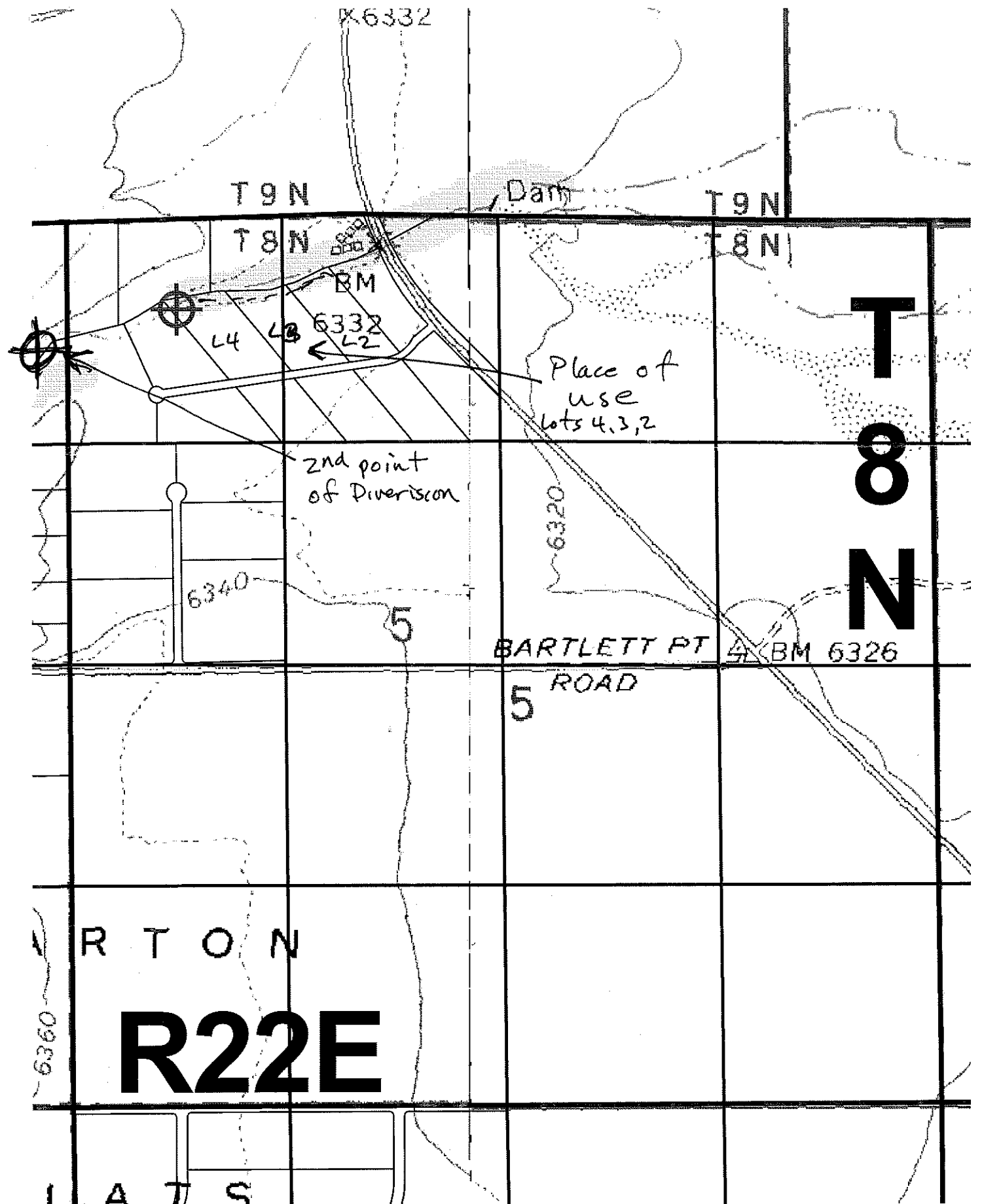
To your knowledge, has any portion of the water right undergone a period of five (5) or more consecutive years of non-use?

No

Transfer No. _____

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PART 3

B. CHANGES IN NATURE OF USE

- | 1. | <u>New Nature of Use</u> | <u>Amount(cfs/af-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|--------------------------|------------------------|----------------------|
| | | | | to |
| | | | | to |
2. Quantity and quality of return flows and location of discharge:
3. Describe effects on other water uses resulting from the proposed change:

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

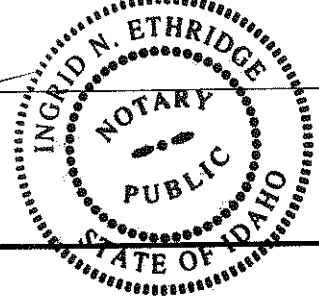
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Alvin R. Quinn
(Signature of Applicant)

Subscribed and sworn to before me this 23rd day of December 2005

Ingrid N. Ethridge
(Notary Public)

My commission expires 4/20/11



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee 250-

Received by Se Date 12/29/05 EO 31520

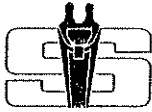
Published in Challis Messenger Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____



Order No. 96007622
This form furnished by
Blaine County Title Associates

CORPORATION WARRANTY DEED

J.C. ANDERSON CO., INC., AN IDAHO CORPORATION, a corporation
organized and existing under the laws of the State of IDAHO, with its principal office at 639
EASTLAND DRIVE SOUTH, TWIN FALLS, ID 83301

grantor, hereby CONVEYS or GRANTS and WARRANTS TO ALEXANDER B. CHERIAN, A SINGLE
MAN

grantee

whose current address is: P.O. BOX 720, KETCHUM, ID 83340

the following described premises, to-wit:

LOTS THREE (3) AND (4) OF WINTER HAVEN SUBDIVISION ACCORDING TO THE
OFFICIAL PLAT THEREOF FILED FOR RECORD AS INSTRUMENT NO. 208879. RECORDS
OF CUSTER COUNTY, IDAHO.

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

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized
under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a
quorum.

In witness whereof, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized
officers this 14th day of June, 1996, A.D.

J.C. ANDERSON CO., INC., AN IDAHO
CORPORATION

(Corporate Seal)

(Corporate Name)

By John C. Anderson
President

Attest: _____
Secretary

State of IDAHO

County of _____ ss.

On this 14th day of June, 1996, before me, the
undersigned, a Notary Public, in and for said State, personally appeared JOHN C. ANDERSON

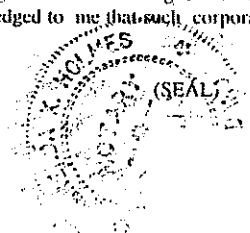
_____, known to me, or identified to me on the basis of satisfactory
evidence, to be the PRESIDENT
of the corporation that executed the instrument and that the foregoing instrument was signed on behalf of said corporation
by authority of a resolution of its board of directors and acknowledged to me that such corporation executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public

Residing at: _____

Commission Expires: _____



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ATTACHMENT L OF 2

Order No. 22251

**CORPORATION
WARRANTY DEED**

FOR VALUE RECEIVED

J.C. ANDERSON CO., INC., an Idaho Corporation

a corporation duly organized and existing under the laws of the State of Idaho, does hereby GRANT, BARGAIN, SELL and CONVEY unto

ALEXANDER B. CHERIAN, a single man

GRANTEE whose address is: P.O. Box 720, Ketchum, ID 83340

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

LOT TWO (2) OF WINTER HAVEN SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF FILED FOR RECORD AS INSTRUMENT NO. 208879, RECORDS OF CUSTER COUNTY, IDAHO.

Subject To: Taxes, easements, restrictions and encumbrances of record.

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President.

Dated: August 22, 1996

J.C. ANDERSON CO., INC.


JOHN C. ANDERSON,

PRESIDENT

State of Idaho

County of Twin Falls

)
) ss.
)

On this 22nd day of August, in the year 1996, before me, the undersigned, personally appeared **John C. Anderson** known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.



Notary Public:

Residing at Twin Falls

Commission Expires: 3-25-97

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ATTACHMENT 2 OF 2